

TOWNSHIP OF BERKELEY
WATERWAYS ADVISORY COMMISSION
REGULAR MEETING MINUTES
APRIL 5, 2016
6:30 PM PUBLIC MEETING

The April 5, 2016 meeting of the Berkeley Township Waterways Advisory Commission took place at 6:30 p.m. in the Municipal Building located at 627 Pinewald Keswick Road, Bayville, N.J. The meeting opened with the salute to the flag. Gail Hickey recorded the minutes (in place of Rosalee Di Pietro, Secretary for the Township Waterways Advisory Committee) and took the roll call.

A. SALUTE TO THE FLAG

B. ROLL CALL: Present were: Chairman William McGrath, Lee Gashlin, Larry Borio, Tom Bellinato, Bob Nunn, Fred Bekirian, Jerome Bollettieri, and Vito Esposito. Absent: Samuel J. Cammarato. John R. LeCompte, P.E., P.P., C.M.E. Engineer was also present. Present in the audience: Marion McGrath.

C. APPROVAL OF MINUTES FROM MARCH 1, 2016 MEETING:

Vice-Chairman Gashlin provided a copy of the minutes with corrections. No other changes. Mr. Bollettieri made motion to accept minutes with corrections, seconded by Mr. Nunn. All in favor, motion carried.

D. OLD BUSINESS:

1. Barnegat Bay Partnership meetings and Status of “Sustainable Jersey” & “Clean Ocean Action” program participation. (Vice-Chairman Gashlin).

Chairman McGrath said Mr. Gashlin attends all Barnegat Bay Partnership meetings as a liaison. Mr. Gashlin acknowledged numerous partners: American Littoral Society; Barnegat Bay Foundation; Brick Township MUA; Clean Ocean Action; Conserve Wildlife Foundation of NJ; Georgian Court; Jersey Coast Anglers Association; LBI Foundation of the Arts and Sciences; Marine Trades Association of NJ; Monmouth University; National Oceanic and Atmospheric Administration, National Marine Fisheries Service; NJ DEP; Pinelands Commission; NJ Sea Grant Consortium; Ocean County Board of Freeholders; Ocean County College; Ocean County Department of Parks and Recreation; Ocean County Health Department; Ocean County Mayors Association; Ocean County Planning Department; Ocean County Soil Conservation District; Ocean County Utilities Authority; Ocean County Vo-Tech; Pinelands Preservation Alliance; ReClam the Bay; Rutgers; Save the Barnegat Bay; Trust for Public Land; US Army Corp of Engineers; US Department of Agriculture, Natural Resources Conservation Service; US EPA; US Fish and Wildlife Service; and US Geological Survey.

Mr. Gashlin explained that these organizations have a lot of influence as to what goes on in the bay. By being a part of the partnership (as an invited guest), we have input and knowledge before decisions are made. Mr. Esposito questioned how decisions are made. Mr. Gashlin explained that there are many stakeholders in the process; and given the nature of any decision, the process varies. Mr. Bollettieri voiced concern over any environmental zones and how it will impact safe boating. Mr. McGrath stated that the only areas that would be included in the conservation area would be eel grass areas and will not affect boating. Mr. Gashlin stated they (The Partnership) are aware of the needs in the Barnegat Inlet.

Mr. Oris (Township Planner) will meet with the Administrator to further develop the Sustainable NJ plan. Mr. Gashlin expects to hear more about it in a week or so.

2. Final review of new bulkhead ordinance (Commissioner Nunn).

Mr. LeCompte emailed members a copy of the proposed ordinance. Mr. McGrath asked about any questions or comments. Mr. Gashlin suggested that the definition of Rip Rap be included regarding maintenance. Mr. Gashlin stated The DEP already includes a definition for new construction. He is concerned with the definition for maintenance, so it is not mistaken. Mr. LeCompte is not aware of a DEP definition, but he would look into it. A discussion ensued regarding the prevention of use of construction debris.

Mr. McGrath pointed out the part of ordinance on page 4, 27-2.6 N, regarding existing swimming pools within 15' of the bulkhead. Mr. LeCompte stated any such pool would probably have to be replaced in the process, but that would be up to the structural engineer reviewing each plan to decide. He said he would forward the proposed ordinance to Ms. Staiger (Township Attorney) for review. It will have to go before the Township Council.

3. Status of waterfront manual for storm preparation (Secretary Bekiarian).

Mr. Bekiarian said the goal was to make this manual as simple as possible, so it would be a pamphlet that would be at the homeowners' fingertips. He outlined what was included. The "Introduction:" To let people know how things are different on the waterways vs. inland. They should read this and make their own preparations in advance of a storm. Under "Communications," The local radio stations are included, Comcast, Direct TV, NOAA, and Nixle. Also, the Berkeley Township Police Department is available to them on Facebook. "Personal Contact Numbers," Advise homeowners to make a list of contacts to leave on their refrigerator or table for Emergency Personnel Services, if they decide to evacuate. They should include their own names and cell phone number, or a number where they can be contacted. "Emergency Evacuation Orders," This section distinguishes between the two types of evacuations and the consequences. "Emergency Evacuation Routes," There are a few ways to get out that are included. People should decide the route according to the type of storm and what is being reported.

"Home Preparation Interior," How to prepare the interior. The interior preparation is based on the desire of the homeowner to stay or leave. Included are tips on saving desired items in case of flooding, shutting down utilities, etc. "Property Preparedness: Exterior," This includes ideas to secure things in

their yard. Items should be tied down or stored inside. These are key points to prompt people to look to secure the exterior and make decisions on their own as to what should be done.

“Personal Property Preparedness,” Make sure they have their essential documents ready to go, such as insurance policies, deeds, and medical records. Also, prepare treasured items and irreplaceable family mementos, etc. Prepare to take needed medical equipment, medications, eyeglasses and other supplies. Keep items easily accessible in case of evacuation. If there is an infirm person in the home, prepare in advance for them. Also, consider a plan for any pets. “Emergency Equipment,” Advises to check on emergency equipment, such as portable generators that are not used on a regular basis. Have sufficient supplies of drinking water, food, blankets and things that in the event they have to stay in their cars. Cell phones should be fully charged.

“Boat Preparedness,” This has to be thought out prior to the event. People have to know what to do according to the severity of the storm. There are websites listed to give boat owners enough information to prepare in advance. This is not just for boats, but for other watercraft. One thing Mr. Bekiarian wants to look into is if there is a place in town that boats on trailers can be stored, in the event of a storm.

Mr. McGrath thanked Mr. Bekiarian and Mr. Esposito for their tremendous amount of work. Mr. Bollettieri said that this was so good this could be reduced down and used for people inland. It was agreed that this is the Waterways Commission, and it would not be up to them. Mr. Borio was concerned about the section of securing the boat by “tying across the lagoon.” This was discussed. It was decided that the section relating to “not impede navigation,” be underlined, put in bold, or highlighted in some way. Also, Mr. Bekiarian can decide to include anything he would like to make this clear.

Mr. Gashlin would like Dish Network included on page 3. The channel is 214. On personal property preparedness, Mr. Gashlin suggested “petty cash needs.” Remind people that they may need money, when credit card machines go down. He also spoke of some insurance companies offering money to move cars to higher ground. Mr. Bekiarian thought autos were included. He will put automobiles in under personal property. He will include a note about moving autos to a higher ground. Central Regional Middle School will be the designated area. Mr. Nunn noted that under “Emergency Evacuation Routes,” the last paragraph needed to be filled in with what radio/TV stations to tune into. Mr. Bekiarian will put a note to “see page 3.” Page three, “Communications,” has the emergency stations listed. Mr. McGrath said to put a bullet by the website on page 3. Also, correct Nixie to Nixle.com.

Mr. Esposito pointed out that when using tie downs, two poles with cement underground should be included. Mr. Bekiarian asked if there is a website to explain this. Mr. McGrath said it was on the Boat US site. It was decided people could reference the available website for this information. Mr. McGrath again thanked Mr. Bekiarian and Mr. Esposito. He also thanked Mr. Nunn for his work, as well. A motion was made by Mr. Bollettieri to send this (with stated corrections) to Mayor Amato. Mr. Gashlin seconded this motion. This motion was carried.

4. Butler Boulevard beach restoration (Commissioner Bollettieri).

Mr. Bollettieri thanked John LeCompte for all his help. The plans were submitted to the DEP, and they are now pending.

5. Main Street Maritime Park project funding through the National Boating Infrastructure Grant Program (Vice-Chairman Gashlin).

Mr. Gashlin met with Mayor. He will have more to discuss at next meeting after meeting with appropriate Council Members.

6. Berkeley Island Park restoration delays (Chairman McGrath).

Mr. McGrath said that Councilman Byrnes went to the Freeholders meeting and complained about the delay in the project. They have secured all their permits from the DEP Land Use. They are waiting for their approval from the Bureau of Tidelands for the living shoreline. Bureau of Land Use has a statutory period to approve permit, the Bureau of Tidelands does not. Mr. Gashlin said he spoke to Mike Magnum of Ocean County Department of Parks about the Bureau of Tidelands Permit. There is a verbal agreement, but that it needs to be put in writing at this time.

Mr. McGrath asked whether part of the park could be used at all this year. Discussion followed. It is unlikely, due to any potential liability lawsuits. Members voiced dismay at the delay in this project. Mr. Gashlin said we are at the end of a three to four-year project, and it would likely be open in 2017 per Mike Mangum.

7. Status of eminent domain takings along ocean front properties (Chairman McGrath).

Mr. McGrath relayed from a news article that the Eminent Domain case taking properties along the coast for beach replenishment was decided on March 4, by Superior Court Judge Marlene Lynch Ford. They are talking about twenty-eight oceanfront property owners that banded together and sued to stop it. Judge Ford ruled in favor of the state to allow for the Eminent Domain taking. There are a handful of property owners at the south end of Bay Head, where they placed their own rock sea wall. They asked to be heard separately, because of their peculiar situation.

Mr. McGrath sent a letter to David Rosenblatt, Administrator of Coastal Engineering, about a month ago. Waterways Commission members met with Mr. Rosenblatt a couple of years ago. He promised to help restore the dunes at Island Beach State Park to the condition prior to Sandy. Mr. McGrath has not heard back yet.

8. Status of ongoing waterfront projects by Township Engineer (John LeCompte, P.E., P.P., C.M.E.)

Berkeley Township Waterways Advisory Commission Engineers Report for Meeting of April 5, 2016:

1. Projects in the design phase:

A. Butler Boulevard Beach Restoration (RVV#1506-U-031)

On November 14, 2014 there was a Site Meeting with Butler Boulevard Committee. Applied for FRRR Grant Flood Risk December 15, 2014 in the amount of \$2,159,532.00 resubmitted April 7, 2015, denied NJDEP funding. Our office has finalized plans and submitted an application to the NJDEP for the proposed work. In addition, a submission will be required to the Army Corps of Engineers. Once the application is approved, our office will put the project out to bid and include alternates to ensure the project will fall within the budget approved. At this time our office is awaiting a review letter from the NJDEP.

B. Allen Road Beach Restoration (RVV#1506-U-034)

Plans and specifications are being prepared for beach replenishment, boardwalk and light repairs. The project was filed with the NJDEP requesting a jurisdictional verification. A meeting was held with the NJDEP on 7/3/15. Concept sketches were submitted 8/4/15 to expedite permit process through the NJDEP. Our office had received no response from the NJDEP to date. **Our office has submitted plans to the NJDEP for a jurisdictional determination due to the fact that our work is not proposed past the mean high water line. Our office has received a response from the NJDEP that the project is under review.**

C. Amherst Park (Former Mastapeter Property) (RVV#1506-U-037)

Township is in the process of securing funding for the Park. The project was originally not included in the 2015 capital improvement budget although it is under review with Twp. CEO at this time. **Final design for the project will include reviewing the drainage issues included reducing flows to the adjacent properties.**

D. Bowsprit Drive Rip-Rap (1506-U-039)

BTWAC advised that the residents are experiencing wave action over the bulkhead during South Winds causing flooding in street. Our office is preparing application to NJDEP to install rip rap in front of bulkhead. The application should be submitted prior to the end of the year. **Final design plans and a formal application have been prepared and submitted to the NJDEP for review by the Township.**

E. Bayview Avenue Shoreline Stabilization (1506-U-013)

Design complete, work scheduled for Fall/Winter 2015 construction. Preconstruction meeting was held and construction was scheduled for November. Additional survey work was completed and limits of project were revised to accommodate the Route 35 improvements. The scope of the cable matting work was reduced but additional curb was added and an item to remove the debris along the beach to the south of the project was added. **Our office met with the contractor and is awaiting final submission of final shop drawing from the manufacturer.**

F. Maple Creek Dredging (1506-U-13)

Survey work is complete and the project is in the design phase. Once design is complete, the project will be submitted for permitting. Construction is scheduled for late 2016.

2. Projects in the construction phase:

A. Intersection of Carlyle Drive and Amherst Drive Drainage Improvements (Part of 1506-U-063)

Survey was completed Saturday June 6, 2015. Work is included in the "Reconstruction of Various Streets" Project and was awarded at the September 14, 2015 Township Council Meeting. Work is scheduled to commence in late October/November. New curb has been constructed and paving will take place as soon as the weather cooperates in the Spring.

3. Administrative items:

A. Finalizing Bulkhead Ordinance – Finalized Draft Ordinance distributed at 2/3/15 BTWAC Meeting. Accepted comments/changes at 3/3/15 BTWAC Meeting. Ordinance sent to Floodplain Manager, Building Official, and Code Enforcement for final review. Final sent to Ken Anderson and Borough Attorney for finalization and submission to Council. **Our office received the revised Ordinance from Borough Attorney and has reviewed, edited and resubmitted to the Township for final review. Final comments have been requested by Friday, April 11, 2016.**

4. Grant Submission:

A. Moorage Park Retention Basin – Application has been prepared and submitted by Bruno Associates for the construction of a retention basin at the Little League Complex between Moorage Avenue and Red Bank Avenue. The proposed retention basin will be located to the northeast of the existing VCC Building. Remington, Vernick and Vena has prepared preliminary cost estimate and will assist as needed.

E. NEW BUSINESS:

1. Complaint by Mr. Richard Porter of shoaling-in of lagoon end at 1003 Bayview Ave. (Commissioner Nunn).

Mr. McGrath explained that while Mr. Porter's address is on Bayview, the location is at the very end of the lagoon at the end of Butler Blvd. Mr. Porter called Mr. Nunn. Mr. Porter felt that the problem with his bulkhead is a result of Sandy. He said that he was going to call anyone he can to get help. Mr. Nunn said it is the north end of the bulkhead that is affected by silting. This is a new bulkhead, approximately eight years old. There was a discussion regarding when it becomes the homeowner's responsibility vs. the township's responsibility. The problem was discussed, and Mr. Nunn suggested it be taken under advisement. It was brought up that it is possible the county could do something to rectify the situation.

2. Upcoming meeting with DEP Commissioner Martin at Ocean County Mayors Association Breakfast April 7th (Chairman McGrath and Vice Chairman Gashlin).

DEP Commissioner Martin will be a speaker at the Ocean County Mayors Association Breakfast. Mr. Gashlin will not be able to attend. Mr. McGrath will be in attendance.

3. Upcoming April 12th meeting with John Camera, Administrator (Chairman McGrath, Vice Chairman Gashlin and Secretary Bekiarian).

4. Other Business: Problem on Teakwood Drive bulkhead discussed. Mr. Esposito showed pictures to Mr. LeCompte. Mr. Gashlin asked about dredging schedule on Amherst Inlet. Mr. LeCompte did not know the answer, he would look into it. There is a maintenance permit. Mr. Bekiarian hoped something is done before this year's Boat Parade. Mr. Gashlin asked about the shoulders on Sloop Creek Drive. Mr. LeCompte said the street needs repaving. Mr. Gashlin also asked about the end of Sloop Creek and Mill Creek Roads. He said that any repaving should take into consideration the boat ramps at the end.

F. MEETING OPEN TO THE PUBLIC

No members of the public in attendance, other than Mrs. McGrath. She did not speak.

Motion by Mr. Bollettieri to adjourn meeting, seconded by Mr. Bekiarian. All in favor, motion carried.

Respectfully Submitted,

Gail Hickey

NEXT BTWAC MEETING IS SCHEDULED FOR MAY 3, 2016 AT 6:30 P.M.