**7432**

November 24, 2015

A Regular Meeting of the Borough Council of the Borough of Avalon was held on Tuesday, November 25, 2015 at 4:50 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public - - - - - - - - - - 4 Reporters - - - - - - - - - - 1

The meeting was called to order by Council President Dean.

Roll call: Council President Dean Present

Councilman Burns Present

Councilman Covington Present

Council Vice President Hudanich Absent

Councilman McCorristin Present

Also present:

Scott Wahl, Business Administrator

James A. Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

William Macomber, Director of Public Works/Utilities

Chief William McCormick

Paul Short, Code Enforcement Officer

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC

Council President Dean read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included in the Annual Schedule of

Meetings dated June 24, 2015. It was given to the news media and posted on the Official Bulletin Board as required by law.

Minutes:

Work Session, Agenda Session, Regular Meeting – October 28, 2015

Motion made by Councilman Covington, seconded by Councilman Burns that the minutes be approved as submitted.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Public comments regarding Resolutions:

None.

Resolution No. 185-2015: A RESOLUTION AUTHORIZING THE

RELEASE OF CERTAIN RENTAL BONDS POSTED WITH THE BOROUGH OF AVALON

Motion made by Councilman Covington, seconded by Councilman Burns that the resolution be adopted.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Abstain

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November 24, 2015

Resolution No. 186-2015: A RESOLUTION AUTHORIZING CHANGE

ORDER NO. 1 FOR 2014 BACK BAY

MAINTENANCE DREDGING PROJECT,

CONTRACT NO. M-98

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 187-2015: A RESOLUTION REMOVING A SPECIAL

CONDITIONS APPLICABLE TO ALL

PLENARY RETAIL CONSUMPTION LICENSES

AND CLUB LICENSE WITHIN THE BOROUGH

OF AVALON IN ACCORDANCE WITH THE

DIRECTIVE OF THE DIVISION OF

ALCOHOLIC BEVERAGE CONTROL DATED

OCTOBER 30, 2015

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Resolution No. 188-2015: A RESOLUTION AUTHORIZING PAYMENT OF BILLS

Motion made by Councilman Burns, seconded by Councilman Covington that the resolution be adopted.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Introduction and first reading by title only of Ordinance No. 730-2015:

Motion made by Councilman Covington, seconded by Councilman McCorristin that Ordinance No. 730 -2015 be brought on for first reading by title only.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Borough Clerk to read aloud Ordinance No. 730-2015:

**7434**

November 24, 2015

Ordinance No. 730-2015:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 27 (ZONING) OF THE CODE OF THE BOROUGH OF AVALON, 2013 PERTAINING TO SWIMMING POOLS AND TO FURTHER AMEND CHAPTER 27 TO CONFORM WITH THE PROVISIONS OF CHAPTER 19 (FLOOD DAMAGE PREVENTION) OF THE CODE OF THE BOROUGH OF AVALON, 2013

Motion made by Councilman Covington, seconded by Councilman McCorristin that Ordinance No. 730-2015 be passed on first reading and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Second reading, public hearing and final action on Ordinance No. 728-2015:

Motion made by Councilman McCorristin, seconded by Councilman Burns that Ordinance No. 728-2015 be brought on for second reading, public hearing and final action.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Borough Clerk to read aloud Ordinance No. 728-2015:

Ordinance No.728-2015:

AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 20 OF THE

CODE OF THE BOROUGH OF AVALON, 2013 TO ADD A NEW SECTION

PERTAINING TO THE CONSTRUCTION AND/OR INSTALLATION OF

SWIMMING POOLS

Council President Dean opened the meeting for public hearing on Ordinance No. 728-2015 and asked if there were any questions or comments.

There were no questions or comments.

Motion made by Councilman McCorristin, seconded by Councilman Burns that the public hearing be closed

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Motion made by Councilman McCorristin, seconded by Councilman Burns that Ordinance No. 728-2015 be finally adopted, submitted to the Mayor for approval and advertised according to law.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

**7435**

November 24, 2015

Reports and Recommendations by Mayor and Officials:

Reports of Officials:

Scott Wahl, Business Administrator, provided the following report to Council.

ADMINISTRATOR’S REPORT FOR NOVEMBER 24TH

Peermont/Pole Replacement:

We attended both of today’s progress meetings on the construction of the Peermont Substation and on the pole replacement program. In addition, Councilman McCorrisstin met with officials from Atlantic City Electric regarding questions he had about the pole project; I was in attendance along with Bill Macomber and Paul Short; Ed Dean was available via telephone.

Avalon officials attended the weekly construction meeting for the Peermont Substation, which is being constructed between 60th and 61st streets in Avalon.  Here is the latest information provided by Graycor, the construction company hired by Atlantic City Electric to build this Substation:

Work will be suspended for the Thanksgiving holiday on Thursday; work will continue on both Friday and Saturday of the holiday weekend with the work being done on site and not in the public right of way due to increased traffic for the holiday weekend.  On Friday afternoon, it is expected that a small concrete delivery of approximately five trucks will arrive at the Substation to pour concrete.  No concrete work will be conducted on Saturday, and no work at all will be done on Sunday, November 29th.

A block mason will continue to work on the 61st Street side of the building on Friday and Saturday; the mason will have completed his work by Tuesday or Wednesday of next week.  A carpentry crew continues to work on the 61st side of the project with a three-man crew.  Next week, structural steel will be installed on the Substation with a crane being located on 61st Street and placing the steel over the new building.  A de-watering tank leaves next week.  Backfilling a round the footprint of the building continues and some crushed stone will be delivered on the north side of the building next week.  There will be one final large pour of concrete before the Christmas holiday in mid-December, and the transformers are scheduled to arrive in the middle of January.

As a courtesy to neighbors and motorists, most equipment will be removed from the public right of way on Wednesday afternoon through the holiday.  Avalon will have a street sweeper conduct a pass on both 60th and 61st streets while this equipment is off the street.

Pole Project:

We continue to attend the weekly utility pole meetings held Tuesday afternoon in Cape May Court House. Much like the Peermont Project, we post weekly updates on our website and more often if necessary. Matrix is the company hired by ACE to place the poles along the eastern portion of Ocean Drive.

Since our last Council meeting, more than a dozen caissons have been placed and some of the half poles have been erected. This morning at 8:00am, and again at 12 Noon, we had field site meetings with Atlantic City Electric, Matrix, Bill Macomber, Paul Short, myself, and Councilman McCorristin. Councilman McCorristin noted and discussed some issues relating to the placement of the new utility poles and how they relate to the curbline and sidewalk. Thanks to Councilman McCorristin’s expertise on this issue, future caissons and poles will be set in accordance with our ordinances and in the interest of public safety, and caissons that have been set that are of concern will be moved. Work will be suspended on the pole project as of Noon on Wednesday, through the weekend.

**7436**

November 24, 2015

Administrator’s Report Continued:

Flood Mitigation Meeting/Schedule:

We held our final internal meeting with our Flood Mitigation/CRS volunteer committee on Tuesday afternoon. The committee reviewed dozens of potential action items that can be part of our report that we will deliver for public review on December 1st. I would categorize yesterday’s meeting as the best meeting as we had very good discussions on action items currently underway, and being considered. Following our meeting for public input on December 1st, it is our intention to present the final draft plan to Borough Council on December 9th, with the final plan being presented to Council on December 22nd. We have heard from the CRS program that currently Avalon has earned enough points to remain a Class 5 with a 25% discount on flood insurance premiums; it is the goal of this plan to come up with a better plan to address flooding issues and potentially earn more points that could elevate us to a Class 4 and a 30% discount; this is not guaranteed, but a goal that remains attainable.

On a concurrent note, we held a meeting in this room last Thursday morning attended by me, Bill Macomber, Ed Dean, Harry DeButts, former CBS3 weatherman Tom Lamaine and former National Weather Service meteorologist Jim Eberwine. Along a parallel track with our flood mitigation efforts, we are discussing ways of improving information provided to the public regarding how much flooding they can expect on their street during nuisance, moderate, and severe coastal flooding events. There will be much more to report on this, and will be discussed at a Council meeting early next year.

28th Street Parking Lot:

The contractor is expected to finish the fine grading of the new parking lot this week and intends to begin paving the base course of the parking lot as soon as tomorrow. All of the concrete work for the parking lot is completed, the conduits have been run to the light locations, the water main connection has been made for the fire hydrant, and the drainage improvements have been installed. The remaining work includes the asphalt surface course, striping, lighting, fire hydrant installation and finally site restoration. It remains a goal to have the project completed before the end of the year.

Back Bay Dredging:

The back bay dredging project continues. Mobile Dredging has completed Pennsylvania Harbor and took a few days to move its pipeline in preparation for the dredging of the Third Avenue waterway north to Cornell Harbor and eventually the Sport Fishing Center, which was discussed earlier in the meeting. Mobile is prepared to dredge the Sport Fishing Center this week due to Council’s action earlier in the meeting

Since the last Council meeting, we held a lengthy meeting in Trenton with officials from the United States Army Corps of Engineers and the New Jersey Department of Environmental Protection regarding practices and questions the agencies had about our dredging project. Some the agencies who consult to the Army Corps needed clarification from the Borough on how we are coordinating the dredging of public waterways and private slips and about our sensitivity towards mud flats and wetlands. The agencies received a clear understanding of the project thanks to the efforts of the Mayor, Tom Thornton, and attorney Neil Yoskin. There are no fundamental changes to the project. We are pleased to report that we can and will work past January 1st and through to early April now that the winter flounder restriction has been removed. And we also received permission from the agencies to conduct a double handling of the material where needed. Essentially, this allows for material mechanically removed from a private slip to be placed on a barge and transported to an area where Mobile will soon dredge a public channel. We have some areas in the project where the channel in front of a private property does not need to be dredged, but a property owner’s slip is shoaled in. This will allow these private slips to be dredged.

**7437**

November 24, 2015

Administrator’s Report Continued

Sustainable Jersey:

As part of our Floodplain Management effort, Michele Petrucci, chairperson of the Avalon Green Team, has forged a relationship with Sustainable Jersey regarding potential technical assistance available to the Borough for resiliency issues that are based in the environment. We held a meeting and were tasked with coming up a list of Borough assets that we intend to protect. Sustainable Jersey has the information and has created a Coastal Vulnerability Matrix for Avalon which will be presented at a meeting on December 11th to be attended by the Mayor and by Councilman Burns. We will provide a report to Council following that meeting.

Dick Tracy:

The Dick Tracy comic strip has been published for decades and continues to do so in the paper and online. The authors of the comic strip put someone in the Dick Tracy Hall of Fame and outline his or her achievements. On November 15th, the comic strip put former Avalon Police Chief David Dean in its Hall of Fame. As we know, Mr. Dean is also an accomplished author. The discussion about David Dean points out his success with the Avalon Police Department and notes that he was a frequent contributor to Ellery Queen’s Mystery Magazine, featuring small town police chief Julian Hall. It also notes Dave’s book, “The 19th Child”, which is a police novel combined with a horror genre. Dave Dean is also an Edgar Aware finalist and an Ellery Queen Reader’s Award Winner.

Councilman Covington, asked if there would be any part of the 28th Street parking lot available for parking for the Turkey Trot on Friday morning as there are over 400 runners signed up.

William Macomber, Director of Public Works & Utilities, responded no, the 29th Street parking lot is available but not 28th Street.

Councilman McCorristin, said he has seen activity at the Bay Park Marina and asked who is going to dredge the channel?

Scott Wahl, responded the Army Corp of Engineers has worked with the Mayor’s office for an experimental thin layered disposal project. He said the Army Corp did a project last year in Stone Harbor with 7,000 cubic yards for thin layer disposal and decided to do the biggest project in Avalon due to dredging initiatives and concerns about the environment of a 50,000 cubic yards thin layer disposal. He said this restores the natural environmental habitat and increases resiliency in the event of a monster storm where bigger waves would be expected coming from the bay to the bulkheads. He said the Borough does not pay anything and the CDF will not be used and it will not interfere with the current dredging project. He said it is a staging area at the Bay Park Marina which was approved by the Mayor and Bill Macomber and Barnegat Bay is the contractor on that project.

Councilman McCorristin asked if that will be done this season.

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC responded yes.

**7438**

November 24, 2015

Monthly Reports:

Month of October, 2015:

Borough Clerk and Registrar’s Report submitted by Marie J. Hood.

Bureau of Fire Prevention, Licensing, Miscellaneous Construction Collection,

Construction Water and Sewer, Uniform Construction Code & Beach Vehicle Reports submitted by John Tracy.

Code Enforcement Report submitted by Paul E. Short, Sr.

Municipal Court Report submitted by George B. Neidig, Jr.

Police Department Report submitted by Chief William McCormick.

Public Works Department Report submitted by William Macomber.

Recreation Operations Report submitted by Chuck McDonnell.

Tax Collector Control & Water/Sewer Control Account reports submitted by Connie L. DiCola.

Zoning Report submitted by Jeffrey R. Hesley.

Motion made by Council President Dean, seconded by Councilman Covington that the reports be approved.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Pending business.

None

New business

None

Public Comments:

None.

Motion made by Councilman Covington, seconded by Councilman Burns to adjourn the Regular Meeting.

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Absent Councilman McCorristin Aye

Council President Dean Aye

Regular Meeting adjourned at 5:10 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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Richard E. Dean, Council President