

May 13, 2015

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Wednesday, May 13, 2015 at 8:10 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 10                      Reporters ----- 2

The meeting was called to order by Council President Covington.

<u>Roll call:</u>	Council President Covington	Present
	Council Vice President Dean	Present
	Councilman Ellenberg	Present
	Councilwoman Hudanich	Present
	Councilman McCorristin	Present

Also present:

Scott Wahl, Business Administrator  
James Waldron, Assistant Business Administrator  
Stephen D. Barse, Esquire, Borough Solicitor  
William Macomber, Director of Public Works/Utilities  
Jeffrey Christopher, Captain of Police  
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC

Council President Covington read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of Meetings dated June 25, 2014. It was given to the news media and posted on the Official Bulletin Board as required by law.

Public comments regarding Resolutions:

None.

<u>Resolution No.</u>	<u>87-2015:</u>	A RESOLUTION AUTHORIZING A SHARED AGREEMENT BETWEEN THE BOROUGH OF AVALON AND THE BOROUGH OF STONE HARBOR FOR CHIEF FINANCIAL OFFICER SERVICES
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Motion made by Councilwoman Hudanich, seconded by Council Vice President Dean that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

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Resolution No. 88-2015: A RESOLUTION AUTHORIZING THE BOROUGH OF AVALON TO PARTICIPATE IN THE FEDERAL 1033 PROGRAM PURSUANT TO 10 USC 2567 AND AUTHORIZING THE CHIEF OF POLICE TO ENROLL IN SUCH PROGRAM WHICH PERMITS THE UNITED STATES DEPARTMENT OF DEFENSE TO TRANSFER EXCESS PROPERTY SUITABLE FOR LAW ENFORCEMENT AND PUBLIC SAFETY ACTIVITIES TO MUNICIPALITIES AND COUNTIES

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

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Resolution No. 89-2015: A RESOLUTION APPROVING THE CREATION OF A CERTAIN PARKING SPACE RESERVED FOR HANDICAPPED ONLY FOR PROPERTY LOCATED AT 2089 FOURTH AVENUE

Motion made by Council Vice President Dean, seconded by Council President Covington that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Resolution No. 90-2015: A RESOLUTION APPROVING THE APPLICATION FOR A TAXICAB LICENSE SUBMITTED BY OLEG PISMENYY, T/A G TAXI OF VILLAS, NJ FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

Resolution No. 91-2015: A RESOLUTION APPROVING THE APPLICATION FOR A TAXICAB LICENSE SUBMITTED BY KONSTANTIN DORONKIN, T/A CCCP TAXI OF WEST CAPE MAY, NJ FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 1, 2015 THROUGH DECEMBER 31, 2015

Resolution No. 93-2015: A RESOLUTION APPROVING 2015 JITNEY LICENSES FOR A TERM OF ONE (1) YEAR COMMENCING JANUARY 2, 2015 THROUGH JANUARY 1, 2016

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

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Resolution No. 93-2015: A RESOLUTION AUTHORIZING ACCEPTANCE OF CREDIT & DEBIT CARD PAYMENTS FOR MUNICIPAL COURT FEES IN ACCORDANCE WITH N.J.A.C. 5:30-9.1 ET SEQ

Motion made by Council President Covington, seconded by Council Vice President Dean that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Resolution No. 94-2015: A RESOLUTION AUTHORIZING THE CHIEF OF POLICE OR HIS DESIGNEE TO APPLY TO THE US DEPARTMENT OF HOMELAND SECURITY FOR A (FY) 2015 PORT SECURITY GRANT FOR A NEW MARINE UNIT TO POLICE THE BACK BAY

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

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Resolution No. 95-2015: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Councilwoman Hudanich, seconded by Councilman Ellenberg that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

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Second reading, public hearing and final action on Ordinance No. 722-2015:

Motion made by Councilwoman Hudanich, seconded by Council Vice President Dean that Ordinance No. 722-2015 be brought on for second reading, public hearing and final action.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Borough Clerk to read aloud Ordinance No. 722-2015:

Ordinance No. 722-2015:

BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS IN AND BY THE BOROUGH OF AVALON, IN THE COUNTY OF CAPE MAY, NEW JERSEY, APPROPRIATING \$2,500,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$2,375,475 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF

Council President Covington opened the meeting for public hearing on Ordinance No. 722-2015 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilwoman Hudanich, seconded by Council Vice President Dean that the public hearing be closed.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Motion made by Councilwoman Hudanich, seconded by Council Vice President Dean that Ordinance No. 722-2015 be finally adopted, submitted to the Mayor for approval and advertised according to law.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Reports of Officials:

Scott Wahl, Business Administrator provided a report to Council of various updates which is attached to the minutes.

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC added the contractor has submitted a schedule which Hatch Mott approved and per that schedule they should begin dredging operation on June 9<sup>th</sup> and completing on the 29<sup>th</sup>.

William Macomber, Director of Public Works/Utilities, commented this Saturday Public Works begins their seven day a week summer schedule in which they do beach maintenance and empty trash/municipal cans throughout the Borough.

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Public Comments:

None.

Resolution:

Resolution No. 96-2015: 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 AVALON ANCHORAGE MARINA CONDITIONS GOVERNING STREET VACATION ORDINANCE

Motion made by Councilman Ellenberg, seconded by Council President Covington that the resolution be adopted.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Motion made by Council Vice President Dean, seconded by Councilman McCorristin to recess the public portion of the Regular Meeting and go into Closed Session.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Public portion of the Regular Meeting recessed at 8:31 p.m.

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

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Public Portion of Regular Meeting reconvened at 8:49 p.m.

Present:

Scott Wahl, Business Administrator  
James A. Waldron, Assistant Business Administrator  
Stephen D. Barse, Esquire, Borough Solicitor

Motion made by Councilman Ellenberg, seconded by Council Vice President Dean to adjourn the Regular Meeting.

<u>ROLL CALL VOTE:</u>	Council Vice President Dean	Aye
	Councilman Ellenberg	Aye
	Councilwoman Hudanich	Aye
	Councilman McCorristin	Aye
	Council President Covington	Aye

Regular Meeting adjourned at 8:50 p.m.

7300

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Respectfully submitted,

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Marie J. Hood, Borough Clerk

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Charles P. Covington, Council President

**Townsend's Inlet Bridge:**

I received two updates this month on the status of the Townsend's Inlet Bridge from Cape May County Engineer Dale Foster. Mr. Foster reported that the bridge will be reopened to vehicular traffic no later than next Friday, May 22<sup>nd</sup>; it may open a day or two earlier, and we will be notified if and when that occurs. The bridge will remain open to vehicular traffic through Memorial Day weekend Monday. It is anticipated that the bridge will close again for three days, Tuesday through Thursday May 26<sup>th</sup> through the 28<sup>th</sup> for final repairs. The bridge is expected to reopen on Friday, May 29<sup>th</sup> and it is anticipated at this point that the bridge will remain open with no further closures or delays. For the benefit of the public, this second offseason closure of the bridge including various work and reinforcements that will return the bridge to its original load posting of 15 tons.

As a result of the conversation, I contacted New Jersey Transit who confirmed for me that the New Jersey Transit bus will again use the bridge for its public transportation service as of June 20<sup>th</sup>. Currently the bus picks up passengers in Avalon, drives out to Route 9, and in Sea Isle City via the Boulevard. Now, the bus will save time by being able to use the bridge. New Jersey Transit considers route adjustments every quarter, and the first day of its quarterly route change is June 20<sup>th</sup>, the date when the bus will again use the Townsend's Inlet Bridge for crossing into Sea Isle City. All information is posted on Channel 97, on the Borough's Facebook page, and on the Borough's website.

**Garden State Parkway**

The northbound bridges are scheduled to be completed early in the summer season. They don't have an exact date yet, but at some point next month, northbound traffic will shift onto the bridges. The at-grade intersections will be a thing of the past, and all of the lights on the Parkway will be gone.

The opening of the northbound bridges will not mark the end of the project. There will be work left to be done on ramps connecting the northbound Parkway to the local roads. That ramp work is likely to continue until the end of the summer.

Once the ramps are complete, the entire project will be paved with a top course of asphalt, and the road will be restriped. The temporary road that was built to carry northbound traffic during construction will be removed. Trees will be planted on about 20 acres in the Parkway right-of-way once the temporary road is removed. There will also be some on-site wetlands restoration work.

The project is on schedule for completion late this year (although some of the planting and wetlands activities could be pushed back to the spring of next year).

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**Peermont Update:**

Since our last Council meeting, the Borough has led and participated in three separate meetings regarding the project at the Peermont Substation, the most recent one occurring yesterday. The construction of the new Peermont Substation continues to remain on time and on schedule, with a “gates locked” completion date of Thursday, May 21<sup>st</sup> at 3:30pm. At that time, all construction will have ended for the entire summer, all equipment will be off the street, all repairs to the public right of way will have been repaired to the Borough’s satisfaction, and all cleaning activities of the Borough’s streets and sidewalks on 60<sup>th</sup> and 61<sup>st</sup> streets will be concluded.

The actual construction project has been suspended, and currently all focus is on necessary repairs and maintenance of streets, curbing and sidewalks following work by heavy equipment and necessary street openings for manholes, conduit, and other work. Curbing work shall be finished by the end of the day tomorrow, paving work on the street will conclude this Friday, and final concrete work on the actual footprint of the substation was scheduled to be completed today.

On Friday at 9am, a team including myself, Bill Macomber, John Tracy, Ed Dean, Paul Short, and Joe Maffei will take another perimeter walk around the substation to ensure that the repair work will be done to the Borough’s high expectations. We will make another site visit on the morning of May 21<sup>st</sup> to ensure that all work is complete, and the street has been cleaned. In addition, thanks to the suggestion from a resident on 60<sup>th</sup> Street, we have discussed better ways of managing any dust and dirt from construction shall we have an extended period of dry weather when the project begins again in the fall.

**Sport Fishing Center:**

At the last Council meeting we received feedback from a member of the public about the condition of the boat slips at the Sport Fishing Center during blowout and lunar low tides due to low water and sediment in the slips. As a matter of review, the Borough successfully dredged Princeton Harbor this fall before the mandatory December 31<sup>st</sup> shut down due in part to the winter flounder restriction. The Borough made it very clear that only Princeton Harbor would be dredged in 2014, and that when dredging began again in September, 2015 that other channels including the sport fishing center were next to be dredged.

I had a meeting this morning with Jim Moran and his staff at the Center to receive an update on the conditions and the information being relayed to the slip owners. He told me that boats can get out during high tide, transition tide, and low tide, unless it’s a blowout low tide. Mr. Moran informed me that the conditions have not been exacerbated since last year’s boating season, conditions are about the same. He confirms that some boats, as a precautionary measure, are entering the slips bow first to keep the propellers etc in the water during low tide. Mr. Waldron also received that information from four slip leasees at the Center who informed him they are also coming in bow first as a precaution; these leasees also told Mr. Waldron they have a full understanding of the winter flounder and bird restrictions thanks to information being released by the Borough and are appreciative that the issue will be resolved during the next round of dredging. Mr. Moran informed me that there are no safety issues relating to the sediment currently in the slips, and the community there is very aware of when it’s safe to take the boats out for fishing.

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**Sport Fishing Center-Continued:**

In a related matter, we inquired about a recommendation by the New England Marine Fisheries Council’s plan to remove the winter flounder dredging restrictions south of Absecon Inlet. Karen Greene from the National Marine Fisheries Service recommends that any permit holder in New Jersey who is prejudiced by the winter flounder restriction seek a permit modification from the United States Army Corps of Engineers. Mr. Thornton and I discussed that this morning, and that will move forward. Also this coming Monday, we are having a meeting with Mr. Thornton to discuss all of the issues involving the next round of dredging in Avalon, including the appropriate community notification and permit modifications that will be requested.

**Additional notes:**

- CBS3 in Philadelphia will be in Avalon next Thursday to kick off the Emmy award winning Orr at the Shore seashore features, Avalon has been chosen as the community to kick off the summer.
- We are firming up a date and time next week for a ceremonial opening of the Dune Path Trail along 44<sup>th</sup> Street and 48<sup>th</sup> Street. The signs have been installed and look great.

**Beach fill:**

I will allow our engineer to elaborate on this topic but a fundamental discussion regarding the status of the Avalon beachfill. It is our understanding that the dredge “Illinois” has been successfully pumping sand on the beaches of Strathmere with little interruption. As we know, the Illinois will come to Avalon as soon as a very emergent beach fill is concluded in Strathmere. The contractor, Great Lakes, had some concerns about the timing of the project based on the arrival of permits from the NJDEP and USACOE. Myself and Jim Waldron addressed this issue with John Huitt, the Project Manager for Great Lakes who will oversee the Avalon project, and we expedited a conversation with Chris Constantino from the NJDEP immediately afterward who was most helpful to the Borough. An end result of the conversation, along with a parallel conversation the Mayor had with the Commissioner’s office was the removal of significant issues and roadblocks typically associated with the issuance of permits from two agencies for a project of this magnitude with the assurance that permits would be in hand and delivered before week’s end.

In addition, we have had conversations with our realtor friends who have inquired about the status of the beaches for June and beyond. And in a conversation earlier this week with Mr. Macomber he confirms that his staff will check on the condition of all beach paths that are currently closed due to safety reasons and reassess before the holiday weekend if there’s any chance of reopening any of those paths with the movement of some sand for customer convenience.

Mr. Thornton can speak as to the status of the permits and the Borough’s expectations.

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