

March 12, 2014

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, March 12, 2014 at 7:01 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 13

Reporters ----- 1

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	Present
	Councilwoman Hudanich	Present
	Councilman McCorristin	Present

Also present:

Andrew J. Bednarek, Business Administrator
Stephen D. Barse, Esquire, Borough Solicitor
Police Chief William McCormick
William Macomber, Director of Public Works/Utilities
Paul E. Short Sr., Code Enforcement Official
Scott Wahl, Public Information Officer
Sue Ellenberg, Recreation Personnel
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC
William J. Kearns, Jr., Esquire, Special Counsel for Land Use
Dr. Stewart C. Farrell, Director, Coastal Research Center, The Richard Stockton College of NJ
Dominic Villecco, President, Telecommunications Representative, V-COMM, LLC

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.

Discussion regarding a Resolution amending Resolution No. 231-2013, adopted December 18, 2013 authorizing the 2014 Professional Services Contract with Dr. Stewart C. Farrell, Director, Coastal Research Center, The Richard Stockton College of NJ to provide for additional services including 2014 Monitoring of USACE Lines and All Engineered Beach Lines, Pre Construction Survey and Post Construction Survey, Tasks 1 – 7 and Backpass Truck Counting.

Dr. Stewart C. Farrell, Director, Coastal Research Center, The Richard Stockton College of NJ reviewed his proposal dated March 5, 2014 regarding the additional services for the backpassing effort and survey of the entire engineered beach one year post-project. He asked Council to consider a survey of the sand accumulation rate of the borrow area between 38th Street and 32nd Street six weeks after completion of the project so information could be provided to the Army Corp of Engineers at permit renewal time.

Council Vice President Covington commented he originally questioned whether the work done by the Borough's engineer and the proposal of work submitted by Dr. Farrell were overlapping. He indicated he received a complete explanation from the engineer and asked Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC. to comment.

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC. reviewed his matrix of the USACE Beachfill Permit Surveying Requirements provided to Council. He indicated the major distinction between surveys was Dr. Farrell would perform all survey tasks

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Thomas R. Thornton, P.E. continued:

that required information in deep water.

Councilman McCorristin questioned the procedure for the added additional service suggested by Dr. Farrell.

Dr. Farrell indicated the additional survey would cost approximately \$1,500.00.

Andrew J. Bednarek, Business Administrator indicated the contingency fund, which is already in place would supplement the additional cost of the added survey suggested by Dr. Farrell.

Council thanked Dr. Farrell and agreed to proceed with a Resolution to be voted upon at the Regular meeting this evening.

Discussion regarding a Bond Ordinance for Backbay Dredging Project.

Andrew J. Bednarek, Business Administrator discussed a bond ordinance, which provides for a supplemental appropriation of \$750,000.00 for the Backbay Dredging Project. He updated Council on the meeting with Middle Township and representatives of the property owners of Sterback Harbor regarding the future partnership in the Backbay Dredging Project. He indicated Erin Law, Esquire, Bond Counsel would attend the Council meeting on March 26, 2014 to discuss the Shared Service agreement between the Borough of Avalon and Middle Township.

Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald updated Council regarding the conversation he had with the Department of Transportation, Genevieve Bohn-Clifton and Scott Douglass, Office of Maritime resources. He reported the State agreed to reimburse the Borough for the Borough's cost to dredge those waterways that are designated State channels. He further reported the State agreed to pay for the pro-rated cost of the fixed portion of the project.

Council President Ellenberg questioned the time frame of the project.

Thomas R. Thornton, P.E. responded it would be a two- phase project as the backbay dredging was only permitted September through December due to the winter flounder restriction. Phase 1 would be completed September through December 2014 and Phase 2 would be completed September through December 2015.

Council Vice President Covington questioned the process for Avalon homeowners to participate in the dredging of their personal slips.

Thomas R. Thornton, P.E. responded he felt there was no better way to accomplish the dredging other than past practice. He explained the Borough would secure the permits for all dredged areas including up to the bulkheads, which would save the homeowners a great deal of expense for the permit portion. He further explained the homeowners would deal directly with the contractor for the price of dredging their slips.

Brief discussion followed.

Further discussion regarding an Ordinance amending Chapter 9 (Parks, Beaches and Recreation Facilities) of the Code of the Borough of Avalon, Regulating the Storage and Use of Kayaks at the Northwest Corner of 57th Street in the Borough of Avalon.

Sue Ellenberg, Recreation Personnel reported all comments and questions received were reviewed. She stated with the assistance of Councilwoman Hudanich, Council Vice President Covington, Mr. Barse and the Clerk we now have the refined draft of the Kayak Ordinance.

Brief discussion followed and Council agreed to proceed with introduction of this ordinance at the Regular meeting this evening.

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Discussion regarding an Ordinance amending Chapter 9 (Parks, Beaches and Recreation Facilities) of the Code of the Borough of Avalon, entitled Avalon Bay Park Marina.

Council had no problem with this amendment and agreed to proceed with the introduction of this ordinance at the Regular Meeting this evening.

Discussion regarding a Resolution amending Resolution No. 49-2013, adopted March 27, 2013 entitled "A Resolution Authorizing the Extension of the Shared Services Agreement with the County of Cape May for Heavy Equipment Fleet Maintenance for a term of one (1) year commencing March 25, 2013 through March 24, 2014".

Andrew J. Bednarek, Business Administrator explained the Resolution amended the existing Resolution to continue the shared service agreement via written correspondence from one political entity to another. He further explained there would no longer be a need to continue with yearly resolutions.

William Macomber, Director of Public Works/Utilities stated he was very happy with the current Agreement.

Councilman McCorristin commended William Macomber, Director of Public Works/Utilities for a job well done by his department during the snowstorm.

Discussion regarding a Resolution amending Resolution No. 222-2013 and authorizing the execution of a Consulting Contract, Non-Fair and Open, to James A. Waldron of Cape May Court House, New Jersey, for a one (1) year term commencing January 1, 2014 through December 31, 2014.

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

Public comments:

None.

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

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

Work Session adjourned at 7:34 p.m.

Respectfully submitted,

Georgann M. Berardis, Borough Clerk

David B. Ellenberg, Council President