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

Wednesday, August 24, 2016 at 7:01 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public -------------------- 5 Reporters ----------------------- 1

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

A. Steven Fabietti, Esquire, Gruccio, Pepper, DeSanto & Ruth, P.A.

Paul Short, Code Enforcement Official

William Macomber, Director of Public Works/Utilities

William McCormick, Chief of Police

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

Alexis Coan, Deputy Tax Collector

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 amendments to the Borough of Avalon Personnel Policy Manual.

Scott Wahl reported the Borough conducts a review of the employee policy manual every two years. Page by page review of the manual began before the summer with discussions being held regarding minor policy changes as well as changes recommended by the Municipal Excess Liability Insurance (MEL). Discussions regarding policy changes took place with Jim Craft, CFO, and Nicole Curio, Esq. will be consulted to prepare the document with the proposed changes in full. The MEL requires the updated Personnel Policy Manual be adopted by the governing body before October 1, 2016.

Jim Waldron reviewed the changes to the manual proposed by the Administration as well as required by the MEL to align the Personnel Policy Manual with recently adopted laws and rulings. He noted Nicole Curio, Esq. will be attending the September 14, 2016 Council Meeting to answer any questions regarding the amended document that will be provided to Council prior to the meeting.

Councilman Burns asked for an explanation of the criminal history amendment proposed by MEL.

Jim Waldron explained the laws have been changed that an applicant cannot be asked if they have any criminal history as part of the applicant screening process. The question can only be asked after an applicant sits for an initial interview. The exceptions to the new law apply to the municipal court offices and law enforcement. He added employees that have contact with minors during their regular duties have different standards that apply to them.

Council President Hudanich inquired about the changes regarding Rice Notices and having personnel discussions in open session if requested by the employee.

Jim Waldron explained an executive session can still take place if penalties will be discussed. The Fund Council and the MEL agree that the noticed employee should be included in specific personnel discussions, however they need not attend if penalties are being discussed.

After brief discussion, Council agreed to discuss this topic further at the September 14, 2016 work session.

Discussion regarding Ordinance amending Chapter 20 concerning construction site standards and Chapter 8 regulating parking of trailers.

Councilman Covington reported Chapter 8-16 and Chapter 20-17 of the Borough Code govern the parking of trailers on public streets with Chapter 8 dealing with trailers of all types and Chapter 20 dealing with trailers at construction sites. There has been confusion with the public and as well as enforcement in terms of what type of trailers are permitted to park on public streets, when those trailers are allowed to be parked on public streets, and how long can those trailers can be parked. Discussions with Jim Waldron have taken place in an effort to find a reasonable balance of allowing trailers to park on public streets against the issue of public safety and parking congestion caused by trailer parking. Chapter 8-16 is intended to identify the many trailer types covered under the ordinance and under what condition they are permitted to park on public streets. The proposed amendments to Chapter 20-17 are intended to avoid confusion between trailer definitions in both chapters by mirroring the definitions included in Chapter 8-16 as a reference point. Chief McCormick and Paul Short have reviewed the amendments and have indicated that the intent is clear and they are enforceable.

Council Vice President McCorristin asked for the summary to be reviewed in more detail for the benefit of the public.

Council President Hudanich suggested language changes within the definitions of each term.

Councilman Burns referenced a section that prohibits the parking of semi-trailers through September 15, however suggested the date be changed to September 30 to align with other sections of the code.

Jim Waldron noted the change to that section will be made and indicated the purpose of the proposed amendments are to eliminate the parking of all trailer type vehicles on Borough streets from the Friday of Memorial Day through September 30th of each year, inclusive of both of those dates with three exceptions. The first exception is that construction tool trailers that are used in the construction process may park at or near construction sites without limitation year round in recognition of the fact that there is an annual ongoing construction activity in this Borough. The second exception is for those vehicles making deliveries, loading, and unloading for a limited period of time. The third exception indicates trailers for boats and watercraft will only be prohibited from parking on Borough streets from June 1st through September 30th of each year. It is suggested that if the Ordinance is adopted, the effective date of the Ordinance would be January 1, 2017 to allow for adequate time to educate the residents and visitors of the Borough about the changed laws.

Council President Hudanich pointed out that portable on demand storage trailers should not be confused with other types of trailers included within this Ordinance and will still be prohibited from being parked on Borough streets at all times.

Jim Waldron agreed and stated the proposed changes apply only to trailer type vehicles that are registered with motor vehicle and have the right to be parked on streets subject to reasonable municipal regulation.

Councilman Covington further noted the proposed Ordinance encourages trailer type vehicles to be parked on private property if possible.

Council President Hudanich asked the public if they had any questions or comments on this specific item.

Diane Smith, Avalon Condominiums, inquired if the trailer parked in front of the entrance to the Avalon Condominiums will be in violation of the proposed Ordinance.

Councilman Covington responded the trailer will be prohibited from parking on the street between Memorial Day and September 30, 2016.

Council agreed to proceed with an Ordinance to be prepared for the September 14, 2016 Regular Meeting.

Discussion regarding Resolutions to cancel unexpended balances in the General Capital and Water Sewer Funds and a bid bond in the Water Sewer Fund.

After brief discussion, Council agreed to proceed with Resolutions to be prepared for the September 14, 2016 Regular Meeting.

Update from Tom Thornton, Borough Engineer, concerning 60th Street Water/Sewer Replacement.

Scott Wahl reported 60th and 61st Streets between Ocean Drive and Dune Drive were greatly disturbed during the construction of the substation and a commitment is in place that Atlantic City Electric will repave both of those streets on a permanent basis. Upon review, it was determined the water and sewer mains underneath 61st Street were satisfactory, however there are major issues that need to be addressed in regards to the water and sewer mains beneath 60th Street. He introduced Tom Thornton to review the project more in depth.

Tom Thornton explained the water and sewer mains beneath 60th Street are asbestos cement pipe, which are unstable and could cause breaks when road construction takes place, as has recently happened on 4th Avenue. It is suggested to replace the aged asbestos cement pipe with PVC pipe to reduce the chances of breaks. The plans for the project are nearing completion, and it is requested that a Resolution be adopted to authorize the advertisement for bids for the project at the next Council Meeting so that the project can be advertised and underway during the month of October. The repaving of 61st Street is planned for the fall, and the repaving of 60th Street is planned for the spring of 2017.

Council Vice President McCorristin asked when the excavation of the street will take place.

Tom Thornton responded the street will be excavated between November and January of 2017.

Council Vice President McCorristin questioned what the accessibility plans are for the duration of the project as well as what will be used to patch the road until the repaving is completed. He also stressed the importance of maintaining accessibility to year round resident’s driveways.

Tom Thornton explained while the sewer main is in the middle of the street, the water main is slightly to the north, which will prohibit parking on the north side of the street during the construction period. There is standard language in the construction specification that requires the contractor maintain access to people’s houses. During the construction period, there will be short periods of time that may prohibit residents from driving into their driveway, however at the end of each work day, the contractor will be required to backfill the trench to again allow access to driveways. He noted either DGA or cold patch will be used to patch the road until the road can be repaved.

Council Vice President McCorristin suggested the Borough educate the neighbors about the project.

Scott Wahl reported there have been conversations with some of the residents on those streets and those residents have been appreciative of the road improvements.

Tom Thornton added concerns regarding a driveway recently brought to his attention by Councilman Burns will also be addressed during the paving portion of the contract.

Councilman Burns thanked Tom Thornton for his attention to the matter on behalf of the resident.

Council agreed to proceed with a Resolution to authorize the advertisement for bids to be prepared for the September 14, 2016 Regular Meeting.

Update concerning the County of Cape May Ocean Drive Improvement project.

Scott Wahl reported a site visit to Ocean Drive between 31st and 40th Streets recently took place that included Councilman Burns, Council Vice President McCorristin, Tom Thornton, Dale Foster, Steve Lock, Ed Dean, Jeff Hesley, and others to review the proposed project specifications and to address any potential concerns. Tom Thornton has been asked to review the plans and delineate every part of the project in that area to assess if the Borough would have any additional concerns that have not previously been mentioned or addressed. A letter has been drafted that will be sent from the Borough to every property owner for the entire project area from 29th Street to 60th Street that will make property owners aware that the project is coming and to create awareness as to what the right of way is. There has also been a meeting with the ALHOA President to discuss the project and a community meeting will be scheduled and will invite residents and neighbors to review the project and will also will offer an opportunity for questions to be asked.

Tom Thornton explained the plans for this project involve raising the road elevation to as much as ten inches in the worst areas of the project which will be a big improvement to the problem flooding in the area, however there will be changes to access to driveways that people are not used to. The site visit ensured the review of property issues and practical impacts of the road elevation, which could lead to changes in the pattern of the flow of runoff. The grades of each property were evaluated to ensure there would be no issues in terms of flooding occurring within garages on the affected properties. The runoff will now be captured through a series of twelve inch inlets, catch basins and pipes which would direct the flow to the nearest inlet. Some information on the plans provided by the County was not sufficient to make a full assessment of the potential impacts, therefore further discussions with the County will need to take place. He added the Borough will be completing a project on the sanitary sewer main in the same project area which will require close coordination with the County in terms of the elevation of manholes and cleanouts. He stressed there will be open communication and coordination with the County and their Engineer as the projects move forward.

Councilman Burns noted Dale Foster mentioned there are plans that include the elevation of garage doors at each affected property and suggested the County be asked to provide those documents to the Borough for their review.

Tom Thornton added if the curb is higher than that of a garage, an intermediate point would be necessary to ensure the runoff would be intercepted by a low point between those two points.

Council Vice President McCorristin clarified the intent of the project is to help with flooding associated with rain events, rather than coastal flooding.

Tom Thornton added the project does account for the backflow of tidal waters with the installation of internal tide flex check valves at the inlets.

Council Vice President McCorristin questioned who will be maintaining the check valves after the project completion.

Bill Macomber stated officially the County would maintain their own equipment.

Councilman Covington stressed the importance of verifying with the County who will be responsible for maintaining all equipment installed after the project is complete.

Bill Macomber indicated the Borough historically maintains equipment on residential properties, however heavy maintenance and rebuilding would involve the County.

Council President Hudanich suggested obtaining official clarification in terms of who would be responsible for reconstruction versus routine maintenance. She thanked the County for their willingness to improve the street.

Council Vice President McCorristin further suggested ensuring the size of the grates be properly sized on each property to ensure proper runoff flow.

Tom Thornton thanked Council Vice President McCorristin for his suggestion.

Council Vice President McCorristin thanked Tom Thornton for his assistance and guidance on the project.

Councilman Burns asked when the Ocean Drive sanitary sewer project will be bid.

Tom Thornton reported the intent is to expedite the drafting of the plans to bid as soon as possible. As of right now, all options of how best to replace the asbestos cement pipes are being considered.

Public Comments:

None.

Council Vice President McCorristin reported the Library Board recently hired a new Library Director, Erin Brown, that will be starting in mid-September. He further reported the Library Board of Trustees will be returning excess funds of $168,000.00 back to the Borough this year.

Motion made by Council Vice President McCorristin, seconded by Councilman Dean 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 7:47 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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Nancy M. Hudanich, Council President