

March 24, 2021

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, March 24, 2021 at 4:40 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	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, Police Chief
Thomas R. Thornton, P.E., Borough Engineer, Mott MacDonald
James Craft, Chief Financial Officer
William McCormick, Director of Public Works/Utilities
Paul Short, Code Enforcement Official
Michael Garcia, Ford Scott & Associates, LLC

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 – March 10, 2021

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

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

Public comments regarding Resolutions:

Andrew Catanese – addressed Council as the legal representation of Windrift Hotel Resort, Inc. and announced his attendance and availability to discuss Resolution No. 75-2021 being considered by Council today, if necessary.

Resolution No. 68-2021: A RESOLUTION REGARDING 2021 LOCAL MUNICIPAL BUDGET
READ BY TITLE ONLY AS PROVIDED BY N.J.S.A. 40A:4-8

Motion made by Council President McCorristin, 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

A detailed presentation was given by Michael Garcia, Ford Scott & Associates, LLC, Councilwoman Hudanich, and Scott Wahl regarding the 2021 Local Municipal Budget, a copy of which is hereafter attached to these minutes.

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Council President McCorristin thanked Councilwoman Hudanich for her outstanding work in compiling the budget for the last 31 years.

Councilwoman Juzaitis commended Councilwoman Hudanich and the Financial Committee for their hard work that went into compiling the budget and thanked them for all of their efforts.

Councilwoman Hudanich thanked the tax payers for their 99% collection rate.

Council President McCorristin opened the meeting for public hearing on the 2021 Local Municipal Budget and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman Deever, seconded by Councilwoman Juzaitis 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

Resolution No. 69-2021: A RESOLUTION TO AMEND THE 2021 BUDGET

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin 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. 70-2021: A RESOLUTION REGARDING 2021 LOCAL MUNICIPAL BUDGET AS FINALLY ADOPTED

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin 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. 71-2021: A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT, NON-FAIR AND OPEN, WITH 7 MILE PUBLISHING AND CREATIVE GROUP, LLC OF AVALON, NJ FOR PUBLIC RELATIONS AND ADVERTISING SERVICES FOR THE BOROUGH OF AVALON FOR A TERM OF ONE (1) YEAR COMMENCING APRIL 1, 2021

Motion made by Councilman Wierman, 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

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Resolution No. 72-2021:

A RESOLUTION AUTHORIZING JERSEY CAPE DIAGNOSTIC, TRAINING, AND OPPORTUNITY CENTER, INC. TO SELL SEASONAL BEACH TAGS VIA ITS WEBSITE

Motion made by Councilman Deever, 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. 73-2021:

A RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT TO TRIAD ASSOCIATES, AS A PROFESSIONAL SERVICES CONTRACT, NON-FAIR AND OPEN, TO PREPARE AND SUBMIT A REGIONAL FEMA ASSISTANCE TO FIREFIGHTERS GRANT (AFG) APPLICATION ON BEHALF OF THE AVALON VOLUNTEER FIRE DEPARTMENT AND OTHERS FOR A TERM OF ONE YEAR COMMENDING MARCH 1, 2021 FOR AN AMOUNT NOT TO EXCEED TWENTY-FOUR THOUSAND FIVE HUNDRED (\$24,500.00) DOLLARS

Motion made by Council President McCorristin, 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. 74-2021:

A RESOLUTION AUTHORIZING THE BOROUGH OF AVALON TO UTILIZE THE SERVICES OF COASTAL BROADCASTING SYSTEM, INC. AND THE CAPE MAY COUNTY HERALD TO PROVIDE CERTAIN PUBLIC SERVICE ANNOUNCEMENTS, INCLUDING EMERGENCY AND OTHER NOTIFICATIONS FROM THE LOCAL AND COUNTY OFFICE OF EMERGENCY MANAGEMENT FOR THE PERIOD COVERING JANUARY 1, 2021 THROUGH DECEMBER 31, 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. 75-2021:

A RESOLUTION AUTHORIZING A PERSON-TO-PERSON TRANSFER OF PLENARY RETAIL CONSUMPTION LICENSE NO. 0501-36-001-009

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

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Resolution No. 76-2021:

A RESOLUTION APPROVING THE APPLICATION OF VERIZON WIRELESS TO USE CERTAIN DESIGNATED UTILITY POLES LOCATED IN THE BOROUGH RIGHT OF WAY FOR THE INSTALLATION OF 5G TELECOMMUNICATIONS EQUIPMENT PURSUANT TO ORDINANCE 813-2021 (CODIFIED AT AVALON BOROUGH CODE SECTION 15-4 ET SEQ.) FOR A TERM OF FIVE (5) YEARS FROM APRIL 1, 2021 TO MARCH 31, 2026

Motion made by Councilman Wierman, 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. 77-2021:

A RESOLUTION APPROVING MEDIATION SETTLEMENT AGREEMENT IN THE MATTER OF MATHIS CONSTRUCTION COMPANY, INC. V. BOROUGH OF AVALON, SUPERIOR COURT OF NEW JERSEY, DOCKET No, CPM-L-000355-20, AND AUTHORIZING PAYMENT OF \$63,000.00 AND FURTHER AUTHORIZING EXECUTION OF CLOSING DOCUMENTS

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. 78-2021:

A RESOLUTION CONFIRMING THE NOMINATION AND APPOINTMENT OF WILLIAM McCORMICK AS FULL-TIME DIRECTOR OF THE AVALON DEPARTMENT OF PUBLIC WORKS AND UTILITIES EFFECTIVE IMMEDIATELY AND RETROACTIVELY TO DECEMBER 17, 2020 AND AMENDING RESOLUTION 229-2020

Motion made by Councilwoman Hudanich, seconded by Council President McCorristin 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. 79-2021:

A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH JOLA SITE CONTRACTORS, LLC FOR BOROUGH CONTRACT NO. 21—02, 2021 DUNE DRIVE REPLANTING 19TH STREET – 34TH STREET IN THE AMOUNT OF ONE HUNDRED TWENTY-THREE THOUSAND EIGHT HUNDRED SEVENTY-FIVE DOLLARS (\$123,875.00)

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

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Resolution No. 80-2021:

A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR PRINCETON HARBOR EMERGENCY DREDGING PROJECT FOR A LUMP SUM FEE OF SIXTY THOUSAND FOUR HUNDRED DOLLARS (\$60,400.00)

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

Resolution No. 81-2021:

A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Councilwoman Juzaitis, 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

Second reading, public hearing and final action on Ordinance No. 818-2021:

Motion made by Councilman Wierman, seconded by Council President McCorristin that Ordinance No. 818-2021 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. 818-2021:

Ordinance No. 818-2021:

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

Council President McCorristin opened the meeting for public hearing on Ordinance No. 818-2021 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman Wierman, seconded by Council President McCorristin 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 Council President McCorristin that Ordinance No. 818-2021 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

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Reports and Recommendations by Mayor and Officials:

Reports of Officials:

None.

Monthly Reports:

Month of February 2021

Borough Clerk and Registrar's Report submitted by C. Danielle Nollett.

Bureau of Fire Prevention, Bureau of Licensing, Miscellaneous Construction Collection,
Construction Water and Sewer, Uniform Construction Code & Taxicab Reports submitted by R.
Edward Dean.

Code Enforcement Report submitted by Paul E. Short, Sr.

Municipal Court Report submitted by Wendy Torroni.

Municipal Engineering Report submitted by Thomas Thornton.

Police Department Report submitted by Chief Jeffrey Christopher.

Public Works Department Report submitted by William McCormick.

Recreation Revenue Report submitted by Chuck McDonnell.

Tax Collector & Water Sewer Control Account Reports submitted by Eleanor Cifaloglio.

Zoning Report submitted by Amanda Seltzer.

Motion made by Councilwoman Hudanich, seconded by Councilwoman Juzaitis that the reports be approved.

ROLL CALL VOTE:

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

Pending business.

None.

New business

Council President McCorristin gave an update on the potential livestreaming of Council Meetings and announced an upcoming presentation at the April 14, 2021 Council meeting.

Public Comments:

None.

Resolution No. 82-2021:

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 ATTORNEY-CLIENT PRIVILEGE IN CONNECTION
WITH MOREY V. BOROUGH OF AVALON

Motion made by Councilwoman Juzaitis, 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

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

ROLL CALL VOTE:

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

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

Public portion of Regular Meeting recessed at 5:18 p.m.

Public Portion of Regular Meeting reconvened at 5:38 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

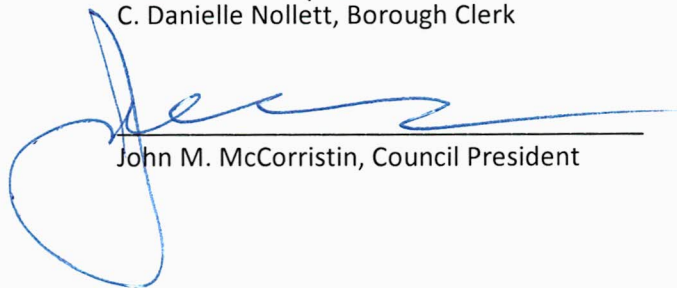
Motion made by Councilman Deever, seconded by Councilman Wierman to adjourn the Regular Meeting.

<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 5:38 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


John M. McCorristin, Council President