

February 10, 2021

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, February 10, 2021 at 4:46 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 5

Reporters ----- 1

The meeting was called to order by Council President McCorristin.

<u>Roll call:</u>	Council President McCorristin	Present
	Councilman Deever	Absent
	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, Police Chief
William McCormick, Director of Public Works/Utilities
Paul Short, Code Enforcement Official
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 – January 27, 2021

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

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

Public comments regarding Resolutions:

None.

<u>Resolution No.</u>	<u>33-2021:</u>	A RESOLUTION GRANTING A 2021 AMUSEMENT GAMES LICENSE TO TWO BITS AMUSEMENTS, INC.FOR PREMISES LOCATED AT 2805-07-09 BOARDWALK, AVALON, NEW JERSEY
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Motion made by Councilwoman Hudanich, seconded by Councilwoman Juzaitis that the resolution be adopted.

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

Resolution No. 34-2021:

A RESOLUTION OPPOSING ASSEMBLY BILL A4850/SENATE BILL S3095 CONCERNING THE PROPOSED EXPEDITED INSPECTION PROGRAM

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

ROLL CALL VOTE:

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

Resolution No. 35-2021:

A RESOLUTION AUTHORIZING A MAINTENANCE SERVICES AGREEMENT WITH CM3 BUILDING SOLUTIONS FOR HEATING AND AIR CONDITIONING ANNUAL MAINTENANCE AND INSPECTION OF BOROUGH BUILDINGS FOR A ONE YEAR TERM COMMENCING JANUARY 1, 2021

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

ROLL CALL VOTE:

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

Resolution No. 36-2021:

A RESOLUTION AUTHORIZING CONTRACTS WITH CERTAIN APPROVED STATE CONTRACT VENDORS FROM JANUARY 1, 2021 THROUGH DECEMBER 31, 2021

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

ROLL CALL VOTE:

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

Resolution No. 37-2021:

A RESOLUTION ESTABLISHING MEETING PROCEDURES AND ORDER OF BUSINESS AND RESCINDING RESOLUTION NO. 140-2014, ADOPTED JULY 23, 2014

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

ROLL CALL VOTE:

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

Resolution No. 38-2021: A RESOLUTION AUTHORIZING CHANGE ORDER NO. 2 FOR
SANITARY SEWER IMPROVEMENTS, 21st STREET AND FIRST
AVENUE, CONTRACT NO. 57

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

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

Resolution No. 39-2021: A RESOLUTION AUTHORIZING A WATER AND SEWER CREDIT IN
THE AMOUNT OF \$3,150.76 TO WILLIAM AND VALERIE
SCHWARTZ FOR PREMISES AT 5988 DUNE DRIVE, AVALON, NEW
JERSEY, WHICH IS BLOCK 59.04 LOT 2 ON THE OFFICIAL TAX
MAP OF THE BOROUGH OF AVALON

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

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

Resolution No. 40-2021: A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT
BETWEEN THE BOROUGH OF AVALON AND THE COUNTY OF
CAPE MAY FOR DISPATCH SERVICES

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

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

Resolution No. 41-2021: A RESOLUTION AUTHORIZING A SECOND AMENDMENT TO THE
SHARED SERVICES AGREEMENT AMONG THE BOROUGH OF
AVALON, THE CITY OF NORTH WILDWOOD AND THE BOROUGH
OF STONE HARBOR PERTAINING TO COASTAL BARRIER
RESOURCES ACT OR CBRA LITIGATION AND RELATED ISSUES
AND THE RELATED PROFESSIONAL SERVICES CONTRACT WITH
NEIL YOSKIN, ESQUIRE AND THE LAW FIRM OF CULLEN AND
DYKMAN LLP

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

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

Resolution No. 42-2021: A RESOLUTION AUTHORIZING AN INCREASE IN THE NOT TO EXCEED AMOUNT PERTAINING TO THE PROFESSION SERVICES CONTRACT WITH WILLIAM G. BLANEY, ESQUIRE, & MARCUS H. KARAVAN, ESQUIRE AND THE LAW FIRM OF BLANEY & KARAVAN, P.C. FOR 2021 AND AMENDING RESOLUTION 8-2021 IN PERTINENT PART

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

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

Resolution No. 43-2021: A RESOLUTION AUTHORIZING THE BOROUGH TO FILE A FORMAL RULE MAKING PETITION WITH THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION PETINING TO THE FEE STRUCTURE FOR BEACH REPLENISHMENT

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

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

Resolution No. 44-2021: A RESOLUTION AUTHORIZING BOROUGH OF AVALON PARTICIPATION IN CAPE MAY COUNTY COOPERATIVE PRICING PROGRAM FOR AWARD OF FURNISHING & DELIVERING OF ROCK SALT TO PARTICIPATING MEMBERS OF THE CAPE MAY COUNTY COOPERATIVE PROGRAM

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

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

Resolution No. 45-2021: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

Second reading, public hearing and final action on Ordinance No. 816-2021:

Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that Ordinance No. 816-2021 be brought on for second reading, public hearing and final action.

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

Borough Clerk read aloud Ordinance No. 816-2021:

Ordinance No. 816-2021:

AN ORDINANCE SUSPENDING THE OPERATION OF CERTAIN BOROUGH ORDINANCES FOR THE DURATION OF THE COVID-19 PANDEMIC TO THE EXTENT THAT SUCH ORDINANCES CONFLICT WITH AN STATE GUBERNATORIAL EXECUTIVE ORDER AND/OR ANY MUNICIPAL MAYORAL EXECUTIVE ORDER

Council President McCorristin opened the meeting for public hearing on Ordinance No. 816-2021 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that the public hearing be closed.

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

Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that Ordinance No. 816-2021 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

<u>Resolution No.</u>	<u>46-2021:</u>	A RESOLUTION DECLARING AN EMERGENCY PURSUANT TO N.J.S.A. 40:69A-181 CONCERNING THE EFFECTIVE DATE OF ORDINANCE NO. 816-2021
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Motion made by Council President McCorristin, seconded by Councilwoman Juzaitis that the resolution be adopted.

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

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl read the following report:

Electronic Delivery of Meetings: At the request of Council President McCorristin, I have begun an investigation into the options for a live streaming component of our Council meetings. It is clear that there are two options to further explore in regards to this service. Both options would include the live, real-time audio and video streaming of Borough Council meetings with the entire video file being uploaded for later review on the municipal website. One option is to have a “pay per meeting” arrangement with a video company who sets up the camera, provides the service, and uploads it to the municipal website after the meeting. The second option is to expand the media capabilities in the Council meeting room whereas the Borough can simply hit two buttons to start and stop the live streaming, with the video automatically uploaded for later viewing. If there is a preferred option, I will obtain more quotes for Council’s review.

Police Accreditation: There are many benefits for having a municipal police department accredited, and then re-accredited. The JIF and the MEL both recognize this, and this week announced that reimbursements and grants are being made to the local police departments who go through this process, or are re-accredited. Avalon qualifies and will receive \$3,000 of this funding.

COVID-19: I have communicated with County Health Department Director Kevin Thomas about some frequently asked questions and issues getting appointments through the state for the vaccine. In lieu of waiting for a document to arrive, and after speaking with our staff, I have compiled our own list of information to help Avalon residents sort out fact from fiction. I believe it is interesting to note that through the State program, there have been 6,275 vaccinations provided at Avalon Community Hall, while the county wide total is 16,659 as of this morning. Individuals are clearly exploring options outside of the State program to get vaccinated. Thanked Sue Keen for all of her helping our residents and property owners with any questions they may have.

Beach Patrol: After an extensive interview process, Mayor Pagliughi and Chief Christopher have appointed longtime Avalon Beach Patrol Lieutenant Matt Wolf to the position of Chief of the Beach Patrol, and longtime Lieutenant Ryan Black to Captain of the Avalon Beach Patrol. Matt and Ryan have a combined 37 years of experience with the Beach Patrol, both are educators, and both hold Master’s Degrees. Their appointments follow the retirement of Murray Wolf, who started working on the Avalon beaches in 1955 and has served as Captain of the Beach Patrol since 1967. Both Matt and Ryan are working on policies and recruitment of guards and taggers for the upcoming beach season.

Councilwoman Hudanich thanked Scott Wahl and Sue Keen for working to inform the public about the COVID-19 vaccination process while noting the ultimate decision-making is done by the Cape May County Department of Health. She announced the availability of registering online for a vaccination; however, noted residents outside of Cape May County will not be eligible to be vaccinated at Avalon Community Hall. She commended the Cape May County Department of Health for their hard work.

Councilwoman Juzaitis added the Borough of Avalon’s only involvement is providing the building for the health officials to administer the vaccinations.

Council President McCorristin requested that further information and quotes be presented to Borough Council regarding the two options for a live streaming component for the Council meetings.

Councilwoman Hudanich also requested that the information include if the component will be unilateral or interactive.

Pending business.

None.

New business

None.

Public Comments:

None.

February 10, 2021

Resolution No. 47-2021:

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 POTENTIAL SALE, LEASE, OR ACQUISITION OF REAL PROPERTY AND CONTRACT NEGOTIATIONS CONCERNING SALE OR EASEMENT OF ALL OR A PORTION OF BOROUGH OWNED LAND KNOWN AS BLOCK 83, LOT 1.01

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

ROLL CALL VOTE:

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

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

ROLL CALL VOTE:

Councilman Deever	Absent
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 5:03 p.m.

Public Portion of Regular Meeting reconvened at 5:23 p.m.

Present:

Councilwoman Hudanich
Councilwoman Juzaitis
Council President McCorristin
Councilman Wierman
Scott Wahl, Business Administrator
James A. Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Gruccio, Pepper, DeSanto & Ruth, P.A
Thomas R. Thornton, P.E., Borough Engineer, Mott MacDonald

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

ROLL CALL VOTE:

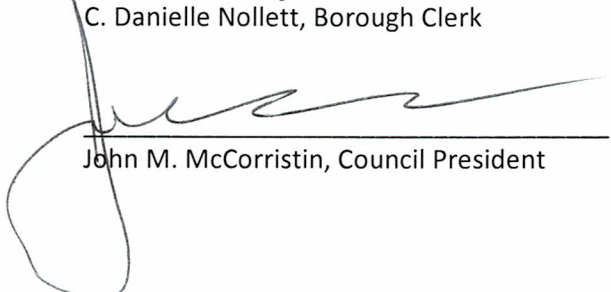
Councilman Deever	Absent
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Regular Meeting adjourned at 5:23 p.m.

Respectfully submitted,



C. Danielle Nollett, Borough Clerk



John M. McCorristin, Council President