

## 2008 AHLOA ANNUAL MEETING

Cape May County Freeholder Director Daniel Beyel  
CAPE MAY COUNTY PRIORITIES IN THE AVALON AREA

Mayor Martin Pagliughi who introduced the keynote speaker, Cape May County Freeholder Director Daniel Beyel to tell us about county issues that affect Avalon. Here are a number of issues that affect the Borough of Avalon.

These include: Avalon Boulevard Bridge over the Avalon Canal is slated for construction in the fall of 2009 with completion late spring 2010. Year 2009 federal funds are being used for the construction of this critical improvement and they became available too late for construction to begin this year. The bridge will be widened to the south to accommodate a dedicated left turn lane, and to replace the deteriorated deck.

Ingram's Thorofare Bridge, the high level bridge on Avalon Boulevard, is currently undergoing a \$3.7 million improvement project to address concerns with the loss of soil around the bridge footings. Steel sheet piling is being installed around the water piers and the void between the footing and the sheet piling is being filled with gravel. All work is occurring below the water line. The completion date is December 31, 2008.

Ocean Drive Improvements at Townsends' Inlet. This area suffered considerable damage as the result of the April and May nor'easter storms. Due to permit restrictions and the need for permit modification, work to repair the damage had to be suspended until late in the summer. Remedial work should begin soon after Labor Day weekend. The main intent was to prevent damage to the road from waves crashing over the seawall. As part of the project, diamondback turtle terrapin nesting areas were created and were used this summer.

Improvements to the surface on Ocean Drive are currently under design by the County Engineer's Office. The project has been broken into two parts, 14th to 29th Streets and 4th Avenue to 14th Street due to costs and other considerations. The County is hoping to secure federal funds this year for the 14th to 29th Street section. If this occurs, work could start in the spring of 2009. There is no definite timetable for the other section, however, design work and efforts at getting funding will proceed.

It should be noted that with the increase in the price of oil, the cost of asphalt has gone up 40% this year. Townsend's Inlet Bridge is slated to undergo some structural repairs during the upcoming off season.

The repairs are to address several of the priority repair items noted in the biennial bridge inspection reports and to maintain 15 ton weight restriction. The Bridge Commission is working on another contract to rehabilitate the movable span. This does not yet have a schedule, but will require the bridge to be closed to vehicular traffic for an extended period of time.

The County Government is supporting the suit that Avalon has filed against the DEP regarding beach replenishment requirements and has filed the paperwork as a friend of the suit.

As regards the selective paving of Ocean Drive, the County Engineer surveys roads annually to see where repairs are needed. A priority is decided upon depending on the availability of funds.

Regarding school consolidation there are three types of county schools. Local communities have to decide what to do. State government is pushing to consolidate, but that is not necessarily a good financial answer.

#### Remarks on the state of the Borough by Mayor Martin Pagliughi

The Mayor began his presentation by acknowledging AI ILOA participation in the development of an emergency management brochure, which will go to all taxpayers. Avalon is in a vulnerable position regarding hurricanes and flooding.

The Borough has taken a conservative approach to budgeting and is confident that the general purpose tax rate can be maintained in future years. The State would like small communities to go away by implementing a 4% tax cap. If the Borough does not replenish its surplus, then taxes could be affected in future years. This year's budget uses less of the surplus than last year's did. To break down the budget, capital improvements account for 11/6, debt service 190/0, library 13%, salary/wages 25% and other expenses 30%.

Essential services accounted for 37% of the budget in 2008 (vs. 48% in 1998). 'Me debt service on public buildings has increased and wells have been redeveloped.

The assessment to resale value ratio is 99.9%. The tax rate has the potential to be reduced as assessments increase. Assessments are balanced over the Borough.

Water and sewer rates will not be going up this year. MUA increased Avalon's share of the sewer fees by \$210,000, but that is absorbed by the surplus.

The beach fill fund is a separate fund and constantly operates in the red. Lifeguards cost \$750,000. There is a fight with DEP over the State Aid Agreement. An agreement was signed with DEP to get the north end beach fill, and the fact that Ocean City had just completed a beach fill, meant that they essentially paid for the dredge. The beach fill started within 12 days of a meeting in Trenton, and by July 4 the project was completed and the equipment removed. There should be another Corps of Engineers beach fill in the fall. The project will be advertised on August 15 for bids to be received in September. The project should start in October.

Back Bay dredging will start in the fall in Long Reach and Whale Harbor. \$722,000 will be paid by the State for a 90 day contract starting on September 15. Property owners in Whale Harbor are being consulted on dredging their docks the cost of which will be on the property owner, although the Borough has obtained all necessary permits. Graven's Island is being used as the site for dredge materials and will hold 22,000 cu. yds. The Borough is working to reconfigure the site into cells to hold material until it dries, and to have a temporary road to remove the dried material to enable it to be used for other purposes. This is a combined effort with Middle Township.

The mayor introduced Mark McDonough who explained the letter that was received from New York Mellon Bank. A tape containing images of payments made by Avalon

customers to NJ American Water Company was lost in transit. He stressed the letter was not a scam. The letter contains information on steps that can be taken to protect credit information.

The mayor indicated that Avalon is requesting that water be conserved. Avalon has 3 wells from which 380 million gallons per year can be drawn. In 2007 there was a 14% jump in water usage in the summer. The Borough has to show DEP that conservation measures are being implemented, hence the request for odd/even date watering of gardens. 'Me Borough is not running out of water. This year the July figures were below the allowed limit.

Library circulation has increased 72% in the last year and the number of registered patrons has increased by 21%. A new free mailing service is proving successful.

The Borough is continuing to promote the business atmosphere. Discussions have been held with the Bay Atlantic Symphony to have offices in Avalon. Discussions have also been held with Sunoco to keep the station open, at least during the summer months, and a three year lease has been signed. An outdoor dining ordinance has been signed, and outdoor dining is proving popular. At this time not all stores have Certificates of Occupancy. In the third phase of the Library/School/Public Safety project, the original Public safety Building will be torn down to provide a garage for EMS equipment. The project is on schedule.

#### Questions from the audience

Written questions were entertained from the attendees. The questions and answers are summarized below:

Q: Why is there a public Port a Potty on the 11th Street beach entrance? Why were the homeowners not notified in advance? Is this a concession or a consequence of the law suit?

A: It is a concession. We didn't have time to send letters out to all on I Ph Street, but we thought the pump station was the best place to conceal it. One Pot a Potty was needed for the project area.

Q: I thought I read that Avalon was not accepting State requirements in regards to increased parking, portapots & 24/7 access to the beach in order to get funding for dredging, but the beaches between 9th and 14th Streets have been restored. Where do we stand?

The fence is not replaced in beach fill blocks. This encourages encroachment into dunes? Is the fencing to be installed? When?

Re the beach fill and DEP, are we going to install beach toilets? Where?

TOP

A. Parking in the beach areas is an issue. Avalon has plenty of off street parking, e.g., the 900 space lot at 34th Street. The new DEP regulations require that adequate parking is provided, but they are very vague. A future Commissioner could change the requirements, not only for parking but could require rest rooms at each beach entrance. The regulations require 24 hour access to the beaches and bay, which presents legal problems should an accident occur at 2:00 a.m., The County and several other communities have joined Avalon

in the suit. The Appellate Court seems to feel that the case is important enough to have scheduled it first on the docket in September. The fence will be replaced after the dune grass planting in the fall, and after the \$1.2 million dune restoration.

Q: Why did Avalon beaches rate only two stars in a recent beach evaluation? What factors were considered? (Atlantic City got only one star, Ocean City got 4 or 5.)

A: It is not known what the ratings mean. We would rather have beaches rated by the results of bacteria tests done by Cape May County every year.

Q: We are frustrated that the lifeguards won't let us swim in water deeper than our waists. Yesterday (8/8/08) there was no undertow this is ridiculous! We are adults, we can swim; please let us enjoy our ocean!!

A: It is not known why the beach patrol put restrictions on swimmers, but they probably had a good reason to limit swimming.

Q: Some group rentals cause many problems & trash is one of them. On 20th Street trash is collected every Monday morning. Some of these houses put their trash out after the collection. The cans never have lids on them; the gulls have a field day & collection does not come till Thursday. Trash is all over the street. On August 1st one house got 3 citations. Mr. Mayor, would you like to live on this street? What can be done about this situation?

Improve Waste Management's handling of empty trash cans put empty cans in the proper area of property! Cans are rolling in the streets. Thank you. I understand Stone Harbor trash and recycle is collected from the yards of their residents versus curbside. As such Stone Harbor has cleaner streets. Would Avalon consider doing this for their residents?

A. Many tickets have been issued for trash problems. Side/rear yard pick up has been discussed for many years and a number of residents have complained about this because they don't want strangers there. Waste Management has a supervising foreman following trash trucks some time after pick up. In addition people do not understand that bulk trash is picked up only twice a year and they put out bulk materials all summer long. The Borough picks this up, but it is likely that summons will be issued in the future.

Paul Short explained the procedure for enforcement. When a situation is reported or discovered a warning is issued for the first offence. A summons is issued for subsequent offences and for the third and other offences the summons are court mandated, i.e., the person has to appear in court. If a problem is discovered a call is put in to DPW and they take care of it as soon as possible.

Q: Are there any plans to improve the board walk in front of the arcade area at 30th Street?

A: Money is in the capital improvement budget to replace the boards from where the last project was finished to south of the Community Hall. The steps and anything past them to the shops is private property.

Q: We would like a sign at the base of the 20th Street beach ramp stating that only official vehicles beyond this point from May to September. Many surfers speed down the street and up the dirt ramp (to see if the ocean is still there). Then they back down fast, do a quick U turn and speed up to the stop sign at Avalon Avenue. It's amazing that no bathers

have been hit by one of these vehicles. We have a home on 201h Street, beach block. The speed of cars is more than 25 miles, mostly surfers checking the waves. We have 10 to 14 grandchildren there. It is frightening that when they are on bikes that a car can come and hit them. Does Avalon even have speed bumps?

A: We will look at the drive-overs with the possibility of putting up a barrier that can be removed by emergency and lifeguard vehicles.

Q: Can you do/help anything about the speeding on First Avenue, especially near the busy 30th Street intersection? Thank you.

A: New Jersey does not allow speed bumps on public streets once state money has been accepted for maintenance purposes. The Borough is using radar signs in various places to alert drivers to their speed. At the moment four are in use and two more may be obtained next year.

Q: Why is the north side of 42"d Street not shown on the maps to be dredged?

A: Whale Harbor (on the north of 42"d Street) is part of the first phase of the dredging project.

Q: Beach Tag checking at 80' Street just about everyone on the beach in this area doesn't have a beach tag. They are never checked.

A: Checking is going on.

Q: Can the sprinklers on the islands on Dune Drive honor the odd/even program for sprinkling?

A: Sprinklers were reset at the end of June and usage was cut in half

Q: The drinking water seems to have a chemical odor and an opaque appearance. What, if anything, has changed in the treatment, and why?

A: There has been no change in the way the water is treated. Results of tests runs by NJ American Water have not changed.

Q: 45h Street beach path was extended with fencing but not being maintained as a path the last 50 to 60 feet at the beach end is all dry sand making walking through it very difficult. What can be done about this? 44'h Street beach a large gulley has formed due to sand borrowing. This has caused accumulation of debris and standing water. Please look into a remedy. Need the beach cleaned at 44th Street. We realize birds are important so are taxpayers.

A: We will take a look at the beach path. As far as the gulley is concerned, the sand comes and goes depending on wave action.

Q: I was surprised and dismayed to hear of Avalon's new policy of not cleaning the beaches in the 40's and 50's blocks until August 15. This is not fair to the residents in the area. Piping plover season is over by July 1. There were no active nests near 50th Street after June. Why was this not policy not relayed to residents? Who or what authority was responsible? Why do residents pay beach fees in this area? Have officials visited the area?

A. Beach raking will be started when nesting is done. Raking schedule is set by the state, as are the boundaries. The nesting period lasts through certain dates.

Q: Mr. Mayor, can you give us a status report on school, police and/or administration consolidation with stone Harbor, Sea Isle City?

A: School consolidation is a good idea. Borough Council has no control over the process; it is done by the Board of education. State law requires that when two school districts merge all tenured teachers must be accepted thus there is no incentive to merge. When Avalon started building the new Public Safety Building it was suggested that Stone Harbor and Avalon share dispatchers. Stone Harbor eventually decided that they would await a county decision on a possible county wide dispatch system.

Q: Aside from "Library Parking Only" signs, what can be done to ensure library patrons of a parking spot? Beachgoers take the spots, park all day & we lose spaces. What is the permitted use of the Public Parking Lots? Can the lots be reserved for the use of Avalon taxpayers?

A: Public parking lots are for the use of all the public. There are parking problems all over, e.g., on Ocean Drive. Planning Board has tried to address the parking problem.

Q: Please encourage the Borough or Library to find teen age activities at night, i.e., M W F teen dance at Community Hall. They need a place to meet in a safe controlled area.

A: The Library provides many activities for young children and teenagers, as does the recreation center Recreation center staff should be approached about additional programs.

Q: What impact will the "Outdoor Noise" survey have on the decision to allow or disallow outdoor noise? Will the survey results be made public?

A: Council has set up a subcommittee to discuss the request for outdoor music, which includes participation by AHLOA and members of the community. Establishments with liquor licenses that want outdoor music are spread throughout the Borough. At this time outdoor music is not allowed and this is rigidly enforced. The AHLOA Trustees have to find out what the members views are. Information that A.HLOA gets will be shared with the community.

Two comments were read out:

I was witness to a beach patrol rescue at 22nd Street in July. The guards were amazing as they worked together to pull a little girl on a boogie board to safety from a rip current. The communication and professionalism truly made me grateful for our guards.

Congratulations to the Mayor - Beach project. As a resident of the North end, I am totally impressed and 'blown away' by transition from not beach (June]) to best beach we have ever had (July 4) in view of today's government (inefficiency, bureaucracy, law suit with the state) this is a massive accomplishment.