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October 14, 2015

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

Wednesday, October 14, 2015 at 4:10 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public -------------------- 7 Reporters ----------------------- 3

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 Present

Also present:

Scott Wahl, Business Administrator

James A. Waldron, Assistant Business Administrator

Stephen D. Barse, Esquire, Borough Solicitor

Paul E. Short, Sr. Code Enforcement Official

James V. Craft, Chief Financial Officer

William Macomber, Director of Public Works/Utilities

Jeffrey Christopher, Captain of Police

Harry deButts, Emergency Management  
Steven Morey, Associate, Hatch Mott Macdonald, LLC

Scott Taylor, Landscape Architect, Taylor Design Group

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.

Discussion regarding landscape design plan at 30th Street & Ocean Drive.

Scott Wahl, Business Administrator introduced Scott Taylor of Taylor Design Group whom presented an update to the landscape design plan for the Avalon Chamber Building.

Scott Taylor, Landscape Architect, Taylor Design Group gave an overview of the updated landscape plans and described the changes in detail. He spoke of mitigating the visual impacts of the new pole at 30th Street & Ocean Drive and said the plan complies with New Jersey Statute 59:4-6 for adequate site triangle. He said the scope was consistent with the previous plans and has been reviewed by the Borough Engineer, Tom Thornton. He said all the plants were drought and salt tolerant.

Councilman Covington asked for clarification on New Jersey State Statute 59:4-6.

James A. Waldron, Assistant Business Administrator described the genesis of the discussion around the statute. He said the Borough was negotiating with ACE for the utility easement and the question of liability was raised. He said their standard agreement was modified to add a ‘hold harmless’ agreement which was recommended by Atlantic County Municipal JIF. He further explained the Borough’s Risk Manager recommends that Council approve the design plan because of the benefit to the Borough under that particular statute.

Councilman Covington asked who was responsible to implement this plan.

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Mr. Taylor said Atlantic City Electric would be responsible to implement the plan with involvement and oversight by Mr. Thornton and Taylor Design.

Mr. Waldron clarified that Atlantic City Electric has the right to hire a third party landscaper.

Council agreed to proceed with a Resolution to be prepared for the October 28, 2015 Regular Meeting.

Discussion regarding 2015 Best Practices Inventory.

James V. Craft, Chief Financial Officer explained the Annual Best Practices Inventory score went from 90% to 92% this year. He said five questions were removed and five were added but the total was the same at 50 questions.

Brief discussion followed.

Update on Superstorm Sandy Relief funding.

Scott Wahl, introduced Harry deButts and gave a high level overview of Harry’s work during storms from 2009 to present and Harry’s efforts to obtain FEMA reimbursements to date.

Harry DeButts, Emergency Management described the tedious process of filing for FEMA refunds and the mountainous paperwork involved. He said the Mayor was able to get the State to send someone to assist the Borough in navigating through the process. He said Hurricane Sandy was a 1.6 million dollar task and Avalon has managed to recover almost off of it.

Council thanked Mr. DeButts for his work as well as all the departments involved.

Discussion regarding Resolution appointing the Municipal Planning Committee to prepare a Floodplain Management Plan.

Scott Wahl, explained the benefits of the Borough of Avalon creating their own Flood Management Plan independent of the County Plan. He said the Borough could earn approximately 300 points towards their CRS rating which would save Avalon residents by providing a 30% flood discount to property owners. He said with the Biggert-Waters Act, as flood insurance rates go up, this would have a higher impact to property owners. He said the list of candidates being presented to Council was approved by the Mayor and they are prepared to advance the CRS rating and earn the points needed in the short 10-11 week timeframe.

Councilman Covington commented that the list of proposed candidates were very strong from all sides.

Council agreed to proceed with a Resolution at the Regular Meeting this afternoon.

Discussion regarding Resolution authorizing refund to Sunset Harbor for pre and post dredge surveys in the amount of $500.00 for 2014-2016 dredge project.

Council briefly discussed this matter and agreed to proceed with a Resolution to be prepared for the October 28, 2015 Regular meeting

Discussion regarding Resolution rejecting bids received for Custodial and Cleaning Services for Borough Facilities and authorizing rebid.

William Macomber, Director of Public Works/Utilities explained Joe Clark, Alan Gould and himself recommend rejecting the bids because the prices varied and there appeared to be a misunderstanding of the scope of the services needed, particularly the services required for the 39th Street Tennis building.

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Scott Wahl said there is a pre-bid meeting scheduled for Friday, October 30th and a bid opening on Tuesday, November 10, 2015.

Council agreed to proceed with a Resolution at the Regular Meeting this afternoon.

Discussion regarding Resolution authorizing sale of surplus property with an online auction service.

William Macomber, explained that the DPW has lifeguard boats, vehicles and other equipment no longer being used and would like to put it up for sale using the online auction with which the DPW has had much success in the past. He said it is more efficient for his staff to sell small pieces at a time to minimize the overwhelming workload.

Councilman Covington asked when the items would go up for auction.

Mr. Macomber said he believes the Resolution is up for approval at the October 28, 2015 Regular Meeting and the items will be listed online the following day.

A Resolution to be prepared for the October 28, 2015 Regular Meeting.

Discussion regarding Resolution authorizing Hatch Mott Macdonald to apply for New Jersey Department of Transportation grant for Reconstruction of Dune Drive 77th to 80th Street.

Scott Wahl, explained the Borough is applying for the grant as it has in the past for Dune Drive.

Council agreed to proceed with Resolutions at the Regular Meeting this afternoon.

Discussion regarding Ordinance Amending Chapter 20 regarding Swimming Pools

James Waldron, gave a high level overview of the final draft of an Ordinance regulating the construction of swimming pools. He confirmed a meeting was held with the pool contractors. He explained the only issues of material substance that came out of that October 1st meeting was a contractor specifically requesting the 7-day final finish phase be deferred until spring if needed. He said that request was vetted internally and it was determined that it would not create enforcement issues for the Borough. He said contractors have to have a reason, a cause and they have to come in and apply to the DPW for an extension and those terms of the extension will be handled administratively by the DPW and Utilities. He said there were no other changes of consequence from what was reviewed at the previous meeting. He said terms were adjusted for clarity. He confirmed input has been received from those passing and enforcing the Ordinance and they approved. He said contractors have been made keenly aware that they have from now until January 1st to get the supplies before the Ordinance takes effect on that date. He further explained contractors were told they would not receive a second phone call and the job will be shut down and the pump unplugged. He said the contractors are on notice, they understand and it is recommended that Council consider this Ordinance for Introduction today so it is in place with the January 1st lead time.

Council agreed to introduce the Ordinance for First Reading at the Regular meeting this evening.

Public Comments:

Martha Wright – 632 7th Street commented on amplification issues at the Planning/Zoning Board Meeting. She also commented on the Landscape Design Plan and encouraged the Borough to plant indigenous species when possible.

Councilman McCorristin – commented on the Borough taking action to close Ocean Drive between 17th and 30th during storms and high tides that result in flooding. He said wave action is what causes property damage. He asked why the road can be closed at the inlet and not where there is heavy flooding.

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There was a brief discussion of who is responsible for closing the road to Townsends Inlet. It was determined Avalon police close the road. There was also discussion about stopping NJ Transit from traveling Ocean Drive during flooding.

Mr. Wahl confirmed he saw the same issue during the storm and posted warning on social media as to why it was unsafe to drive through water. He said they also intend to push the message that it isn’t safe immediately following a storm to return to town until all utilities are checked.

Jim Lutz – 2539 Ocean Drive agreed with Councilman McCorristin about cars driving through the water causing a wake. He agreed the wake caused most of the damage and he would like to see it stopped. He also said landscapers cleaning property blow it into the street which goes into the sewer and causes the storm sewers to be blocked.

Discussion followed.

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

ROLL CALL VOTE: Councilman Burns Aye

Councilman Covington Aye

Council Vice President Hudanich Aye Councilman McCorristin Aye

Council President Dean Aye

Work Session adjourned at 5:01 p.m.

Respectfully submitted,

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Marie J. Hood, Borough Clerk

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Richard E. Dean, Council President