

June 9, 2021

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, June 9, 2021 at 4:37 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 3      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  
Paul Short, Code Enforcement Official  
William McCormick, Director of Public Works/Utilities  
John Roscoe, Police Captain  
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 – May 26, 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:

There were no questions or comments.

<u>Resolution No.</u>	<u>116-2021:</u>	A RESOLUTION AUTHORIZING CHANGE ORDER NOS. 1 & 2 FOR PRINCETON HARBOR EMERGENCY DREDGING PROJECT, CONTRACT M-122
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Motion made by Council President McCorristin, seconded by Councilman Deever that the resolutions 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. 117-2021: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR RECONSTRUCTION OF VARIOUS BULKHEADS, FOR A LUMP SUM FEE OF NINETY-SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$97,700.00)

Motion made by Councilman Deever, seconded by Councilwoman Hudanich that the resolutions 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. 118-2021: A RESOLUTION AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES CONTRACT WITH BAY ATLANTIC SYMPHONY OF BRIDGETON, NJ FOR AN OUTDOOR CONCERT AT SURFSIDE PARK ON JULY 4, 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

Resolution No. 119-2021: A RESOLUTION AUTHORIZING THE SCHEDULING OF 2021 FIREWORKS DISPLAY PURSUANT TO RESOLUTION 77-2020 AND CONTRACT AUTHORIZED PURSUANT THERETO

Motion made by Councilwoman Juzaitis, seconded by Council President McCorristin that the resolutions 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. 120-2021: A RESOLUTION AUTHORIZING THE RELEASE OF CERTAIN DEED RESTRICTION LIMITING HEIGHT OF STRUCTURES TO TWO STORIES AND FURTHER AUTHORIZING THE RELEASE OF CERTAIN OTHER CONDITIONS REGARDING NUMBER OF BUILDINGS, MINIMUM SQUARE FOOTAGE REQUIREMENTS OF PRINCIPAL BUILDING, AND MINIMUM LOT SIZE FOR THE FOLLOWING PROPERTY: THAT PROPERTY CURRENTLY KNOWN AS BLOCK 22.08, LOT 106.01 ON THE CURRENT OFFICIAL TAX MAP OF THE BOROUGH OF AVALON AND ALSO KNOWN AS 696 22<sup>ND</sup> STREET, AVALON, NEW JERSEY

Motion made by Councilman Wierman, seconded by Councilman Deever that the resolutions 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. 121-2021:

A RESOLUTION AUTHORIZING THE RENEWAL OF CERTAIN  
PLENARY RETAIL CONSUMPTION LICENSES IN THE BOROUGH OF  
AVALON, CAPE MAY COUNTY, NEW JERSEY FOR THE LICENSE  
TERM JULY 1, 2021 THROUGH JUNE 30, 2022

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

ROLL CALL VOTE:

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

Resolution No. 122-2021:

A RESOLUTION AUTHORIZING RENEWAL OF CLUB LICENSE OF  
THE AVALON YACHT CLUB, LICENSE NO. 0501-31-010-004, FOR  
THE LICENSE TERM JULY 1, 2021 THROUGH JUNE 30, 2022

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. 123-2021:

A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL  
DISTRIBUTION LICENSE - FRED'S AVALON LIQUOR STORE, INC.,  
LICENSE NO. 0501-44-003-003 FOR LICENSE TERM JULY 1, 2021  
THROUGH JUNE 30, 2022

Resolution No. 124-2021:

A RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL  
CONSUMPTION LICENSE ON BEHALF OF 21<sup>ST</sup> STREET  
CORPORATION T/A JACK'S PLACE LICENSE NO. 0501-33-004-003  
FOR LICENSE TERM JULY 1, 2021 THROUGH JUNE 30, 2022  
SUBJECT TO RECEIPT OF A 12.39 SPECIAL RULING

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. 125-2021:

A RESOLUTION AMENDING RESOLUTION NO. 63-2021  
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 BY ADDING ADDITIONAL SURFING BEACHES FOR THE  
2021 SEASON

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. 126-2021: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Council President McCorristin, 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

Introduction and first reading by title only of Ordinance No. 823-2021:

Motion made by Councilwoman Hudanich, seconded by Councilwoman Juzaitis that Ordinance No. 823-2021 be brought on for first reading by title only.

<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. 823-2021:

Ordinance No. 823-2021:

AN ORDINANCE ESTABLISHING SMOKE-FREE ENVIRONMENTS WITHIN THE BOROUGH OF AVALON INCLUDING PROHIBITING THE SMOKING OF TOBACCO, CANNIBIS AND CANNIBIS MATERIALS OR ANY OTHER SUBSTANCES WHICH CAN BE SMOKED OR THE INGESTION THEREOF AND PROVIDING PENALTIES FOR THE VIOLATION THEREOF AND AMENDING AND SUPPLEMENTING CHAPTER 18 OF THE AVALON BORORUGH CODE ENTITLED HEALTH AND SAFETY

Motion made by Councilwoman Hudanich, seconded by Councilwoman Juzaitis that Ordinance No. 823-2021 be passed on first reading 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

Introduction and first reading by title only of Ordinance No. 824-2021:

Motion made by Councilman Deever, seconded by Councilman Wierman that Ordinance No. 824-2021 be brought on for first reading by title only.

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

James Waldron asked Council to consider introducing Ordinance No. 824-2021 only as it pertains to Chapter 12, Section 7 concerning dogs. Council was given a proposed Ordinance also amending Chapter 8, pertaining to parking; however, it is anticipated Council will be presented with those proposed amendments at the June 23, 2021 Work Session through a separate Ordinance.

Council agreed to introduce the Ordinance by title only, with the title to reflect only the proposed regulations pertaining to "Dogs Prohibited from Certain Places".

Borough Clerk read aloud Ordinance No. 824-2021, with the amended title, as agreed upon by Borough Council:

Ordinance No. 824-2021:

AN ORDINANCE AMENDING THE REVISED ORDINANCES OF THE BOROUGH OF AVALON, TO WIT, CHAPTER 12 SECTION 7 “DOGS PROHIBITED FROM CERTAIN PLACES”

Motion made by Councilman Deever, seconded by Councilman Wierman that Ordinance No. 824-2021 be passed on first reading 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

Reports of Officials:

Scott Wahi reported the last day of construction on Ingram’s Thorofare Bridge will be June 17, 2021. In advance of that date, the bridge will be open to both lanes of traffic on weekends. All of the work on the surface of the bridge is completed; however, substructure work remains. Traffic lights controlling the single lane of traffic over the bridge have been removed. Intermittent stop-and-go traffic patterns will be controlled by flaggers, while workers are present. The Borough has accommodated the bridge contractor, who needed to launch a boat out of Bay Park Marina, which is needed to provide certain inspections. The Borough was happy to accommodate them, as it is a safety issue. Additionally, as Council may recall, during the public health emergency, the Mayor signed a TERP that permitted outdoor dining, that has been very well received. The Mayoral Executive Order that permitted outdoor dining was set to expire thirty days after the end of the public health emergency. As a result of the declared end of the public health emergency, the Mayor has updated his Executive Order to allow outdoor dining through the end of 2021.

James Waldron informed Council the committee on outdoor dining has made recommendations for Ordinance amendments that will be coming before the Planning/Zoning Board in July, and before Council very shortly in hopes of permanently allowing outdoor dining. The order would expire July 4, 2021, otherwise.

Councilman Wierman announced his recent attendance at a meeting hosted by Orstead, the developer contracted to construct the wind farms off New Jersey’s coast. The closest turbine to Avalon will be 17.8 miles away, which will be visible. There will be a single light at the top, which will be visible from land, which will only activate when aircraft is overhead. It is estimated this light will only be on for a total of a few hours per year. There will be lights on monopiles of the structure, which will not be visible from shore. It was relayed that studies are ongoing concerning impacts to the fishing industry. The wind farm off Block Island was cited, where the fishing industry has increased. Additional meetings will be forthcoming, the dates of which will be announced in the future. When those dates are announced, the information will be relayed to the public via the Borough website.

Pending Business:

None.

New Business:

None.

Public Comments:

None.

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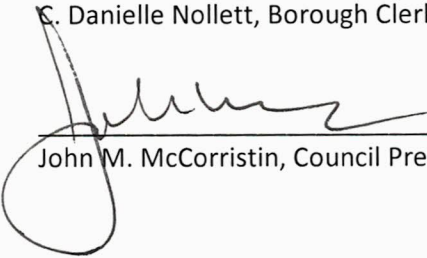
Motion made by Councilwoman Juzaitis, seconded by Council President McCorristin to adjourn the Regular Meeting.

<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 4:52 p.m.

Respectfully submitted,

  
C. Danielle Nollett, Borough Clerk

  
John M. McCorristin, Council President