

August 25, 2021

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, August 25, 2021 at 4:00 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

Attendance: Public ----- 2

Reporters ----- 1

The meeting was called to order by Council President Juzaitis.

Pledge of allegiance.

<u>Roll call:</u>	Council President Juzaitis	Present
	Councilwoman Coskey	Present
	Councilman McCorristin	Present
	Councilman McDermott	Present
	Councilman Wierman	Present

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Borough Solicitor
William McCormick, Director of Public Works/Utilities
Jeffrey R. Christopher, Police Chief
Thomas R. Thornton, P.E., Borough Engineer, Mott MacDonald

Council President Juzaitis read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included the annual Schedule of Meetings dated June 23, 2021. It was given to the news media and posted on the Official Bulletin Board as required by law.

Discussion regarding Resolutions canceling unexpended grant balances and unexpended balances within certain General Capital Fund Capital Improvement Authorizations.

James Craft reported this item is primarily for the purpose of housekeeping. There are three grants in the Borough's financial affairs which have been completed; therefore, the balances need to be cancelled in order to close out the grants. Regarding the Capital Improvements, there are two authorizations that have had all projects completed. Those authorizations have outstanding balances, which should be cancelled. Those amounts will return to general surplus within the budget.

Council agreed to proceed with a Resolution to be prepared for the September 8, 2021 Regular Meeting.

Discussion regarding Resolution allowing the Borough of Avalon to forego Claimants' Certification requirements for purchases less than \$500.

James Craft noted at the present time, all Purchase Orders and Vouchers have a section titled the “Claimant’s Certification”, which is required to be completed and signed by all vendors in order to process payments of any monetary value. Recently, the State relaxed those requirements and gave certain liberties to municipalities to waive that specific requirement, provided certain standards are met by both the municipality and the vendor. It is requested that Council look favorably upon a Resolution which would waive this requirement for any purchases less than \$500.00 to streamline the payment process.

Council agreed to proceed with a Resolution to be prepared for the September 8, 2021 Regular Meeting.

Discussion regarding bids received for the project known as Avalon Fire Department 2021 Station Addition and Renovations.

Scott Wahl reported the Avalon Fire Department has grown over the years, with the addition of new equipment to enable water and other rescues. Due to these changes, which are all immensely positive for the Borough of Avalon, the existing Fire Station is having difficulty housing all equipment for the Fire Department. A volunteer committee including Paul Short, Ed Dean, Thomas Thornton, and James Craft reviewed the current structure and recommended certain additions and renovations to the Fire Station, which were previously presented to Borough Council. Three bids for this project were received August 10, 2021 at 2:00 pm. Those bids were reviewed by all necessary professionals, and all have recommended the award of this contract to Arthur J. Ogren in the amount of \$6,527,600.00.

Ed Dean added the development of an overnight staffing program for the Volunteer Fire Department further exacerbated the lack of accommodations within the current Fire Station, as the building was not designed to house firefighters overnight. Currently, the administrative offices of the building are being used as sleeping quarters, with administrative services being performed within the fire house. The majority of the second floor of the addition will serve as bunk rooms for the overnight staff. The additional space will allow for easier storage of equipment, and provide more room for the Fire Department to grow even more than it has in recent years.

Councilman McCorristin expressed his happiness at the bids and their amounts. He inquired as to the qualifications of the contractor.

Paul Short and Ed Dean reported Arthur J. Ogren was the general contractor that performed the work associated with the Elementary School additions, as well as the Police Department building.

Ed Dean mentioned the Fire Department also serves as shelter during disastrous events; therefore, this addition and renovation will better accommodate that use, as well.

Scott Wahl added Certification of Funds has been received from the Chief Financial Officer to make this award possible.

After brief discussion, Council expressed their full support of the Fire Department and this project, and agreed to proceed with a Resolution to be prepared for the September 8, 2021 Regular Meeting.

Discussion regarding Resolution accepting Wawa Grant funding in the amount of \$5,396.00.

Chief Christopher explained the Wawa Foundation is a non-profit organization founded to assist all of Wawa's charitable giving. The foundation mission is committed to fulfilling lives by building stronger communities through providing grants, in-kind support and local sponsorships. The Police Department recently made an application to the Wawa Foundation for grant money to be used to purchase equipment for Police Officers. As a result, the Borough of Avalon was awarded \$5,396.00, which will be used to obtain uniform bullet proof vest carriers and other necessary equipment. The Borough of Avalon received funding from the Wawa Foundation once previously. That funding was used to purchase physical fitness equipment for the Police Department gym.

Council agreed to proceed with a Resolution to be prepared for the September 8, 2021 Regular Meeting.

Discussion regarding Resolution authorizing the employment of Quar'tus Byrd as a full-time Police Officer for the Borough of Avalon Police Department.

Chief Christopher announced the recent hiring of Quar'tus Byrd to fill a Patrolman vacancy within the ranks of the Police Department created by a resignation. The Police Training Commission requires a Resolution in order for the individual to attend the Police Academy, which is scheduled to begin this month.

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

Discussion regarding Resolution authorizing a handicapped parking space at 958 First Avenue.

Chief Christopher reported this application was investigated to determine if the applicant has a handicapped placard issued by the New Jersey Motor Vehicle Commission, that the applicant resides at the residence, and that the residence can accommodate a space, if it is necessary. The investigation concluded this application to be valid; therefore, it is recommended Council create this parking space by way of a Resolution.

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

Discussion regarding Resolution authorizing the Borough of Avalon to enter into a Cooperative Pricing Agreement with the Hunterdon County Educational Services Commission.

Scott Wahl explained there are many ways and mechanisms for a municipality to become a member of Cooperative Pricing Agreements to save taxpayer dollars. The Borough's Purchasing Agent, Joe Clark, was well aware of the Borough's intentions to include some capital items in the 2022 budget, including the replacement of the electronic sign currently in place outside the Chamber of Commerce building, which has reached the end of its useful life. Certain vendors who provide this type of service are a part of this agreement; therefore, if the Borough becomes a member of the agreement, the prices only offered through that agreement would then be available to the Borough. There is no cost to participate in this program, which offers an array of goods and services, which can be beneficial to the Borough in the future. It is recommended Council authorize participation in this agreement.

Council agreed to proceed with a Resolution to be prepared for the September 8, 2021 Regular Meeting.

Discussion regarding Resolution authorizing a Shared Services Agreement with the Cape May County Municipal Utilities Authority for Solid Waste Disposal and Recycling Services.

Scott Wahl reported in the past, it was customary for the Borough, as well as the other 15 communities within Cape May County, to enter into a longer-term Shared Services Agreement with the Cape May County Municipal Utilities Authority (MUA) for Solid Waste Disposal and Recycling Services. However, due to the changing recycling market, starting in 2019, the MUA has sought only one-year agreements to better accommodate that market. Mr. Rizzuto of the County has presented the background of these changes before Council in the past, which detailed that there is an overwhelming supply of these materials and a very limited demand. The Agreement before Council for consideration today is also being presented to all communities within the County, and realizes no changes from the 2019, 2020, and 2021 Agreements, and is for a one-year term, from January 1, 2022 through December 31, 2022. Due to many recyclers in the market looking to charge a per-ton processing fee for recycling products, the Agreement terms may look very different for 2023.

Councilman McCorristin indicated his understanding that recyclables are not accepted if they are placed in recycling bins within plastic bags, and inquired if this understanding is correct.

Scott Wahl confirmed plastic bags cannot be accepted in recycling containers in any capacity, as the bags cause many problems in the equipment. He added the Borough often deploys information campaigns through social media to educate the public on what can and cannot be recycled.

After brief discussion, Council agreed to proceed with a Resolution to be prepared for the September 8, 2021 Regular Meeting.

Discussion regarding future dredging permitting opportunities for the Borough of Avalon.

Scott Wahl announced a recently held meeting, which consisted of Thomas Thornton, James Waldron, and Councilmen McCorristin and McDermott to discuss future dredging options for the Borough of Avalon. The conversation took place with the owner of Scarborough Marine, as a recent contractor that served the Borough for a recent emergency dredging project. Several years ago, when dredging projects in the back bays and harbors were completed, an opportunity for adjacent property owners to have their private boat slips dredged under the Borough's permit was offered. Those property owners had to own boat slips immediately adjacent to the project area, and was not offered to all property owners with boat slips in back bays. By way of background, dredging private boat slips can be an expensive and arduous task for property owners. During the recent conversation, an opportunity was discovered to potentially obtain a Borough-wide dredging permit for a period of ten years at the federal level and five years at the state level. This permit would prove useful if emergent conditions are discovered in the harbors, much like what took place in Princeton and Pennsylvania Harbors this season. Additionally, by having a Borough-wide permit, all private boat slip owners could potentially utilize the Borough's permit to clean out material from their boat slip, avoiding the need to apply for costly permits with lengthy processing times. As part of this anticipated agreement, it would be necessary to have an approved location to place removed material. There is a nearby turf farm that has authorization from the state to accept such material, which is willing to participate in this Borough-wide permit. In the event it is possible to develop this program, there would be an

Scott Wahl (continued) established amount of material to be removed attached to the permits for both public and private dredging projects that could be taken to this facility. It would be necessary to maintain a running log of private and public work done to track the total amount used and taken to the turf farm. Under this program, it would be possible to implement a program for routine evaluation of the main navigation channels to identify and remove shoaling before the conditions become dangerous. Furthermore, it is understood that the state and federal agencies are exploring the possibility of relaxing the regulations regarding dredged materials and how they can be beneficially reused, such as through living shorelines or natural bulkheads. The Borough is also exploring where natural bulkheads may be possible throughout the Borough. In order to implement this program, a proposal would be received from Mott MacDonald to evaluate the processes necessary to achieve this permit. Surveys of the navigational channels will be necessary, as will conversations with state and federal agencies. A like permit has been granted in one other instance, so far; therefore, this permit is achievable.

Thomas Thornton noted similar permits have been obtained in the past, where public permits were utilized by private slip owners for private projects. Those private slip owners that qualified for the Borough's permit use all owned properties that fronted the Borough's dredging project area. He added this Borough-wide permit, if obtained, would be of great benefit. Mott MacDonald first recommends to survey all public waterways throughout the borough, develop hydrographic surveys and mapping with calculated volumes of what needs to be removed in order to achieve the desired depth, which is 6 feet below mean low water. With that information, a concept plan should be prepared, detailing the Borough's wishes. From there, a meeting with the Department of Environmental Protection and the Army Corps of Engineers could be requested as a Joint Permit Process Meeting to allow both agencies the opportunity to provide advice and recommendations for the process. After that meeting, clear requirements would be outlined, in terms of sampling and the logistics needed as it pertains to private boat slips.

Scott Wahl added many private boat slip owners reached out to the Borough during the recent emergency projects in Princeton and Pennsylvania Harbors, seeking to utilize the Borough's permit to dredge their private boat slips, which was not permitted, considering the permits obtained were for emergency purposes only.

Thomas Thornton mentioned the state and federal agencies were inquiring as to the Borough's long-term plans for dredging projects within these navigable channels, although they graciously granted both emergency dredging permits. It is clear both agencies are looking for the Borough to have a better plan in place and avoid emergency authorizations in the future.

Councilman Wierman questioned where this type of permit was authorized.

Scott Wahl indicated one coastal town has obtained this type of permit, that being the City of Ocean City.

After brief discussion, Council expressed their full support of moving forward with this initiative.

Discussion regarding Mott MacDonald's proposal concerning Flood Mitigation Plan Five-Year Update.

Thomas Thornton explained this proposal was brought before Council in May for the five-year update to the Flood Mitigation Plan. The Borough's Flood Mitigation Plan is a lengthy document, which is a critical component of the CRS program. The Borough is a Class 3 CRS community, one of thirteen in the entire country. 320 points are awarded to the Borough for this document; therefore, it is very important to conduct this update. Additionally, the Borough participates in the County-wide All Hazard Mitigation Plan, for which points are awarded; however, a significantly higher number of points are awarded for having an independent plan. Every year, a reevaluation of the existing plan is done, with FEMA requiring a full update every five years. Part of what is being proposed is an overlap of what has been done every year, which includes the preparation of the document, a series of meetings, involving the public, and incorporating changes in terms of sea level rise, technical opinions and studies. The deadline to complete this document has been extended to December. The total number of points that can be awarded for this document is 380; therefore, there is room for the Borough to increase the number of points for this document.

Council President Juzaitis asked Scott Wahl to report on the recent flood meeting held at Borough Hall.

Scott Wahl reported the recent flood meeting housed a great turnout of approximately 80 attendees, who were very engaged in the wonderful presentations offered and stayed after the meeting to engage in conversations about elevation certificates and flood insurance. He announced the presentations have been posted on the Borough’s website.

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

Public Comments

Barbara Stout, 406 20th Street, raised concerns about a pool permit granted to 402 20th Street, and detailed many ongoing issues. She asked Council to review the situation and take appropriate action.

Council President Juzaitis thanked Ms. Stout for her comment and noted the issue will be referred back to Zoning and Code Enforcement.

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

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

Work Session adjourned at 4:39 p.m.

Respectfully submitted,

C. Danielle Nollett
C. Danielle Nollett, Borough Clerk

Barbara L. Juzaitis
Barbara L. Juzaitis, Council President