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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
Paul Short, Code Enforcement Officer

Councilman Mccorrstin requested a survey of the current and proposed outfall locations.

Thomas Thornton responded at the present time; Mott MacDonald is not in custody of either survey. If a survey exists, it will be provided to the DEP as part of the permit application.

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

Discussion regarding Resolution authorizing additional environmental permitting services in connection with Bay Park Marina.

Thomas Thornton reported this proposal is for additional environmental permitting required for this project. In Mott MacDonald's proposal dated November 9, 2021, this issue was addressed; however, not enough information was available at that time to determine if these services would be necessary. This project is in a coastal area, which encroaches upon an upper coastal wetlands jurisdictional line. Those encroachments are deemed freshwater wetlands. This encroachment was found when the official survey was completed; therefore, a freshwater wetlands letter of interpretation as well as a wetlands individual permit or special activity transitional waiver would be required from the DEP.

Council agreed to proceed with a Resolution to be prepared for the September 14, 2022 Regular Meeting.

Discussion regarding Resolution authorizing budgetary amendment for additional site improvements in connection with Avalon Firehouse Addition.

Thomas Thornton noted Mott MacDonald has been providing inspection services for the site and utility work being done in connection with this project. The plans did not address the re-grading of the concrete sidewalk leading to the vehicular ramp on the side of the building. It has now been determined this work is necessary. The work associated with this additional scope of services would be to provide a wider sidewalk and platform and adjustments to the entrance. Minor survey, design, and sketching services are required to provide to the contractor, in addition to additional inspection services during and after the work being completed.

Scott Wahl added Council may be considering a Change Order to this project at an upcoming meeting to address certain deductions, as well as the consideration of a new roof on the existing structure.

Paul Short announced the contractor and architect meet with the Borough concerning the progress of this project every two weeks. He gave an update as to the status of the project and noted the project is on schedule, with expected completion by December of this year.

Council agreed to proceed with a Resolution to be prepared for the September 14, 2022 Regular Meeting.

Discussion regarding Resolution authorizing the creation of a Handicapped Parking Space at 161 22nd Street.

Chief Christopher indicated an application was received for this property on behalf of the homeowner's relative who will live with the applicant periodically throughout the year. The property was deemed to have adequate accommodations for the space; therefore, it is recommended Council look favorably on this application. He added an audit of handicapped parking spaces is done each year to determine if each handicapped space is still needed.

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

Discussion regarding Resolution approving a membership in the New Jersey State Firemen's Relief Association.

Scott Wahl reviewed memorandum received and recommended Council look favorably upon this application.

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

Discussion regarding Resolutions approving the following Raffle Licenses:

- a) Off-Premise 50/50 held by Avalon Lions Charities Foundation on October 2, 2022 at Whitebrier Restaurant
- b) On-Premise Merchandise Raffle held by Avalon Garden Club on October 27, 2022 at Avalon Community Hall
- c) On-Premise 50/50 held by Avalon Garden Club on October 17, 2022 at Avalon Community Hall

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

Public Comments

Rocco Pugliese, 84 East 22nd Street, raised concerns about disruptive juveniles congregating in large groups and creating issues along the business district. Many complaints have been made with not much being done to resolve the issue, due to recent legislation precluding law enforcement from issuing citations to such offending individuals. He inquired what the Borough of Avalon is attempting to do in an effort to shift the paradigm of this issue. He suggested that the elected officials from all concerned municipalities and all affiliated organizations gather together to lobby for an amendment to the act to grant local authority which can be more restrictive than existing legislation. He further asked if any organizations within the State have taken a stance on this legislation. He stressed the importance of making positive changes in the interest of public safety for all residents and visitors of Avalon, including juveniles.

Councilman McCorristin urged concerned individuals to vote for State leadership changes, and detailed some of the hurdles that municipalities and law enforcement officers face as a result of recent legislation relaxing regulations that apply to juveniles.

Councilwoman Juzaitis explained meetings have taken place with State officials, and requests have been made to make changes to this legislation. There are no plans to stop working toward a more agreeable solution to this problem.

James Waldron added Mayor Pagliughi arranged a meeting of all local Police Chiefs, Mayors, Business Administrators, and Municipal Prosecutors, including all elected representatives from this District. In addition, there was contact made with the three surrounding districts. Legislation has been introduced by District representatives, one of which is to repeal the section which charges law enforcement officers with a third-degree offense if detaining juveniles. That legislation has not had a hearing to date. The majority party has not seen fit to schedule any amendments to this legislation. He explained the League of Municipalities as well as the Conference of Mayors have chosen not to be involved at this time, as they also represent many municipalities that are in opposition of the amendments being proposed. In many cases with the way this legislation is written, it is not possible to request an option for local authority over many of the regulations included therein.

Chief Christopher noted this legislation created new laws, which preclude law enforcement from taking any actions against juveniles for a variety of offenses, including underage alcohol consumption. Additionally, in many instances, Police Officers are not permitted to address juveniles or voice any suspicions to juveniles.

Martha Wright, 632 7th Street, spoke concerning the discussion centering around the outfall pipe relocation on 7th Street. She noted in the past, the property owner attempted to subdivide the property; however, the outfall pipe location hindered that application from moving forward. She asked how it was determined that the pipe was failing, and if the replacement pipe will be larger than the existing pipe.

James Waldron explained Middlesex Water Company, while investigating a backup of water in the area, conducted a survey of the pipe. That survey determined that the pipe has failed, separated and collapsed, which requires a new pipe being inserted.

Thomas Thornton noted he has no reason to believe the pipe would be increased in size; however, this project is being overseen and designed by Middlesex Water Company at this time.

Martha Wright reported a street slope issue in the area, which causes pooling and a standing water issue. She requested the Borough consider addressing these issues as well in addition to the pipe relocation. She asked if there are any plans to address the failing bulkhead when placing the new pipe, and if the failing bulkhead is contributing to the failing pipe. She suggested the addition of 7th Street to the annual consideration of road reconstruction not only to fix the sloping issue, but also to correct many openings and patches that have been placed through the years. She further added due to a lack of bulkheads in the area, flooding is a large concern. She expressed concerns that Borough Council is not in receipt of a survey of the project area, and further voiced her concern that the relocation of this outfall pipe would allow the property owner to reapply for a subdivision of the property.

Scott Wahl indicated the Borough's obligation is solely to replace the outfall pipe, as the bulkhead is privately owned.

James Waldron added the bulkhead's condition is not affecting the outfall pipe, and explained there are questions about the degrees of repairs that may be necessary when removing the existing outfall pipe. Middlesex Water Company represents due to the state of the bulkhead, a water sealing plywood would be the only adequate repair option for the state of the bulkhead. There is a certain level of urgency associated with this project due to the failing pipe. To replace the pipe, two permits are required; one from the Department of Environmental Protection and one from the Army Corps of Engineers, which takes approximately five months. The permit applications must be filed as soon as possible for the sake of the neighborhood.

Councilman McCorristin advised of his opinion that the relocation of the pipe should not commence until Borough Council has had time to review a survey of the current and proposed locations of the outfall pipe and approve of the project specifications.

Martha Wright urged Council to consider postponing consideration of the Resolution on today's Regular Meeting agenda until a survey is done.

Councilman McDermott noted while he is not in favor of a subdivision on this property, he is strongly in favor of replacing this failing outfall pipe for the betterment of not only the affected property owner, but the neighborhood adjacent to the project, and the Borough as a whole.

Councilman McCorristin agreed that the pipe is in dire need of repair, and explained when this matter previously came before Borough Council, there were many factors to the application made by the property owner that became controversial topics amongst the neighbors, including the proposed subdivision and flooding in the area. He spoke in support of replacing the failing pipe; however, he advocated for the conduct and review of a survey before the project commences to ensure that the plan will address all issues in the area as best as possible and inquired what the Resolution being considered by Council tonight would approve.

Thomas Thornton explained the approval being considered by Council today would be to move forward with the permitting process for this project. The proposal submitted to Council would be to obtain any existing surveys as well as conduct a topographical survey of the location.

Martha Wright spoke about her experiences with the failing pipe and expressed her support for replacing the pipe. She maintained that her concerns focus around the relocation of the pipe. She also spoke about the issue raised by the previous member of the public raised regarding juveniles and suggested that Police Officers take pictures of offending juveniles and posting them to social media.

Chief Christopher spoke in opposition of publicly shaming juveniles and their parents.

Council to check over the agenda for the Regular Meeting.

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

August 24, 2022

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

ROLL CALL VOTE:

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

Work Session adjourned at 4:50 p.m.

Respectfully submitted,



C. Danielle Nollett, Borough Clerk



Samuel D. Wierman, Council President