

January 11, 2023

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, January 11, 2023 at 4:00 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

In-Person Attendance: Public - - - - - 3

Reporters - - - - - 0

Remote Attendance: Public - - - - - 5

Reporters - - - - - 1

The meeting was called to order by Council President Wierman.

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

Also present:

Scott Wahl, Business Administrator

James Waldron, Assistant Business Administrator

Nicole Curio, Esquire, Borough Solicitor

Jeffrey R. Christopher, Chief of Police

William McCormick, Director of Public Works/Utilities

Thomas Thornton, P.E., Borough Engineer, Mott MacDonald

Paul Short, Code Enforcement Official

Council President Wierman read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included the annual Schedule of Meetings dated June 22, 2022. It was given to the news media and posted on the Official Bulletin Board as required by law.

Council President Wierman read the following statement:

“For the convenience of the public, the Borough is offering the option of public comment via remote access as described herein. Public who participates remotely will be muted during the Council Meeting except at the public comment portion of the meeting. Any person attempting to disrupt the remote broadcast of a meeting may be denied access at the discretion of the person administering the meeting. Public is reminded of a five-minute limit per comment. In the event remote access is unavailable due to a technology malfunction, or other reason beyond the Borough’s control, the Borough will not pause or stop the live meeting. Borough Council Meetings are held in person with no capacity limits on attendance at a meeting. The best way to ensure an individual’s ability to publicly comment is to attend in person so that comments may be made in the event of a technology malfunction. The Borough reserves the right to discontinue offering public comment via remote access at its discretion for any future meeting.”

Councilwoman Coskey entered the meeting at 4:04 pm.

Discussion regarding Resolution approving a Professional Services Contract with Bay Atlantic Symphony.

Scott Wahl explained this item is an annual contract for a performance of the Bay Atlantic Symphony on July 4th at 7:00 pm, at no charge to the public. There continues to be a very high level of public interest in these shows; therefore, it is the recommendation to hold this concert in 2023. The 2022 rate has been maintained for the 2023 performance.

Council agreed to proceed with a Resolution to be prepared for the January 25, 2023 Regular Meeting.

Discussion regarding Resolutions authorizing the Borough of Avalon's participation in the NJSTART and ESCNJ Cooperative Pricing Agreements for the 2023 calendar year.

Scott Wahl indicated these Resolutions are recommended to Borough Council by Joseph Clark, Qualified Purchasing Agent. These Resolutions allow participation in these cooperative pricing agreements, which provide avenues for the Borough to pursue goods, products, or services throughout the year at reduced costs without the necessity to publicly bid these items, which benefits the taxpayers.

Council agreed to proceed with Resolutions to be prepared for the January 25, 2023 Regular Meeting.

Discussion regarding Resolution authorizing an Equipment Transfer Agreement submitted by Sprint Spectrum.

James Waldron reported the Borough currently has an agreement with Sprint with respect to the 38th Street water tower, where they maintain a cell service antenna. Last spring, Sprint gave notice of termination of the existing lease agreement as a result of mergers and acquisitions within the industry. Since that notice, Sprint has removed most of their equipment from the cell tower, and have agreed that some items still remaining on the water tower will be left in place and transferred to the Borough's ownership. This transfer is advantageous, as there have been active negotiations with another cell carrier to use space on the water tower to replace the vacating carrier. Should that materialize, all of the designated major cell carriers in the country will be located on one or both water towers in Avalon. If the equipment remains in place, it will facilitate a new lease and perhaps avoid the necessity of removing and installing the same or similar equipment. This document is a termination of the lease and a Transfer of Equipment Agreement, which operates as a mutual release once the lease is terminated.

Councilman McCorristin inquired if the Borough is responsible to remove the equipment if the new carrier deems the existing equipment unusable.

James Waldron responded no, and indicated if the new carrier decides not to use the existing equipment, they will be responsible for removing the existing equipment and installing new equipment at their cost.

Council agreed to proceed with a Resolution to be considered at today's Regular Meeting.

Discussion regarding Resolution approving the certified list of 2022 Length of Service Program Credits.

Scott Wahl first thanked all volunteers of the Avalon Fire Department for providing a valuable service to the residents and visitors of the Borough of Avalon. It has been a long-standing practice of the Borough to participate in the Length of Service Award Program (LOSAP), which provides financial benefits to volunteer members of fire departments meeting certain criteria. Upon adoption, the Resolution and the approved list will be posted on the official bulletin board for thirty days. There are 34 qualifying individuals being certified for the calendar year 2022.

Council agreed to proceed with a Resolution to be prepared for the January 25, 2023 Regular Meeting.

Discussion regarding Resolution approving issuance of Amusement Games License 2023-01 to Two Bits Amusements, Inc.

Scott Wahl reported this is a renewal of the license currently in place, and shows no changes from the 2022 license.

Council agreed to proceed with a Resolution to be prepared for the January 25, 2023 Regular Meeting.

Discussion regarding Resolution authorizing the Borough of Avalon to issue a refund for a late registration penalty for a rental license for 2023.

James Waldron noted a property owner appeared at the Borough offices on January 3, 2023 to pay their rental registration fee, and was charged a late fee for failure to pay the registration fee by the deadline of December 31, 2022. All Borough offices were closed on December 31, 2022 and reopened January 3, 2023; therefore, the deadline of the registration should have been adjusted to the close of business on January 3, 2023. Unfortunately, a system error assessed the late fee. This refund would remedy that error.

Council agreed to proceed with a Resolution to be considered at today's Regular Meeting.

Public Comments:

Martha Wright, 632 7th Street, requested an update on the status of the review of the Avalon Sport Fishing Center rules and regulations.

Council President Wierman indicated that review is still ongoing at this time.

Martha Wright asked if there is an estimated time frame for that review to be completed.

Council President Wierman responded there is no estimated timeline at this time.

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Patrick Beach, 182 63rd Street, thanked all first responders of the Borough of Avalon for responding in a timely manner that helped a family member in an emergent situation. He commended all responding officials for their response time and their hard work and professionalism.

John Kautermann, 2809 Dune Drive, expressed concerns regarding rules and regulations governing boat slip operations at the Avalon Sport Fishing Center, and requested Borough Council review and discuss these rules and regulations as soon as possible.

Council to check over the agenda for the Regular Meeting.

Council proceeded to check over the agenda for the Regular Meeting.

Motion made by Council President Wierman, seconded by Councilman McDermott to adjourn the Work Session.

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

Work Session adjourned at 4:15 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


Samuel D. Wierman, Council President