

July 22, 2020

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, July 22, 2020 at 4:02 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 9

Reporters ----- 1

The Meeting was called to order by Council President McCorristin.

Pledge of allegiance.

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

Also present:

Scott Wahl, Business Administrator  
James Waldron, Assistant Business Administrator  
Nicole Curio, Esquire, Borough Solicitor  
James Craft, Chief Financial Officer  
William Macomber, Director of Public Works/Utilities  
John Roscoe, Police Captain  
Thomas R. Thornton, P.E., Borough Engineer, Mott Macdonald  
Scott Taylor, Borough Planner, Taylor Design Group

Council President McCorristin read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included the annual Schedule of Meetings dated June 24, 2020. It was given to the news media and posted on the Official Bulletin Board as required by law.

**Presentation by Scott Taylor of Taylor Design Group regarding a potential grant application to the Cape May County Open Space Program.**

Scott Wahl gave the following report:

Summary: Borough Council is asked to consider an application before the Cape May County Open Space Board for the construction of a new handicapped-accessible kayak launch ramp to be located on the north side of Bay Park Marina. The application will include other new amenities at the marina that will assist with customer-friendly visitation and waterfront access that are incorporated into a larger vision that vastly improves public safety and resiliency at the facility, and expands recreation opportunities, a major goal of the County Grant process.

Genesis: Approximately two years ago, stakeholders' meetings that involved a member of Council, department/division heads, and Avalon professionals were held at the location to discuss the potential for increased kayak berths on the north side of the marina. Following those discussions, the Municipal Engineer and the Business Administrator attended a meeting at County offices to learn more about enhancements and improvements to the County program. During that meeting, the concept of a potential handicapped accessible kayak launch for Avalon were discussed as the interest in kayaking is very high, and we have residents who live in, and visit, our community who have some physical limitations. Following that meeting, meetings were again held on site that included Council President McCorristin, Councilman Wierman, Avalon's department leaders, and on one occasion, County Open Space Program professionals. The Mayor was involved in discussions after that, and earlier this month, a conference call meeting was held involving our three elected officials/professionals/County to discuss pre-application requirements.



Current Site Conditions: The current site conditions at the marina include no handicapped accessible kayak launch; no additional kayak storage spaces on the north end of the marina; a boat ramp and bulkhead that have reached the end of their useful life and purpose; a parking area that floods during minor tidal flood events, or worse; no sidewalk for pedestrian access, and no walkway closer to the water for waterfront visitation; and south of the boat ramp a rocky shoreline that has been converted initially to a terrapin turtle nesting area. The dock master building is also reaching the end of its useful purpose.

Vision for Phase One: The Borough has already appropriated funds for the replacement of the boat ramp, which is contemplated to be completed by next summer. The kayak launch would be in the same time frame. When the boat ramp is completed, it must be on a different slope/angle than it currently is due to standard ramp design practices for safe launching. The change in the slope/angle will help with resiliency in the area. Mr. Taylor will go into detail on how the Borough can greatly improve resiliency/access with improvements to the parking lot, bulkhead, and curbing, and how by doing this all in one phase will save the Borough a considerable amount of money by avoiding temporary fixes/expenses shall the kayak launch/boat ramp be done separately from the parking lot/curbing/bulkhead improvements that are needed in this area.

Important Note: Our partners at the Cape May County Open Space Program have indicated that a pre-application meeting is necessary with the USACOE/NJDEP for various permitting strategies before the Borough's application is made. That meeting has been arranged by Mr. Thornton and Mr. Morey at Mott MacDonald, in early August. The Borough can either apply for this grant funding in August, 2020 or December, 2020. We suggest applying in August, 2020 because it takes time to learn if the grant has been awarded, and would allow us time to get the project out to bid as one complete project and potentially completed by summer, 2021.

Scott Taylor explained when this process began, the kayak launch was discussed along with the opportunity to utilize the Open Space Program to enhance the accessible recreation and kayak storage. As Council is aware, Bay Park Marina is an existing marina and boat launch within Avalon within which the southern area is largely fill and eroded shoreline. Thomas Thornton and The Wetlands Institute are exploring shoreline enhancements to remedy the eroding shoreline. The existing kayak park at this location was discussed as the subject area, as well as the kayak launch. A few of the currently existing problem areas within Bay Park Marina includes the boat ramp, which has reached the end of its useful life cycle. Currently, the boat ramp is at approximately 6% slope, which means it is relatively flat. Most standards recommend boat ramps be between 15% and 20% slope to avoid car tires from entering the water when a boat is being lowered into the water by trailer. Additionally, water tends to flood this low area approximately once a month, therefore it would be prudent of the Borough to implement changes which would minimize the amount of water entering the parking lot. The bulkhead for the marina is also reaching the end of its useful life cycle. Terrapins frequently nest in this area, therefore it is important to preserve turtle habitats when considering improvements. By way of background, black plastic piping is utilized along Avalon Boulevard and Ocean Drive to inhibit turtles from entering the roadways during their nesting season. This black piping has many disadvantages, including the easy displacement by wind, storm damage, and the material breaking down by UV light. The piping should be replaced in its entirety every three to four years, which costs anywhere between four and five dollars per square foot and is done through a labor-intensive process. Over a year ago, a prototype was developed for a permanent solution that could be used in the County that creates a low turtle curb, which is flush on the uphill side, but has a reveal on the lower side to prevent turtles from crossing the roads, but is invisible to the naked eye. The building at Bay Park Marina has also reached the end of its useful life cycle. In addition, there are some issues with handicap accessibility. This site has over 1,300 linear feet of bay front, which is an incredible resource for the community. By comparison, the area by Surfside Park is 1,800 linear feet of beach front property. Currently, there is no sidewalk access on the property. While trying to improve these facilities, priorities include flood rating resiliency, ensuring the bulkheads meet elevation heights of 7.1. A majority of the parking lot is at 5% elevation; however, this area must be handicap accessible. The idea moving forward is to have patrons enter the park from 53<sup>rd</sup> Street, there will be a ramp at 5% increasing to an elevation of 7.1, which would allow for a raised bulkhead at the street end. This plan would raise the grade between Ocean Drive and the existing sidewalk at approximately six inches of slope. Instead of building a bulkhead, a standard parking lot curb could be built. The boat ramp is currently at elevation 3, which could be raised by a foot, which would keep the rest of the parking lot relatively flat at that grade. These improvements would provide better accessibility into the



Scott Taylor (continued) building and the boat ramp, and would also eliminate the need for an expensive floodgate. Designs depicting the improvements also propose a new stone area for two new kayak racks for storage. The two new racks would be located close to the launch, are directly adjacent to the accessible walkway, and would be designated for people requiring a DMV handicap tag. A new sidewalk is envisioned in the main parking area with a decorative railing to create a waterfront promenade. For the building on the property, the structure could be raised or relocated. It is the recommendation that the best course of action would be to relocate the building to the south side of the boat ramp when being reconstructed, which would allow the Dock Master adequate visibility when monitoring the dock and boat ramp. A relocation of the building would also allow four additional boat slips within the marina, which is more than a ten percent increase in the yield of marina slips. The proposed plan designs the waterfront promenade as being relatively flat, which allows the construction of a much lower bulkhead to retain the edge of the marina, considering all improvements would be at elevation 7.1 at the curb. As patrons travel away from the boat ramp, they would be traveling up a 5% slope for 40 feet until elevation 7.1 is reached, then a downhill slope would begin to elevation 5 at Ocean Drive, which would create a bowl affect in the parking lot. The design of the parking lot and surrounding areas would have full handicap access and would not require extensive rampways to get over the bulkhead. In an elevation 7.1 flood event, the parking lot would flood, but would be self-draining by the boat ramp at the time of the next low tide, as it does today, but with the added elevation, the flooding of the area would be less frequent. Some items that will be added to the area, which would be included on the County grant application include decorative benches and lighting and wayfinding signage, as the County program looks for expanded recreation, wayfinding, and other new improvements to previously used areas to expand public use. The building at the location will need to be raised. A pre-application meeting has been scheduled to take place with representatives from the Army Corps of Engineers and the Department of Environmental Protection to discuss the options for the structure in terms of the elevation of that building, potentially relocating the structure, and the permit implications for the rest of the project. It is noted that options will be explored to keep the building as low as possible without compromising safety, as there will be handicap ramps up to the building. Preliminary designs of the building include what is called a sunset porch at the rear of the structure, similar to that of the structure at Surfside Park, where tables will be located for recreational use. In the southern area of the site, an expansion of the water front promenade and access along 57<sup>th</sup> Street to the existing kayak launch is shown, along with a turtle habitat, which solves many problems. The waterfront promenade would be raised one foot, which will increase the view over the vegetation, and allow the construction of a low wall for the perma-linear resilient turtle curb, as mentioned earlier in this presentation, which would be a multi-decade solution to the black plastic pipe. Near the low wall there would be a three-foot mow strip, so the vegetation doesn't fall over and create vegetative bridging, allowing turtles to climb over the curb. Pollinator enhancements in a sandy meadow are proposed, similar to Armacost Park. An added benefit to the sandy meadow is that sandy soil provides a great nesting habitat for the terrapins, while providing food and nectar for a variety of other pollinators. The turtle curb would start at the boat ramp and extend along the entire southern area along the promenade, which attributes to the look of a design feature done intentionally. To inform visitors of the functionality of this feature, there will be small sitting nodes with some pollinator habitat and terrapin curb wall fencing along with interpretive signage to inform the public about the species and the goals of these designs. Most of those features will also be included in the County grant application, as it is an action item in the Open Spaces program and guidelines.

Council President McCorristin expressed his concerns about the turtle curb creating a tripping hazard.

Scott Taylor stated a drop off of 12 inches or less does not require a railing; however, a priority would be to avoid patrons being hurt by such a tripping hazard. The current plan would be to use native grasses throughout the area to keep people approximately two feet away from the drop off. If the entire concept is embraced, the park would need to be at an elevation of 7.1, which would require an increase, as the elevation is currently at 5. It is recommended that the Borough embrace this project as a whole, so that the parking lot, boat ramp, and kayak park can be completed simultaneously to minimize landscape disruption and maximize cost efficiency. A majority of the features of this project are eligible for funding through the County program, which maximizes the ability to find a partner in this project. The main goals when developing this proposal were resiliency, habitat protection and creation, expanding waterfront access, and recreation for a multitude of age groups.



Councilwoman Hudanich asked what the maximum allowable funding amount would be through this program.

Scott Wahl replied \$2 million, and reminded Council that the Borough had been awarded that maximum in the past for the project at Surfside Park. This application would be seeking approximately \$1 million from the Open Space Program for the kayak launch, the walkway, some signage, and other entryway features.

Scott Taylor added the application will be made for as many of those recreation features as possible to maximize the potential award.

Councilwoman Hudanich clarified that the total cost for the project is approximately \$4.6 million.

Council President McCorristin reported his semi-annual inspections of the boat ramp, and noted the boat ramp is in major disrepair.

Scott Wahl noted Council has already contemplated the funding for the boat ramp improvements, as those improvements were deemed necessary to discuss during the last budget, and further mentioned the wooden bulkhead is also in disrepair, which can be attributed to the sidewalk issues of sinkholes that have surfaced recently, causing Public Works to regularly have to repair such problems on a regular basis. The project cost includes the curbing, parking lot and sidewalks. If Council is in favor of this, Administration would make an application knowing full well the Borough would absorb the non-new features, as the County program only awards funding for new recreational opportunities and features.

Councilwoman Hudanich added it is important to extract those two concepts when reviewing the cost analysis.

Council President McCorristin supported applying for as much funding for this project as possible.

Councilwoman Hudanich agreed with Council President McCorristin and inquired if it would be possible to also apply for grants from other agencies, as there are many factors of this project addressing sustainability and resiliency. She noted this project as well as the proposed improvements includes an educational element, and complimented Mr. Taylor on his proposal as well as the presentation.

Scott Taylor responded yes, while noting Green Acres and other various agencies offer smaller grants. By actively considering the resiliency of the parking lot and the curb, if there were to be a full-height bulkhead along the entire length and a flood gate constructed, those improvements would not be appealing to the eye, while costing more than all improvements included within this proposal. He noted the cost benefit analysis is tremendous as opposed to a standard engineered approach of a bulkhead and stainless-steel flood gate, which is very susceptible to exposure to the elements.

Councilman Wierman expressed his delight with the project and stressed the importance of improving the area for the public good. He commended Mr. Taylor for considering the necessary improvements to the boat ramp and bulkhead, and using that information to devise a proposal that would improve the entirety of Bay Park Marina while considering the potential applications for grant funding.

Scott Wahl added the Borough recognizes the increase in the sea levels are causing more frequent flooding to this area, and noted a function of the Floodplain Management Committee is to evaluate how to address long-term issues. This project takes that into account by potentially creating a partnership with the County Open Space Program and replacing some of these elements with long-term planning as a top priority. The southern end having a living shoreline and resiliency will create more opportunities to create additional partnerships at the County level. The Borough continues to address long term issues and will continue to seek partnerships to help address these issues.

Councilwoman Juzaitis mentioned the consistent public use of Bay Park Marina and spoke in favor of the proposed improvements.

Council agreed to proceed with a Resolution to be prepared for the August 12, 2020 Regular



Meeting.

**Discussion regarding 2019 Municipal Audit.**

James Craft announced the Audit Report was received covering all three operating funds and noted the Borough has now gone 12 years without an audit comment or recommendation. The Audit Report states that the Borough of Avalon will be maintaining its AAA bond rating due to its financial position and sustainability. A management letter accompanying the Audit Report made a few recommendations and identified outdated checks and Purchase Orders to be reissued or voided. The letter also identified six old Capital Ordinances for Council to possibly review, and two minor issues within the Payroll Office that has been corrected.

Councilwoman Hudanich asked what the deadline would be to make the recommended corrections.

James Craft recommended Resolutions be passed to cancel outstanding balances in September 2020.

Councilwoman Hudanich asked if additional training will be done in advance of making these corrections, and if the Ordinances will be reviewed for outstanding bond issues.

James Craft stated unfortunately, due to COVID-19, communication was lacking at the time this letter was drafted. Many of the Ordinances identified in the management letter are Bond Ordinances covering multiple items, many of which are still ongoing. If communication had been better, only six Ordinances would have been identified.

Council agreed to proceed with a Resolution to be prepared for the August 12, 2020 Regular Meeting.

**Discussion regarding Water Meter Reimbursement Request received from Xenaco, LLC concerning the property located at 10 East 23<sup>rd</sup> Street.**

Scott Wahl reported Council is in receipt of an email chain that began on Wednesday, June 10, 2020 with Ken Koches of the Middlesex Water Company. Mr. Koches often receives requests for new irrigation and domestic water meters. In almost every instance, the request has sought a larger domestic meter and a smaller irrigation meter. Mr. Koches assumed he was correcting an error on the paperwork for this property, which requested just the opposite of the typical practices. As a result, the property incurred an overbilling of \$3,651.96, which is owed to the property owner.

Council agreed to proceed with a Resolution to be prepared for the August 12, 2020 Regular Meeting.

**Discussion regarding Resolution scheduling a public hearing to release a two-story height deed restriction previously imposed upon the property known as Block 13.01, Lot 16; 74 East 13<sup>th</sup> Street.**

James Waldron explained this Resolution would schedule a public hearing, similar to that which was recently concluded. It is recommended that Council hold this Public Hearing on the next Council Meeting date at 3:55 p.m.

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

**Discussion regarding Resolution authorizing Change Order No. 3 for Contract No. M-115, 2019 Reconstruction of Various Streets.**

Thomas Thornton explained this Resolution would authorize a Change Order for Contract M-115, Reconstruction of Various Streets, which is a minor Change Order consisting of a few items. The first item covers the contractor's installation of three water meter parts found to be in poor condition during the construction process. The materials were provided to the contractor by Middlesex Water Company the cost associated with each part was \$400.00. An additional \$800.00 was for pavement markings to locate hydrants. The original drawings did not indicate where the hydrants were located. The total amount for this Change Order is \$2,000.00.

Council agreed to proceed with a Resolution to be prepared for the August 12, 2020 Regular Meeting

**Update regarding the 8<sup>th</sup> Street Jetty Improvements.**

Scott Wahl reported his recent visit to the 8<sup>th</sup> Street Jetty to take photographs of the site, and mentioned a conversation with the contractor, South State, Inc., who indicated there is minimal work to be done to complete the project. Currently, the materials are being cleaned and equipment is in the process of being removed from the site. The site is properly guarded to prohibit access to the public, and there is no impact on the street or the neighborhood. Although there were some delays caused by rough surf and bad weather conditions posed by a recent Tropical Storm, it is anticipated that the project will conclude soon.

Thomas Thornton verified Mr. Wahl's comments and added the stones have been placed on the cap of the jetty on the crest, completing the crest. There is a 50-foot section on the beach side that needs stone placement. The contractor has been optimizing their time on the site in addition to using screening devices to help place the stones. As stones are placed, grout work is being done simultaneously. The contractor believes the beach work will be completed by the end of the month with the first week in August being spent reconstructing and replacing the timber ramp. Overall, the contractor has done a satisfactory job with regards to this project. There have been minimal delays with regards to weather and equipment. Conversations continue with FEMA concerning a few scope changes; therefore, documents will be presented to support the need for the additional work.

**Public Comments**

Martha Wright, 632 7<sup>th</sup> Street, spoke in support of the application for the Bay Park Marina project, however noted concerns about the slope of the hill as vehicles exit the ramp with boats on a trailer. She also inquired about lighting in the area.

Scott Taylor explained the ramp is only a slight incline at 5%. For comparison purposes, any accessible ramp is approximately 8% and assured all the turning points will be reviewed to ensure the incline will not be an issue. It is anticipated that the site will have full cut-off lighting to provide safe access for residents while minimizing glare impacts. For an area such as this, it would be appropriate to shut off the lighting along the walkways while placing a light in key areas and activated by motion detectors.

**Council to check over the agenda for the Regular Meeting.**

Council proceeded to check over the agenda for the Regular Meeting.


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

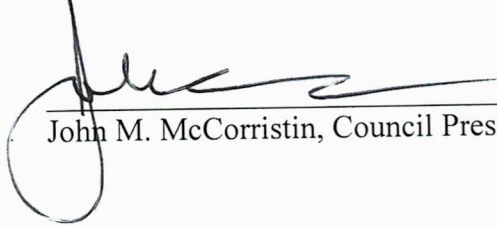
**ROLL CALL VOTE:**

Council Deever	Absent
Councilwoman Hudanich	Aye
Councilwoman Juzaitis	Aye
Councilman Wierman	Aye
Council President McCorristin	Aye

Work Session adjourned at 4:57 p.m.

Respectfully submitted,

  
C. Danielle Nollett, Borough Clerk

  
John M. McCorristin, Council President