

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, February 24, 2021 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.

<u>Roll call:</u>	Council President McCorristin	Present
	Councilman Deever	Present
	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, Gruccio Pepper DeSanto & Ruth
John Roscoe, Police Captain
James Craft, Chief Financial Officer
William McCormick, Director of Public Works/Utilities
Paul Short, Code Enforcement Official
Thomas R. Thornton, P.E., Borough Engineer, Mott MacDonald
Chuck McDonnell, Director of Recreation
Joseph Clark, Qualified Purchasing Agent
Joseph Maffei, Planning & Zoning Board Engineer, Engineering Design Associates
Matthew Wolf, Chief of the Avalon Beach Patrol

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.

Discussion regarding Resolution authorizing participation in the Camden County Educational Services Commission Cooperative Pricing System Agreement.

Joseph Clark explained this regional co-op was started by the Camden County Educational Services Commission (CCESC) in 1977. Currently, the Borough of Avalon belongs to a larger co-op called ESGNJ in Gloucester County. The CCESC works with 194 boards of education, 12 municipalities, 4 colleges, and other types of public bodies located within the State of New Jersey. Various schools in Cape May County, such as Cape May County Technical School and Avalon Elementary School, are currently utilizing this purchasing service. The Borough of Avalon currently utilizes a company the CCESC has listed through their program for HVAC services. By participating in this co-op, the Borough will be eligible to save both money and time. The Cooperative Pricing System is authorized by N.J.S.A. 40A: 11-11 and has been approved by the Division of Local Government Services in the Department of Community Affairs pursuant to N.J.A.C. 5:34-7.1 et seq. The Department of Labor has also approved this co-op and their practices.

After a brief discussion, Council agreed to proceed with a Resolution to be prepared for the March 10, 2021 Regular Meeting.

Discussion regarding 2020 Sports and Educational Camps.

Chuck McDonnell announced 2020 was an unprecedented year for summer sports and educational camps due to COVID-19. Due to lack of attendance, many camps were cancelled, including Science Explorers, Kitchen Wizards, Soccer, Marine Science Camp, and baseball. Unfortunately, Community Hall does not have the space to provide educational camps; therefore, Science Explorers and Kitchen Wizards will not be returning for the 2021 season. Adversely, all sports-related camps will be returning. This year, all summer camps will be required to present a COVID-19 plan, which will be required to comply with CDC guidelines. These plans will be reviewed with advice and consent of the Borough of Avalon's EMS Department. Contracts will also state the Borough of Avalon reserves the right to cancel or postpone any camp based on state and/or local Executive Orders pertaining to COVID-19 restrictions.

Councilwoman Juzaitis questioned who in the EMS Department will be reviewing the COVID plans.

Scott Wahl replied Kevin Scarpa and Dr. Ken Lavelle, Medical Director for the EMS Department, will be providing guidance as well.

Councilman Deever asked if everyone is required to submit an individual plan; and if so, what standard will be used when reviewing the plans?

Chuck McDonnell replied Recreation follows the JIF and CDC guidelines in connection with COVID-19.

Council President McCorristin asked if a timeline is being followed with regards to allowing camps to operate.

Chuck McDonnell explained there will be specific verbiage in the contract stating the Borough will be following the State guidelines above all else for the safety of all involved.

Council President McCorristin noted Avalon's summer camps are important to our community.

Councilman Wierman added summer camps are vital to the community and inquired about their cancellation policy.

Chuck McDonnell replied the camps are sponsored by private organizations, and any cancellations would not directly affect Recreation. The drawback is the service is no longer being provided.

Councilwoman Juzaitis noted the CDC guidelines are constantly changing, and stressed the importance of employing careful tactics when following the guidelines set forth by JIF, CDC, and the State of New Jersey.

Council agreed to proceed with a Resolution to be prepared for the March 10, 2021 Regular Meeting.

Discussion regarding rules and regulations for municipally owned tennis and pickleball courts.

Chuck McDonnell announced for 2021, the tennis season will begin May 27, 2021 and pickleball will begin June 14, 2021. In 2020, the tennis courts opened at 50% capacity to provide additional space for the avid pickleball players to play. The season started with pickleball players having to make reservations to use the courts; however, this option was not favored by the players. That being said, the 2020 was very successful, despite the impact of COVID. Thanks to the Recreation staff, there were very few COVID related incidents. Due to the popularity of pickleball, it is recommended to offer a combo pass for tennis and pickleball at a promotional price to both Avalon residents and non-residents. The suggested combo pass prices would be \$190 for residents, and \$255 for non-residents, which would allow a discount of approximately \$65.00. It is also proposed to change the hours of operation for the 2021 pickleball season. Due to high demand, it is recommended to offer pickleball pay-to-play times, which will be available from 8:00 am through 8:00 pm from June 14 to September 12. The most popular times for the intermediate and advanced players to play are from 8:00 am to 10:00 am. Previously, the courts were free from 10:00 am to 4:00 pm. This option offers all players, regardless of their skill level, to have fair use of the courts. Advanced and intermediate groups will be permitted to use the courts from 8:00 am to 10:00 am. The ability to rent paddles and pickleballs will no longer be available in an effort to reduce direct contact between players and staff.

Councilwoman Juzaitis asked why the pickleball season is beginning later than the tennis season.

Chuck McDonnell replied Stone Harbor offers free pickleball during that time period. With Avalon charging a fee, the courts were not used.

Councilman Deever commended Chuck for a job well done before and during COVID and asked if families playing together would be considered beginners. He mentioned deciphering the skill level of pickleball players is sometimes difficult, and inquired if there is availability for middle ground when determining which players are able to play on the courts.

Chuck McDonnell explained there is not much of a beginner group patronizing Avalon's pickleball courts. Most players in Avalon are considered intermediate or advanced. The family time is the most popular time for beginners, as many beginners tend to play with their family to learn the game. Intermediate players are welcome to play with advanced players; however, when both playing levels are on the courts, the demand outweighed the number of available courts.

Councilwoman Hudanich inquired who establishes the level of players on the pickleball courts.

Councilman Deever responded most players know what level of talent they are, while noting there is a higher chance of players getting hurt when playing with more advanced players.

Councilwoman Hudanich requested further clarification regarding the purpose of having playing times dedicated to certain skill levels.

Councilman Wierman replied there are specific guidelines for players based on their talent levels.

Councilwoman Hudanich suggested changing the verbiage to a softer language and providing a more detailed explanation based on pickleball criteria.

Chuck McDonnell made clear the intention of Recreation staff to never discourage an individual from playing.

After further discussion, Council agreed to proceed with Resolutions to be prepared for the March 10, 2021 Regular Meeting.

Discussion regarding Resolution adopting the 2021 Cash Management Plan

Council agreed to proceed with a Resolution to be prepared for the March 10, 2021 Regular Meeting.

Discussion regarding amendments to Chapter 27 (Zoning), as recommended by the Avalon Planning/Zoning Board

Joseph Maffei spoke on behalf of the Avalon Planning/Zoning Board as their Engineer and informed Council the Board is recommending changes to the Chapter 27 (Zoning) Ordinance. Current Borough Ordinance states pools on properties with bulkheads must be constructed 15 feet from the bulkhead. The intent of that language was to mirror the requirements of the Department of Environmental Protection (DEP) at that time. Over time, the DEP allowed bulkheads and pools to be as little as 5 feet apart. The Board is recommending that the Borough allow pools to be constructed within 7 feet of the bulkhead. Borough Code currently defines three different types of pools: inground, aboveground, and onground. The Board is recommending that the word "uninterrupted" be added to the buffer requirements for all pools for added clarification due to enforcement issues that have arisen. For the onground pools, which are typically those in yards with bulkheads due to being elevated above the existing grade to match the bulkhead elevation, there have been some discussions about adding landscaping along the rear of the pool, which may impede homeowner's views of the bay. Council is being asked to review that landscaping requirement. The next recommended change is with regards to parking spaces for commercial uses. Concerns have arisen that commercial buildings do not offer enough parking; therefore, it is recommended to increase the parking space requirement to one space per 500 square feet of commercial space. Currently, the Ordinance requires one space per 500 square feet. Parking requirements are also being recommended for the marinas. Borough Code does not address the parking spaces for such activities. It is being recommended to require .6 parking spaces for every boat slip or personal watercraft dock, which is in line with DEP requirements. The final change being recommended is to redefine artificial turf as a surface that would not count toward a property owner's 15% green space calculation. Artificial turf will continue to be allowed within the Borough; however, it is the opinion of the Board that such surface should not be considered green space.

Council President McCorristin inquired if the Borough were to approve the pool setback from the bulkhead of 7 feet and a CAFRA permit allowed construction of the pool 5 feet away from the bulkhead, if the Borough's Ordinance would overrule the CAFRA allowance, then requiring the homeowner to construct the pool 7 feet from the bulkhead.

Joseph Maffei replied yes and explained originally, CAFRA permits routinely required a pool to be 15 feet from a bulkhead. The Borough's current Ordinance was enacted when that was a routine requirement of CAFRA permits.

Council President McCorristin confirmed a 9-foot setback for pools from the side yard.

Joseph Maffei agreed.

Council President McCorristin requested a more in-depth definition of onground pool.

Joseph Maffei defined onground pool as a permanently constructed pool of any shape constructed partially above the final grade with an excavated area partially below the final grade level.

Councilwoman Hudanich asked for verification that the Ordinance clearly differentiates between a permanent onground pool and an aboveground pool.

Joseph Maffei verified.

Council President McCorristin asked why a larger planting buffer must be installed with onground pools.

Joseph Maffei explained since an onground pool is constructed above the grade level, a larger landscaping buffer was deemed necessary. With the elevated pool, a larger buffer aids the privacy of neighbors to the constructed onground pool.

Councilman Wierman added an inground pool is dug into the earth with the lip of the pool rising approximately 18 inches. The onground pool is a hybrid of an inground and aboveground pool.

Council President McCorristin expressed additional confusion and concern regarding onground pools and requested better interpretations and photographic examples of all three pool types be provided to Council. He spoke in opposition of requiring homeowners to install landscaping across the bulkhead, which can obstruct views of the bay.

Councilman Wierman noted discussions have taken place to eliminate the rear yard landscaping requirement on the grounds that the side yard buffer of 7 feet would be adequate in blocking noise and preserving views.

Councilwoman Juzaitis asked for an additional explanation behind the recommended requirement of a minimum of 0.6 off-street parking spaces for each boat slip or personal watercraft dock for marinas.

Joseph Maffei explained 0.6 was the standard always used for most marina applications in the state.

Councilman Wierman agreed while noting engineers have testified that 0.6 parking spaces is the standard, as not every space is typically being used at the same time.

Council President McCorristin asked about the commercial parking requirement.

Joseph Maffei explained when a new site plan application is submitted, the number of parking spaces required will be determined based on square footage.

Further discussion to be considered at the March 24, 2021 Regular Meeting.

Discussion regarding Resolution approving the design for the installation of ADA compliant ramps on Sunrise Drive

Thomas Thornton explained the Borough of Avalon is installing ADA ramps on the north side of Sunrise Drive at the intersections of both Sixth Avenue and Seventh Avenue. Ramps are required under ADA regulations, and are typically included in Mott MacDonald's design of roadways. The unusual aspect of this project is an abnormal intersection configuration with residences nearby. Normally, there is a four-way intersection with curb ramps located on each corner. In this case, the required handicap ramp is located directly in front of a residential property at the intersection of Sunrise Drive and both Sixth Avenue and 7th Avenue. The elimination of a street parking space is inevitable due to the installation of the ramp. Complications are also attributed to the large grade difference between the street and the sidewalk and the length of area which can be used for constructing the ramp. ADA compliance allows only a 1 in 12 inch slope, which will not allow a ramp to be constructed in the traditional manner at these locations. As a result of these complications, two options are being presented to Council to address these issues:

Option 1 - Regrade the areas behind the new ramps to match into the new elevations of the ramp. If there is existing concrete driveway behind the ramps, the driveway will have to be removed and repoured to match the new elevations. If there is stone, the stone will need to be regraded (similar to how you see stone or grass regraded behind corner ramps). This regrading will need to occur beyond the ROW onto the private lots.

Option 2 - Install a "header curb" behind the new ramps to make up the grade difference between the ramp and the adjacent feature. Council is in receipt of a photo of a header curb that is being used to make up the elevation difference between the ramp and the adjacent area behind the ramp.

Thomas Thornton reported a recent conversation with the owner of 701 Sunrise Drive concerning the ramp, the elimination of a street parking space and other property impacts that can be expected. The property owner expressed support of Option 2. The concern with Option 2 is that the header curb will be along the interface of the property owner's driveway/stone area and the proposed ramp.

Council President McCorristin asked for further clarification regarding the header curb.

Thomas Thornton explained what is not shown on the drawings given to Council is that the driveway continues to extend the full width of a normal driveway. What is shown is a widened portion of the driveway, which is used for parking.

Councilwoman Hudanich voiced her support of this plan and asked if every homeowner's driveway has one ingress and one egress.

Thomas Thornton replied yes.

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

Discussion regarding Resolution authorizing sale of items no longer needed for public use using an online auction service

William McCormick indicated the Department of Public Works has submitted a list of items to be auctioned on GovDeals to Borough Council in advance of this meeting. GovDeals provides services to various government agencies that allow for the sale of surplus and confiscated items via the Internet. The money received will be deposited into the Borough of Avalon's General Fund.

Council agreed to proceed with a Resolution to be prepared for the March 10, 2021 Regular Meeting.

Discussion regarding Resolution designating protected beaches for 2021

Council President McCorristin congratulated Matt Wolf on his new position of Chief of the Beach Patrol and voiced his support of the possible expansion of surfing beaches. He suggested potentially designating a beach to paddleboard surfing, as the popularity of the sport has grown.

Councilwoman Hudanich congratulated Matt Wolf and asked him to share his recommendations for protected beaches for the 2021 season.

Matt Wolf gave the following report:

The beach patrol would like to add a protected beach at 57th Street and the bay. Over the years, this particular beach has been used as a training site for rowing and swimming, but there has been a significant increase in the number of people swimming and kayaking at this location. Matt suggested placing a lifeguard stand at this location for added protection. This area has also been a staging area in the rare occurrence there is an emergency. It has been suggested the Beach Patrol expands the surfing beaches as there tends to be conflict between the surfers and the paddle boarders. Tonight, the officers of the Beach Patrol have a Zoom meeting scheduled to discuss new ideas to serve the public and training new guards on our policies.

Councilwoman Juzaitis congratulated Matt on his new position and commended him on his efforts to help protect Bay Park Marina.

Councilman Wierman congratulated Matt Wolf and Ryan Black on their recent promotions. Both Matt and Ryan have many years of exemplary service with the Borough.

Councilman Deever also extended his congratulations and well wishes to Matt Wolf.

Council agreed to proceed with a Resolution to be prepared for the March 10, 2021 Regular Meeting.

Discussion pertaining to an Ordinance amending the Borough Administrative Code pertaining to the Avalon Beach Patrol

James Waldron indicated Council has before them a proposed amendment to the Administrative Code consistent with a plan of reorganization that the Mayor would like to implement for the Beach Patrol. The command structure is proposed to be changed, as there will be a Chief and a Captain of the Beach Patrol. A process has begun to create guidelines which will show a division of authority between the Chief and the Captain in terms of their defining duties on a day-to-day basis. Council has been presented with a draft of this Ordinance. Nicole Curio, Borough Solicitor, and Chief Jeffrey Christopher have suggested modifications, which will be incorporated if Council is in favor of this concept.

Council agreed to proceed with an Ordinance to be prepared for introduction at the March 10, 2021 Regular Meeting amending the Borough Administrative Code.

Public Comments:

Jack Dunleavy, 3109 First Avenue, voiced his concerns about the parking requirements for restaurants and urged that the problem be acknowledged when considering a new Master Plan. He further expressed displeasure with the large groups of youths on bikes around town in the warmer months, indicating many bicyclists are violating the laws of the road as well as putting themselves and others in danger.

Scott Wahl explained bicycle safety remains a top priority and reported he and the Chief of Police have reviewed bicycle regulations. Chief Christopher is preparing a report to address this issue.

Councilman McCorristin agreed the number of bicyclists has increased over the past several years and are operating in an unsafe manner while advocating Avalon's main objective is to offer more activities to keep the large groups of bicyclists off the roads.

Councilwoman Juzaitis mirrored Councilman McCorristin's comments.

Martha Wright, 632 7th Street, referenced the proposed Chapter 27 amendments and parking requirements and encouraged both Council and the Planning & Zoning Board to produce a clear definition of a parking space to seat ratio for dining establishments. Furthermore, she expressed her support mandating a seven-foot barrier of landscape surrounding pools located on the bay.

Council to check over the agenda for the Regular Meeting.

Nicole Curio advised Council to consider postponing the Resolution approving the design for the installation of ADA compliant ramps on Sunrise Drive until Mr. Thornton can confirm the draft plans in Council's possession are final and will not be changed in any way.

Thomas Thornton indicated while there is a section within the plans that does not depict concrete, the project scope covered by the plans will not be changed.

Councilwoman Hudanich noted the current plan meets the design aspect and supported moving forward.


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

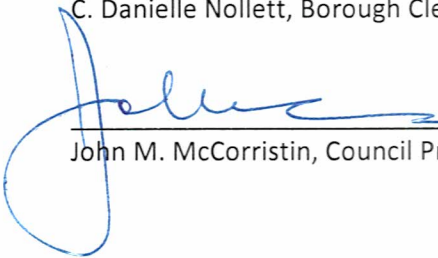
Motion made by Councilman Wierman, seconded by Councilwoman Juzaitis to adjourn the Work Session.

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

Work Session adjourned at 5:28 p.m.

Respectfully submitted,


C. Danielle Nollett, Borough Clerk


John M. McCorristin, Council President