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

Wednesday, June 22, 2016 at 7:03 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public -------------------- 9 Reporters ----------------------- 2

The Meeting was called to order by Council President Dean.

Pledge of allegiance.

Roll call: Council President Dean Present

Councilman Burns Present

Councilman Covington Present

Council Vice President Hudanich Present

Councilman McCorristin Absent

Also present:

James Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

William Macomber, Director of Public Works/Utilities

Chief William McCormick, Police Department

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

Paul E. Short, Sr., Code Enforcement Officer

Notice of this Work Session was included in the Annual Schedule of Meetings dated June 24, 2015. It was given to the news media and posted on the Official Bulletin Board as required by law.

Council President Dean read the Open Public Meetings Act Announcement.

Status update of the Verizon Wireless lease for the 13th Street Water Tower.

Jim Waldron reported attachments and a plot plan to be part of the lease were received and have been approved after consultation with Bill Macomber. There is a gas line to be installed on the property, however the installation will not start until a signed lease is received. He asked Council to review the amendments to the lease and advise if they agree and approve of these items.

Council President Dean questioned if the new gas line will be solely for use at the site, who will pay for the installation, and if the gas line will be removed if the lease is terminated.

Jim Waldron responded the gas line will be for the use of Verizon Wireless only, who will be paying for the installation of the line as well as all utility bills.

Bill Macomber explained in the event the lease is terminated, the line will be removed from the site and all costs would be paid by Verizon Wireless.

Jim Waldron added in the event of the termination or expiration of the lease, all equipment will be removed from the site.

After discussion, Council agreed and approved of all amendments to the lease agreement as well as the exhibits included.

Discussion regarding Resolution approving the Cape May County Multi-Jurisdictional All-Hazards Mitigation Plan

Jim Waldron reported the County of Cape May experienced a delay in the process of formulating the Cape May County Multi-Jurisdictional All-Hazards Mitigation Plan, and in the interim the Borough of Avalon adopted an independent plan. If Council chooses to participate in the County’s plan along with the other municipalities in Cape May County, the plan would be in addition to the Borough’s plan. He recommended Council approve a Resolution authorizing the Borough’s participation.

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Discussion regarding Resolution confirming matching funds for a subgrant for Department of Homeland Security Emergency Management Performance Grant

Jim Waldron explained FEMA approved a Homeland Security Grant for the Office of Emergency Management administered by the New Jersey State Police in 2015. In January of this year, the New Jersey State Police notified the Borough of Avalon there would be a matching grant offered through the program. During the budgeting process, Jim Craft, CFO, set aside $7,000.00 in the budget to match the grant, making the total grant amount $14,000.00. FEMA has asked for a Resolution confirming the Borough has appropriated the funds, the funds are available, and the Borough accepts the matching grant for the purposes included in the grant documentation.

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Further discussion regarding designating and establishing meeting times for the Governing Body for the period July 1, 2016 through June 30, 2017

Council Vice President Hudanich reported this meeting is the last meeting Council President Dean will be presiding over the meeting and announced the reorganization meeting will be held July 1, 2016 at 12:00 noon in the Council Meeting Room. In preparation for the new meeting schedule, there have been discussions regarding the meeting time of the meeting held on the fourth Wednesday of the month.

Council President Dean asked for the opinions of all Council members, and it was decided the Council Meetings held on the fourth Wednesday of the month should remain at 7:00 p.m.

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Discussion regarding 50/50 Cash Raffle License for the Bay Atlantic Symphony to be held on October 28, 2016 at the Avalon Community Hall

Jim Waldron noted all paperwork is complete and in order, and all necessary approvals have been obtained.

Council Vice President Hudanich commended the Bay Atlantic Symphony for submitting the application for the Raffle License in a timely manner.

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Discussion regarding award of contract for Reconstruction of Fifth Avenue Bulkhead

Tom Thornton reported five bids were received for the 5th Avenue Bulkhead off of 20th Street on June 14, 2016. The Engineer’s Estimate for the project was approximately $128,000.00. The lowest bid received was submitted by Channel Marine Construction, Inc. in the amount of $89,800.00, which is 30% less than the Engineer’s Estimate. The bidder has been contacted and has submitted all documentation required prior to an award of bid and is ready to begin work once approved by Council. He recommended Council approve the contract award to Channel Marine Construction, Inc.

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Discussion regarding Resolutions authorizing renewal of 2016/2017 Liquor Licenses

Council Vice President Hudanich commended the Police Department for their work completing the investigations for the renewal of the liquor licenses.

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Discussion regarding Resolution requesting approval of items of Revenue & Appropriations for 2016 Cops in Shops Grant, 2016 Clean Communities Grant and 2015 Recycling Tonnage Grant

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Update on Southern Pine Beetle Grant

Jim Waldron explained there have been investigations into all comments and allegations made by concerned members of the public at the May 25, 2016 Council Meeting regarding the Borough’s action while operating under the Southern Pine Beetle Grant.

Council Vice President Hudanich read the proposed Resolution reaffirming Resolution 55-2016 concerning the Borough’s acceptance of the Southern Pine Beetle Grant from the New Jersey Department of Environmental Protection, Division of Parks and Forestry and expressing the Borough’s intent and determination to proceed toward the successful completion of this project and ratifying and approving all action taken to date into the record for the benefit of the public.

Council agreed to proceed with a Resolution to be considered for adoption at tonight’s Regular Meeting.

Public Comments:

Martha Wright, 632 7th Street, thanked Borough Council for maintaining the current meeting schedule. She distributed a handout of images and information regarding the Southern Pine Beetle to Council. She reviewed the Resolution read into the record by Council Vice President Hudanich and pointed out a typographical error in connection with Mr. Demitroff’s Certified Tree Expert certification number and requested the language in the Resolution not refer to Mr. Demitroff as an alleged expert, but rather an expert. She expressed thanks and commended Council for their diligence in looking into the concerns raised by residents during various Council Meetings as outlined in the proposed Resolution. She reviewed the packet with Council and noted the images taken by Business Administrator Scott Wahl which were published on the Borough website and in the Atlantic City Press have been forwarded to US Forestry Service research entomologist Brian Sullivan. The packet included images of galleries, damage caused by southern pine beetles on infected trees, as well as photographs of the mortality patterns attributed to southern pine beetle infestations. She added when a southern pine beetle attacks a tree or strand of trees, the mortality rate is approximately 30 days. The Borough of Avalon originally applied for the grant to eradicate the southern pine beetle in December of 2015, and she argued the mortality rate of the trees on the dunes does not match that of a southern pine beetle infestation, and neither does the mortality pattern within the dunes. She also noted in review of all recorded forest fires within the State of New Jersey from 1924 through 2011, there has never been a forest fire recorded as having occurred on a barrier island. She added the website states the 38th Street beach trail and beach path were funded by the Cape May County Open Space Program, however, the Open Space Grant did not pay for the signage in the trails. She commended Avalon for its impeccable reputation and noted many coastal communities within New Jersey look to Avalon for examples of how to run their programs. She encouraged Council not to lead other communities into assuming southern pine beetles are present within communities without proper testing and examination.

Council thanked Ms. Wright for her comments and took her suggested revisions to the proposed Resolution under advisement. The wording within the Resolution was corrected to refer to Mr. Demitroff as an expert as well as reflect his correct certification number.

Tom Evaul, 271 47th Street, read from the minutes of the Environmental Commission meeting held August 19, 2008 which discussed complaints from homeowners on 74th Street regarding Japanese Black Pine trees and the hindrance they cause to beach views. He stated the Japanese Black Pine tree was mentioned as a nuisance, however no concerns of infestation of the southern pine beetle were addressed at that meeting.

Frank McLaughlin, 261 47th Street, spoke in opposition of the removal of Japanese Black Pine trees on the dunes and noted the New Jersey Department of Environmental Protection refers to Japanese Black Pine trees as mildly invasive, however it has been stated in a press release that the trees are invasive. He addressed concerns that the dead trees would be a fire hazard and added throughout records in New Jersey, there has never been a recorded forest fire of any size on a barrier island. While consulting with a New Jersey Certified Tree Expert, it was conveyed to him that the blue stain fungus brought to a tree by any insect other than the southern pine beetle is not a death sentence for the Japanese Black Pine tree. He disagreed that the evidence found by Avalon and New Jersey officials indicates the existence of the southern pine beetle and urged Council to reconsider the removal of the Japanese Black Pine trees on the dunes.

Elaine Scattergood, 75 30th Street, spoke in support of preserving the maritime forest and opposed the removal of the Japanese Black Pine trees.

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Absent

Council President Dean Aye

Work Session adjourned at 7:53 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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Richard E. Dean, Council President