

May 10, 2023

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, May 10, 2023 at 4:00 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

In-Person Attendance: Public ----- 1 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	Present
	Councilwoman Juzaitis	Present
	Councilman McCorristin	Present
	Councilman McDermott	Present

Also present:

James Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Borough Solicitor
Jeffrey R. Christopher, Chief of Police
Thomas R. Thornton, P.E., Borough Engineer, Mott MacDonald
William McCormick, Director of Public Works/Utilities
Paul Short, Code Enforcement Officer
Leonard Desiderio, Director, Cape May County Board of Commissioners
Ronald Simone, Assistant County Administrator, County of Cape May

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.”

Presentation by Cape May County Board of Commissioners regarding award to Borough of Avalon through the Cape May County ARPA Infrastructure Grant.

Commissioner Desiderio congratulated the Borough of Avalon on a successful grant application to the ARPA Infrastructure Grant program and presented Borough with a grant award in the amount of \$400,000.00.

Council agreed to proceed with a Resolution to be prepared for the May 24, 2023 Regular Meeting.

Discussion regarding Resolution granting the Business Administrator general authority to sign state and federal permits and granting consent to the Avalon Avenue Treatment Works Application.

James Waldron explained the Borough Engineer has reviewed the regulations concerning the Avalon Avenue Treatment Works Application, and found certain areas of ambiguity as to the Business Administrator's ability to sign the application. As a result, Council is being presented with two Resolutions for consideration. The first of which authorizes the Business Administrator to sign the application, and reiterates Borough Council's approval of the project itself. The second Resolution grants the Borough Administration general authority to sign applications to keep processes concerning same moving forward. He emphasized that this general authority would be limited to preliminary ministerial actions, with Borough Council remaining the sole authority to approve contracts and the terms and conditions relating thereto. Additionally, the Mayor will be solely invested with the exclusive authority to execute the contracts after Borough Council's approval.

Council agreed to proceed with two Resolutions to be considered at today's Regular Meeting.

Discussion regarding Resolution authorizing professional engineering services for Sport Fishing Center Permitting.

James Waldron indicated the Avalon Sport Fishing Center was initially licensed in 1980, with subsequent renewals of the license routinely processed. The license most recently expired in 2021, at which point the Borough filed the standard renewal application. Due to staffing limitations related to COVID, the Department of Environmental Protection (DEP) did not process the renewal application at that time, causing the license to lapse. As a result, the license must be renewed for an additional term with a change in regulations which were not included in the license terms previously held by the Borough. Mott MacDonald has submitted a proposal for the work associated with this more extensive renewal.

Thomas Thornton reported the proposal submitted consists of four tasks, the first of which being the background research and the gathering of information associated with the Sport Fishing Center. Task 2 is for the application of all required permits, which includes a survey and all documentation concerning the conditions of the site. Task 3 is for all work pertaining to the Tidelands License, and task 4 is associated with the regulatory efforts associated with the individual permit required by the US Army Corps of Engineers.

Council agreed to proceed with a Resolution to be prepared for the May 24, 2023 Regular Meeting.

Discussion regarding Resolution authorizing the Borough of Avalon to issue a refund for a boat slip at Bay Park Marina.

James Waldron noted a Bay Park Marina slip holder who submitted their boat slip renewal application prior to the start of boating season, and has since sold the vessel; therefore, they are requesting a refund of the fee paid. The now vacant boat slip will be awarded to the next person on the waiting list.

Council agreed to proceed with a Resolution to be prepared for the May 24, 2023 Regular Meeting.

Discussion regarding Resolution authorizing the purchase of a Street Sweeper through the Sourcewell National Cooperative Pricing Agreement.

William McCormick explained this new street sweeper will replace a 1997 street sweeper, which will be listed on GovDeals. The new street sweeper will join the fleet with an existing 2003 street sweeper. The new street sweeper is on hold with the dealer, and will be delivered upon Council's authorization.

Council agreed to proceed with a Resolution to be prepared for the May 24, 2023 Regular Meeting.

Discussion regarding Resolution accepting grant funding associated with the Cops in Shops Summer Shore Initiative 2023.

Chief Christopher noted this is an annual grant received from the State of New Jersey, which allows the Avalon Police Department to surveil establishments with liquor licenses to enforce laws associated with underage drinking, purchase, and entry.

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

Discussion regarding a Resolution approving a membership in the New Jersey State Firemen's Relief Association.

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

Public Comments:

Martha Wright, 632 7th Street, congratulated those who were elected at yesterday's Municipal Election. She spoke about a recent Planning/Zoning Board meeting which discussed RFPs received for a hospitality expert regarding exploration of the concept of a boutique hotel in the business district. At the Planning/Zoning Board meeting, it was decided to forward the responses to Borough Council for review and consideration. She noted Borough Council and the Mayor seemed to support this RFP with the intent of reviewing the downtown business district as a whole and recommend areas for improvements; however, the scope of work associated with the RFP solicited by the Planning/Zoning Board does not seem to fit the intentions of Borough Council and the Mayor, as discussed at a previous Council Meeting. She spoke in opposition of the award of RFPs under the scope received by the Planning/Zoning Board.

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 4:18 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


Samuel D. Wierman, Council President