

January 28, 2015

Discussion regarding bid received for Post Event Response & Disaster Recovery Services.

Scott Wahl, Business Administrator said the purpose for this contract is to restore documents and restore the building after a major event. He said one bid was received from Polygon and went on to describe they are the second largest company of its kind and pointed out the number of restorations they have done. He also mentioned the bid was reviewed by Harry deButts and Joe Clark; who both approved. He said the contract was similar to the contract the Borough had with BMS CAT and is paid on an as needed basis.

Council agreed to proceed with a Resolution to be prepared for the February 11, 2015 Regular Meeting.

Discussion regarding resolution appointing Scott Wahl as the contact person for the Employment Practices Liability Helpline.

Scott Wahl, explained that this is new in that Avalon never passed a Resolution to have a contact person even though the service has been available for some time. He said the JIF recommends all communities have a point person to call the help line for liability or other questions and said Jim Waldron would be the assistant point of contact.

Council agreed to proceed with a Resolution to be prepared for the February 11, 2015 Regular Meeting.

Discussion regarding resolution authorizing additional professional engineering services in the amount of \$7,406.23 for Reconstruction of Various Streets Contract M-95.

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC asked for the Borough's consideration to authorize the additional amount requested for inspection services. He said it was difficult project to estimate the costs required to provide the services. He explained Contract M-95 encompassed the reconstruction of various streets which included 48th Street between Ocean and Dune Drives, 65th Street between Ocean and Dune Drives, 39th Street between Ocean and 4th Avenue as well as Dune Drive between 77th and 80th Street and the sanitary sewer system on 39th Street. He said it was a complex project with multiple sub-contractors and required their full-time services.

Councilwoman Hudanich said she reviewed this issue in detail and it is necessary to remunerate for services rendered. She suggested moving forward.

Council President Covington agreed and asked Mr. Thornton to alert Council sooner if such issues arise in the future.

Council agreed to proceed with a Resolution to be prepared for the February 11, 2015 Regular Meeting.

Discussion regarding Resolution authorizing the Annual Borough Yard Sale sponsored by the Avalon Garden Club.

Council had no problem with this annual item and agreed to proceed with a Resolution to be prepared for the February 11, 2015 Regular Meeting.

January 28, 2015

Discussion regarding financing of 2015 Beach fill project.

Council President Covington explained what was required to move forward with this project and said part of the process is approving two resolutions and an introduction of an Ordinance to appropriate the funds; which are all on tonight’s Regular Meeting agenda. He said the first resolution authorizes an emergency temporary appropriation, and the second establishes a temporary capital budget. He said the Ordinance provides for down payment of \$600,000.00 and finances \$11,400,000.00.

Council agreed to proceed with the Resolutions and Introduction of the Ordinance at the Regular Meeting this evening.

Further discussion regarding Armacost Park and Remediation Plan.

Verbatim transcript attached.

Council agreed to proceed with a Resolution to be prepared for the February 11, 2015 Regular Meeting.

Public Comments:

None.

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

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

Work Session adjourned at 7:25 p.m.

Respectfully submitted,

Marie J. Hood, Borough Clerk

Charles P. Covington, Council President

BOROUGH OF AVALON
BOROUGH COUNCIL MEETING
CAPE MAY COUNTY, NEW JERSEY

FURTHER DISCUSSION REGARDING ARMACOST PARK
AND REMEDIATION PLAN

PLACE: Municipal Building
3100 Dune Drive
Avalon, New Jersey 08202

DATE: January 28, 2015

COUNCILMEMBERS PRESENT:

PRESIDENT CHARLES COVINGTON,
VICE PRESIDENT RICHARD E. DEAN,
DAVID ELLENBERG,
NANCY M. HUDANICH AND
JOHN MC CORRISTIN

Regina R. Caldwell
Certified Transcriber
P. O. Box 531
Tuckahoe, New Jersey 08250
Telephone: 609-628-3272

1 MS. HOOD: Further discussion regarding
2 Armacost Park and remediation plan.

3 COUNCIL PRESIDENT COVINGTON: Mr. Lomax?

4 MR. WAHL: I will say that I want to thank
5 Joe publicly for being an educator and a shepherd for
6 me as we began to revisit the area of Armacost Park
7 that has been, you know, really has been evaluated,
8 discussed, studied to evaluate what sorts of
9 environmental issues exist inside the park. And Joe
10 has really been a true asset to myself and to Mr.
11 Waldron as we become more educated on this process and
12 try to learn as much as specifically possible for this.

13 We did have a stakeholder's meeting, a quick
14 review, in the fall, regarding Armacost Park. We had
15 officials from various state agencies, federal agencies
16 were there, to find out what was in front of us, if it
17 would be the Borough's intention to try to do some
18 remediation and to create a healthy -- more healthy
19 eco-culture inside the park.

20 And following the meeting Mr. Lomax and I got
21 together, had several conversations about, you know,
22 what would be the options to go in and to find out what
23 challenges we have in there. And fundamentally, in
24 simplistic terms, you know, we recognize that there's a
25 dry upland part of the park and more of the wetland

1 part of the park. The wetland side is toward the
2 bayside, towards the west. The, quote, unquote, "dry"
3 side of the park, where we have some trees being choked
4 by vines, is on the eastern side of the park.

5 And now that we feel compelled that we've done our
6 due diligence, research, with the help of Winward
7 Consulting, and Mr. Schroeck, we started to discuss
8 some of the ideas of what sort of remedies would be
9 involved to help save the trees in the park, to prevent
10 the continuance of any (indiscernible) that would be
11 dying in the park simply because they're choked by the
12 vines. And what means and ability we would have to go
13 in there, with the full understanding that it's an
14 environmental resource and jewel for the Borough of
15 Avalon.

16 You know, when would be the time to go in? What
17 would be the means to try to go in and try to save some
18 of these trees? We do save the current trees and so
19 forth and we start to talk about some of the vine
20 elimination. You know, what can we do to create a more
21 healthy eco-culture and what would be the plan in place
22 to do so?

23 And to Joe's credit, he really took this under his
24 wing, helped us out a lot about this and I'd like to
25 turn this over to Joe to present a plan to Council that

1 we could consider this evening, since our window of
2 opportunity appears to be in environmentally best
3 interest to take a look at this in the wintertime. Now
4 would be the time to try to help release some of those
5 trees and to have a plan in place to make a portion of
6 the park a healthy ecosystem.

7 The -- and what we're talking about is really a
8 test area for the dry side of the park. To do some
9 work in there, give it an evaluation, take a look at
10 it, study it for a year and say does this work and if
11 it works, then we can consider moving on to the rest of
12 the dry side of the park, the upland side, before we
13 even talk about the west side of the park where we have
14 some other issues.

15 So, I'll turn it over to Joe and he can explain a
16 little bit about the approach that we have before you
17 for consideration tonight and we can answer any of the
18 environmental questions that come up. Joe.

19 MR. LOMAX: Thank you, Scott. Good evening.

20 COUNCIL PRESIDENT COVINGTON: Make sure you
21 talk into the mic.

22 MR. LOMAX: How's that? Good.

23 We're relative newcomers to the Armacost Park
24 project. Late in 2013, Andy asked us to take a look at
25 the program as it was being developed and see if we

1 could move that from a research project into an
2 implementation project.

3 The park was divided into really three components,
4 as Scott had indicated. One being the developed area
5 of the park, the playground, parking lot component,
6 which very little is being proposed there. The second
7 component is the wetlands component on the west side of
8 the park, a complex freshwater, tidal complex, that is
9 yet to be considered and we can talk a little bit more
10 about that at the end, if you wish. Winward is
11 continuing to take the lead on that component and I can
12 give you an update on that.

13 However, the major focus and what I've been asked
14 to work on specifically is to pick up the maritime
15 forest, the upland portion of the park that is on the
16 east side. Between 71st Street and 72nd Street there is
17 a component of this maritime forest in a dune area and
18 then south of 72nd Street to 74th Street there's another
19 component, upland component of dune forest or maritime
20 forest.

21 In looking at this entire dune area, this upland
22 area, it became important to understand what resource
23 agencies that were available to us felt about the
24 appropriateness of work in the park. So, we requested
25 that the US Fish and Wildlife Service join us, the

1 Natural Resources Conservation Service of the
2 Department of Agriculture join us, in addition to the
3 New Jersey Department of Environmental Protection.

4 Also, the Corp of Engineers joined us and DEP and the
5 Corp of Engineers really were providing us regulatory
6 guidance to make sure whatever we were doing was
7 consistent with the environmental laws that are -- we
8 fall under jurisdiction.

9 So, we proceeded ahead with a meeting to discuss
10 in detail the Armacost Park in its broader sense and
11 then really focused on the vine control component.
12 It's been recognized by all concerned, including US
13 Fish and Wildlife Service and the Natural Resources
14 Conservation Service, that the -- that maritime forest
15 is in the process of being lost.

16 The southern portion of it is in extremely bad
17 condition in that a group -- a series of different
18 species of vines have crowned over the canopies, have
19 taken away the sunlight from the leaf bearing portions
20 of those plants and there are quite a few trees that
21 have died. One of the things that we recognized,
22 however, is that the northern portion, between 71st and
23 72nd Street, is still in pretty good shape. It's being
24 stressed by the vines and these vines are catbrier,
25 wild grape, poison ivy, Virginia creeper and also

1 English ivy.

2 The first grouping, except for English ivy, are
3 all native plants. So, it's recognized that they are
4 native species. They're here naturally. However,
5 they're out of balance in that northern portion of the
6 park. So, the goal was to look at that section and
7 determine whether in a healthy forest initiative we
8 could remove those vines in the least damaging way and
9 the most environmentally sensitive way to protect the
10 native trees and shrubs, even the saplings and
11 seedlings that are in there, and merely cut the vines,
12 cut the surface of the ground and up five feet. Let
13 the aerial portion of those vines die back and then
14 where there are places of extensive vine growth,
15 replace those vines with native trees and shrub
16 saplings, in order to provide a competitive environment
17 for those vines and attempt to preclude them from
18 continuing to come back and affect the trees.

19 So, this plan was presented to the Environmental
20 Commission. It was approved as a healthy forest
21 initiative, subject to Council's approval, number one,
22 and number two, subject to putting together a protocol
23 for removing -- specifically removing the vines and
24 replanting them in a least damaging manner.

25 Early suggestions were bring in the US Forest

1 Service or the State Forest Service with mechanized
2 equipment, cut down the vines, and we felt that that
3 was not acceptable, not appropriate in that too much of
4 the native species will be lost in that process. So,
5 that was rejected out of hand and what was replaced was
6 strictly this hand cutting process, only in the section
7 between 71st and 72nd Street.

8 The -- by hand cutting those vines we believe that
9 properly supervised crews can make sure that there's
10 minimum damage done to the native trees and shrubs,
11 even the saplings, the smaller ones, in order to insure
12 that they can continue to grow. We have developed a
13 list of the target species to be cut and a larger list
14 of those species that we really need to be on the
15 lookout for to make sure they're preserved.

16 So, if the Borough decides to proceed with this
17 project, within the protocol and the safeguards that
18 have been provided to you, we're suggesting that the
19 best area is the highest quality area, that northern
20 section of the park. I would not, at the present time,
21 work on that more extensive southern section of the
22 southeastern section of the park. To rescue the best
23 habitat and those plants that can serve as a seed bank
24 for the southern part of the park, if something is done
25 there in the future, and to really hold on the southern

1 part of the park at the present time and not take any
2 actions there. Monitor the effectiveness and the re-
3 growth and provide for some minimal maintenance. That
4 maintenance would be simply weed whacking any of the
5 vines that continue to grow up in that area.

6 The most important thing is to have the vines come
7 into balance. We're not suggesting you try to
8 eradicate the vines, but to control them. Get them
9 into balance and maintain, to the extent that is
10 appropriate, a growing environment, a healthy growing
11 environment, so that the vines are competed with and
12 thereby kept better in check and in balance.

13 So, that's where we are in the -- with the
14 Armacost Park healthy forest initiative, specifically
15 the vine control practice component. I would -- should
16 I just make a brief mention about the wetlands
17 component?

18 MR. WAHL: Please do. And, Joe, could you
19 discuss a little bit about how we, once the vines are
20 cut, would be able to go in and, in April, presumably,
21 and go to do some of the replantings as well?

22 MR. LOMAX: Sure.

23 MR. WAHL: And what we could select from?

24 MR. LOMAX: Okay.

25 MR. WAHL: Thank you.

1 MR. LOMAX: The -- sure. The process that we
2 would use is the removal of the vines, cutting them,
3 that five foot section from ground level up five feet,
4 in February. Plant in late March through early April
5 and there is some oaks also, some shrubs, such as
6 grounsul (phonetic), that could do very well in that
7 environment and could be quite competitive as a growing
8 environment. They would be acquired from the State of
9 New Jersey Nursery, at minimal cost, and could be part
10 of the restoration process.

11 MR. WAHL: And the Department of Public
12 Works, we approached Mr. Macomber about this, to plant
13 the new plantings and Bill offered up the public works
14 assistance and says that's something they could take
15 care of for the Borough.

16 Joe, another discussion that we had was, you know,
17 we're trying to be as sensitive as possible to the
18 environment. Can you briefly discuss with Council
19 about why February is a good month to do this project
20 and about why the March and April is a good time to do
21 the replanting as well?

22 MR. LOMAX: Sure. The issue with the cutting
23 is to try to accomplish that with hand tools, including
24 potentially weed whackers and other hand held
25 mechanized equipment that could provide some dis -- or

1 result in some disturbance to the habitats. So, since
2 there is not nesting going on at that time, we feel
3 that that's the best time, midwinter, to accomplish the
4 cutting process.

5 Then it's -- the plants will only be available
6 either in late March or early April from the nursery.
7 So, what we -- that is a fairly quiet process to go in
8 and to heel in these plants. They're bare rooted and
9 fairly easily planted in very small groups that would
10 be least disturbing. So, that's why we have structured
11 this schedule as it is.

12 In terms of the wetlands component Winward has
13 continued to lead that aspect and a wetlands
14 delineation was done by a subcontractor back about two
15 or three years ago. In the intervening time, the
16 vegetation has grown in back around the wetlands
17 points. So, in order to reestablish that wetlands
18 delineation and those points, Winward has asked the
19 Department of Public Works if they could borrow a
20 person or two to help cut that line and reestablish all
21 of those wetland delineation points, as well as the
22 boring locations.

23 This will facilitate the Army Corp of Engineers
24 and the State of New Jersey to coming on site, once an
25 application is submitted to them, and then they can

1 field certify the line and provide either a letter of
2 interpretation from NJDEP or a preliminary
3 jurisdictional determination from the Army Corp of
4 Engineers. The complexity with these -- having these
5 two agencies in at the same time is that they use two
6 different manuals for wetlands delineations and in our
7 interagency meeting they have come to agreement that
8 they would come out and they would certify the lines,
9 field certify these lines, coming to agreement between
10 the two agencies so there's one line and they will
11 satisfy both of their delineation manuals.

12 So, I think this is a real step forward. We've
13 done this before in other cases, on other tracts of
14 ground, where both agencies have jurisdiction. So, we
15 would anticipate the process to be, once the lines are
16 established, Paul Schroeck would then go ahead and file
17 the submission with these two agencies that would
18 include the plan, the wetlands plan, which you have a
19 copy of, along with the fee check, the application and
20 the supporting technical information.

21 That would then be evaluated by them. The two
22 agencies would come down, field certify the line and
23 then make any adjustments necessary. Go back to their
24 respective agencies and then submit jurisdictional
25 determinations that are good for at least five years.

1 They can be renewed for an additional five years too.

2 COUNCIL PRESIDENT COVINGTON: Who wants to
3 start?

4 COUNCILMAN ELLENBERG: I'll start.

5 Initially, you made the comment that potentially we
6 could lose the dunes, initially.

7 COUNCIL PRESIDENT COVINGTON: No, not the
8 dunes.

9 COUNCILMAN ELLENBERG: The historic dunes
10 that are in there.

11 MR. LOMAX: Yeah, the maritime forest.

12 COUNCILMAN ELLENBERG: Yeah, the maritime
13 forest. Okay.

14 MR. LOMAX: Yeah, yeah.

15 COUNCILMAN ELLENBERG: From that perspective,
16 if we did nothing, how long would it take to lose that
17 forest?

18 MR. LOMAX: I think you can -- you're seeing
19 the major loss of that forest in the southern section
20 right now. To the extent that there's so much damage,
21 there are so many dead trees in there that the
22 character of that maritime forest is in very poor
23 condition right now.

24 The northern section, I believe, is recoverable
25 and with (indiscernible) culture practices, such as

1 cutting these vines. And -- so, I think that the
2 northern section is certainly recoverable.

3 The southern section may be prohibitive to control
4 that, but that's something that I think we would want
5 to evaluate as -- next year.

6 COUNCILMAN ELLENBERG: Okay. And my other
7 question is really to Bill. Do you have the capability
8 of doing what needs to be done there, or are we better
9 off bringing somebody in?

10 MR. MACOMBER: Well, the (indiscernible) of
11 the site is about 87,000 square feet. That we don't
12 have the ability to do. We would have to sub that out
13 to another landscaper.

14 The planting of the trees is something they talked
15 to me about and we had a number of roughly 300 trees, I
16 think, bare root trees, which is why we are able to buy
17 them pretty reasonably. Being bare root trees, they're
18 basically pretty easy to plant. You don't have to dig
19 a big hole and carry big heavy balls in.

20 COUNCILMAN ELLENBERG: Right.

21 MR. MACOMBER: So, that's why we said yeah,
22 we could probably do that without a problem.

23 COUNCILMAN ELLENBERG: Because in my own mind
24 we absolutely have to do this if we want to protect
25 this area. At the same time, it's going to take a lot

1 of work and it's going to take, obviously, either
2 grants or cash or something to make this thing work.
3 So, okay.

4 COUNCILMAN MC CORRISTIN: That is a shame,
5 because the -- 25 years ago, I mean that was a
6 magnificent area and the trees were big trees. In the
7 summer, if you go from 72nd to 74th, it looks green and
8 beautiful, but it's really just the vines if you take a
9 look at it. They've just overrun everything.

10 So, I mean I would -- it would be very nice to be
11 able to at least salvage a portion of it and even if we
12 could go in steps south as time goes on. But to give
13 it all up, you know, and what would it be, it would
14 become barren, covered vines. I think it's a great
15 idea.

16 COUNCIL PRESIDENT COVINGTON: Nancy?

17 COUNCILWOMAN HUDANICH: I concur. It's
18 something that should be done.

19 COUNCIL PRESIDENT COVINGTON: Yeah.

20 COUNCILWOMAN HUDANICH: Sooner rather than
21 later.

22 COUNCIL PRESIDENT COVINGTON: I've got some
23 questions. You talk about delineating between the, I
24 guess the dry side or the forest and the wet side and
25 wetlands side, are we on safe ground to start this

1 project before that delineation is determined? How
2 certain are we of what you're doing isn't close to that
3 delineation area?

4 MR. LOMAX: Yeah. That's a very good
5 question. The area that we're proposing to do the
6 healthy forest initiative, there's a very steep slope
7 where the dunes drop down into the wetlands
8 environment. And we -- Paul has been able to recover
9 the line through that entire portion, the wetlands
10 line. And what we did was we moved upslope quite a
11 significant distance and put in a boundary line, so we
12 are clearly outside of the wetlands.

13 In addition to that, we've had discussions and
14 follow up communications with the Army Corp of
15 Engineers and the wetlands section of the Department of
16 Environmental Protection and they both have agreed that
17 in the upland portion of the site, they're in complete
18 agreement that this vine clearing process can be done,
19 as long as no roots are removed. In other words, you
20 cut out the surface. You don't try to take out roots
21 and that no mechanized equipment is put on site.

22 COUNCIL PRESIDENT COVINGTON: What kind of
23 agreement is that?

24 MR. LOMAX: It is --

25 COUNCIL PRESIDENT COVINGTON: Is it a verbal

1 agreement or --

2 MR. LOMAX: No, no. These are emails from
3 both of the agencies.

4 COUNCIL PRESIDENT COVINGTON: Okay. So, we
5 have documentation.

6 MR. LOMAX: We certainly have documentation,
7 yes.

8 COUNCIL PRESIDENT COVINGTON: And this is the
9 plan that was submitted to the Environmental
10 Commission? That's the plan that they looked at?

11 MR. LOMAX: That's correct.

12 COUNCIL PRESIDENT COVINGTON: Okay. So,
13 they're in agreement?

14 MR. LOMAX: Yes. So, the state -- the Army
15 Corp of Engineers, the Department of Environmental
16 Protection have the plan, reviewed the plan, as well as
17 the wetlands delineation mapping, prior to making that
18 decision.

19 COUNCIL PRESIDENT COVINGTON: And what
20 permitting is going to be required to do this?

21 MR. LOMAX: There are no permits required to
22 do this, as long as it's as its minimal maintenance
23 activity, minimal meaning no heavy equipment, no
24 mechanized equipment.

25 COUNCIL PRESIDENT COVINGTON: And that's

1 being confirmed as well?

2 MR. LOMAX: That's confirmed as well.

3 COUNCIL PRESIDENT COVINGTON: Okay, that's
4 good. It sounds good.

5 You say you want to start on the northern side.
6 If the southern side's in such jeopardy of being lost,
7 why wouldn't we start there? Why wouldn't we try to
8 save that first? The northern side's in good shape.

9 MR. LOMAX: That's a very good question.
10 Bill and I -- or Paul and I have debated that and I
11 really believe that the time, effort and cost put into
12 trying to secure that area is very, very heavy. That's
13 about twice the size of the northern section.

14 And first off, we're going to be rescuing a lot of
15 dead trees, which, you know, cutting the vines that
16 have pretty well encroached upon the dead trees.
17 There's going to be a risk in working out there with
18 dead and dying trees. But more to the point, I think
19 that the number of good quality trees that are there
20 are just not that many and it may be that if we were to
21 be affective in the first -- the northern section, then
22 could take a look at stepwise going southward to see
23 what could be rescued going south.

24 But I think -- you know, we always think in terms
25 of cost benefit, risk benefit analyses and when we

1 think about where can we best secure good quality
2 habitat, at the best -- at the least impact and the
3 least cost is the starting point and then move on from
4 there. So, that was really the crux of the analysis
5 was to try to save the best and then take the steps
6 going south, bite size steps. Once we really have --
7 we've secured the good quality habitat and then see
8 what we could do moving south, if the Borough was
9 interested in pursuing that.

10 COUNCILMAN MC CORRISTIN: Well, I think that
11 section's somewhat healthy.

12 MR. LOMAX: Which section?

13 COUNCILMAN MC CORRISTIN: The north section.

14 COUNCIL PRESIDENT COVINGTON: Well, that's
15 what he said.

16 COUNCILMAN MC CORRISTIN: Right. So, if we
17 have an opportunity to save something and we see -- we
18 get it started and get the fresh growth coming up, then
19 we can move. But to let that go without having -- and
20 we might lose the whole thing.

21 COUNCIL PRESIDENT COVINGTON: But how long
22 will it take to do the work that you're talking about
23 on the north end?

24 MR. LOMAX: This will be accomplished in the
25 spring of this year.

1 COUNCILWOMAN HUDANICH: February, March --

2 COUNCIL PRESIDENT COVINGTON: So, it don't
3 take that long?

4 MR. MACOMBER: Well, we're trying to get the
5 clearing of it done by the end of February and then the
6 planting would be done sometime in April.

7 COUNCIL PRESIDENT COVINGTON: I understand.
8 I'm talking about the clearing, which is the same thing
9 you have to do in the south.

10 MR. LOMAX: Oh, sure. Sure. I have a
11 feeling that the costs associated with the north are
12 going to be magnified very, very substantial. So, very
13 substantially in trying to clear the south and --

14 COUNCIL PRESIDENT COVINGTON: Because there's
15 so much more to clear. So much more vine to --

16 MR. LOMAX: Well, it's not -- yeah. It's so
17 much more to clear, but it's so very intensely overrun
18 with vines.

19 MR. MACOMBER: I know when we walked through
20 it -- we've walked through most of the park and the
21 north side we were able to walk through kind of
22 roughly, but the south side we had to cut our way
23 through. There wasn't any just walking through that
24 part of the park. It's just so heavy with the vines.

25 MR. LOMAX: Literally walls of principally

1 catbrier, which is not a very friendly plant to deal
2 with.

3 COUNCIL PRESIDENT COVINGTON: Who would do
4 this work?

5 COUNCILWOMAN HUDANICH: Bayshore.

6 MR. WAHL: We received -- Bill received a
7 couple of quotes on the potential for the work and
8 Bayshore Landscaping came in with a quote just north of
9 \$14,000.00 to do this work for us and we would like to
10 consider a change order to their contract, their 2015
11 contract in order to finance this extra work.

12 COUNCIL PRESIDENT COVINGTON: And their
13 expertise in doing this type of thing?

14 MR. LOMAX: Yeah, they've been working pretty
15 effectively in the community and they've done a fair
16 amount of work in the dunes, the actual eastern dunes
17 of the --

18 COUNCIL PRESIDENT COVINGTON: This sounds
19 like a very specific --

20 MR. LOMAX: Pardon me?

21 COUNCIL PRESIDENT COVINGTON: This sounds
22 like a very --

23 COUNCILWOMAN HUDANICH: Heavy work.

24 COUNCIL PRESIDENT COVINGTON: Very specific
25 type of work to be careful of how you cut the vine, I

1 mean without -- we're talking about a weed whacker, but
2 we're talking about using it as a laser, not as a saw.

3 MR. LOMAX: That's correct.

4 MR. MACOMBER: Bayshore has been familiar
5 with our dune vegetation management plans and they have
6 worked up in the dunes on the beachside. This is very
7 similar, but not quite the same.

8 The vine-age, there's very large vines. There's
9 also some dead trees they're going to be working around
10 and have to cut down also. So, they are sort of
11 familiar with this type of work.

12 And we did get two quotes from -- one from them
13 and one from another company, to see if there was a
14 similar quote and they were close to each other.

15 COUNCIL PRESIDENT COVINGTON: But there is
16 some young vegetation you want to make sure you save
17 when you go in there, right?

18 MR. LOMAX: Exactly, yes.

19 COUNCIL PRESIDENT COVINGTON: They understand
20 how to recognize that?

21 MR. LOMAX: Yeah. And that's why they --

22 COUNCIL PRESIDENT COVINGTON: Or is somebody
23 going to be supervising?

24 COUNCILWOMAN HUDANICH: Supervising, that's--

25 MR. LOMAX: Yeah. Supervision is critical

1 here.

2 COUNCILWOMAN HUDANICH: Is the key.

3 MR. LOMAX: And some Borough oversight also.

4 And at the same time, what we've done is we've put
5 together the two lists, the target species, so it's
6 very clear that they know exactly what they're cutting
7 and also to help them understand, especially their
8 supervisory staff, what are the plants that really need
9 to be protected.

10 COUNCIL PRESIDENT COVINGTON: And how do we
11 provide the supervisory staff?

12 MR. LOMAX: They've already been provided.

13 MR. MACOMBER: It's probably going to be on
14 mainly public works and their supervisory staff. And
15 my recommendation is we have a meeting before we start
16 this work to go over exactly -- again to go over
17 exactly what we expect, so there's a good understanding
18 on both sides.

19 COUNCILWOMAN HUDANICH: Do the educational
20 piece with the show and tell, the pictures of all the
21 vines, and you teach them.

22 MR. MACOMBER: I can now show them the poison
23 ivy too.

24 MR. LOMAX: And I must say they are certainly
25 familiar with virtually all of these species. We just

1 want to make sure that the supervisors are controlling
2 their staff in the process.

3 COUNCILWOMAN HUDANICH: Right. Not just the
4 perimeter of where you might look first. We want
5 consistent supervision to make sure.

6 MR. LOMAX: And I thought that it would be
7 appropriate to look in on that process from a quality
8 control.

9 COUNCILWOMAN HUDANICH: Right, absolutely.

10 MR. LOMAX: Because they need to make sure
11 that they were --

12 COUNCILWOMAN HUDANICH: Needs to be done.

13 MR. LOMAX: -- were being faithful to the
14 cutting process.

15 COUNCILWOMAN HUDANICH: All right.

16 COUNCIL PRESIDENT COVINGTON: Okay. And the
17 initial cost is 14,000 some odd --

18 COUNCILWOMAN HUDANICH: 480.

19 COUNCIL PRESIDENT COVINGTON: Which is not
20 very expensive for what we're hoping to achieve.

21 COUNCILWOMAN HUDANICH: And the trees are
22 only \$3,000.00?

23 COUNCIL PRESIDENT COVINGTON: Well, they're
24 saplings.

25 COUNCILMEMBER: (Indiscernible) trees.

1 COUNCILWOMAN HUDANICH: No, no. It's in
2 here.

3 MR. LOMAX: Yeah, the cost is about \$300.00,
4 a little bit less than 300.

5 COUNCILMEMBER: 300 or 3,000?

6 MR. LOMAX: No, 300.

7 MR. WAHL: 300.

8 COUNCIL PRESIDENT COVINGTON: Well, they're
9 saplings.

10 COUNCILWOMAN HUDANICH: Tree shrubs and other
11 materials and assistance as needed, 3,000, that's
12 lumped in with other things.

13 MR. LOMAX: I guess it's lumped in with
14 other.

15 COUNCILWOMAN HUDANICH: Because you have the
16 in kind here too.

17 MR. WAHL: I was surprised at the cost of the
18 trees as well and the availability that we have and,
19 you know, and --

20 COUNCILWOMAN HUDANICH: Okay.

21 COUNCIL PRESIDENT COVINGTON: Somewhere in
22 the report it talks about 300. It's not a very big
23 tree.

24 COUNCILWOMAN HUDANICH: It's the bare root.

25 MR. LOMAX: They're bare root and they are

1 anywhere from one to three year old trees.

2 COUNCILWOMAN HUDANICH: Yeah.

3 COUNCIL PRESIDENT COVINGTON: Oh, they are?

4 MR. LOMAX: Yeah. In order to take potted
5 trees in there a lot of damage would be done and it
6 would be --

7 COUNCILWOMAN HUDANICH: Much money.

8 MR. LOMAX: -- incredibly difficult and quite
9 disturbing to put big trees in there.

10 COUNCIL PRESIDENT COVINGTON: The meeting I
11 was at with you guys, the USDA was at, or a
12 representative anyway, I thought that they were able to
13 commit themselves to helping us here somehow.

14 MR. LOMAX: They're -- federal agencies are
15 kind of interesting animals right now. They are being
16 challenged with declining budgets and the Natural
17 Resources Conservation Service has received a series of
18 cuts recently here in New Jersey. They are prepared to
19 provide technical assistance.

20 COUNCIL PRESIDENT COVINGTON: Good.

21 MR. LOMAX: But -- how -- and they have been
22 doing that and they've been pretty gracious in their
23 commitment of time.

24 The US Fish and Wildlife Service is willing to
25 step up to the plate and pay for up to \$5,000.00 worth

1 of trees and help. However, they have about an eleven
2 to one ratio. So, if they put in 5,000, they're
3 expecting \$60,000.00 of in kind in the Borough. And
4 I'm thinking that that is really not a very good
5 business deal. And that's something you may want to
6 consider.

7 The biologists from US Fish and Wildlife Service
8 are continuing to help and provide technical
9 assistance, but to invest -- for the Borough to invest
10 60,000 to get five, unless you were prepared to do
11 that, it might be better for you to pay for the trees
12 and use public works to install.

13 COUNCILWOMAN HUDANICH: Right. Much better.

14 COUNCIL PRESIDENT COVINGTON: Well, I saw
15 them probably being more valuable when we got to the
16 wetlands --

17 MR. LOMAX: Absolutely.

18 COUNCIL PRESIDENT COVINGTON: -- side anyway.

19 MR. LOMAX: Absolutely.

20 COUNCIL PRESIDENT COVINGTON: Not on this
21 side.

22 MR. LOMAX: Yeah.

23 COUNCIL PRESIDENT COVINGTON: I was hoping
24 the USDA could step up, be part of this oversight.

25 MR. LOMAX: Yeah. The challenge with USDA

1 right now is that the Natural Resources Conservation
2 Service is refocused on the farm bill, the Food
3 Security Act, and mostly all of their funding is going
4 into farmland type programs and we're just not in that
5 qualifying mode at this point.

6 COUNCIL PRESIDENT COVINGTON: Okay. Well,
7 we've been very diligent in studying this. I think
8 we've been doing this since 1909 or 1910, when we
9 started this research. So, we're at a point where we
10 think we've got a plan to at least save part of the
11 upland forest, right?

12 MR. LOMAX: Yes.

13 COUNCIL PRESIDENT COVINGTON: And hopefully,
14 it won't be too late to save some of the southern part
15 of the forest.

16 MR. LOMAX: Agreed.

17 COUNCIL PRESIDENT COVINGTON: I'm inclined to
18 go ahead.

19 COUNCILWOMAN HUDANICH: Absolutely.

20 COUNCILMAN ELLENBERG: Absolutely.

21 COUNCIL PRESIDENT COVINGTON: All right. So,
22 you need a resolution from us to do what?

23 MR. WAHL: To have a change order to
24 Bayshore's contract to authorize the funding. We had a
25 discussion with our CFO. He says funds would be

1 available. We'll get a certification of funds for this
2 to move forward and in the interim, if it's -- if --
3 with Council's approval, Bill and I and Joe can meet
4 and begin an educational program with Bayshore. Make
5 sure that they have the time and the equipment
6 available to do this work after the funds are
7 authorized and we can get into the park in the middle
8 of February.

9 COUNCIL PRESIDENT COVINGTON: It sounds like
10 it's more of a knowledge buildup than equipment
11 buildup.

12 MR. WAHL: Right.

13 COUNCILWOMAN HUDANICH: Do we want to do a
14 change order or a new contract?

15 MR. MACOMBER: According to Mr. Graff
16 (phonetic) there would be a change order to the
17 existing contract.

18 COUNCILWOMAN HUDANICH: I don't remember off
19 the top of my head, was that two something or -- it's
20 not over the --

21 MR. MACOMBER: 56, 256,000 for the contract.

22 COUNCILWOMAN HUDANICH: 256. I thought it
23 was 248 and I was trying to do the five percent. We're
24 okay with all that then?

25 MR. MACOMBER: According to Jim, I think he

1 said it was 20 percent we're allowed to --

2 COUNCILWOMAN HUDANICH: 20 percent now. I
3 like to keep in my mind lower.

4 MS. HOOD: Five percent it is.

5 COUNCILWOMAN HUDANICH: And it was almost
6 working. Okay, thank you. So, we'll do a change
7 order.

8 COUNCIL PRESIDENT COVINGTON: All right.

9 COUNCILWOMAN HUDANICH: But we don't want it
10 -- or should we do an addendum? Because we don't want
11 to --

12 COUNCIL PRESIDENT COVINGTON: Why don't we
13 let Jim figure that out?

14 COUNCILWOMAN HUDANICH: Figure it out.
15 Because we don't want that contract to look like it's
16 256 plus 14,480 for at renewal time, because this is a
17 onetime event. It's not --

18 COUNCIL PRESIDENT COVINGTON: Well, it's one
19 time this year.

20 MR. MACOMBER: Well, it might be a whole year
21 event, if --

22 COUNCILWOMAN HUDANICH: I know, but I just
23 don't want it convoluted with that total.

24 COUNCIL PRESIDENT COVINGTON: How long will
25 it take to know how successful we're going to be?

1 MR. LOMAX: I think at the end of the first
 2 growing season we'll have a very good idea. By next
 3 November --

4 COUNCILWOMAN HUDANICH: Yeah, I would think
 5 because the trees --

6 MR. LOMAX: -- we'll have a clear sense of
 7 the regrowth potential of these --

8 COUNCIL PRESIDENT COVINGTON: Regardless, we
 9 need to start thinking about the south end though,
 10 right?

11 COUNCILWOMAN HUDANICH: Yeah.

12 COUNCIL PRESIDENT COVINGTON: Regardless of
 13 this?

14 MR. LOMAX: Oh, absolutely.

15 MR. WAHL: Absolutely.

16 COUNCILWOMAN HUDANICH: Radical.

17 COUNCIL PRESIDENT COVINGTON: Okay, all
 18 right. That's it.

19 COUNCILWOMAN HUDANICH: Thank you.

20 COUNCIL PRESIDENT COVINGTON: Thank you.

21 Thank you, very good.

22 (End of requested recorded proceedings)

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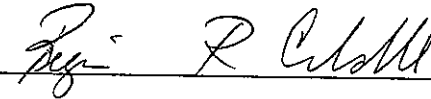
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CERTIFICATION

1
2 I, Regina R. Caldwell, certified transcriber, do
3 hereby certify that the foregoing transcript of
4 proceedings of the Borough of Avalon Council Meeting,
5 Cape May County, New Jersey, held on January 28, 2015,
6 is a true and accurate, to the best of this
7 transcriber's ability, record of the proceedings as
8 recorded.

9
10 Date: February 3, 2015



11 Regina R. Caldwell, AOC #357

12 Certified Transcriber.
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