

June 14, 2023

A Work Session of the Borough Council of the Borough of Avalon was held on Wednesday, June 14, 2023 at 4:00 p.m. in the Meeting Room, 3100 Dune Drive, Avalon, New Jersey.

In-Person Attendance: Public - - - - - 10 Reporters - - - - - 0

Remote Attendance: Public - - - - - 4 Reporters - - - - - 1

The meeting was called to order by Council President Wierman.

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

Also present:

Scott Wahl, Business Administrator
James Waldron, Assistant Business Administrator
Nicole Curio, Esquire, Borough Solicitor
Paul Short, Code Enforcement Official
William McCormick, Director of Public Works/Utilities
Jeffrey Christopher, Police Chief
Thomas R. Thornton, P.E., Borough Engineer, Mott MacDonald
Joseph Maffei, Avalon Planning/Zoning Board Engineer, Engineering Design Associates

Council President Wierman read the Open Public Meetings Act Announcement.

Notice of this Regular Meeting was included the annual Schedule of Meetings dated June 22, 2022. It was given to the news media and posted on the Official Bulletin Board as required by law.

Council President Wierman read the following statement:

“For the convenience of the public, the Borough is offering the option of public comment via remote access as described herein. Public who participates remotely will be muted during the Council Meeting except at the public comment portion of the meeting. Any person attempting to disrupt the remote broadcast of a meeting may be denied access at the discretion of the person administering the meeting. Public is reminded of a five-minute limit per comment. In the event remote access is unavailable due to a technology malfunction, or other reason beyond the Borough’s control, the Borough will not pause or stop the live meeting. Borough Council Meetings are held in person with no capacity limits on attendance at a meeting. The best way to ensure an individual’s ability to publicly comment is to attend in person so that comments may be made in the event of a technology malfunction. The Borough reserves the right to discontinue offering public comment via remote access at its discretion for any future meeting.”

Swearing in by Mayor Pagliughi of Police Officer Brandon Cirillo.

Discussion regarding estimates received for a Planning Study in connection with Boutique Hotels in the B-1 Zone.

Joseph Maffei reported the Avalon Planning/Zoning Board has been evaluating options to improve the downtown and help businesses. One option discussed was to create an overlay zone within the B-1 Business District for boutique hotels. As a result of the discussions, it was determined there are many unanswered questions from the Borough and the public concerning the impacts such an overlay zone would have on the business district, and the Borough as a whole. Subsequently, proposals were solicited from planning and architectural firms to conduct a study of the business district. Two proposals were received, with the most favorable in price being submitted by Colliers Engineering & Design in the amount of \$18,500. The higher proposal was submitted by Heyer, Gruel & Associates in the amount of \$32,000. He represented that both responsive firms are very qualified to conduct this study, and answered the solicitation for proposals appropriately.

Councilman McCorristin noted both proposals seem very thorough in regards to the scope of work and asked Mr. Maffei to verify his confidence level with both firms.

Joe Maffei stated all firms chosen for the solicitation of proposals were chosen based on their past experience and ability to complete the task appropriately.

Councilman McCorristin spoke in support of awarding a contract to Colliers Engineering & Design to conduct the study.

Council President Wierman voiced support of having a consultant review, make plans, provide definitions, and evaluate any and all changes that could be made to help rejuvenate the downtown business district.

Joe Maffei added the plan, once complete, would be presented to Borough Council at a public meeting where members of the public, Borough Council, and other Borough officials or interested parties could ask questions of the professionals at that time.

Council agreed to proceed with a Resolution to be prepared for the June 28, 2023 Regular Meeting.

Discussion regarding Resolution authorizing refund to CleanX, LLC for a Solicitor/Canvasser license.

James Waldron explained through investigation of this application, it was determined that a license is not necessary; therefore, a refund is being recommended.

After a brief discussion, Council agreed to proceed with a Resolution to be prepared for the June 28, 2023 Regular Meeting.

Further discussion regarding tabled Ordinance No. 860-2023 concerning Chapter 17 (Solid Waste Management).

Discussion regarding this item was deferred to a future Council Meeting.

Further discussion regarding Resolution declaring emergent circumstances as they relate to the Pennsylvania Harbor Emergency Dredging project.

Thomas Thornton made reference to the emergent condition currently existing in Pennsylvania Harbor as it relates to shoaling and reported emergency authorization from the New Jersey Department of Environmental Protection has been received. A condition of that authorization required sampling of the material to be dredged, which was done, and those samples have been submitted for testing. The results are expected to be received this week. At the current time, this project is moving forward in accordance with the schedule proposed to Borough Council at a previous meeting. All proposals will be received June 16, 2023. It is expected to make a recommendation to award a contract at the June 28 2023 Council Meeting.

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

Discussion regarding Resolution authorizing professional engineering services in connection with Reconstruction of Various Bulkheads.

Thomas Thornton reported there has been much positive progress in connection with reconstructing Borough-owned bulkheads, which are raised in addition to being replaced. Many benefits are derived from these projects, including flood mitigation, and adjacent property owners following the practices of the Borough and raising bulkheads to align with those replaced. An annual evaluation of Borough-owned bulkheads is conducted, with ranks assigned according to the need for replacement and their condition. At this time, it is recommended to Council to move forward with a project to replace three bulkheads; those being at Fifth Avenue off of 22nd Street, 27th Street along Ocean Drive, and 31st Street at Ocean Drive. The bulkhead at 31st Street is recommended to be included in the project as a supplemental bid item, to be awarded if cost allows. Mott MacDonald has submitted a proposal to complete the surveying, geotechnical, and design services for this project.

Council agreed to proceed with a Resolution to be prepared for the June 22, 2023 Regular Meeting.

Discussion regarding Resolution authorizing professional engineering services in connection with Bay Park Marina Nature-Based Shoreline Stabilization Improvements.

Scott Wahl indicated when the Bay Park Marina project was designed, there was a contemplation to have a portion of the project area dedicated to natural shoreline stabilization and natural flood resiliency. The area for these initiatives is intended to be south of the boat ramp, where older material was disposed. To complete this initiative, the area would be cleaned, and the Borough would make an investment for natural resiliency in that area. Many conversations have taken place with various agencies concerning this in partnership with The Wetlands Institute. Warwick Consulting has been assisting the Borough in seeking grant funding for this initiative, and a grant application will be submitted for funding through a federal program, which could deter the cost of the project while demonstrate the benefits of natural resiliency.

Thomas Thornton added the shoreline stabilization project will consist of various components or elements including restoration, vegetative marine mattresses, and oyster castles. The removal of existing poured concrete in that area is included, as well. The nature-based solution includes a living shoreline component, and Mott MacDonald will work to ensure the project specifications meet the definition of nature-based solutions, as defined by grant programs. In addition, the enhancement of wildlife habitats will also be contemplated in the design. Mott MacDonald's scope of work for this project includes permitting services; however, no additional permits are required. The permitting services inclusive in this proposal are in connection with providing supplemental documentation notating these nature-based solutions. Other services to be provided by Mott MacDonald include the design phase, plan development, supplemental surveys, design and drafting of plans and specifications, and an overview of existing conditions as they pertain to wind, waves, tides, and currents.

Council agreed to proceed with a Resolution to be prepared for the June 22, 2023 Regular Meeting.

Discussion regarding Resolution establishing meeting dates for the governing body for the period covering July 1, 2023 through June 30, 2024.

After brief discussion, Council agreed to proceed with a Resolution to be prepared for the June 22, 2023 Regular Meeting.

Public Comments:

Travis Marshall, 897 21st Street and Lauren Marshall-Young, 899 21st Street, spoke as the owners of the 21st Street Marina, LLC, Sunrise Marina, and the Marina at Avalon Anchorage, and thanked the Borough for taking the emergent shoaling conditions within Pennsylvania Harbor so seriously and acting expeditiously to dredge the area. They expressed their happiness to supply the land use for the spoils of the dredging. Travis Marshall noted "no wake" buoys previously within the harbor are no longer visible, and stressed the importance of the placement of those buoys in the interest of public safety.

Scott Wahl agreed the situation needs to be addressed and indicated meetings have taken place concerning the reestablishment of those buoys.

Councilman McCorristin thanked the Marshalls for their support of the project and expressed hope that the Borough will be engaging in more frequent Borough-wide dredging projects to maintain the back bays. He then commended the Public Works Department for a job well done as it pertains to the public docks being built on the bay.

Martha Wright, 632 7th Street, referenced the discussion regarding the planning study and voiced concerns in connection with the wording of the solicitation of proposals done by Mr. Maffei. She noted her understanding that Council seemed interested in exploring all uses and options for the downtown business district; however, the request for proposals framed the request in a different way, leaving the request up for interpretation that the potential planner is being asked to focus primarily on the placement of a boutique hotel. She spoke in support of a broad study, rather than a singular-focused study. She then brought to Council's attention plentiful placement of bird deterrents in the form of bird spikes and monofilament netting on private properties throughout the Borough and asked Council to explore passing legislation concerning these deterrents.

Susan Dooley, 35 East 28th Street, referenced the mention of grant funding for nature-based solutions mentioned in the meeting and requested more information as to how the funding would be received by the Borough. She then stressed the importance of ensuring the money is received from the agency providing the funding.

Scott Wahl explained the grant would most likely be reimbursable, which would require the Borough to bond the full price of the project up-front. Upon completion of the project, the Borough would show proof of the grant terms being met, at which point the grant funding would be provided and used to offset the costs incurred.

Bob Otto, 1928 Dune Drive, made reference to the business district study and inquired what areas are being studied for the placement of a boutique hotel.

Joe Maffei responded the study is not focused on one specific area, but rather the B-1 Business District as a whole, and is not focused on one particular use.

Council to check over the agenda for the Regular Meeting.

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

Motion made by Council President Wierman, seconded by Councilman McDermott to adjourn the Work Session.

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

Work Session adjourned at 4:35 p.m.

Respectfully submitted,

C. Danielle Nollett
C. Danielle Nollett, Borough Clerk

Samuel D. Wierman
Samuel D. Wierman, Council President