A Work Session of the Borough Council of the Borough of Avalon was held on

Wednesday, August 10, 2016 at 4:03 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

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

 The Meeting was called to order by Council President Hudanich.

Pledge of allegiance.

 Roll call: Council President Hudanich Present

 Councilman Burns Present

 Councilman Covington Present

 Councilman Dean Present

 Council Vice President McCorristin Present

 Also present:

Scott Wahl, Business Administrator

James Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

Paul Short, Code Enforcement Official

William Macomber, Director of Public Works/Utilities

William McCormick, Chief of Police

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

Chuck McDonnell, Recreation Supervisor

James Craft, CFO

John Tracy, Construction Official

Edward Dean, Fire Chief

Lawrence Pepper, Esq., Gruccio, Pepper, DeSanto & Ruth, P.A., Labor Attorney

Nicole Curio, Esq., Gruccio, Pepper, DeSanto & Ruth, P.A.

Frank Burton, Mott Macdonald, LLC

Dale Foster, County of Cape May Engineer

Steve Lock, County of Cape May

 Council President Hudanich read the Open Public Meetings Act Announcement.

 Notice of this Work Session was included in the Annual Schedule of Meetings dated

June 22, 2016. It was given to the news media and posted on the Official Bulletin Board as required by law.

Discussion regarding easement requested by the County of Cape May for Ocean Drive Improvement project.

Scott Wahl reported the County intends to conduct a nearly $4 million project in Avalon resulting in a portion of Ocean Drive being milled and repaved from 29th Street to 62nd Street. The Federal commitment on the project is currently $1.7 million, however the County Engineer’s Office is hopeful the project will receive additional funding from the federal government. Included in the project specifications are the updating of all handicapped access ramps, a slight elevation of Ocean Drive from 31st Street to 40th Street in order to alleviate nuisance flooding in that region. In the blocks of Ocean Drive being elevated, the curbing, sidewalks and driveway aprons will be replaced. The project will be bid this year and there are hopes to award the contract by December with work beginning in early 2017. The sanitary sewer replacement on Ocean Drive is being coordinated with this project to ensure compliance with the moratorium that will be put in place by the County once the project is complete. The project would primarily be a spring project and will be suspended during the summer months.

Dale Foster explained this project will cover Ocean Drive from 29th Street to 62nd Street and is a federally funded project. As a condition of receiving federal funding, the County must demonstrate that permission is granted from the Borough to perform the construction within the right of way or within Borough owned properties that will be impacted. There are two Borough owned properties to be impacted by the project. One property is at the northeast corner of 30th Dale Foster (continued) Street and Ocean Drive where approximately five feet of the road is actually on the property. There will be a reconstruction of a portion of the road as well as the replacement of the curbing, sidewalk and handicapped access ramps in order to be in compliance with ADA regulations. The other property to be impacted is the southern driveway of the marina. The grade of the driveway will need to be adjusted to ensure a smooth transition from the roadway. A third easement is requested to also adjust the grading of the side streets that will be impacted by the elevation change of Ocean Drive to ensure proper water flow to the catch basins or down the street. Written permission must be obtained from the Borough in order for the federal government to award the funding for the project. An additional change proposed in the project is the replacement of the traffic signal at Ocean Drive and 42nd Street. The replacement will include the wooden poles being replaced with aluminum poles as well as countdown timers for the pedestrian displays. When work is being completed on the concrete and drainage, it is proposed to detour the traffic within the direction of travel that the contractor is working to Dune Drive, and leaving the opposite lane of the road open to traffic. Once the milling and paving work begins, the plan is to close Ocean Drive to all through traffic to avoid possible damage to vehicles attempting to travel the road after it is milled. The closings would only be while the contractor is working on the road and will not affect night time or weekend traffic. The current plan is to award the project in December and begin work in the area after the first of the year. Most of the work should be starting in earnest in March, continuing through early June, at which point the project will be suspended until the fall. At the time the project is suspended in early June, it is hoped that the project will be complete from 29th Street to 40th Street. After Labor Day weekend, work will begin again and proceed to 62nd Street for completion. He introduced the Project Designer Steve Lock to explain the plans for the sections of the roadway that will be raised.

Councilman Burns questioned if this project will address the ongoing problems near Jack’s Place as well as around 32nd Street.

Steve Lock explained there are some locations between 44th Street and 62nd Street where there is a slight raise proposed. In those locations, the gutter will be slightly higher than the adjacent sidewalk. The grades will not be adjusted very far onto private property. The proposal for those areas is to slightly raise the gutter and pitch towards the sidewalk. Ten inch round landscaping grates will be installed to drain runoff water and will be connected by six inch plastic pipe throughout the project limits. Those drains will then drain into the highway inlets to create a positive drainage flow and to avoid any trapped water during a rain event. Raising the grade of the road also helps avoid flooding from tidal events. To address the major problem area near Jack’s Place, there will be a substantial raise of a maximum at the gutter of approximately 10 inches in grade from 32nd Street to 37th Street. The raise in grade will help the drains to evacuate during typical high tides. Flooding is still expected for major storms or tidal events.

Councilman Covington inquired what effect the raise in grade near Jack’s Place will have on the bay side properties in that area.

Steve Lock explained drainage grates and inlets will be installed at the far side of the side walk in those locations to catch any runoff created by the change in grade.

Councilman Covington questioned if the sidewalks and drive aprons will be raised where the grades are being raised.

Steve Lock responded yes and noted the proposed changes will create a longitudinal flow and the road and sidewalks will now be pitched in the opposite direction than normal.

Dale Foster added a long grate will be installed on the back side of the sidewalk to catch water to avoid runoff from going into any lawns, driveways, or parking lots. The grates will all be connected to a pipe that runs alongside the sidewalk down to the street end to tie into the catch basins at the side streets.

Councilman Burns noted when a house is built, the drainage on the property flows from the back of the lot to the front of the lot near the roadway. He questioned if the proposed drainage to evacuate runoff and tidal waters will also handle the flow from the drainage within each property.

Steve Lock explained the goal of the project is that there will be a valley behind the sidewalks where the drainage grates will be that will catch all of the runoff and flow longitudinally in the direction and grade of the road.

Councilman Burns inquired if the flows coming from residential properties were evaluated during the planning process for the project to ensure the goals of the project align with the current flows.

Steve Lock stated all grades and flows of water have been evaluated.

Councilman Burns commented that when a new house is built, it will have the same drainage from the back of the property toward the road.

Steve Lock noted new construction will be required to meet the new grade.

Dale Foster added any new home will have to be raised higher to avoid creating a valley where water will accumulated.

Council Vice President McCorristin asked if the sidewalks will be redone during the project to match the new grades to avoid any hazards.

Dale Foster responded the sidewalks will be raised and pavers and stone lawns will be re-graded.

Steve Lock added all pavers within a paver driveway will be reset.

Council Vice President McCorristin raised concerns about the new grading of a driveway possibly being higher than the entrance to a garage located on the property, as well as water possibly flowing into a garage or a home with the higher grades.

Dale Foster stressed that flood grade, flood vents and garages were evaluated when walking the proposed project area to ensure water would not flow into any garages or homes.

Council President Hudanich suggested evaluating the major problem areas to explore if piping larger in diameter would be necessary.

Councilman Burns agreed with Council President Hudanich and raised concerns there may be more of a flow than originally expected by the project designers.

Council President Hudanich also suggested exploring the possibilities of having specific engineering designs for trouble areas, rather than having one model for the entire project.

Council Vice President McCorristin raised concerns of possible damage to vehicles traveling on newly graded driveways.

Steve Lock noted the grades will be approximately 6% and will not be severe.

Council Vice President McCorristin asked how many drains will be placed on the back side of the sidewalk per property.

Steve Lock responded in the bad locations, a drain will be installed every 25 feet.

Councilman Burns raised concerns that two drains per property may not be able to handle the volume of water flowing onto the property.

Council Vice President McCorristin inquired if homeowner’s yards will be regraded also.

Dale Foster responded no and noted there is 14 feet of right of way behind the curb.

Steve Lock added that right of way will meet the existing grade. All flow will be draining toward the road to create one valley point that will catch the water.

Council President Hudanich asked if the sidewalks will also be raised ten inches.

Dale Foster explained the new curbs will be 4 inches high instead of six inches, with a net increase of eight inches. However, there is a slope in the two foot area between the curbing and the sidewalk, and the sidewalk has a 2% slope to gradually grade it back into the yard.

Council Vice President McCorristin raised additional concerns about the flow on residential properties due to the raising of the curbing and the sidewalk as well as the existing drainage flow within the property.

Dale Foster noted the sidewalk will also have a longitudinal slope as well to drain water off of the sidewalk which will be transferred to the drains.

Councilman Burns noted the southwest entrance to Jack’s Place on Ocean Drive is two steps below ground level and raised concerns that the new grade will fill that entrance with water. He added the entrance of a home on 32nd Street and Ocean Drive is below the curb line which may fill with water with the new grade. He stressed the importance of making sure those specific properties are properly addressed. He further noted the recent project of replacing telephone poles on Ocean Drive was troublesome for some residents and expressed that this project should be engineered to cause as little disruption to the homeowner’s lives as possible.

Council President Hudanich stated the Borough of Avalon is pleased, happy, and thankful that the County is taking this initiative to upgrade and enhance the streets. There are plans to consider a Resolution for the easement at the August 24, 2016 meeting.

Councilman Burns agreed that the project will be a major improvement to the town and will cut down the flooding and give better emergency and police access.

Dale Foster pointed out that since the work is being completed in phases with one portion being completed in the spring, and the second portion being completed in the fall, if problems arise during the project term, those problems will be addressed and eradicated before project completion.

Council President Hudanich thanked the County for their consideration of suspending the project during the summer months and stressed the importance of the work not impacting any weekend traffic, especially for Memorial Day.

Dale Foster noted the County completed a project in Strathmere on a similar work schedule, and the project did not impact any weekend traffic. He asked that the Borough of Avalon forward a letter stating the County has permission to complete the project to allow for the federal funding application.

Council President Hudanich agreed to send the letter and memorialize the sending of the letter within the Resolution to be considered at the August 24, 2016 meeting.

Councilman Covington inquired if the County is coordinating with the Borough Engineer on the project.

Dale Foster responded yes and added the water company has also been updating the County about the repairs near 40th Street.

Councilman Burns asked Tom Thornton to provide his opinion of the proposed project.

Tom Thornton agreed it will be a huge improvement to have the road elevated and should keep the road dry during typical high tides. He added it could be a challenge to the homeowners due to the disruption.

Council President Hudanich suggested beginning the education process about the project through the website and social media.

Councilman Burns agreed that the residents and visitors should be well informed of the proposed project and all project details well in advance of the project beginning.

Scott Wahl agreed with Council and noted he will start the discussion about the project at the upcoming ALHOA meeting.

Councilman Covington stressed the importance of coordinating information between the Borough and the County and keeping open lines of communication.

Councilman Burns inquired if there are any sewer or water issues that should be addressed before the County project is completed.

Tom Thornton noted there is a proposal to design the replacement of the entire sanitary sewer system in that area on tonight’s agenda for discussion.

Council President Hudanich suggested not only evaluating the sanitary sewer system but also the potable water supply. She stressed the importance of evaluating any infrastructure that may need repair.

Tom Thornton reported the idea of replacing the sanitary sewer system is a result of a significant collapse of the sanitary sewer main in the past and noted the water mains will be evaluated also. The evaluation of the water system possibly could be included with a project already authorized by the Borough which was the modeling and evaluation of the entire Borough’s water system and whether that warrants a major trunk line going down Dune Drive to improve the pressures at the South end. A report on that project will hopefully be provided to Council at the August 24, 2016 meeting. If the recommendation for that project turns out to not be the trunk line, it is possible that there would be money in the budget to spend upgrading the water main on Ocean Drive.

Council President Hudanich stated if the Borough needs to declare an exigency and certify funds, it would be prudent to investigate the potable water before the County repaves Ocean Drive.

Council Vice President McCorristin asked what the moratorium will be once the project is complete.

Dale Foster responded five years.

Council Vice President McCorristin inquired if letters will be sent to homeowners about possibly changing the services of their gas and water.

Dale Foster explained a letter was sent to property owners last year, and another letter will be sent once authorization for the project is received.

Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

Discussion regarding annual certification of the Borough of Avalon in the CRS program.

Scott Wahl reported notification of the retirement of the previous Flood Plain Manager was received last month. Upon receiving that information, meetings were held with Tom Thornton to discuss the availability of skilled, qualified personnel to handle the CRS matters within the Borough. It was suggested by Tom Thornton to review the qualifications of Frank Burton, CFM, who works with Mott Macdonald out of the Freehold office that is very experienced and has deep relationships with CRS initiators and programmers. Frank Burton is also the CRS Coordinator for the Borough of Mantaloking. On August 3, 2016, a follow-up meeting was held with Tom Thornton, Scott Wahl, John Tracy, Ed Dean and Frank Burton where the long term and short term goals and needs of Avalon were discussed. Mr. Burton discussed at length about the Borough currently being in the three year cycle of review by the CRS program due to the Borough’s current Class 5 status providing a 25% discount on flood insurance premiums. In the meeting, time was spent reviewing the criteria on a potential Class 4 status for the Borough that would provide a higher discount. Those goals are extremely ambitious and will be explored. The conversation also dealt with a new manual of criteria provided by the program and how the Borough in the future could potentially add or lose points due to regulations and changes in them. Mr. Burton also informed the Borough that a one year certification of the program is due by October 1. This largely requires the coordination of information between the CRS

Scott Wahl (continued) Coordinator and the Construction Office over the coming weeks so that certification will be complete. Some information from as far back as 2014 will need to be used. Upon approval of Council, Mr. Burton has committed to meeting with the office to receive this information on a regular basis and provide the necessary report for certification. Council is being asked to consider today the discussion of the proposal from Mott Macdonald to utilize the services of Frank Burton to complete the annual certification. Upon completion of the certification, Council will be asked to consider using his services as Avalon’s CRS Coordinator for future endeavors.

Tom Thornton added that Mr. Burton is a Certified Flood Plain Manager and has worked with the CRS program for Mantoloking. Mr. Burton also attended some meetings that were conducted at the end of 2015 with the Flood Plain Management Committee.

Frank Burton thanked Council for considering this proposal and noted the Borough of Mantoloking is also a Class 5 municipality. He pointed out the deadline associated with the annual certification of October 1 cannot be extended, however he is confident that he will have a full understanding of the Borough’s CRS program and demonstrate to FEMA that the Borough is still maintaining the activities that are necessary to uphold the Class 5 status.

Council President Hudanich thanked Mr. Burton for his willingness to take on this added responsibility.

Frank Burton clarified that the annual certification is a summary maintaining the Class 5 status and is not a document to look to advance the program at this time.

Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

Discussion regarding proposals for the following projects:

1. 78th Street Stormwater Pump Station

Tom Thornton reported there are areas on Ocean Drive that continue to have severe flooding during heavy rainfall or extremely high tides. Some of these areas will be addressed by the resurfacing project discussed earlier this evening with the County. However, there is still a problem remaining along Ocean Drive between 75th Street and 79th Street. That area includes two separate drainage areas. One drainage area has an outfall that extends down 76th Street and discharges through a street end bulkhead. The other drainage area is at 78th Street with a drainage pipe that extends through an easement between two properties. The proposal for this area is to design a pump station that would be very similar to the pump stations operating in town between 19th Street and 34th Streets installed back in 2000. This station will need to be constructed differently to comply with flood elevation codes. The flood elevation codes require the mechanical and electrical systems be elevated significantly above the base flood. The most likely location for that appears to be the southeast corner of 78th Street and Ocean Drive.

Councilman Burns asked what flood elevation will be used in the project.

Tom Thornton responded the design flood elevation will be used, which is three feet above base flood. The mechanical or electrical components need to be above that elevation, which would require a platform for work to be completed on those systems. Unlike the pump stations located between 19th Street and 34th Street, steps will be needed to access those systems. He clarified that the project does not propose any enclosed structure, which would be more intrusive due to the size.

Councilman Burns stressed the importance of addressing the aesthetics of the project so as not to disrupt the appearance of the neighborhood.

Tom Thornton explained there are plans to design the project to balance cost with aesthetics and prepare concept plans for Council’s consideration before proceeding with the project any further.

Councilman Burns suggested a ladder be constructed with the project to get to the platform rather than constructing stairs.

Tom Thornton responded that option will be explored and that the Borough will be kept well informed of the progression of the project. He further noted this pump station is a bit more challenging than other stations due to introducing two drainage areas into one. There are still plans to include a subgrade chamber and at this point the concept is still to have a gravity pipe flowing through that’s cut off at the top so that under normal rain conditions or tidal conditions, the pumps won’t operate. The pump station is only to function during those times when there is extreme flooding.

Councilman Covington asked when the plans will be brought before Council for approval.

Tom Thornton responded the goal is to present the proposed plans to Council in November or December.

Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

1. Ocean Drive Sanitary Sewer Improvements

Tom Thornton reported the sanitary sewer main on Ocean Drive is asbestos cement pipe, which is a product used during the 1960s and 1970s. When the pipe begins to fail, certain types of flow creating deluges occur with a high volume of inflow going in through the gravity sewer system through open cleanouts or gaps in the pipe. Those extreme flows going through the gravity system introduce situations the gravity main hasn’t realized before, and material is pulled from outside of those gaps with the flow rushing through, which causes sinkholes. There have been a few occurrences of needing to replace an entire block of the pipe on Ocean Drive in emergency circumstances, which are more costly. The proposed project is to replace all of the pipe between 29th Street and 63rd Street, which is one block further south than the County project. At the completion of the project, all sanitary sewer lines will be PVC pipe including the stubs going off to the side streets to the limit of paving that the County is proposing. The manholes will be evaluated, however it is likely that almost all manholes are in need of replacement. This project will include basically every intersection replacement of the manhole, the main going along Ocean Drive, and the stubs going out to the side streets.

Councilman Burns asked if this project will be completed before the County project begins.

Tom Thornton explained the goal is to bid the project in November and award the contract and be ready to begin in December. Conversations have taken place with Dale Foster, who expects to be starting the County project in March at 29th Street. The sanitary sewer project is expected to begin in January at 29th Street, which would be ahead of the County’s schedule.

Council Vice President McCorristin asked if the replaced manholes will be raised in accordance with County plans or if the County will be raising those manholes as part of the scope of their project.

Tom Thornton noted the manholes most likely will not be raised, but will be designed so they can be easily adjusted. There are plans to work closely with the County to ensure the proper design of replaced manholes.

Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

Discussion regarding Resolutions requesting authorization of additional Engineering Services for the following projects:

1. 39th Street Park

Tom Thornton reported this project has been completed for some time, however there were loose ends that needed to be dealt with by the contractor, which is now complete. The problems were due to some contamination found in the site, which was immediately responded to and evaluated by the LSRP with Mott Macdonald. For that reason, the originally proposed budget for the project was exceeded. It is now being requested that the Borough approve the services that were provided in the initial response to the contamination as well as lab costs. It was estimated Mott

Tom Thornton (continued) Macdonald could oversee the completion of the work for an amount not to exceed $3,000.00, which could be less. The request is to proceed on a reimbursable basis to close out the project.

Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

1. Dune Drive & Avalon Avenue Sanitary Sewer Improvements

Tom Thornton reported there have been discussions at previous meetings regarding the unanticipated situation encountered at 78th Street for the sanitary sewer main that had to be extended to the east approximately 200 feet down the block. A change order was previously approved allowing the contractor to complete the work. A detailed report of the work required to deal with the situation was previously provided to Council. It is requested that the Borough authorize those services.

Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

Discussion regarding creating a Cornhole league at Community Hall.

Chuck McDonnell noted it has been a goal of the Recreation Department to create more programs for adults, and there have been requests from adults for the schedules of adult activities within the Borough during the off-season. He suggested creating an indoor cornhole league that would meet once a week for eight weeks starting in January and ending in early March. There would be a charge of $25 per person that would help offset the cost of trophies and awards for the end of the season.

Council President Hudanich suggested making sure any sessions cancelled due to inclement weather be rescheduled to guarantee eight sessions per season.

Chuck McDonnell agreed with Council President Hudanich’s suggestion and stated there will be a guarantee that eight sessions will be held.

Council supported the creation of the league.

Discussion regarding Resolution appointing Tax Collector.

Scott Wahl reported Connie DiCola will retire from the Avalon Tax Office on August 31, 2016. Discussions have been held with both Mayor Pagliughi and Council President Hudanich about a promotion of Alexis Coan to the Tax Collector position. She was promoted to the position of Deputy Tax Collector by Mayor Pagliughi on October 15, 2015 to create a succession plan for the office. Alexis has been working for the Borough since June, 2001 and where much of her time was in the Department of Recreation. She was added to the tax office to handle some staffing issues before being assigned to the office on a regular schedule on January 14, 2013 where she served as a Tax Clerk until she was promoted to the position of Deputy Tax Collector. Alexis is proficient in Edmunds, Word, Excel, and DataPointe programs. She also is proficient in the functions of the Office including reporting, billing, enforcement, collection, and tax sale. On August 25th, 2016 Alexis will graduate from Immaculata University with a BA in Organizational Dynamics which is a Business/Finance Degree with a focus on accounting, financial issues in management, managerial economics, strategic planning, statistics, and organizational ethics. She possesses a Tax Collector Certification from the State of New Jersey which she obtained on October 7, 2014. Discussions have been held with Council President Hudanich regarding future staffing in the office as well as some cross training to provide full coverage in the office that would be a benefit to both the employees and the Borough. It is the recommendation of the Mayor, Business Administrator, Assistant Business Administrator, and Chief Financial Officer to promote Alexis Coan to the position of Avalon Tax Collector effective September 1, 2016 and that we follow this plan for cross training to fully staff both offices. This is a Mayor’s appointment with consent of Council. If approved, Council may elect to pass a resolution for this appointment at the August 24, 2016 meeting. She may be appointed on that date, and her four year term would commence January 1, 2017.

Council President Hudanich commended Alexis Coan for furthering her education to the benefit of the Borough.

After brief discussion, Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

Discussion regarding Resolution amending the Cash Management Plan.

After brief discussion, Council agreed to proceed with a Resolution to be prepared for the August 24, 2016 Regular Meeting.

Public Comments:

Marion Nalitt, 1252 Dune Drive, inquired if the fire sirens that sound when a fire emergency is taking place will be phased out in the near future. She also suggested the Borough renovate a portion of the 12th Street Park into a dog park.

Scott Wahl explained there are no plans to phase out the use of the fire sirens within the Borough. The Mayor has been a Lieutenant within the Avalon Volunteer Fire Department for many years and it is his position to keep the fire sirens operational. He further explained in the event of an extreme emergency, the State Police could possibly seize cell phone signals, which would leave the fire siren the only form of communicating an emergency. Furthermore, with the unreliability of cell phone service within the Borough, it is recommended to keep the fire sirens in use to ensure proper notification of volunteers, residents, and visitors of an emergency.

Ed Dean added the Fire Department utilizes the fire siren, electronic pagers, and cell phones to alert volunteer firefighters of an emergency that requires a response. By using multiple means of communication, it increases the chances of all volunteers being reached to promote response to the emergency. He also noted cell phone service and radio signals are very sporadic throughout the Borough, which could delay notification to volunteer firefighters.

Scott Wahl explained the Mayor has issued a directive that a dog park must be agreed upon by all neighboring residents of the proposed park. Unfortunately, that has not happened for any proposed location for dog parks to date.

Motion made by Councilman Covington, seconded by Council Vice President McCorristin to adjourn the Work Session.

ROLL CALL VOTE: Councilman Burns Aye

 Councilman Covington Aye

 Councilman Dean Aye Council Vice President McCorristin Aye

 Council President Hudanich Aye

Work Session adjourned at 5:24 p.m.

 Respectfully submitted,

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 Marie J. Hood, Borough Clerk

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 Nancy M. Hudanich, Council President