

June 10, 2020

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, June 10, 2020 at 4:00 p.m.

Attendance: Public ----- 4

Reporters ----- 1

The Meeting was called to order by Council President Hudanich.

Pledge of allegiance.

<u>Roll call:</u>	Council President Hudanich	Present
	Councilman Deever	Present
	Councilwoman Juzaitis	Present
	Councilman McCorristin	Present
	Councilman Wierman	Absent

Also present:

Scott Wahl, Business Administrator  
James Waldron, Assistant Business Administrator  
Nicole Curio, Esquire, Borough Solicitor  
Paul Short, Code Enforcement Official  
William Macomber, Director of Public Works/Utilities  
Police Chief Jeffrey R. Christopher  
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald  
Frank Bruton, CRS 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 27, 2019. It was given to the news media and posted on the Official Bulletin Board as required by law. Notice of the change of meeting structure to a telephone conference call was included in a Notice of Meeting Change dated May 28, 2020. That notice was given to the news media, posted on the doors of the municipal building, and posted on the Borough website, as required by law.

**Discussion regarding Resolution approving flood insurance promotion activity with the Atlantic-Cape Multi-Jurisdictional Program for public information.**

Scott Wahl reported it has been with the leadership of CRS Coordinator Frank Bruton and the cooperation of many departments that the Borough was able to elevate its CRS rating from a Class Five to a Class Three. Mr. Bruton is aware of any opportunities the Borough may have to earn additional points, not only to retain the Class Three rating, but, perhaps in the future, to advance to a Class Two. The purpose of this discussion today is to ask Council for permission to adopt a Resolution at today's meeting that would authorize the Borough to participate in the New Jersey Coastal Coalition Multi-Jurisdiction Public Information Program. The Borough has been a member of the Coastal Coalition for a few years now. As Council may recall, it was Avalon and Longport that joined together for a Flood Sensor Study from which some very valuable data was derived. By passing a Resolution authorizing participation in this program, there are some benefits to the Borough, including the sharing of ideas to help all communities within the membership of the Coalition. If the Borough of Avalon participates in this program, there is the potential of earning up to 95 additional points in the CRS Program. The Borough does have some obligations to be a part of this program, which include adopting the Resolution and holding a community outreach meeting, which would be attended by one member of Council. This meeting would also require the attendance of an industry representative to answer questions. The Borough would also release a letter from Mayor Pagliughi's office to the public, encouraging property owners to have increased flood insurance to help protect their properties. Considering the Borough is a Class Three community, the program is part of an aggressive cycle and Council's support would be greatly appreciated. In the Avalon Municipal Budget this year, the digital archiving of files in the Construction Office has begun, which includes Flood Certifications. To participate in the program, a Resolution would be required to be adopted by Borough Council by the end of June, 2020.

Frank Bruton thanked Council for their time and explained this program is being offered through the Multi-Jurisdictional Program of Public Information (PPI), which is an organized plan to design and transmit messages throughout the Borough on Flood Safety and Flood Mitigation. This PPI has been in effect for three years and it is suggested to include an additional activity, which is associated with Flood Insurance Coverage. The objective of this program is to improve the Flood Insurance Coverage in the Borough. While there is no problem with the Flood Insurance Coverage in the Borough currently, this program would promote the coverage and make the residents aware of available coverages. The educational component of the program helps property owners to ensure the purchase of the appropriate level of flood insurance coverage for their property. There can be many discrepancies on how to properly evaluate one's property and coverage, and this program can assist with clearing up those discrepancies. The meeting Scott mentioned through the PPI will be required to have a date set and a facility determined for the location of same. It is recommended to keep meeting attendance under 30 people. The meetings will be run in multiple towns, so if an Avalon resident cannot make the list to attend Avalon's meeting, they are free to try and attend other meetings within nearby towns. Mayor Pagliughi's office should send a notification letter to the residents of Avalon and indicate the importance of having flood insurance coverage. A help line will also be available to the residents of Avalon to answer questions. This activity will provide the Borough of Avalon with an additional 95 points; however, the Borough will be 88 points shy of the Class Two category.

Councilman McCorristin thanked Frank Bruton for all of his hard work and helping the Borough to obtain to the Class Three rating. He stressed the importance of ensuring the wording included in the letter to be sent by Mayor Pagliughi's office be clearly stated and accurate. He inquired if buildings located in flood hazard areas are required to have flood insurance.

Frank Bruton replied yes and stated residents are required to have flood insurance if they have a federally based mortgage.

Council President Hudanich thanked Frank Bruton for his diligence and spoke in support of Councilman McCorristin stating residents should be educated concerning the laws if they have a mortgage. She expressed her appreciation for this initiative and the educational component, and advocated the importance of homeowners knowing where to find the answers to their questions. She expressed the opinion that Council would not want to be responsible for the lack of accountability of reaching a certain target.

Council agreed to proceed with a Resolution to be prepared for today's Regular Meeting.

**Discussion regarding Resolution establishing meeting dates for the governing body for the period covering July 1, 2020 through June 30, 2021.**

Council President Hudanich stated Council is in receipt of a proposed meeting schedule. The Reorganization Meeting is proposed to be held on Monday, July 6, 2020 at 9:00a.m. There is one meeting scheduled during the months of November and December, as it has been past practice that Council does not have a second meeting due to the holidays in those months.

After brief discussion, Council agreed to proceed with a Resolution to be prepared for the June 24, 2020 Regular Meeting.

**Discussion regarding Resolution fixing fares, routes and days of service concerning Jitney operations within the Borough of Avalon.**

Scott Wahl informed Council a meeting was recently held with the Jitney Association and Bob Smith, Stone Harbor Business Administrator. He reported the days of a 7 day a week service are likely over for many communities, including Avalon and Stone Harbor. The Jitney Association has requested to operate Thursday through Sunday due to the availability of ride share services such as Uber, which provides a point-to-point destination for travelers versus being on a fixed route. Over the past few summers, Monday through Wednesday routes have not produced much business for the jitney drivers. Also, due to the COVID-19 pandemic, the business projections for the 2020 summer season are difficult to calculate.

June 10, 2020

James Waldron added Administration is proposing an amendment to the Resolution to memorialize the changes to the route schedules. As indicated, Friday through Sunday generate the most business. Additional service could be implemented and determined by the jitney operator.

Council agreed to proceed with a Resolution to be prepared for the June 24, 2020 Regular Meeting.

**Discussion regarding Resolution scheduling a public hearing to release a deed restriction previously imposed upon the property known as Block 76.03, Lot 36, 162 76th Street.**

After a brief discussion, Council agreed to proceed with Resolutions to be considered at today's Regular Meeting.

**Discussion regarding amendment to Chapter 16 pertaining to the International Property Maintenance Code (IPMC).**

James Waldron explained this Ordinance includes an amendment to the International Property Maintenance Code and is an interim amendment. Currently, the Borough is operating under the 2009 International Property Maintenance Code. There is an update to that Code and there will likely be a further update in 2020 or 2021. Administration recommends that, upon the most recent update, the Ordinance be amended to include the most recent International Property Maintenance Code version. Pending that amendment, Administration is recommending the Borough Code be amended via a technical amendment concerning minor violations pursuant to an interpretation of the Municipal Court. Currently, such violations are adjudicated in the same fashion as unfit buildings, which is a difficult process, particularly for minor violations. This Ordinance amendment, if Council chooses to adopt it, would require violations to be referred to Municipal Court in every case. Minor cases can be communicated administratively and could be served with a notice of violation. If served, that property owner would have the right to request a hearing within 10 days. Should the property owner fail or neglect to make the required corrections or improvements, the matter could then proceed in the Municipal Court, or it would give the Borough the right to correct the violation. The cost of correcting the violation would then be passed on to the homeowner. This has been utilized in the Borough in the past. The Code Enforcement Official would determine the costs, Council would review them and adopt an appropriate Resolution certifying those costs to the Tax Collector. The Tax Collector would in turn impose a lien on the property to be collected together with the real estate taxes. This new procedure should satisfy a lot of issues.

Council agreed to proceed with the consideration of an Ordinance to be introduced at today's Regular Meeting.

**Discussion and adoption of resolution authorizing the issuance of Purchase Orders for completion of municipal work at the site of the Avalon Anchorage Marina now known as The Marina at Avalon Anchorage.**

James Waldron noted at the May 27, 2020 Council meeting, Council approved a Bond Ordinance that supplemented the original Bond Ordinance to provide the necessary funding for this project. That Bond Ordinance will become effective later this month. Administration is asking Council to issue these Purchase Orders with an effective date that coincides with the Bond Ordinance, which would allow for appropriate coordination with the utilities and construction activity, so the project can move forward without any delays. Joseph Maffei is acting as the coordinator of this project and is ensuring the site plan is being followed.

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

**Discussion regarding Resolution approving the submission of a grant application to the New Jersey Department of Transportation for the Reconstruction of 53rd Street from Dune Drive to Ocean Drive.**

Thomas Thornton explained the New Jersey Department of Transportation has begun the annual process of accepting applications for grant funding for road reconstruction projects. This year, it is recommended to submit a grant application for 53<sup>rd</sup> Street between Ocean Drive and Dune Drive. This street is included in the five-year road program, and the construction schedule of this project could be accelerated if grant funding is awarded. The street is a good candidate for the grant funding due to its poor condition, which includes multiple cracks, trenches, transverse cracking, and standing water issues. Because of the standing water, the project would include a drain. This road leads to the Bay Park Marina, which is a staple in the community. The total cost of the project would be approximately \$250,000.00. In the past, the Borough has received between \$150,000.00 and 180,000.00 through this program.

Council agreed to proceed with a Resolution to be prepared for the June 24, 2020 Regular Meeting.

**Discussion regarding Resolution authorizing budgetary amendment for Mott MacDonald services in connection with the project known as Sanitary Sewer System Improvements – 21st Street and First Avenue, Contract No. 57.**

Thomas Thornton explained when Mott MacDonald submits their proposals for specific projects, construction phase services are estimated for the entirety of the project. In this case, the estimate for reimbursable services was less than usual, which is a percentage of the construction cost, due to the straight-forward nature of the project. Unfortunately, the contractor took longer to complete the project than originally expected, resulting in additional supervisory and inspection services, which increased the construction phase costs. It is requested that Council consider increasing that budget by \$14,000.00 to cover the work conducted as well as the remaining work in the fall, which would consist of the trench restoration.

Council agreed to proceed with a Resolution to be prepared for the June 24, 2020 Regular Meeting.

**Discussion regarding Resolution authorizing Change Order No. 1 for the project known as Sanitary Sewer System Improvements – 21st Street and First Avenue, Contract No. 57.**

Thomas Thornton reported this is Change Order became necessary when the contractor began work with Ken Koches, Operator of Middlesex Water Company. Mr. Koches was concerned the contractor's replacement of the sewer system, which is close to the 12" water main on First Avenue, could potentially break the brittle, old pipe causing significant damage. In order to prevent that, it was recommended to install a valve at that location, which would allow the system to be shut down to avoid having residents out of water. It was a precautionary measure to offset the high risk. Additionally, the work was a general improvement to the water system in the area. The Change Order represents the installation for the large diameter butterfly valve.

Councilman Deever asked about the condition of the asbestos piping within the project area.

Thomas Thornton replied the material was in good enough condition to replace the valve. There was no deterioration of the pipe and the valve was successfully installed on the pipe.

After a brief discussion, Council agreed to proceed with a Resolution to be prepared for the June 24, 2020 Regular Meeting.

**Discussion regarding Resolution authorizing Change Order Nos. 1 & 2 for the project known as 30th Street Stormwater Outfall Repair, Contract M-118.**

Thomas Thornton explained this Change Order is for the lining of the stormwater outfall pipe extending from the beach to the end of 30<sup>th</sup> Street under the dunes. The contractor videoed the pipe to confirm the conditions and proposed a different method of repair for a few of the areas identified. Change Order No. 1 was an increased cost of approximately \$6,000 for grout repair. Change Order No. 2 reflects the as-built quantities of the bid items, which was an overall reduction of \$30,000.00, bringing the total cost of the project to \$80,666.00.

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

June 10, 2020

**Public Comments:**

Napoleon Monroe, 75E 23<sup>rd</sup> Street, requested an update on the progress regarding the additional stormwater management in the area of 22<sup>nd</sup> Street.


Thomas Thornton replied there is a conference call scheduled with Mayor Pagliughi on Friday, June 12, 2020 regarding this matter, at which point the final version will be reviewed, as well as a cost estimate. The goal is to complete the preliminary design phase and advance to the final design in the near future.

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

<u>ROLL CALL VOTE:</u>	Councilman Deever	Aye
	Councilwoman Juzaitis	Aye
	Councilman McCorristin	Aye
	Councilman Wierman	Absent
	Council President Hudanich	Aye

Work Session adjourned at 4:43 p.m.

Respectfully submitted,

  
\_\_\_\_\_  
C. Danielle Nollett, Borough Clerk

  
\_\_\_\_\_  
Nancy M. Hudanich, Council President