

January 13, 2021

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, January 13, 2021 at 4:55 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - 14

Reporters - - - - - 1

The meeting was called to order by Council President McCorristin.

<u>Roll call:</u>	Council President McCorristin	Present
	Councilman Deever	Present
	Councilwoman Hudanich	Present
	Councilwoman Juzaitis	Present
	Councilman Wierman	Present

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Borough Solicitor
Jeffrey R. Christopher, Chief of Police
William McCormick, Director of Public Works/Utilities
Paul Short, Code Enforcement Officer
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald

Council President McCorristin read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included the annual Schedule of Meetings dated June 24, 2020. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

Work Session, Regular Meeting, Closed Sessions – December 16, 2020

Motion made by Councilwoman Hudanich, seconded by Councilwoman Juzaitis that the minutes be approved as submitted.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Public comments regarding Resolutions:

None.

<u>Resolution No.</u>	<u>1-2021:</u>	A RESOLUTION PROVIDING TEMPORARY APPROPRIATIONS FOR THE YEAR 2021
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Motion made by Councilman Wierman, seconded by Councilwoman Hudanich that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Resolution No. 2-2021: A RESOLUTION AUTHORIZING RENEWAL OF AN AGREEMENT BETWEEN THE BOROUGH OF AVALON AND SENIOR TRAVEL SERVICE OF CAPE MAY COURT HOUSE, NJ TO GUARANTEE THE AVAILABILITY OF TRANSPORTATION SERVICES TO ASSIST IN THE EVACUATION OF BOROUGH RESIDENTS ON AN AS NEEDED BASIS FOR ONE (1) YEAR TERM COMMENCING JANUARY 1, 2021

Resolution No. 3-2021: A RESOLUTION ACCEPTING THE QUOTE OF FOLEY INC., OF BENSALEM, PA FOR A PORTABLE GENERATOR TO PROVIDE STANDBY ELECTRICAL POWER TO AN EVACUATION SHELTER ON AN AS NEEDED BASIS FOR A ONE YEAR TERM COMMENCING JANUARY 1, 2021

Motion made by Council President McCorristin, seconded by Councilman Deeever that the resolutions be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deeever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Resolution No. 4-2021: A RESOLUTION AUTHORIZING THE APPOINTMENT OF SCOTT WAHL AS FUND COMMISSIONER AND JAMES A. WALDRON AS ALTERNATE FUND COMMISSIONER, FOR A ONE YEAR TERM COMMENCING JANUARY 1, 2021 TO THE ATLANTIC COUNTY MUNICIPAL JOINT INSURANCE FUND FOR THE BOROUGH OF AVALON

Resolution No. 5-2021: A RESOLUTION DESIGNATING SCOTT WAHL, BUSINESS ADMINISTRATOR AS THE PUBLIC AGENCY COMPLIANCE OFFICER FOR THE BOROUGH OF AVALON FOR THE YEAR 2021

Motion made by Councilwoman Juzaitis, seconded by Council President McCorristin that the resolutions be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deeever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Resolution No. 6-2021: A RESOLUTION AUTHORIZING THE APPOINTMENT OF FRANK GUARACINI, III, ESQUIRE OF BLANEY & KARAVAN, P.C. OF AVALON, NJ AS MUNICIPAL PROSECUTOR FOR THE BOROUGH OF AVALON FOR A ONE YEAR TERM COMMENCING JANUARY 1, 2021

Resolution No. 7-2021: A RESOLUTION AUTHORIZING THE APPOINTMENT OF MICHAEL SORENSEN, ESQUIRE OF CAPE MAY COURT HOUSE, NJ AS MUNICIPAL PUBLIC DEFENDER FOR THE BOROUGH OF AVALON FOR A ONE YEAR TERM COMMENCING JANUARY 1, 2021

Motion made by Councilwoman Hudanich, seconded by Councilman Deeever that the resolutions be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deeever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

- Resolution No. 8-2021:

A RESOLUTION AUTHORIZING THE EXECUTION OF PROFESSIONAL SERVICES CONTRACTS, NON-FAIR AND OPEN, FOR A ONE (1) YEAR TERM COMMENCING JANUARY 1, 2021
- Resolution No. 9-2021:

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MARSH & MCLENNAN AGENCY, LLC AS RISK MANAGEMENT CONSULTANT FOR A ONE (1) YEAR TERM COMMENCING JANUARY 1, 2021
- Resolution No. 10-2021:

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH MARSH & MCLENNAN AGENCY, LLC AS HEALTH CARE CONSULTANT FOR A ONE (1) YEAR TERM COMMENCING JANUARY 1, 2021
- Resolution No. 11-2021:

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH DR. STEWART C. FARRELL, EXECUTIVE DIRECTOR, COASTAL RESEARCH CENTER, THE RICHARD STOCKTON COLLEGE OF NJ FOR MONITORING COMMUNITY BEACHES SEASONALLY FOR A ONE (1) YEAR TERM COMMENCING JANUARY 1, 2021
- Resolution No. 12-2021:

A RESOLUTION AWARDDING A CONTRACT TO STEPHEN SERWATKA, T/A ANIMAL CONTROL OF SOUTH JERSEY FOR ANIMAL CONTROL SERVICES IN THE BOROUGH OF AVALON FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 1, 2021
- Resolution No. 13-2021:

A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, EXEMPT FROM NEW JERSEY PAY-TO-PLAY REQUIREMENTS, WITH THE WETLANDS INSTITUTE OF STONE HARBOR, NEW JERSEY, FOR CERTAIN CONSULTING SERVICES FOR THE BOROUGH OF AVALON FOR A ONE (1) YEAR TERM COMMENCING JANUARY 1, 2021 FOR AN AMOUNT NOT TO EXCEED TWENTY-FIVE THOUSAND DOLLARS (\$25,000.00) TO PROVIDE ECOLOGICAL AND ENVIRONMENTAL ADVISORY GUIDANCE AND INPUT TO THE BOROUGH AND VARIOUS BOARDS AND COMMISSIONS THEREOF

Motion made by Councilman Wierman, seconded by Council President McCorristin that the resolutions be adopted.

- ROLL CALL VOTE:

Councilman Deever

Aye

Councilwoman Hudanich

Aye

Councilwoman Juzaitis

Aye

Councilman Wierman

Aye

Council President McCorristin

Aye
- Resolution No. 14-2021:

A RESOLUTION AUTHORIZING THE TAX ASSESSOR TO FILE CROSS APPEALS AND/OR MUNICIPAL APPEALS ON BEHALF OF THE BOROUGH OF AVALON FOR THE TAX YEAR 2021

Motion made by Councilwoman Juzaitis, seconded by Councilwoman Hudanich that the resolution be adopted.

- ROLL CALL VOTE:

Councilman Deever

Aye

Councilwoman Hudanich

Aye

Councilwoman Juzaitis

Aye

Councilman Wierman

Aye

Council President McCorristin

Aye

Resolution No. 15-2021:

A RESOLUTION DESIGNATING THE BOROUGH CLERK AND DEPUTY BOROUGH CLERK TO ISSUE CERTIFICATES AS TO LIABILITY FOR ASSESSMENT OF MUNICIPAL IMPROVEMENTS EFFECTIVE FEBRUARY 1, 2021 THROUGH JANUARY 31, 2022

Motion made by Councilman Deever, seconded by Councilwoman Juzaitis that the resolution be adopted.

ROLL CALL VOTE:

Councilman Deever	Aye
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Resolution No. 16-2021:

A RESOLUTION AUTHORIZING AWARD OF BOROUGH CONTRACT NO. 21-01, MAINTENANCE OF BOROUGH OWNED GROUNDS FOR A TERM COMMENCING FEBRUARY 1, 2021 THROUGH DECEMBER 31, 2021 (11 MONTHS) IN THE AMOUNT OF TWO HUNDRED TWENTY-NINE THOUSAND TWENTY-EIGHT DOLLARS (\$229,028.00)

Motion made by Council President McCorristin, seconded by Councilwoman Hudanich that the resolution be adopted.

ROLL CALL VOTE:

Councilman Deever	Aye
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Resolution No. 17-2021:

A RESOLUTION AUTHORIZING THE BOROUGH OF AVALON THROUGH THE AVALON POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE AVALON POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

Motion made by Councilwoman Juzaitis, seconded by Councilman Wierman that the resolution be adopted.

ROLL CALL VOTE:

Councilman Deever	Aye
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Resolution No. 18-2021:

A RESOLUTION AUTHORIZING THE EMPLOYMENT OF JOSEPH STOLTENBERG AS A FULL-TIME POLICE OFFICER FOR THE BOROUGH OF AVALON POLICE DEPARTMENT

Motion made by Council President McCorristin, seconded by Councilman Deever that the resolution be adopted.

ROLL CALL VOTE:

Councilman Deever	Aye
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Resolution No. 19-2021: A RESOLUTION AUTHORIZING THE TRANSFER OF FUNDS

Motion made by Councilwoman Hudanich, seconded by Councilman Wierman that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Resolution No. 20-2021: A RESOLUTION APPROVING AN INCREASE IN THE PROFESSIONAL SERVICES CONTRACT WITH THE LAW FIRM OF BLANEY & KARAVAN FOR 2020 IN AN AMOUNT NOT TO EXCEED ONE HUNDRED THOUSAND DOLLARS (\$100,000.00) AND AMENDING RESOLUTIONS 13-2020 AND 224-2020

Motion made by Councilman Deever, seconded by Councilwoman Juzaitis that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Resolution No. 21-2021: A RESOLUTION REGARDING AN EXTENSION OF THE FAMILIES FIRST CORONAVIRUS RESPONSE ACT (FFCRA) THROUGH MARCH 31, 2021

Motion made by Councilman Wierman, seconded by Council President McCorristin that the resolution be adopted, with the policy to be amended, per the discussion at the January 13, 2021 Work Session.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Resolution No. 22-2021: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Councilwoman Hudanich, seconded by Councilwoman Juzaitis that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Second reading, public hearing and final action on Ordinance No. 814-2021:

Motion made by Councilman Wierman, seconded by Councilman Deever that Ordinance No. 814-2021 be brought on for second reading, public hearing and final action.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Borough Clerk read aloud Ordinance No. 814-2021:

Ordinance No. 814-2021:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 2 OF THE AVALON BOROUGH CODE (ADMINISTRATION) SECTIONS 2-10 ET SEQ. PERTAINING TO THE DEPARTMENT OF PUBLIC WORKS AND UTILITIES AND THE PLAN OF REORGANIZATION PERTAINING THERETO

Council President McCorristin opened the meeting for public hearing on Ordinance No. 814-2021 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman Wierman, seconded by Councilman Deever that the public hearing be closed.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Motion made by Councilman Wierman, seconded by Councilman Deever that Ordinance No. 814-2021 be finally adopted, submitted to the Mayor for approval and advertised according to law.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Second reading, public hearing and final action on Ordinance No. 815-2021:

Motion made by Councilwoman Juzaitis, seconded by Councilwoman Hudanich that Ordinance No. 815-2021 be brought on for second reading, public hearing and final action.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Borough Clerk read aloud Ordinance No. 815-2021:

Ordinance No. 815-2021:

AN ORDINANCE AMENDING ORDINANCE NO. 797-2020 KNOWN AS THE SALARY ORDINANCE OF 2020 PERTAINING TO THE AVALON DEPARTMENT OF PUBLIC WORKS AND UTILITIES

Council President McCorristin opened the meeting for public hearing on Ordinance No. 815-2021 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilwoman Juzaitis, seconded by Councilwoman Hudanich that the public hearing be closed.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Motion made by Councilwoman Juzaitis, seconded by Councilwoman Hudanich that Ordinance No. 815-2021 be finally adopted, submitted to the Mayor for approval and advertised according to law.

ROLL CALL VOTE:

Councilman Deever	Aye
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Reports of Officials:

Scott Wahl read the following report:

Ocean City Court: Our neighbors in Ocean City experienced an emergency technology issue on Tuesday relating to their court operations. At my request, Avalon's shared court responded and was able to provide all of the services requested by Ocean City to have their court. I would like to complement our new Court Administrator Wendy Torroni and Deputy Administrator Liz Giratoudis for stepping in and helping with this emergent condition. Their efforts have been recognized by our vicinage.

Dune Drive Beautification Plan: I have been working with Mayor Pagliughi before and through the holiday period on a replanting/beautification of Dune Drive in advance of the season. We will be asking Council to consider this endeavor for this spring to vastly improve the aesthetics of our traffic islands and other Dune Drive greenery. The plan will include replacement plantings for dead trees that have been removed with a plan to fix any irrigation issues shall they be discovered during this effort. The substantial completion date for this will be before Memorial Day weekend.

Emergency Alerts: During the holiday period, I was involved in advanced training regarding our emergency alert system. As previously reported to Council we will be expanding the scope of potential use of our Code Red alert system provided by OnSolve. This will allow us, during timely emergent conditions, to issue quicker phone alerts and text alerts, when necessary for an imminent threat like a tornado or other disaster. When appropriate, we will be able to issue alerts in special zones through our community when an issue is indigent only on a specific portion of Avalon.

Covid-19: The pandemic certainly remains a focus of our individual breakout meetings and Safety Committee meetings for which Councilwoman Juzaitis not only attends, but is an active participant with our group. To date, no municipal executive orders have been rescinded. We have a working group that will present for Council's consideration at our next meeting amendments to our outdoor dining policies as it was warmly received by the public and deficiencies shall be corrected with the amended Temporary Emergency Response Plan. We have on the front page of the website the appropriate link for individuals to sign up for the vaccine. Avalon Community Hall continues to be used by the County as a vaccination location initially for those in the medical field, and next for first responders.

The latest statistics: As of this morning, Cape May County has experienced 4,992 cases during the pandemic, and 150 deaths. Our seven-day average is 58 cases per day. There have been 1,681 vaccinations at Avalon Community Hall of medical professionals and first responders. Police/fire was moved from 1B to 1A, and a move to transition into 1B is made by the State.

Councilwoman Hudanich asked if the vaccinations are by appointment only.

Scott Wahl replied yes.

Pending Business:

None.

New Business:

Councilwoman Juzaitis recognized Avalon and their efforts to support dissemination of the COVID-19 vaccine, while noting Cape May County is receiving a limited quantity of vaccinations and commending all involved for their hard work.

Councilwoman Hudanich complimented Councilwoman Juzaitis for not only being an instructor at the Cape May County Technical School, but also having a Master's Degree in Infectious Disease. Practical Nurse students and staff members of Cape May County Technical School have vaccinated approximately 1,000 people at Shore Memorial Hospital. She complimented everyone who is working together in these unprecedented times.

Councilman Wierman thanked the Avalon Police Department for their help with crowd control at the highly attended Planning/Zoning Board Meeting on January 12, 2021.

Public Comments:

None.

Resolution No. 23-2021: A RESOLUTION TO CONDUCT A CLOSED SESSION PURSUANT TO N.J.S.A. 10:4-12.b OF THE OPEN PUBLIC MEETINGS ACT PERTAINING TO CONTRACT NEGOTIATIONS CONCERNING THE CHIEF OF POLICE

Motion made by Councilman Deever, seconded by Councilman Wierman that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Motion made by Councilman Deever, seconded by Councilman Wierman to recess the public portion of the Regular Meeting and go into Closed Session.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Council President McCorristin announced official action will not be taken after the Closed Session.

Public portion of Regular Meeting recessed at 5:14 p.m.

Public Portion of Regular Meeting reconvened at 5:24 p.m.

Present:

Council President McCorristin
Councilman Deever
Councilwoman Hudanich
Councilwoman Juzaitis
Councilman Wierman
James A. Waldron, Assistant Business Administrator
Scott Wahl, Business Administrator
Nicole Curio, Esquire, Gruccio, Pepper, DeSanto & Ruth, P.A

Resolution No. 24-2021: A RESOLUTION TO CONDUCT A CLOSED SESSION PURSUANT TO N.J.S.A. 10:4-12.b OF THE OPEN PUBLIC MEETINGS ACT PERTAINING TO ANTICIPATED LITIGATION AND CONTRACT NEGOTIATIONS CONCERNING POTENTIAL POLICY AMENDMENTS PREVIOUSLY ESTABLISHED BY RESOLUTION

January 13, 2021

Motion made by Council President McCorristin, seconded by Councilman Deever that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Motion made by Council President McCorristin seconded by Councilman Deever to recess the public portion of the Regular Meeting and go into Closed Session.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Council President McCorristin announced official action will not be taken after the Closed Session.

Public portion of Regular Meeting recessed at 5:24 p.m.

Public Portion of Regular Meeting reconvened at 5:58 p.m.

Present:

Council President McCorristin
Councilman Deever
Councilwoman Hudanich
Councilwoman Juzaitis
Councilman Wierman
James A. Waldron, Assistant Business Administrator
Scott Wahl, Business Administrator
Nicole Curio, Esquire, Gruccio, Pepper, DeSanto & Ruth, P.A.

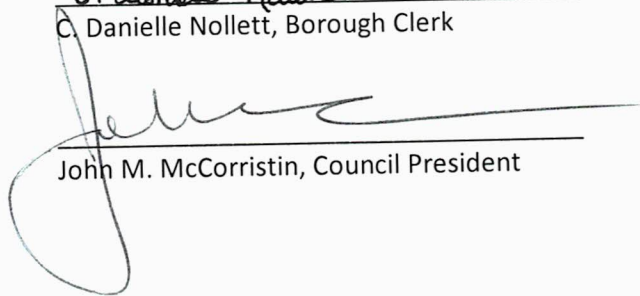
Motion made by Councilman Wierman, seconded by Council President McCorristin to adjourn the Regular Meeting.

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

Regular Meeting adjourned at 5:59 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


John M. McCorristin, Council President