

March 10, 2021

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, March 10, 2021 at 4:30 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 2

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
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 – February 24, 2021

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin 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. 57-2021:</u>	A RESOLUTION AUTHORIZING THE BOROUGH OF AVALON TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE CAMDEN COUNTY EDUCATIONAL SERVICES COMMISSION COOPERATIVE PRICING SYSTEM (66CCEPS)
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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	Absent
	Councilwoman Hudanich	Aye
	Councilwoman Juzaitis	Aye
	Councilman Wierman	Aye
	Council President McCorristin	Aye

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Resolution No. 58-2021:

A RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACTS FOR VARIOUS SPORTS AND EDUCATIONAL CAMPS FOR THE 2021 SEASON

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. 59-2021:

A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR MUNICIPALLY OWNED AND/OR CONTROLLED TENNIS COURTS

Resolution No. 60-2021:

A RESOLUTION ESTABLISHING RULES AND REGULATIONS FOR MUNICIPALLY OWNED AND/OR CONTROLLED PICKLEBALL COURTS

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

ROLL CALL VOTE:

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

Resolution No. 61-2021:

A RESOLUTION ADOPTING THE CASH MANAGEMENT PLAN OF THE BOROUGH OF AVALON FOR THE YEAR 2021

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

ROLL CALL VOTE:

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

Resolution No. 62-2021:

A RESOLUTION AUTHORIZING THE SALE OF SURPLUS PROPERTY NO LONGER NEEDED FOR PUBLIC USE WITH AN ONLINE AUCTION SERVICE

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

ROLL CALL VOTE:

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

Resolution No. 63-2021:

A RESOLUTION DESIGNATING THE PROTECTED BATHING BEACHES FOR 2021, DESIGNATING SURFING BEACHES, PADDLEBOARD BEACH AND AREAS WHERE VOLLEYBALL WILL BE PERMITTED; AND DETERMINING THE DATES DURING WHICH LIFEGUARDS WILL BE ON DUTY

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

ROLL CALL VOTE:

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

Resolution No. 64-2021:

A RESOLUTION AUTHORIZING THE BOROUGH TO ACCEPT A DEED OF EASEMENT FOR BLOCK 78.04 LOT 2 (FORMERLY KNOWN AS LOT 19) FOR THE CONSTRUCTION AND LOCATION OF A PROPOSED PUMP STATION AND AUTHORIZING THE BOROUGH CLERK TO CAUSE SUCH DEED OF EASEMENT TO BE RECORDED WITH THE CAPE MAY COUNTY CLERK

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

ROLL CALL VOTE:

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

Resolution No. 65-2021:

A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

ROLL CALL VOTE:

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

Ordinance:

Introduction and first reading by title only of Ordinance No. 818-2021:

Motion made by Councilman Wierman, seconded by Council President McCorristin that Ordinance No. 818-2021 be brought on for first reading by title only.

ROLL CALL VOTE:

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

Borough Clerk read aloud Ordinance No. 818-2021:

Ordinance No. 818-2021:

AN ORDINANCE AMENDING CHAPTER 2 OF THE AVALON BOROUGH CODE PERTAINING TO THE AVALON BEACH PATROL

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Motion made by Councilman Wierman, seconded by Council President McCorristin passed on first reading 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

Second reading, public hearing and final action on Ordinance No. 817-2021:

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin that Ordinance No. 817-2021 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. 817-2021:

Ordinance No. 817-2021:

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

Council President McCorristin opened the meeting for public hearing on Ordinance No. 817-2021 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin 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 Councilwoman Hudanich, seconded by Council President McCorristin that Ordinance No. 817-2021 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

Reports of Officials:

Scott Wahl gave the following report:

Ingram's Thorofare Bridge: There will be another day of long daytime delays on the bridge Thursday, and an overnight closure this evening, and again Thursday evening. Cape May County Engineer, Robert Church, has confirmed that this will result in the final concrete pours for the bridge. Later, there will be a final resurfacing of the bridge. The open lane does not have the final driving surface on it.

Borough Hall Roof: The contractor performing the installation of the new roof is in its final days of work. The Senior Center roof was completed on Tuesday. Little work remains, including the remediation of various small leaks that occurred while the roof was being placed on Borough Hall and the Senior Center. The contractor may demobilize completely next week.

Scott Wahl report (continued):

Shore Protection Fund: As Council may be aware, the State Senate is scheduled to vote on an increase in the Shore Protection Fund from \$25 million to \$50 million. This would be the first increase in the fund since 1998; it is financed through realty transfer fees and provides important matching state funding for Army Corps projects. I had a meeting with Senator Testa on Monday and he affirmed that the bill has his full support, along with support from Assemblymen Simonsen and McClellan.

Hydraulic Beach Fill: I have worked with Warwick Consultants for the mayors of Avalon and Stone Harbor to provide a letter to Senators Booker and Menendez, and Congressman Jeff Van Drew, for support for funding for a hydraulic beach fill project in 2022 along the Seven Mile Beach. Next year we should be in line for the hydraulic beach fill project.

AHLOA Budget Presentation: This Saturday, I will be making the AHLOA budget presentation for the Borough. A visual presentation has been prepared by the CFO. The budget as introduced includes no increase in the local purpose tax, no increase in water/sewer fees, and no increase in beach tags, with the elimination of all general long term debt obligation.

Bulkhead Replacement Project: The Borough of Avalon will be replacing two complete bulkheads, and fixing a small section of a third bulkhead in March-April, 2021. The project was authorized by Avalon Borough Council and will be conducted by Channel Marine. The municipal bulkheads at 22nd and 26th streets will be replaced; a small section of the bulkhead at 80th Street will be repaired. Here is the estimated construction schedule provided by the contractor:

22 nd Street Bulkhead:	Begin work 3/10/21; Estimated completion 3/24/21
26 th Street Bulkhead:	Begin work 3/31/21; Estimated completion 4/21/21
80 th Street Bulkhead:	Begin work 4/22/21; Estimated completion 4/28/21

Council President McCorristin reported recent work being done by Comcast in the area and suggested the Borough investigate the work being done to ensure 5G is not being implemented by Comcast, as they have not gone through any of the steps required by Borough Ordinance for 5G implementation.

Pending Business:

None.

New Business:

None.

Public Comments:

None.

Resolution No. 66-2021:

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 Councilwoman Juzaitis, 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

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

<u>ROLL CALL VOTE:</u>	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 4:43 p.m.

Public Portion of Regular Meeting reconvened at 5:00 p.m.

Present:

Council President McCorristin
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.

<u>Resolution No.</u>	<u>67-2021:</u>	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 PENDING LITIGATION INVOLVING MATHIS CONSTRUCTION COMPANY, INC
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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

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

<u>ROLL CALL VOTE:</u>	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 5:01 p.m.

Public Portion of Regular Meeting reconvened at 5:07 p.m.

Present:

Council President McCorristin
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

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

ROLL CALL VOTE:

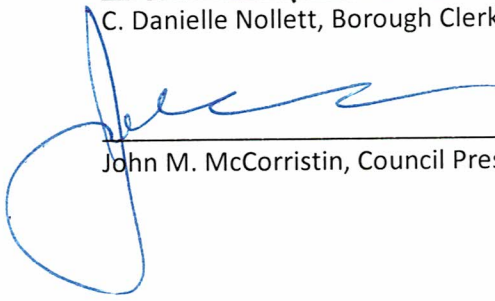
Councilman Deever	Absent
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Regular Meeting adjourned at 5:07 p.m.

Respectfully submitted,



C. Danielle Nollett, Borough Clerk



John M. McCorristin, Council President