

May 14, 2014

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, May 14, 2014 at 7:03 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 18

Reporters ----- 3

The Meeting was called to order by Council President Ellenberg.

Pledge of allegiance.

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

Also present:

Stephen D. Barse, Esquire, Borough Solicitor
Lawrence A. Pepper, Jr. Esquire, Labor Attorney
James Craft, Chief Financial Officer
Paul E. Short, Sr., Code Enforcement Office
William Macomber, Director of Public Works/Utilities
Police Captain Jeff Christopher
Administrative Sergeant John Roscoe
Sue Ellenberg, Interim Recreation Director
Scott Wahl, Public Information Officer
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC
Dr. Brian Reynolds, Chairman Environmental Commission
Joe Lomax, The Lomax Consulting Group
James DeMarco, Insurance Solutions

Notice of this Work Session was included in the Annual Schedule of Meetings dated June 12, 2013. It was given to the news media and posted on the Official Bulletin Board as required by law.

Council President Ellenberg read the Open Public Meetings Act Announcement.

Presentation by Paul Miola, ACJIF/MEL concerning Avalon's Experience with the JIF for the past 25 years.

Paul Miola, Executive Director presented an update concerning the success of the Borough of Avalon's participation in the ACJIF plan since March 1, 1990. Please refer to Power Point report attached to Council Meeting Minutes.

Discussion regarding resolution authorizing renewal of dental plan by Delta Dental for Dental coverage for a One (1) year term commencing June 1, 2014 through May 31, 2015.

James DeMarco, Insurance Solutions, gave a brief report on the self-funded Delta Dental Program. He said currently the cost per employee is \$6.30 per month and with the renewal the cost will be \$6.60. He explained with the 113 employees, the total cost will be a difference of \$28.00 a month. He commented claims for this year were \$70,888, an increase of six percent over last year.

Council President Ellenberg, commented on the report he read of only 29% of employees taking advantage of dental benefits.

Councilwoman Hudanich, suggested correspondence placed in with the paychecks to possibly improve the percentage.

May 14, 2014

Borough Council agreed to proceed with the renewal. A Resolution will be prepared for the May 28, 2014 Regular Meeting.

Discussion regarding request to purchase Borough owned property a 10x110 parcel located at Block 65.03/Lots 44.03 and 87.02 adjacent to 162 65th Street.

Andrew J. Bednarek, Business Administrator introduced RJ Soens who communicated with the Borough regarding the potential purchase of Borough Property.

RJ Soens, Long & Foster Real Estate said the buyers have owned property in Avalon since 2002 and want to develop the site to accommodate a house for their family, and three children.

Andrew J. Bednarek stated there has been precedent on purchases of this nature. He explained there is a wall on the east side of the property line and sand would not be excavated. He said the property is west of the dune line and would add 1100 square feet to the property which would provide the new owner the ability to build a larger home, an additional 770 square feet. He indicated any contemplation of a sale would require no disturbance of sand in the area, and that a Dune Vegetation Management Plan agreement be reached so plantings would include plants indigenous to our region. He said an appraiser could conduct an appraisal within 30 days for a fee of \$1500.

Councilman McCorristin commented it would move the house closer to the ocean since the new property is the setback.

Dr. Brian Reynolds, Chairman Environmental Commission, read this statement into the record on behalf of the Avalon Environmental Commission: "Once we heard about the request, several members of the commission have looked at the property. There is a wooden wall that is three feet high on the dune side of the property inside the property line and there is a heavily vegetated dune area that contains a fair number of Japanese Black Pine trees. It is possible that if the property is sold, the new property owner may try to remove the sand and vegetation of the lot. Since the Environmental Commission has learned of the plan to buy the lot, they expressed concerns. First, they were unaware of a prior case and this could set a precedent for the Borough. Removal of sand would have an adverse effect on the dune. Members of the Environmental Commission would not want to see this sale circumvent the program to protect the dunes."

Discussion followed.

Joe Lomax, The Lomax Consulting Group said the established dune is 300 feet wide, and the vegetation between the property and the beach was well established. He said he took a look at the back part of the dune where the vegetation was serious degraded and said there were fifteen mature Japanese Black Pine that have shaded out and out-competed most of the vegetation in the area. He commented the lot has been red flagged for Japanese Black Pine removal and the dune needs restoration. He said if the Borough were to proceed, there are safeguards that would be appropriate such as fence and no sand be removed. He said the area needs to be protected long term and no construction activities should spill into the dune if a house were to be built.

Andrew J. Bednarek reported that the Borough has conducted \$350,000 in dune restoration through the Dune Vegetation Management Plan over the past four years.

Council President Ellenberg asked for any public comment on this issue.

Council agreed to proceed with an appraisal. Once received the matter will be addressed by Borough Council at a future Work Session Meeting.

May 14, 2014

Update on status of Gravens Island CDF & dredging project.

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC, reported 50% of the work has been completed on the CDF volume removal. He said contractor has agreed to work through the summer which will accelerate the completion date so the dredging project can begin in the fall. He said the contractor has done a good job keeping the site clean and his office will continue to emphasize the importance of safety since it's a repetitive cycle. He commented the work will be Monday-Thursday in summer to avoid weekend traffic and there is a possibility work may be done on Friday mornings. He reported approximately 50-70 truckloads per day of fill is being removed. He said upon completion, they will start removing the road and restoring the wetlands. He commented permit applications are in for dredging and they are currently waiting for approval of a sampling plan and the NJDEP representative is reviewing that plan about every other day. He said he is getting calls from boat slip owners and recommends scheduling a firm meeting date in June on a Saturday.

Discussion regarding Resolution authorizing Hatch Mott MacDonald to provide Design Services, Prepare Plans and Specifications and Advertise for bids for Rehabilitation of 15th Street S.S. Pump Station Wet Well for a lump sum fee of \$45,500.00.

Thomas R. Thornton, P.E., stated this sanitary sewer pump station is the most critical in the Borough and the wet well where the wastewater flows into is in bad shape. He said it was inspected in January and a report was prepared and distributed April 16th. He indicated a full rehab of the wet well is recommended to replace metal components and repair the concrete. He said the Borough cannot afford to have it go down for any reason and the construction period would be a 90-day period.

Council agreed to proceed. A Resolution will be prepared for the May 28, 2014 Regular Meeting.

Discussion regarding Resolution authorizing Hatch Mott MacDonald to provide a feasibility study for Dune Drive Parallel Water Main for a lump sum fee of \$15,000.00.

Thomas R. Thornton, P.E., commented on water pressure issues for some time at the south end and the Borough has been approached by Middlesex Water Company to take a look at this for the before summer high demands and pressure drops. He said the proposal is to evaluate the system by using hydraulic modeling software. He stated the Borough could submit an application to the New Jersey Infrastructure Trust to get low interest loan to finance the project.

Brief discussion followed. A Resolution will be prepared for the May 28, 2014 Regular Meeting.

Discussion regarding Resolution authorizing a Shared Serviced Agreement for Chief Financial Officer services with the Borough of Stone Harbor.

James V. Craft, Chief Financial Officer, reported on May 5th the Borough of Stone Harbor's CFO abruptly quit and he was asked to step in and help keep the office operational. He said if things go well over the next two months, it could be permanent which would be a \$50,000 cost savings per community.

Councilwoman Hudanich expressed concern over the ability for Mr. Craft to carry the workload for both of the towns.

Discussion followed. Council agreed for a Shared Service agreement for temporary Interim CFO Services. A Resolution will be prepared for the May 28, 2014 Council Meeting.

May 14, 2014

Discussion regarding Resolution authorizing the acceptance of a sub-grant award from the Emergency Management Performance Grant Program.

Andrew J. Bednarek, stated the Borough has been received this grant for the past 19 years.

Council agreed to proceed with a Resolution to be voted upon on the Regular Meeting Agenda for this evening.

Discussion regarding Resolution authorizing the Chief of Police to apply to the US Department of Homeland Security, FY 2014 Port Security Grant for a new Marine Unit to police the back bay.

Jeff, Christopher, Captain Avalon Police Department, indicated the Chief had prepared an executive summary for review and the CFO has provided a certification for the availability of funds. He said the purpose is to replace one of the older boats in the fleet. He commented the cost of the boat is approximately \$100,000 including maintenance and training and the Borough would be obligated to come up with 25% match, or approximately \$25,000. He stated the Borough of Avalon Police Department joins State Police and Coast Guard as the only units in the county to have boats.

John Roscoe, Administrative Sergeant, commented the grant is available to communities who are classified as high risk targets; and Avalon attains that designation due to proximity to casinos and BL England power plant in Upper Township. He said one boat is ten years old, another is 12 years old, and both are pleasure craft, showing their age. He indicated the Borough would learn if the grant is awarded in September.

Council had no problem with the Chief applying for the grant and agreed to proceed with Resolution to be voted upon at the Regular Meeting this evening.

Discussion regarding resolution authorizing the usage of contracts with certain approved state contract vendors.

Council had no problem with this annual Resolution. A Resolution will be prepared for the May 28, 2014 Regular Meeting.

Discussion regarding Resolution approving the renewal of a Site Agreement between the Borough of Avalon and the Avalon Chamber of Commerce for the placement of Webcams.

Council briefly discussed this matter as a one year renewal with the material changes. A Resolution to be voted upon at the Regular Meeting this evening.

Discussion regarding Resolution approving 2014 Jitney Applications.

Paul Short, Code Enforcement Officer, indicated on May 7th the first 63 applications were received. He said the Police department approved 50 of the 63 on first reading. He commented the Borough has received the paperwork for the other eight applications and another round of applications will be submitted this week.

Council President Ellenberg complicated the Borough Clerk's Office, Code Enforcement and the Police Department for their efforts to get the Jitney's up and running for Memorial Day Weekend.

Council agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

May 14, 2014

Discussion regarding Resolution authorizing acceptance of a monetary contribution to be applied toward a Public Access Mitigation Project.

Gary Thomas, Thomas Amey Shaw Inc., indicated an application was submitted to the Borough of Avalon regarding a public access project regarding a property to be developed on 24th Street. He reported his client is purchasing a double wide lot and permits have been requested from the NJDEP. He said one of the permits has been issued and the second permit was held up over a public access right of way on the property. He said his client would make a donation for public access somewhere in the Borough preferably on the bayside.

Andrew J. Bednarek stated that if the Borough does not accept the contribution, then the money could be offered to other neighboring towns. He indicated there is a project in the budget where access could be improved at 30th and the Boardwalk or viewfinders could be placed on the 54th Street Marina to improve visibility to nature.

Council agreed to proceed. A Resolution will be prepared for the May 28, 2014 Regular Meeting.

Discussion regarding a Resolution approving the application for a taxicab license submitted by Oleg Pismenny, T/A G Taxi of Villas, NJ for a term of one (1) year commencing January 1, 2014 through December 31, 2014.

Council had no problem with the application and agreed to proceed with a Resolution to be voted upon at the Regular Meeting this evening.

Discussion concerning Disaster Contract for Debris Removal Services.

Andrew J. Bednarek, commented there will be a meeting on June 4th to discuss the Disaster contract/Debris removal services with a company named Belford who has a state contract for these services.

William Macomber, Director of Public Works/Utilities reports he hasn't heard anything negative about the company.

Council will wait for an update after the June 4th meeting.

Discussion regarding an Ordinance Amending Chapter 26 (Subdivision and Site Plan Review) and Chapter 27 (Zoning) of the code of Revised General Ordinances, 2000.

Council briefly discussed this matter and agreed to add in the amendment to Chapter 20 (Uniform Construction Code) to address bulkheads. Introduction of this Ordinance will be voted upon at the Regular Meeting this evening.

Public Comments:

Martha Wright, 632 7th Street, would like Borough Council to reconsider the prospect of the Shade Tree Commission. She commented the Bradford Pear is on the 2014 Do Not Plant List according to the New Jersey Invasive Species Strike Team. She suggested trees planted on Arbor Day should not be on the invasive species list.

Sue Ellenberg, commented the Garden club went to a local nursery who suggested the tree be planted.

May 14, 2014

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

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

Work Session adjourned at 9:03 p.m.

Respectfully submitted,

Marie J. Hood, Assistant to Borough Clerk

David B. Ellenberg, Council President