

May 24, 2023

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, May 24, 2023 at 5:02 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

In-Person Attendance:	Public -----	0	Reporters -----	0
Remote Attendance:	Public -----	2	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  
Paul Short, Code Enforcement Official  
William McCormick, Director of Public Works/Utilities  
Thomas R. Thornton, P.E., Borough Engineer, Mott MacDonald

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.

Minutes:

Work Session, Regular Meeting – May 10, 2023

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

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

Public comments regarding Resolutions:

There were no questions or comments.

<u>Resolution No.</u>	<u>103-2023:</u>	A RESOLUTION REQUESTING PERMISSION FOR THE DEDICATION BY RIDER FOR DONATIONS – TREE DEDICATION PROGRAM REQUIRED BY N.J.S.A. 40A:5-29
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Motion made by Councilwoman Juzaitis, seconded by Council President Wierman that the resolution be adopted.

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

Resolution No. 104-2023: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH SPORT FISHING CENTER PERMITTING FOR A LUMP SUM FEE OF THIRTY-SIX THOUSAND TWO HUNDRED DOLLARS (\$36,200.00)

Motion made by Councilwoman Juzaitis, seconded by Council President Wierman that the resolution be adopted.

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

Resolution No. 105-2023: A RESOLUTION AUTHORIZING REFUND OF 2023 FEE PAID FOR SLIP NO. 8 AT THE AVALON BAY PARK MARINA

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

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

Resolution No. 106-2023: A RESOLUTION AUTHORIZING THE BOROUGH'S PARTICIPATION IN THE SOURCEWELL NATIONAL COOPERATIVE PURCHASING PROGRAM FOR STREET SWEEPER, CONTRACT NUMBER: 093021-BUC, FOR THE PURCHASE OF A DUAL ENGINE STREET SWEEPER

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

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

Resolution: A RESOLUTION AUTHORIZING A TAX REFUND IN THE AMOUNT OF \$8,935.78 FOR BLOCK 61.03 LOT 28 ASSESSED TO 176 61<sup>ST</sup> STREET, LLC FOR THE YEAR 2022

Consideration of this Resolution by Borough Council was postponed, due to the deferral of discussion of this item at the May 24, 2023 Work Session.

Resolution No. 107-2023: A RESOLUTION REQUESTING APPROVAL OF ITEMS OF REVENUE AND APPROPRIATIONS, (N.J.S.A. 40A:4-87), CAPE MAY COUNTY AMERICAN RESCUE PLAN ACT INFRASTRUCTURE GRANT AND AUTHORIZING THE EXECUTION OF A GRANT AGREEMENT

Motion made by Councilwoman Juzaitis, seconded by Council President Wierman that the resolution be adopted.

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

May 24, 2023

Resolution No. 108-2023: A RESOLUTION AUTHORIZING THE CREATION OF A CERTAIN PARKING SPACE RESERVED FOR HANDICAPPED ONLY

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

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

Resolution No. 109-2023: A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A GROUP DENTAL INSURANCE PLAN AND RATIFYING THE AGREEMENT AS PROPOSED BY DELTA DENTAL FOR DENTAL COVERAGE FOR A ONE (1) YEAR TERM COMMENCING JUNE 1, 2023 THROUGH MAY 31, 2024

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

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

Resolution No. 110-2023: A RESOLUTION AUTHORIZING MOTT MACDONALD TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH PENNSYLVANIA HARBOR EMERGENCY DREDGING PROJECT FOR A LUMP SUM FEE OF FIFTY-NINE THOUSAND THREE HUNDRED DOLLARS (\$59,300.00)

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

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

Resolution No. 111-2023: A RESOLUTION AUTHORIZING AN EXTENSION OF THE PROFESSIONAL SERVICES CONTRACT WITH CME ASSOCIATES, CONSULTING & MUNICIPAL ENGINEERS AND DAVID J. SAMUEL, P.E., P.P., C.M.E. AND DOUGLAS M. ROHMEYER, P.E., C.M.E., C.F.M. OF 3141 BORDENTOWN AVENUE, PARLIN, NEW JERSEY 08859 AND 203 SOUTH MAIN STREET, CAPE MAY COURT HOUSE, NEW JERSEY FOR SPECIAL ENGINEERING PROJECTS AND CONSULTING SERVICES – NON-FAIR AND OPEN UNTIL DECEMBER 31, 2023 AND SUPPLEMENTING RESOLUTION 97-2022 ADOPTED APRIL 27, 2022

Motion made by Councilwoman Juzaitis, seconded by Council President Wierman that the resolution be adopted.

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

Resolution No. 112-2023:

A RESOLUTION AUTHORIZING AT&T LEASE MODIFICATIONS FOR GENERATOR ADDITIONS AT 13<sup>TH</sup> AND 38<sup>TH</sup> STREET WATER TANKS

Motion made by Councilwoman Juzaitis, seconded by Council President Wierman that the resolution be adopted.

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

Resolution No. 113-2023:

A RESOLUTION AUTHORIZING PAYMENT OF BILLS

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

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

Second reading, public hearing and final action on Ordinance No. 860-2023:

Motion made by Councilman McDermott, seconded by Council President Wierman that Ordinance No. 860-2023 be brought on for second reading, public hearing and final action.

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

Borough Clerk read aloud Ordinance No. 860-2023:

Ordinance No. 860-2023:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17 (SOLID WASTE MANAGEMENT) OF THE AVALON BOROUGH CODE PERTAINING TO THE ISSUANCE AND DISTRIBUTION OF STANDARDIZED RECEPTACLE CARTS FOR USE IN THE COLLECTION AND DISPOSAL OF RECYCLABLE MATERIALS AND SOLID WASTE AND PROVIDING FOR THE ADOPTION OF RULES AND REGULATIONS FOR THE ADMINISTRATION OF THE BOROUGH COLLECTION PROGRAM AND REPEALING ORDINANCE 779-2018, SECTIONS 17-6.1 THROUGH 17-6.9

Council President Wierman opened the meeting for public hearing on Ordinance No. 860-2023 and asked if there were any questions or comments.

There were no questions or comments.

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

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

James Waldron reported this Ordinance is in need of amendments, which are still being drafted at this time. He recommended Council table this Ordinance, and discuss the amendments at the June 14, 2023 Work Session meeting, when it is expected the amendments will be complete.

May 24, 2023

Motion made by Councilman McDermott, seconded by Council President Wierman to table Ordinance No. 860-2023.

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

Second reading, public hearing and final action on Ordinance No. 861-2023:

Motion made by Council President Wierman, seconded by Councilman McCorristin that Ordinance No. 861-2023 be brought on for second reading, public hearing and final action.

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

Borough Clerk read aloud Ordinance No. 861-2023:

Ordinance No. 861-2023:

AN ORDINANCE CREATING A TREE DEDICATION PROGRAM IN THE BOROUGH OF AVALON AND RETITLING AND SUPPLEMENTING CHAPTER 29 OF THE AVALON BOROUGH CODE 9

Council President Wierman opened the meeting for public hearing on Ordinance No. 860-2023 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Council President Wierman, seconded by Councilman McCorristin that the public hearing be closed.

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

Motion made by Council President Wierman, seconded by Councilman McCorristin that Ordinance No. 861-2023 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

Second reading, public hearing and final action on Ordinance No. 863-2023:

Motion made by Councilman McCorristin, seconded by Council President Wierman that Ordinance No. 863-2023 be brought on for second reading, public hearing and final action.

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

Borough Clerk read aloud Ordinance No. 863-2023:

Ordinance No. 863-2023:

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 CAPITAL IMPROVEMENTS BY AND IN THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY; APPROPRIATING \$5,179,923.29 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,038,638.63 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Council President Wierman opened the meeting for public hearing on Ordinance No. 863-2023 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman McCorristin, seconded by Council President Wierman that the public hearing be closed.

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

Motion made by Councilman McCorristin, seconded by Council President Wierman that Ordinance No. 863-2023 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

Second reading, public hearing and final action on Ordinance No. 864-2023:

Motion made by Council President Wierman, seconded by Councilman McDermott that Ordinance No. 864-2023 be brought on for second reading, public hearing and final action.

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

Borough Clerk read aloud Ordinance No. 864-2023:

Ordinance No. 864-2023:

BOND ORDINANCE PROVIDING FOR VARIOUS 2023 WATER AND SEWER UTILITY IMPROVEMENTS, BY AND IN THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, STATE OF NEW JERSEY (THE "BOROUGH"); APPROPRIATING \$3,181,900 THEREFOR FROM THE WATER AND SEWER UTILITY OF THE BOROUGH AND AUTHORIZING THE ISSUANCE OF \$3,181,900 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COSTS THEREOF

Council President Wierman opened the meeting for public hearing on Ordinance No. 864-2023 and asked if there were any questions or comments.

There were no questions or comments.

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

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

Motion made by Council President Wierman, seconded by Councilman McDermott that Ordinance No. 864-2023 be finally adopted, submitted to the Mayor for approval and advertised according to law.

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

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

Scott Wahl read the following report:

CRS Program: Avalon received confirmation on Thursday, May 4th that the Borough's 2022 CRS program verification cycle is complete. We are pleased to report to Council that the report verifies that Avalon will maintain a Class 3 rating in the CRS program which provides 35% discounts on flood insurance to property owners who have this insurance. Our next step is a full annual recertification that will begin in September and conclude in October. As Council is aware, the verification and reporting requirements once you hit a Class 3 are more strenuous. Avalon continues to work towards a Class 2.

Beach Fill: Councilman McDermott and I attended the beach fill meeting which has now been moved to Stone Harbor because the Avalon fill is complete. Our interest was news presented one week ago today that there will be very minor work in front of the hotels between 78-80th streets to taper in to the Stone Harbor fill which begins on 80th Street and works north to south. The anticipated start would be Memorial Day weekend. There have been challenging weather conditions due to persistent northeasterly winds of completing the demobilization from Avalon as subline remains in the water, and the dredge remains in Cape May Harbor. Now we are hearing that the anticipated start date will be Tuesday, May 30th. The total sand volume on the Avalon beach is 580,768. Work remaining includes post and rail fence on the 20th Street crossover and dune grass planting which will occur in the fall. Earlier today, the plan was to knock down the scarp along the beach that forms naturally when the ocean approaches the new sand on the beach.

Paul Short announced starting Friday, May 26, 2023, the access road between the Fire Department and the Municipal Building will be accessible. Fencing around the construction area at the Fire Department will also be removed, freeing up the parking spaces currently obstructed by the fence. Starting Tuesday, May 30, 2023, portions of the parking lot and access road will again be inaccessible when the ongoing construction at the Fire Department resumes.

Monthly Reports:

Month of April 2023:

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 Juzaitis, seconded by Councilman McDermott that the reports be approved.

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

Pending business:

None

New business:

None

Public Comments:

None.

Motion made by Council President Wierman, seconded by Councilman McCorristin to adjourn the Regular Meeting.

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

Regular Meeting adjourned at 5:18 p.m.

Respectfully submitted,

  
C. Danielle Nollett, Borough Clerk

  
Samuel D. Wierman, Council President



