



**Further discussion regarding Ordinance amending Avalon Borough Code, Chapter 8, Section 14.1 “Parking Prohibited at all Times on Certain Streets”.**

Joseph Maffei explained another parking plan has been submitted for Council’s review, which reflects additional parking at this location with the current configuration. Turning left onto Sunrise Drive, the first 50 feet is a no parking zone. Immediately adjacent is a 20-foot driveway, which was approved by the Planning/Zoning Board with 42 feet between that driveway and the next residential driveway, which allows two additional parking spaces.

John McCorristin briefly discussed the parking plan and confirmed the curb cut is 20 feet, which was previously approved by the Avalon Planning/Zoning Board for this development.

Joseph Maffei replied yes, this new configuration has allowed two additional spaces, with room to maneuver in and out of the spaces.

William McCormick explained New Jersey State Law mandates a 50-foot no parking zone from any stop sign, and a 25-foot no parking zone from any intersection.

Council agreed to proceed the consideration of an Ordinance on first reading at today’s Regular Meeting.

**Discussion regarding Resolution appointing a Class IV Member Alternate #4 to the Borough of Avalon Planning/Zoning Board.**

Council agreed to proceed with a Resolution to be prepared for the July 28, 2021 Regular Meeting.

**Discussion regarding Resolution authorizing the issuance of an “Advanced Cell” Master License Agreement.**

Scott Wahl reported the Borough of Avalon embarked on a very comprehensive project to help regulate and manage small cell facilities in the Borough of Avalon with 5G. Meetings held regarding this initiative included Council Vice President Wierman and the Borough Solicitor as this issue was reviewed. Thanks to Council’s support of this project, the Borough of Avalon was able to enact a local Ordinance in advance of any State Regulations being imposed. One component of this was the Master License Agreement which follows all terms and conditions of the Ordinance, including but not limited to site inspections every proposed wireless facility. The Master License Agreement is essentially a license between the Wireless Carrier and the Borough of Avalon. Certain terms, regulations and conditions will be recognized by the Carrier and must be implemented.

James Waldron explained Council has been given a draft proposed Master License Agreement, which was created with the assistance of Dominic Villecco with V-COMM and is a combination of Master License Agreements that are in effect in other municipalities in South Jersey. Mr. Villecco is in the process of negotiating certain terms with Verizon. There were hopes to have a final agreement for Council’s review today; unfortunately, this did not happen. After the adoption of the Ordinance, which has already been heard, there is a three-step process. First, the cell carrier submits a list of poles they wish to have approved. In this instance, Verizon submitted 38 separate locations. During the vetting process of those locations, one location was struck, and an agreement for 37 poles was brought before Council with a recommendation for approval. The approval is good for five years from the date of Council’s approval. Any time during that period, Verizon can make an application to put a facility on an existing pole by completing a Zoning Application, which is reviewed by the Construction Official, and a permit is issued. If the Zoning or Construction Official denies the permit, there is a local appeal tribunal of municipal officials who hear and determine the appeal on a preliminary basis. If its not resolved at this level, it comes before Council and Council’s decision would be final. Assuming everything is handled in due course and the application meets the requirements, Verizon is granted concessions to place facilities on the pole for fifteen years. Prior to doing this, they must execute a Master License Agreement, which is tied into the Ordinance, but it will be different depending on the circumstances of each individual carrier. The only carrier to make any applications so far is Verizon, and the draft Agreement before Council is tailored to Verizon. It is expected to have the Agreement upon receipt of some additional information this week. Assuming Council is in agreement, it would then be presented for formal action on July 28, 2021. If Council approves it, then the facilities that would be constructed would be good for fifteen years. The carrier has an obligation within those fifteen years to remove abandoned or obsolete equipment and they also have the option to upgrade, as well. The annual fee set forth in the Ordinance may disappear through some actions by the New Jersey Legislature. The \$270 installation charge is a combination of similar charges in like communities in South Jersey.

Councilman McCorristin asked if the Borough is limited to the amount of the fee.

James Waldron replied yes.

Councilman McCorristin asked when this will begin if approved by Council.

James Waldron explained if Council approves this tonight, they are not permitted to start until mid-September. The maximum installation fee is \$500.

After a brief discussion, Council agreed to proceed with a Resolution to be prepared for the July 28, 2021 Regular Meeting.

**Discussion regarding Resolution authorizing award of contract for the project known as Pennsylvania Harbor Emergency Dredging project.**

Scott Wahl noted on the heels of a maintenance dredging project that was completed on an emergent basis in Princeton Harbor, a shoaling issue on the western limits of the Pennsylvania Harbor was brought to the Borough's attention. Mott MacDonald was asked to survey the area to determine exactly what type of material is out there, the extent of the material, and the volume of same. Mott MacDonald worked very quickly to secure approvals from both the State of New Jersey and Federal Government in order permit the conduct of an emergency dredging project. Mott MacDonald obtained two bids for this emergency dredging project. One of the bids is extremely favorable to the Borough. The nature of the work for this project was discussed at a prior meeting. It is recommended Council approve this contract.

Thomas Thornton explained on July 7, 2021, two bids were received from marine contractors for this project. The contractor who performed the emergency dredging project in Princeton Harbor, was unable to submit a bid. A low bid of \$158,750.00 was submitted by Trident Piling Company, LLC, which is approximately 28% below the Engineer's Estimate of \$220,000, indicating that the bid was competitive and is favorable to the Borough. This is a three-week construction period; however, the contractor will be encouraged to complete the project in less time. The contractor's insurance certificate and performance bond will be submitted upon receipt of a notice to proceed, provided Council agrees with this award. The dredged material will be transported and placed at the Tuckahoe Turf Farm site in Estelle Manor, operated by Mobile Dredging and Video Pipe, Inc.

Councilman McCorristin asked if the equipment for this project will be staged in the same location as the equipment for the Princeton Harbor project.

Thomas Thornton responded yes.

Councilman Wierman asked if the work will be done seven days a week.

Thomas Thornton replied the work will be conducted 6 days a week, with Sundays off.

Scott Wahl added ten-hour shifts will be worked.

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

**Public Comments:**

Council President Juzaitis reminded the public of the purpose of the public comment period, noting each member of the public is provided five minutes for their public comment. Public comment is intended to allow members of the public to address the Council and they are free to address their opinions and concerns on any topic, but are reminded to do so in a civil manner. She asked all to please understand that public comment is not the time to engage in a two-way dialogue with Council or Administration. Individual questions should be directed to the appropriate officials and will be responded to promptly.

James Lutz, 2539 Ocean Drive, welcomed the new Council members and asked if Pennsylvania Harbor will be closed to marine traffic during the emergency dredging project.

Thomas Thornton replied the contractor is required to keep as much of the channel open as possible during the dredging operations, while keeping safety a priority.

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James Lutz, 2539 Ocean Drive, asked if the contractor had considered placing the dredged material on the marsh as was done in Stone Harbor previously.

Thomas Thornton explained it is a long permitting process to gain those types of approvals to place the sand on the marsh, as was done in an experimental project completed by the US Army Corps of Engineers in Stone Harbor. That project undertook a multi-year effort to get the placement of material approved. Mott MacDonald is closely monitoring any and all law changes to make this process easier.

James Lutz added dredging projects oftentimes neglect outlying areas and notified Council of an especially dangerous condition at buoy 386 where boats are running aground during low tide.

Ken McKinney, 1608 Dune Drive, reported trouble with a contractor working on the home next to theirs on Dune Drive. While construction was occurring, significant damage was done to his fence and his house. As a result, meetings were held with the contractor. During those meetings, it was discovered that his fence was placed incorrectly, which was rectified. The contractor also corrected damage to his home. He asked that there be more consideration to neighbors during construction in the future.

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

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

Motion made by Councilman McDermott, seconded by Councilwoman Coskey to adjourn the Work Session.

**ROLL CALL VOTE:**

Councilwoman Coskey	Aye
Councilman McCorristin	Aye
Councilman McDermott	Aye
Councilman Wierman	Aye
Council President Juzaitis	Aye

Work Session adjourned at 4:30 p.m.

Respectfully submitted,

  
C. Danielle Nollett, Borough Clerk

  
Barbara L. Juzaitis, Council President