

November 20, 2018

A Work Session of the Borough Council of the Borough of Avalon was held on Tuesday, November 20, 2018 at 4:05 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 10

Reporters ----- 1

The Meeting was called to order by Council President Deever.

Pledge of allegiance.

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

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Borough Solicitor
William Macomber, Director of Public Works/Utilities
Jeffrey Christopher, Chief of Police
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald
Paul Short, Code Enforcement Officer
James Craft, Chief Financial Officer
Joseph Clark, Qualified Purchasing Agent
Dr. Edward Mahaney, Mahaney Consulting Group

Council President Deever read the Open Public Meetings Act Announcement.

Notice of this Work Session was included in the Annual Schedule of Meetings dated June 27, 2018. It was given to the news media and posted on the Official Bulletin Board as required by law.

Council President Deevers reported correspondence was recently received from Councilman Dean and asked Scott Wahl to read the correspondence into the record.

Scott Wahl read correspondence dated November 19, 2018 received from Councilman Dean, a copy of which is below.

Councilman Richard E. Dean
2239 Ocean Drive
Avalon, NJ 08202

November 19, 2018

Mrs. Marie Hood, Borough Clerk
3100 Dune Drive
Avalon, NJ 08202

Dear Marie:

It is with both regret and pride that I must announce my retirement from the office of Councilman of the Borough of Avalon effective Tuesday, November 30, 2018 at 11:59 PM.

For the past year my health has prevented my full participation in the business of Avalon, and I fully expected with encouragement from my doctors, that my health would improve to the point that I would be able to resume my full duties. It has recently become clear, however, that is not to be the case. Rather than the expected improvement, there has been further deterioration and I now recognize that my health will not improve or stabilize to the point where I could resume my duties and continue in my desire to serve the citizens of Avalon. I regret that I will not be able to finish out my current term, and I thank you, my fellow members of Borough Council, Mayor Marty Pagliughi and the Borough Administration for standing by me during my infirmity and rehabilitation.

While I do regret not being able to finish out my term, I am also proud that I have been able to serve my constituents as a member of "Team Avalon" for the past 31 years. Together we have helped the residents and visitors of Avalon continue to make our peaceful town one of the most valuable and sought-after places in the country. I know that my colleagues and whoever will take my place on Borough Council will continue to make Avalon one of the greatest places on earth to live, work, vacation, and enjoy the shore.

I want to thank everyone who has worked alongside me; Chuck, Nancy, John, and Jim, our current Council, as well as those who served with me in the past, Joe Breslin, Jeanette Glazier, Ray Smith, Joe Tipping, and Dave Ellenberg. Special thanks to Marty Pagliughi, my friend and running mate from the very beginning. Mostly I want to thank my dear wife, Jane Dean, for standing with me through it all. It is my most sincere hope that I may continue to contribute to the success of Avalon as a lifelong resident.

Yours truly,



Richard E. Dean

Council President Deever spoke highly of Councilman Dean by citing his helpfulness and stated he will be missed as a member of Council.

Councilman McCorristin summarized his history with Councilman Dean on a personal and professional level, and wished Councilman Dean the best.

Council Vice President Covington noted he has served on Council since 1991 with Councilman Dean, who is very knowledgeable about Avalon. He stated Councilman Dean is a good friend, and will be missed from Council.

Scott Wahl noted the letter of resignation is effective November 30, 2018. New Jersey Statute allows Council to fill the unexpired term of Councilman Dean by appointment within thirty days of the vacancy, otherwise the seat will remain vacant until after the May 2019 Municipal Election. Councilman Dean's term will be expiring June 30, 2019. If it is Council's desire to fill the seat, it would be possible to place information on the Borough website encouraging Avalon residents to submit resumes and letters of interest for the position. Council would have the option of holding a Closed Session to interview potential candidates, with a swearing in of the successful candidate to take place in a public meeting. If this is a course Council wishes to take, it is a suggestion to have the letters of interest submitted directly to the Municipal Clerk.

Council agreed to proceed with attempting to fill the vacancy prior to December 30, 2018, and directed Business Administrator Scott Wahl to publish such a posting on the Borough website.

Discussion regarding proposal submitted by Taylor Design Group for Surfside Park Improvement Project.

Scott Wahl read the following report:

Summary: Borough Council has for its review a proposal from the Taylor Design Group for the Construction Phase of Surfside Park. For the benefit of the public, Taylor Design Group worked with our engineers from Mott MacDonald on the design of the Park and on the successful grant application to the Cape May County Open Space Program for \$2 million in construction costs.

Scope of Work: Taylor Design's proposal for the construction phase of the project includes all review of submittals and shop drawings, and work in lock step with Mott MacDonald on contract administration services related to portions of the project designed by Taylor Design. Taylor Design has a past practice of working well on delineating review and management of other projects with Mott MacDonald so there is no duplication of services.

Others Involved under Taylor Umbrella: The Taylor Design Group also brings to the table OSK Design Partners as architects and structural engineers for the restroom and changing room building work, the two main buildings associated with this project, as well as Moore Consulting Engineers who assist with mechanical, electrical, and plumbing engineering with this project.

Conditions of the Scope of Work: The pre-construction meeting has been held, and initial construction is underway. Taylor Design, under this proposal, will attend job status meetings every two weeks through May when the project is expected to be substantially completed; at least 12 meetings will be part of this project along with necessary site visits. Taylor Design will be responsible for requests for information and architectural supplemental information; detailed shop drawing and submittal lists are attached to the proposal. In addition, Taylor Design will perform all non-survey field layout of site features for the process from construction through landscaping.

After the Job is Completed: There is a two year maintenance bond associated with the project, and there will be eight meetings after the completion of the project to conclude various punch list items before the project is closed out.

The CFO has also supplied the certification of funds for this project.

Council Vice President Covington asked Tom Thornton to detail the working relationship between Taylor Design Group and Mott MacDonald on this project.

Tom Thornton explained the proposal being considered by Council is for Taylor Design Group's construction phase and engineering services, which are running parallel to the work that Mott MacDonald is providing of the site improvements. Taylor Design Group has designed certain aspects of the project, therefore Taylor Design Group will be ensuring the contractor is submitting the shop drawings, and completing the work in accordance with the plans and specifications. However, it will be emphasized to the contractor that Mott MacDonald is the point of contact to avoid any confusion. Mott MacDonald will take care of keeping all parties informed during this process as well. While Mott MacDonald will not be responsible for the review of the portions of the project designed by Taylor Design Group, all communication will flow through Mott MacDonald for those purposes to provide consistency and keep all informed.

Council Vice President Covington asked if the Mott MacDonald agrees with the items list submitted by Taylor Design Group.

Tom Thornton explained Mott MacDonald relies on the guidance of Taylor Design Group for what is necessary for the contractor to submit when dealing with Taylor Design Group items. Considering the contract was Mott MacDonald's construction contract, Mott MacDonald will be responsible for overseeing specific construction such as time limits and insurance, along with maintaining the perception with the contractor that Mott MacDonald is the primary point of contact. Taylor Design Group is reviewing specific work related to their design.

Councilman McCorristin noted Taylor Design Group's design also addresses the playground areas and finished stages, and mentioned the cost of Taylor Design Group's services is roughly 5.5% of the total project cost, which is reasonable.

Tom Thornton stated the costs for both Taylor Design Group and Mott MacDonald for this project amounts to approximately 11% of the total project cost. He reported the contractor is off to a quick start and has begun placing the pilings.

Council agreed to proceed with the preparation of a Resolution for the December 12, 2018 Regular Meeting.

Discussion regarding 2017 Best Practices Inventory.

Jim Craft reported there were 61 questions included in the Best Practices Inventory, which is significantly more than 25 in the previous year. Most of the questions were not applicable to the Borough of Avalon, as they dealt with Authorities and Payment In Lieu Of Taxes programs. This year, the Borough submitted 40 yes answers with a score of 87%. Last year, there were 16 yes answers submitted with a score of 80%. The Best Practices Inventory was submitted in advance of the November 12, 2018 deadline, as required.

Council Vice President Covington referenced a question concerning the Master Plan, and reported the Planning/Zoning Board is going through significant efforts to amend Chapters 26 and 27 of the Borough Code, a lot of which has to do with Floodplain Management. He suggested placing comments on upcoming items when submitting the Best Practices Inventory so that the State is aware of efforts the Borough is making.

Council agreed to proceed with a Resolution to be prepared for the December 12, 2018 Regular Meeting.

Discussion regarding Resolution scheduling public hearing for release of two-story height restriction for property located at 250 66th Street.

Jim Waldron explained this public hearing is a formality based on Superior Court decisions that are binding on the Borough. It is recommended that Council schedule the public hearing on this matter prior to 4:00 p.m. on December 12, 2018. This matter is not expected to consume much of Council's time.

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

Discussion regarding Resolution authorizing a Quit Claim Deed Releasing a Reversionary Interest with respect to the property located at 1668 Ocean Drive.

Jim Waldron explained this property was conveyed from the Borough of Avalon in 1968 and was subject to the general conditions that were imposed at that time. All of those things have been complied with. When applications to remove such language are received, the Tax Assessor and the Construction Official are requested to provide documentation based on on-site inspections that all requirements have been met. Once that documentation is received, it would be necessary for Council to adopt a Resolution authorizing the preparation of a release of those reversionary interests.

Council agreed to proceed with a Resolution to be prepared for the December 12, 2018 Regular Meeting.

Discussion regarding Resolution authorizing the re-appointment of Trustees of the Avalon Public Library.

Scott Wahl explained the Mayor has submitted recommendations from the Mayor for these re-appointments. Richard Hoy has been recommended to be re-appointed for a four year term beginning January 1, 2019, while Jacqui Ewing has been recommended to be re-appointed to a five year term beginning January 1, 2019. At the recent Avalon Home and Landowners Association meeting, the Library was publicly recognized for its 11th consecutive year of being designated as a Five-Star Library.

Councilman McCorristin commended the Library for the 11th Five-Star Library designation and announced only ten libraries in the United States have received such an honor. He also announced the upcoming distribution of reusable bags from the Library, as the phasing-out of single-use plastics begins.

Council agreed to proceed with a Resolution to be prepared for the December 12, 2018 Regular Meeting.

Discussion regarding Resolution authorizing Joseph Clark to prepare specifications and advertise for bids for Custodial and Cleaning Services for Borough Facilities.

Joe Clark reported this contract would be for a one year term to set the price, with renewal options for two subsequent years. With each year, the cost could be subject to increase based on CPIU postings, as is also done with the solid waste contracts. Six companies have received bid packages, and each of those prospective bidders were invited earlier this week to walk through each of the buildings included in the contract to provide accurate bid amounts. The buildings included in the specifications are the Police Department, the Public Safety/Rescue Squad, the Senior Center, the Fire Department, restrooms located at 10th Street and 29th Street, 8th Street Tennis Court building and restrooms, 39th Street Tennis Court building and restroom, the History Center. Borough Hall is also an alternate item within the specifications in the event cleaning services would be needed in an extenuating circumstance.

Council Vice President Covington inquired if Community Hall is included in the bid.

Bill Macomber responded no, and explained the cleaning of that building is done by Recreation employees. He reported Surfside Park and the showers and changing rooms are also included in the bid specifications.

Joe Clark announced bids will be received and opened in Borough Hall on November 27, 2018, with a possible recommendation to award submitted to Council at the December 12, 2018 meeting. The contract term would be from January 1, 2019 to December 31, 2019, at which point the recommendation for renewing the contract for subsequent years would be made.

Council Vice President Covington referenced the number of contractors that have received bid documents and asked how that compares to previous bids for this contract, and questioned how the bidders are vetted.

Joe Clark noted the number of prospective bidders is similar to previous years, and speculated that all six may not submit bids for various reasons. Bidders are vetted through the bidding process, which requires that the company be qualified and meet specific criteria. References are also included in the specifications.

Councilman McCorristin asked if the increased restroom inspections added during the course of the last contract were included in these specifications.

Bill Macomber explained all public restrooms are to be checked every two hours.

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

Discussion regarding bids received for Reconstruction of 35th Street, First Avenue to Dune Drive, Contract M-112.

Scott Wahl noted Tom Thornton is present to discuss this bid, and reminded Council that the Borough has received \$160,000.00 in grant funding from the Department of Transportation for this project.

Tom Thornton reported the Borough received six bids for this project on November 9, 2018 at 10:00 a.m. The three lowest bids were less than the Engineer's Estimate, with the lowest bid being submitted by Mathis Construction Company in the amount of \$370,460.55. Mathis Construction has completed many successful projects with the Borough, and they are fully qualified to complete this project. The review of the bids was completed by Alan Gould, who has submitted a report. It is recommended to award this contract to Mathis Construction. He also reviewed Mott MacDonald's proposal for construction phase engineering services.

Council agreed to proceed with a Resolution to be prepared for the December 12, 2018 Regular Meeting.

Discussion regarding Resolution authorizing Settlement Agreement regarding Avalon Real Estate Agency v. Borough of Avalon and Planning/Zoning Board of the Borough of Avalon.

Jim Waldron explained Council does not have any documentation on this item primarily because Council will be asked to defer this item until the December 12, 2018 meeting. By way of background, the principals of Avalon Real Estate Agency appeared before Council at the public hearing on July 25, 2018 when the COAH Ordinances were being enacted. At that hearing, they were assured that what they intended to do with their property would be permissible without being impacted by COAH. They subsequently obtained an official opinion from the Zoning Officer to that effect, and was confirmed by Elizabeth McManus, the Planner engaged for COAH related issues. Out of an abundance of caution and to further protect the property owner, they instituted a non-adversarial suit, which is pending in the Superior Court. That has not been challenged, there hasn't been an answer, and there is a stipulation of settlement that is being circulated with nine provisions. Negotiations are taking place regarding one paragraph. Once that paragraph is complete, it will be signed and presented to Council, at which point Council will be asked to adopt a Resolution. The stipulation provides the Resolution Number, the date of adoption for both Council and the Planning Board so that there is an airtight resolution to eliminate any doubt, ambiguity, or question as to what can be done with that property. It will be sanctioned by the Superior Court, which is the same court that approved the COAH Ordinances.

Council Vice President Covington inquired if this sets up a precedence for other properties.

Jim Waldron responded no and explained under the COAH Regulations and the Ordinance, it is site specific. What is permitted at the property is unique in terms of its overall width and depth. What is being applied here is the principal that if a property does not require a variance from the Planning Board for any future development, they're exempt from the impact of the COAH regulations. Paul Baldini and Elizabeth McManus both spoke to that effect at the July 25, 2018 Council Meeting, and that will now be confirmed by way of court order to provide a measure of confidence and security. The stipulation provides that it is specific to these parties and this property. It doesn't hold precedential effect for any other property that is in that overlay zone.

Council Vice President Covington questioned if property owners wanted the same assurance in the future they would be required to go through the same procedures.

Jim Waldron indicated there are opinions the lawsuit was unnecessary, however it was the plaintiff's wish to do so for added assurance. The Zoning Official's interpretation is a binding document. There are hopes that this will be a one-time instance, as this is the first application under the new COAH Ordinances, and provides added assurance to the property owners.

Council agreed to discuss this matter further at the December 12, 2018 Work Session.

Further discussion regarding Ordinance amending Chapter 27 (Zoning) regarding sale of marijuana.

Jim Waldron explained many neighboring communities have adopted Ordinances banning the manufacturing, sale, and dispensing of recreational or medicinal marijuana. A draft Ordinance has been prepared for Council's review. The draft Ordinance has gone through several revisions with the input of many Borough professionals including the Planning Board Solicitor, the Police Department, and all Borough enforcement agencies. It is the opinion of those involved that the draft Ordinance is comprehensive in nature and substance. If Council is of a mind to introduce it, the procedure would be to introduce without scheduling a public hearing. It would then be referred to the Planning/Zoning Board for their review consistent with the requirements of the Municipal Land Use Act. The Planning/Zoning Board has thirty days within which to provide their findings, following which the Ordinance could be enacted as a final document after proper public notice is made. If Council is satisfied with the document, it is recommended to give consideration to introducing at today's Regular Meeting by title only in order to have the Ordinance referred to the Planning/Zoning Board.

After brief discussion, Council agreed to proceed with an Ordinance to be considered on first reading at today's Regular Meeting.

Discussion regarding Resolution appointing Class II Special Officers for the Borough of Avalon.

Chief Christopher reported this Resolution is asked of Council twice a year before the Special Officer Class II Police Academy starts. The Police Training Commission requires the adoption of a Resolution to hire these Officers in advance of the Academy starting, which is scheduled for mid-December. Notice was received yesterday that two additional Officers will need to be added to the Resolution in advance of the next meeting.

Marie Hood asked Chief Christopher to forward a Memo with the names of the additional Officers to the Borough Clerk's Office as soon as possible to be added onto the Resolution at the December 12, 2018 Regular Meeting.

Council agreed to proceed with a Resolution to be prepared for the December 12, 2018 Regular Meeting.

Discussion regarding 2018 Floodplain Management Plan Evaluation Report.

Tom Thornton explained the Evaluation Report is a document that must be completed every year and provided to FEMA as part of the Borough's overall Floodplain Management Strategy. The Borough received a significant number of points under the Community Rating System in 2015 for completing its own individual Flood Mitigation Plan and Floodplain Management Program,

Tom Thornton (continued) rather than just relying on the County. The Borough continuously endeavors to improve that class. The Evaluation Report is an update to a portion of the Flood Mitigation Plan. The Floodplain Management Committee meets three times per year to meticulously review all of the action items contained in the original plan and brainstorm how the Borough can improve, what other activities can be done, and how the actions that the Borough had included in the original document are being completed. He reviewed the portions of the Report with changes from last year by category. The first category of Preventative Action is an essential part of the CRS Program. Frank Bruton has been guiding the Borough through the overall process of the CRS Program and has been gathering data and filling out reports and documents in an attempt to achieve all of the possible points in an effort to improve the Borough's classification in the CRS Program. The cycle verification meeting, which is a meeting with FEMA to go over the progress the Borough has made, is scheduled for December 11, 2018 and will be a full day review. Additionally, Mott MacDonald will continue to monitor the jetty for settlement. Within the category of Establishing Standard Operating Procedures, were specifically related to getting sand in place in advance of storms, as well as maintaining pump stations or other infrastructure. A set of Standard Operating Procedures will be developed establishing the procedures that Public Works already utilizes to prepare the Borough for storms or other natural disasters. Under Property Protection, the goal will be to maintain verified bench marks in accordance with the CRS requirements, which is done on an annual basis so that surveyors can rely on the bench marks to provide the assurance that it is indeed in compliance with the various flood zones and base flood elevation. The flood sensor program implemented through Stockton University with the assistance of Dr. Farrell included the placement of fifteen water gauges in various locations throughout the Borough, including in inlets to provide an automatic readout or recording of the data associated with floods when they occur. Those sensors have been utilized a number of times during the test period, and the Borough is going to implement this program in the coming year as well. The Watershed Management Plan is an essential component of the Borough's CRS Program in order to advance to the next class. This is being done through Dr. Farrell's office and the initial draft is complete. The final plan is expected to be completed by December of 2018. The category of Natural Resource Protection includes many things that the Borough continues to do, which have been indicated as ongoing activities within the report. Scott Wahl ensured the Clean Water Initiative was added to this category in this year's report. As Council is aware, the Clean Water Initiative is the implementation of a program to eliminate the use of single use plastic bags, Styrofoam products, and other harmful materials along with conducting an educational campaign for boaters to properly dispose of trash that is generated from boating or fishing and also installing monofilament stations in key locations in cooperation with The Wetlands Institute. The Emergency Services category includes programs that the Borough continues to do, and does not include many updates from previous years. However, it is noteworthy that a meeting was held shortly after the October 27, 2018 flooding event where reports were consistent that motorists were driving through the flooded areas creating wake and causing property damage. Last year, this item simply addressed Ocean Drive, however this year it has been expanded to include all low lying streets, for closer monitoring in the coming year. There will be meetings to brainstorm possible Ordinance amendments in an attempt to manage that situation and protect those properties. The category of Structural Projects includes the construction additional pump stations along the County Road. The 78th Street storm water pump station project is entering in final design phase. The goal was initially to bid the project at a time when the project could be completed in advance of the 2019 summer season. Unfortunately, that may not be feasible and may need to be delayed until the fall of next year. The elevating of Borough owned backbay bulkheads is also included in this category, and addresses two bulkheads, one at 32nd Street and one at 24th Street. Those projects were awarded and the materials were delivered last week to 32nd Street. The contractors are preparing to mobilize both of those bulkheads. It is also indicated in this category that the Borough will continue to look at bulkheads throughout town. The Borough will most likely budget for additional bulkheads to be replaced in 2019.

Councilman McCorristin asked for the location of the 24th Street bulkhead.

Tom Thornton responded the bulkhead is located at 24th Street and Fifth Avenue.

Councilman McCorristin inquired if there is a dock in that location.

Bill Macomber reported the dock has been removed by Public Works personnel to allow for the construction to take place. Once construction is complete, the dock will be rebuilt.

Tom Thornton continued his report and noted some structural projects included in previous versions of the report have been marked as complete. Additionally, the installation of SCADA systems, the construction of oceanfront pump stations, as well as providing an emergency connection for a portable generator at those pump stations was completed in 2018 by Middlesex Water Company. The North End Shore Protection item addresses the report prepared by the subcontractor, which has not yet been presented to Council. However, based on discussions with the Mayor and the consultant, it does not appear that those are feasible financially or procedurally with the Army Corp. The Sanitary Sewer System Improvements project is complete, and has been notated accordingly. The Reconstruction of Ocean Drive project elevated portions of the roadway which mitigated some of the flooding and allowed for better evacuation of those areas and was completed along with the County. Regarding the 8th Street Jetty project, an extension has been granted from the FEMA program. Meetings have also taken place with the NJ OEM, and it has been recommended to request that FEMA also fund mitigation efforts such as making improvements to the jetty in addition to the repairs made necessary by Winter Storm Jonas. All appropriate documentation has been submitted in support of that recommendation. FEMA has not yet responded to that application, however once a decision is made, a permit is currently in place which would allow the Borough to receive bids for the project. The backpassing project the Borough completed in 2018 was also mentioned. In addition, the North End Drainage Study planning effort that was completed has been included in the report. An ongoing item of the improvements associated with that study has also been added as an ongoing item in the report. Another addition to the report is the new Borough weather station which has been very helpful in getting accurate and real time data from various weather events, mainly rain. Also added was the elevation of certain streets, similar to the County project on Ocean Drive to provide a more reliable route for evacuations. The category of Public Information is primarily handled through Scott Wahl, and the item to develop and implement a system to provide the public with an understanding of the relationship with forecasted storm surge to natural flooding conditions raised a concern that the storm surge in a hurricane or nor'easter has the potential to cause the most damage and is the most threat to public health and safety. However, there is a mismatch between how forecasters relate those surges to what people understand what they mean. The Borough is now exploring different alternatives to educate the public as to how to translate the information received on weather forecasts to the actual threat to themselves and their properties, such as an app or video to be used along with flood gauge markers. The Borough is working to implement such an aid and have it in place in April of 2019. An item within the report to establish a publicized designated locations for parking cars for tidal conditions has been discussed before, and will be pursued further over the coming year. The full Floodplain Management Evaluation report has been posted on the Borough's website to provide the public with the opportunity to view it and provide comments. The goal is to receive any and all of those comments and make any necessary revisions to the report so that Council can approve the report at the December 12, 2018 Council Meeting. Once the report is approved by Council, it will be submitted to FEMA in accordance with the CRS Program. He spoke highly of the Floodplain Management Committee and expressed the opinion that the members are a great cross-section of the town to provide the best results for the Borough as a whole.

Councilman McCorristin expressed concerns about flooding within the business district and the frequency that it occurs. He inquired if this is something the Borough can review and possibly address.

Tom Thornton noted the Borough certainly can explore the options in that area, however it would be more difficult to plan for, as tidal flooding is also a factor in that area and would need to be addressed through a more comprehensive design.

Councilman McCorristin indicated the primary concern in that area would be the rain events, and also noted those events are more unpredictable, and have less of a window of time to take preventative action. He suggested exploring the options of installing a pumping station in that area in an effort to move the flood waters.

Council President Deever agreed with Councilman McCorristin and cited the damage created by vehicles driving through the floodwaters affecting businesses.

Tom Thornton noted it can be reviewed, and suggested that the rain sensors may be able to provide some insight.

Council agreed to discuss this matter further at the December 12, 2018 Work Session.

Discussion regarding Resolutions authorizing the disposal of surplus motor vehicles to the County of Cape May and the City of Wildwood.

Jim Waldron reported Council is being asked to grant permission to dispose of three pieces of equipment which have been declared surplus and for which the Borough has no further need. Through Joe Clark's assistance, a Resolution has been crafted, which is before Council. One of the pieces of equipment, which is a LowBoy Trailer, was acquired by the Borough in 1993 through the express purpose of moving about certain earth-moving equipment. The Borough no longer has that earth-moving equipment, and no longer has need for this trailer. The trailer is in extensive need of repair. The City of Wildwood has expressed an interest in acquiring and has a use for it. The City of Wildwood is willing to take the trailer in "as-is" condition, and it is the recommendation that the trailer be transferred accordingly. As part of the consideration for that, the Borough is exploring with Wildwood on an informal basis one or more Shared Services Agreements that are not quantified at this point, however it is being explored where services, equipment, or personnel can be shared with Wildwood. It is possible significant movements on that front could be reported to Council in early 2019. The other two pieces of equipment, a Freightliner Cab and Box Trailer, were acquired in August 2014 and January 2015 from the Federal Government at no cost to Avalon taxpayers under a Federal Surplus Property Program. The Box Trailer is the second pet trailer that has been identified. The County has a Shared Services Agreement with the Borough for the retrofitting of a box trailer to be used as a domestic pet haven in the event of an emergency evacuation. The Borough currently has a box trailer that has been retrofitted at the cost of the County. As Council is aware, the Borough has many Shared Services Agreements with the County. In this particular case, the transfer of these vehicles to the County does not deprive the Borough of the use of such equipment. The box trailer would be made available to all Cape May County Municipalities in the event of emergent circumstances or need. The Purchasing Agent has satisfied himself that the appropriate statutes for the disposal of surplus properties have been complied with. If Council is in agreement with these requests, it is recommended for Council to consider adopting appropriate Resolutions at today's Regular Meeting.

Bill Macomber indicated Borough funds did not go into the box trailer in any way. He further mentioned Wildwood's willingness to lend the LowBoy Trailer to the Borough in the event it is needed in the future. The trailer is an oversized trailer that requires special permits, which limits the Borough's ability to use the trailer on certain roads at certain times. A permit to utilize the trailer would need to be obtained from the Department of Transportation for each use.

Council agreed to proceed with Resolutions to be considered at today's Regular Meeting.

Public Comments

Dutch Dechert, 56 West 16th Street, indicated his involvement with floodplain management and flood insurance with the National Association of Realtors, and commended the Borough of Avalon for the efforts made in the CRS Program and the levels the Borough has achieved. Thanks to those accomplishments, property owners have seen significant savings for their flood insurance.

Thomas McCullough, 2659 First Avenue, spoke on behalf of American Legion Post 331 and thanked the Borough of Avalon and all representatives, elected and appointed, for their support throughout the year.

All members of Council thanked all members of the American Legion and all veterans for their service.

Martha Wright, 632 7th Street, expressed disappointment that Council did not discuss the topic of construction at this meeting. She referenced Council's discussion on construction at the October 24, 2018 meeting specifically regarding clean up and expressed hope that Council will come to an agreement on these issues in advance of the busy construction season in 2019. She advocated for the construction hours to be changed to 8:00 a.m. to 5:00 p.m. Monday through Friday in season, and that clean up not be separated from construction activity. She spoke in support of contractors cleaning up job sites during the course of the day, rather than performing cleanup at the end of or after allowable construction hours. She also suggested Council consider eliminating the use of dumpsters and requiring that contractors remove their trash from the sites at the end of the work day. If Council would not be agreeable to that change, she suggested limiting dumpster sizes to 20 yards to take up less parking spaces. She further spoke in support of amending the trailer Ordinance to prohibiting the overnight parking of construction trailers. She also spoke in opposition of implementing a construction zone in front of a construction site, citing safety, parking, and right-of-way concerns. She inquired if Council will be discussing construction at a December meeting.

Council Vice President Covington responded the topic of construction will be discussed at the December 12, 2018 Work Session.

Martha Wright noted the Borough had indicated that a meeting may be held with contractors regarding proposed changes to the Borough Code, and asked that Council consider also inviting members of the general public to such a meeting.

Elaine Scattergood, 75 30th Street, advocated the use of collection bags on saws when cutting harmful materials, such as gunite or Azek. She referenced the vehicles conveyed to the County of Cape May and the City of Wildwood and suggested that the equipment be placed in an auction for public bidding. She suggested that the Borough consider conveying a vehicle to the Animal Control Officer, Steven Serwatka, in the event the opportunity arises in the future when vehicles are no longer needed for public use. She also spoke about the jetty and expressed the opinion that it attributed to the erosion of the north end, and suggested redesigning the jetty when completing repairs to avoid such a consequence in the future. She spoke highly of Councilman Dean and stated he will be missed as a member of Council.

Doug Macauley, 276 22nd Street, raised concerns about flooding in his neighborhood and spoke about the damages caused by wakes created by vehicle traffic on flooded streets. He suggested that Council consider implementing regulations on landscaping materials used around pools in the areas of town susceptible to tidal flooding. He provided a tribute to Councilman Dean and his many years of service to the Borough and wished him well.

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

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

Work Session adjourned at 5:25 p.m.

Respectfully submitted,

C. Danielle Nollett
C. Danielle Nollett, Deputy Borough Clerk

James Deever
James Deever, Council President