

September 8, 2021

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, September 8, 2021 at 4:45 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 0

Reporters ----- 0

The Meeting was called to order by Council President Juzaitis.

<u>Roll call:</u>	Council President Juzaitis	Present
	Councilwoman Coskey	Present
	Councilman McCorristin	Present
	Councilman McDermott	Present
	Councilman Wierman	Present

Also present:

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

Council President Juzaitis read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included the annual Schedule of Meetings dated June 23, 2021. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

Work Session, Regular Meeting-- August 25, 2021

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

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

Public comments regarding Resolutions:

None.

<u>Resolution No. 165-2021:</u>	A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH ARTHUR J. OGREN, INC. FOR CONTRACT GA 19-49, AVALON FIRE DEPARTMENT 2021 STATION ADDITION AND RENOVATIONS IN THE AMOUNT OF SIX MILLION FIVE HUNDRED TWENTY-SEVEN THOUSAND SIX HUNDRED DOLLARS (\$6,527,600.00)
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<u>Resolution No. 166-2021:</u>	A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION PHASE ENGINEERING SERVICES FOR AVALON FIRE DEPARTMENT 2021 STATION ADDITION AND RENOVATIONS, CONTRACT NO. GA 19-49 FOR A TOTAL AMOUNT NOT TO EXCEED ONE HUNDRED TWENTY-SEVEN THOUSAND NINE HUNDRED DOLLARS (\$127,900.00)
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Motion made by Councilman McDermott, seconded by Council President Juzaitis that the resolutions be adopted.

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

<u>Resolution No. 167-2021:</u>	A RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED GRANT FUND RECEIVABLE AND APPROPRIATION BALANCES OF THE 2017 COPS IN SHOPS GRANT, THE 2014 NEW JERSEY DREDGING GRANT, AND THE 2017 NEW JERSEY ELECTRIC VEHICLE CHARGE GRANT
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<u>Resolution No. 168-2021:</u>	A RESOLUTION AUTHORIZING THE CANCELLATION OF UNEXPENDED BALANCES IN PRIOR YEAR ORDINANCES
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<u>Resolution No. 169-2021:</u>	A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS, (N.J.S.A. 40A:4-87), THE WAWA FOUNDATION FOR 2021 GRANT FUNDING
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Motion made by Councilman McCorristin, seconded by Council President Juzaitis that the resolutions be adopted.

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

<u>Resolution No. 170-2021:</u>	A RESOLUTION AUTHORIZING THAT A CLAIMANT CERTIFICATION BE WAIVED IN TRANSACTIONS LESS THAN OR EQUAL TO \$500.00
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Motion made by Councilman McCorristin, seconded by Council President Juzaitis that the resolution be adopted.

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

<u>Resolution No. 171-2021:</u>	A RESOLUTION AUTHORIZING THE BOROUGH OF AVALON TO ENTER INTO A COOPERATIVE PRICING AGREEMENT WITH THE HUNTERDON COUNTY EDUCATIONAL SERVICES COMMISSION
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Motion made by Councilwoman Coskey, seconded by Councilman Wierman that the resolution be adopted.

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

Resolution No. 172-2021: A RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE CAPE MAY COUNTY MUNICIPAL UTILITIES AUTHORITY FOR SOLID WASTE DISPOSAL AND RECYCLING SERVICES

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

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

Resolution No. 173-2021: A RESOLUTION APPOINTING MELISSA BAKLEY AS DEPUTY MUNICIPAL CLERK FOR A TERM OF THREE (3) YEARS COMMENCING SEPTEMBER 20, 2021 THROUGH SEPTEMBER 19, 2024

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

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

Resolution No. 174-2021: 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 LOT SIZE, AND MINIMUM SQUARE FOOTAGE REQUIREMENTS OF PRINCIPAL BUILDING FOR THE FOLLOWING PROPERTY: THAT PROPERTY CURRENTLY KNOWN AS BLOCK 34.04, LOT 49.221 ON THE CURRENT OFFICIAL TAX MAP OF THE BOROUGH OF AVALON AND ALSO KNOWN AS 221 35TH STREET, AVALON, NEW JERSEY

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

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

Resolution No. 175-2021: A RESOLUTION APPROVING FLOOD INSURANCE PROMOTION ACTIVITY WITH THE ATLANTIC- CAPE MULTI-JURISDICTIONAL PROGRAM FOR PUBLIC INFORMATION

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

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

Resolution No. 176-2021: A RESOLUTION AUTHORIZING THE EXECUTION OF A CONTRACT WITH LAFAYETTE UTILITY CONSTRUCTION CO., INC. FOR CONTRACT NO. 58, OCEAN DRIVE WATER AND SEWER SYSTEM IMPROVEMENTS, 62ND STREET TO 80TH STREET IN THE AMOUNT OF THREE MILLION ONE HUNDRED FIVE THOUSAND NINE HUNDRED SEVENTY-ONE DOLLARS AND TWENTY-NINE CENTS (\$3,105,971.29)

Resolution No. 177-2021: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE CONSTRUCTION ENGINEERING SERVICES FOR OCEAN DRIVE WATER AND SEWER SYSTEM IMPROVEMENTS, 62ND STREET TO 80TH STREET, CONTRACT NO. 58 ON A REIMBURSABLE BASIS FOR AMOUNT NOT TO EXCEED TWO HUNDRED SIXTY-EIGHT THOUSAND FOUR HUNDRED DOLLARS (\$268,400.00)

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

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

Resolution No. 178-2021: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

Second reading, public hearing and final action on Ordinance No. 828-2021:

Motion made by Councilman Wierman, seconded by Councilman McDermott that Ordinance No. 828-2021 be brought on for second reading, public hearing and final action.

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

Borough Clerk read aloud Ordinance No. 828-2021:

Ordinance No. 828-2021:

AN ORDINANCE AMENDING ORDINANCE 797-2020 KNOWN AS THE SALARY ORDINANCE (AS SUBSEQUENTLY AMENDED) PERTAINING TO THE AVALON BUREAU OF FIRE PROTECTION DIVISION OF GENERAL CODE ENFORCEMENT

Council President Juzaitis opened the meeting for public hearing on Ordinance No. 828-2021 and asked if there were any questions or comments.

There were no questions or comments.

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

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

Motion made by Councilman Wierman, seconded by Councilman McDermott that Ordinance No. 828-2021 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

Reports and Recommendations by Mayor and Officials:
Reports of Officials:

Scott Wahl read the following report:
FEMA Grant: We have some extremely positive news to report to Council this afternoon for which we will ask Council for acceptance at our next meeting. The Avalon Volunteer Fire Department and the Cape May County Department of Emergency Management worked on an application to the Federal Emergency Management Agency for dual band radios for fire departments. The dual band radios are very expensive yet essential to public safety as they are interoperable and allow departments to communicate with each other especially during mutual aid response. The application resulted in nearly \$600,000 in funding coming to our Fire Department which will be shared with 11 other departments who were part of the application. Congressman Van Drew made the announcement last night. We will ask Council at our next meeting for formal acceptance of this grant so funds can be received, and dispersed.

Water Meter Bid Opening: The Borough conducted a bid opening this morning on the water meter replacement program previously authorized by Council. It will go under regular review by our CFO and legal counsel before coming before Council for recommended authorization.

Pending Business:

None

New Business:

None

Public Comments:

Resolution No. 179-2021: 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 PERSONNEL AND PENDING LITIGATION CONCERNING DOCKET NO. CPM-L-72-21

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

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

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

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

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

Public portion of Regular Meeting recessed at 4:54 p.m.

Public Portion of Regular Meeting reconvened at 5:33 p.m.

Present:


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

Motion made by Councilwoman Coskey, seconded by Councilman McDermott to adjourn the Regular Meeting.

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

Regular Meeting adjourned at 5:33 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


Barbara L. Juzaitis, Council President