

May 10, 2017

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, May 10, 2017 at 4:03 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.

<u>Roll call:</u>	Council President Hudanich	Present
	Councilman Covington	Present
	Councilman Dean	Present
	Councilman Deever	Present
	Council Vice President McCorristin	Present

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Stephen D. Barse, Esquire, Borough Solicitor
William Macomber, Director of Public Works/Utilities
Jeffrey Christopher, Captain of Police
Thomas R. Thornton, P.E., Borough Engineer, Hatch Mott Macdonald, LLC
Dr. Brian Reynolds, Chairman, Environmental Commission
Joe Lomax, Lomax Consulting Group
John Cuthbert, Representative, AHLOA
Joseph Maffei, Engineer, Planning/Zoning Board
Neil Hensel, Chairman, Planning/Zoning Board
Sharon Cooper, Member, Planning/Zoning Board
Ed Dean, Emergency Management Coordinator

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.

Municipal Election Results from Tuesday, May 9, 2017 for Council at Large:

Marie Hood read the following election results from the Municipal Election held May 9, 2017:

Nancy M. Hudanich – 316
John M. McCorristin – 331
James Deever – 345
James C. Lutz – 122

Councilman Covington congratulated Council President Hudanich, Council Vice President McCorristin, and Councilman Deever on being elected into office.

Discussion regarding Resolution to apply for a grant through the New Jersey Department of Environmental Protection Urban and Community Forestry Program for a Community Stewardship Incentive Program Grant.

Scott Wahl read the following report:

Introduction: The Borough has an opportunity to apply for a grant through the New Jersey Department of Environmental Protection's Urban and Community Forestry Program. The grant may be in the amount of up to \$30,000 and, pending Council approval, would be applied through the Community Stewardship Incentive Program (CSIP). The grant program was discussed during a meeting involving Scott Wahl, Bill Macomber, Joe Lomax, and Dr. Brian Reynolds on May 3rd, 2017. A total of \$1.8 million is available statewide through this program, and Avalon

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only qualifies because it has a certified Community Forestry Management Plan and two CORE trained representatives (Mr. Lomax and Mr. Macomber).

Details Regarding the Grant: Grants up to \$30,000 may be awarded for reforestation and tree planting. These grants are for small scale reforestation and tree planting projects of up to one-hundred (100) 2"-2.5" caliper balled and burlapped (B&B) trees. Planting shall take place within one (1) year of the start of the work period. Reforestation and planting projects must be based on an existing inventory and the CFMP. Applicants are free to develop reforestation and tree planting projects with tree material (container trees, saplings, seedlings) and reforestation activities that ensure the growth and establishment of trees that best suit the needs of their communities and their reforestation and tree planting goals. The work period commences on the date of the grant award letter, and ends on:

- Resiliency Planning: two (2) years from the start of the work period.
- Reforestation and Tree Planting: three (3) years from start of the work period.

Application Deadline: Tuesday, May 16th, at 5:00pm. Grant award notification in late July, 2017.

Match by the Borough: The Borough is required to provide in-kind match for the grant received. This can and will include any current tree maintenance practices encumbered by the Avalon Department of Public Works under our approved Community Forestry Management Plan and any tree related activities that are paid for by the Borough through its contingency in the landscaping contract, or any other contracted work. We have established a contingency fund in our current landscaping contract that addresses community needs as they come up; recently funds were used to remove invasive bamboo from Borough property. As previously noted, Avalon DPW does routine work under our plan on trees in the community.

Areas Where Work May Be Done: Our team discussed various areas in the community where tree replacements and plantings are desired. Mr. Macomber, with the help of Mr. Lomax's tree inventory of the Borough to identify potential areas where the grant could be applied.

Additional benefits: Additional benefits provided to the Borough include but are not limited to additional points for the Borough in the re-certification effort for Sustainable Jersey and an ongoing task for the newly formed Tree Committee that is a subset of the Avalon Environmental Commission.

Joe Lomax added the Borough received approval for its Community Forestry Management Plan in 2016. Within that plan, there are a couple of components that are important to recognize. One part is the goals of the Community Forestry Management Plan, and the other is the implementation of that plan. When this grant was reviewed, it was recognized that the grant would help achieve goals within the plan pertaining to tree enhancement, selection of the appropriate trees, tree maintenance and monitoring. In addition, the grant could help with the component of inventorying the trees in public areas, streetscapes and parks in the community. Furthermore, the grant could help to fund the tree enhancement, tree planting, and tree maintenance planned for 2017, 2018, and 2019.

Bill Macomber noted the Public Works Department completes as much tree maintenance as time will allow. He recommended applying for the grant to help offset the costs associated with planting and maintaining trees. He added the business district is in need of new trees, along with some parks and playgrounds.

Council President Hudanich thanked Bill Macomber for attending the CORE training programs for the benefit of the Borough. She spoke in favor of moving forward with a Resolution to apply for the grant.

Councilman Dean agreed with Council President Hudanich.

Councilman Covington noted trees planted in the business district are failing due to either not being watered on a continuous basis, or being overwatered as a result of flooding in the area. He suggested that the Borough consider addressing these stressors when replanting.

Bill Macomber stated the stressors have been discussed with Mr. Lomax as well as the possibility of planning more native trees that would be less susceptible to those stressors.

Joe Lomax reported through the leadership of Dr. Reynolds, the list of acceptable trees has been reviewed to help identify the fiscal circumstances with which trees that can be planted and also their resistance to salt and salt spread. That list will be fundamental to the tree selection process.

Council Vice President McCorristin suggested looking into reforesting Bay Park Marina. He asked if reports will be received regarding the status of recent reforestation efforts within the Borough as well as any reforestation efforts resulting from possibly receiving this grant.

Scott Wahl explained a report on the plantings at Armacost Park will be given after the spring growing season.

Joe Lomax added the Borough planted acorns as well as created piles of acorns for squirrels to help with the plantings in the dunes. The plantings will be evaluated this spring. Preliminary evaluations are showing that trees and shrubs planted on the dunes are doing exceedingly well, including the Atlantic White Cedar that was planted. The Atlantic White Cedars planted along the 48th Street beach path are now producing seed.

Council agreed to proceed with a Resolution to be considered at tonight's Regular Meeting.

Discussion regarding Resolution Accepting the Re-Examination of the Master Plan submitted by the Planning/Zoning Board.

Neil Hensel reported the Master Plan was developed by inserting all required state and governmental packages, focusing heavily on goals and objectives, and reviewing if and how the goals and objectives included in the previous version of the Master Plan were achieved. Nearly 100% of the goals and objectives included in the 2007 version of the Master Plan were reached. Moving forward, the primary goal is to address the flooding issues in the business district. There are concerns that success could be lost in the business district if this problem is not promptly addressed.

Joe Maffei added another focus within the list of goals and objectives is to review all Chapters 26 and 27 of the Borough Code pertaining to Planning and Zoning Regulations. There are hopes that the success rate of this Master Plan will be very similar to the success rate of the 2007 version. Information from the 2010 Census as well as the Zoning Officer, Jeff Hesley, was used in formulating this Master Plan. Input was also encouraged from Planning/Zoning Board members as well as members of Council.

Neil Hensel noted the Green Team and green activities were a primary focus of the last Master Plan, which have been a tremendous success. He credited Michele Petrucci for leading those programs to the success they have achieved. He also thanked Bill Macomber for testing the various forms of water delivery systems throughout the Borough. He stressed the importance of water safety and maintaining sustainability efforts.

Council President Hudanich commended the Planning/Zoning Board for their efforts and a job well done.

Joe Maffei reported steps have been taken to form the various sub committees that will be committed to addressing some of the goals and objectives within the Master Plan.

Councilman Covington asked Mr. Maffei to explain the historic structure designation initiative within the Master Plan.

Joe Maffei explained he worked with Michele Petrucci to create a list of properties over 50 years old and created historic designation plaques to encourage property owners to take pride in the older homes.

Scott Wahl reported to Council that the Master Plan has been placed on the website under Planning and Zoning. Mr. Hensel has spoken to the Administration to address concerns that deal with flooding and how to better mitigate as well as how to move forward. Provided Mayor

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Scott Wahl (continued) Pagliughi and Council President Hudanich agree, it is possible a presentation will be made at a future Council meeting to explain an initiative to collect the data needed to seek solutions and help the Planning and Zoning Board with these decisions moving forward.

Councilman Covington pointed out that the Master Plan is strictly a purview of the Planning Board and is not an issue with Council.

Council agreed to proceed with a Resolution to be prepared for the May 24, 2017 Regular Meeting.

Discussion regarding Resolution authorizing acceptance of improvements to an unimproved portion of Fourth Avenue at 24th Street.

Jim Waldron explained Council approved construction of the improvements of the roadway on Fourth Avenue pursuant to Resolutions 78-2016 and 97-2016. In those Resolutions, Council imposed a number of conditions upon the construction. Those conditions have now been complied with, and the Borough Engineer, has certified that the improvements are acceptable. A copy of that certification is on file in the Borough Clerk's Office. The roadway in its present form has been deemed acceptable. The only improvement that remains to be completed is the installation of the streetlight. The work order has been presented to Atlantic City Electric and will be installed at the cost of the developer. The pole has been installed, and the light will be installed in the near future. The Borough Engineer has inspected the improvements to ensure they have been made according to the requirements, and it has been confirmed that the cart way is sufficient to accommodate the fire apparatus. The Borough has a performance bond on file that was posted in cash. That performance bond will now be replaced by a maintenance bond in the amount of 15% of construction costs. There are some engineering and inspection fees that are outstanding that will be deducted from the performance bond. The maintenance bond will continue to be posted in cash for a period of two years, and the balance will then be refunded to the developer. All documentation in relation to these improvements exists and is on file in the Borough Clerk's Office. All Borough Officials charged with inspecting have done so and approved of the improvements, and those that are charged with approval of the improvements have done so as well.

Councilman Covington inquired if the Fire Chief is satisfied with the cart way as well.

Jim Waldron responded yes and explained the Fire Chief has emailed that he is satisfied with the design professional's information. The signed plan is of record in the Construction Office. He thanked Tom Thornton for overseeing the work and ensuring all work was completed pursuant to council's specifications.

Council agreed to proceed with a Resolution to be considered at tonight's Regular Meeting.

Discussion regarding updates on the Borough's Emergency Operating Plan and Local Emergency Planning Committee.

Ed Dean reported the County Office of Emergency Management hired the vendor TetraTech to assist all Cape May County municipalities in updating their emergency operating plans this year. The certification of Avalon's current Emergency Operating Plan expired June 2016. A requirement of the federal government was that all Emergency Operating Plans are to be developed under a fixed template that none of the prior Plans in the County addressed. It was ordered that all Cape May County municipalities be compliant with the National Incident Management System requirements for Emergency Operating Plans. By completing the Emergency Operating Plan in accordance with the new template, the plan is shorter than the old one by reducing redundancy and inputting the information into the Emergency Support Functions, which are annex documents sorted by department. There is now a base Emergency Operating Plan that is much easier for all parties to understand. All plans follow a common template as set by the federal government to help promote aid between municipalities and states. He thanked all of the Deputy Emergency Management Coordinators for their help in getting the plan into the required format.

Council President Hudanich noted the common template makes it easier to extract information.

Ed Dean reported the Local Emergency Planning Committee is a statutory required committee of fifteen members. Some of the positions on the committee are required by statute, however there are also several categories of members required to sit on the committee from varying community interests. All individuals that have been asked to serve on the Local Emergency Planning Committee have agreed to serve. The main focus of the committee is to review the Emergency Operating Plan annually with the focus of improving, finding errors, and getting ready for the next iteration of the Emergency Operating Plan. The current Emergency Operating Plan will expire in February of 2021

Council agreed to proceed with Resolutions to be prepared for the May 24, 2017 Regular Meeting.

Discussion regarding Resolution approving the application for a taxi license from Oleg Pismenny.

Council agreed to proceed with a Resolution to be prepared for the May 24, 2017 Regular Meeting.

Discussion regarding Resolution approving 2017 Jitney Licenses.

Council agreed to proceed with a Resolution to be prepared for the May 24, 2017 Regular Meeting.

Update on the Ocean Drive Water/Sewer main project.

Tom Thornton reported although the contractor had fallen behind on some of the intermediate completion times, the project is currently going well. If the contractor continues at its current pace, the interim completion date of May 22, 2017 should be met without complication. The project would be on hold during the summer months and resume in the fall for the rest of the work north of 43rd Street. The County is planning to postpone their work on the project until the fall.

Council Vice President McCorristin inquired if there will be any corrective action to the roadway before the summer season.

Tom Thornton explained the contractor is restoring the road to preexisting conditions in advance of the summer season.

Update on Avalon beach fill project.

Scott Wahl reported despite some delays from weather and mechanical breakdowns, the dredge Texas has been largely working 24/7 for the past week with the exception of a short period of time when lightening was striking the ocean. The dredge has pumped a quantity of 786,100 cubic yards of sand onto the Avalon beaches from 9th Street south to 18th Street. It is estimated the northerly phase of the project which covers through 30th Street beach should be completing during the week of May 15, 2017. As of now, there have been no safety issues with this beach fill project. Once this phase of the project is completed, the pipe will be removed from Avalon's beach. The upcoming phase to this project is largely in Stone Harbor, however the hotel district will be impacted for three blocks in Avalon from 77th Street to 80th Street. When that portion of the project is ongoing, the pipe will not run along any section of the beach front. A submerged pipe will be out in the ocean and connected to the dredge. The pipe will make a landing on 83rd Street in Stone Harbor. Avalon will have no impact of a pipe on its beaches. The hotel district in Avalon would be filled first in advance of Memorial Day weekend, at which point the fill will continue to work in a southerly direction in Stone Harbor. Recently, there was a Saturday coastal storm that moved some of the sand from the northerly limits of our beach fill in a southerly direction. It was requested to move that sand back to the northerly beaches, which was granted. The Borough was able to get an additional 65,000 cubic yards at no expense to the Borough to refill what was lost in the northerly beaches. He added another drone presentation will be given to Council in the near future to show the progress of the project. Another project update will be given at the May 24, 2017 Council Meeting. In total, more than 1 million cubic yards of sand will be placed during this beach fill project in the Borough of Avalon.

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Council President Hudanich confirmed with Scott Wahl that the dredge Texas will be remaining in Townsends Inlet and questioned how far off the beach the underwater pipe will be for the second phase of the beach fill.

Tom Thornton responded the pipe will be several hundred feet off shore.

Council President Hudanich asked how many boosters will be needed to pump the material from Townsend's Inlet to Stone Harbor.

Scott Wahl explained there will be three boosters to help pump the slurry to Stone Harbor.

Discussion regarding Resolution approving the purchase of Grounds Maintenance with Related Equipment, Accessories and Supplies from Deere & Company in accordance with the National Co-Operative Purchasing Agreement.

Bill Macomber explained this Resolution would allow the Public Works Department to purchase a piece of equipment that can be used to better maintain the bird nesting areas of the beach. The Department of Environmental Protection has informed the Borough that an open cabbed vehicle could be used to enter the bird protected area to pick up trash and debris. It would be required to have two spotters walk in front of the vehicle while in the bird protected area. The inability to clean trash and debris from this area has been a large area of concern recently. With this vehicle, Public Works employees would be able to go into that area to maintain the beach. The vehicle is a small four wheel drive ATV with large tires that will leave a light impact on the area. Training was held May 8, 2017 with Joe Lomax in reference to being in the bird protected area, and additional training will also be held once the equipment is received to ensure all workers know how to watch for the birds. Two men will be in the vehicle to pick up the trash, and a small trailer will be towed behind the vehicle to hold the trash that is picked up. This year, the trashcans from Dune Drive will be placed on the beach, because the vehicle will now have the capability of accessing those trash cans to remove the trash from the beach.

Council agreed to proceed with a Resolution to be prepared for the June 14, 2017 Regular Meeting to comply with the required public comment period.

Public Comments

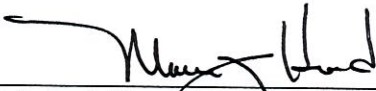
Travis Marshall, owner, Marina at Avalon Anchorage, LLC, 885 21st Street, agreed with comments made by Mr. Hensel regarding the major flooding issue on Dune Drive. He added that Dune Drive sits between seven and eight feet elevation. He pointed out that his property sits at 4.25 feet above sea level, and there is a fuel tank on the property that sits in salt water every day. He expressed concerns about the connections to the tank breaking down from the abuse of the salt water. He noted he will be removing the fuel tank from his property this year and the Borough of Avalon is asking that the tank be replaced. He expressed that installing a new tank could be an environmentally insensitive position. He suggested other locations for a public fueling area that would not pose as many environmental issues.

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

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

Work Session adjourned at 4:59 p.m.

Respectfully submitted,



Marie J. Hood, Borough Clerk



Nancy M. Hudanich, Council President