

May 23, 2013
Special Meeting

A Special Meeting of the Mayor and Council of the Borough of Bay Head was held on Thursday, May 23, 2013 at 7 pm in Monsignor Casey Hall, Sacred Heart Church, 780 Main Avenue, Bay Head, New Jersey.

Mayor Curtis called the meeting to order and welcomed everyone. He asked everyone to stand and join in the Pledge of Allegiance to the Flag.

Mayor Curtis read the following statement:

Ladies and gentlemen, pursuant to the applicable portions of the New Jersey Open Public Meeting Act, adequate notice of this meeting has been given. This Meeting was posted in the lobby of the Municipal Office at 106 Bridge Avenue on May 6, 2013 and published in the Ocean Star on May 10, 2013

The roll was called for attendance. Present were Mayor Curtis and Councilmembers DeFilippis, Green, Barnes, Glass, Magory, Lyons and Borough Attorney, Jean Cipriani.

Mayor Curtis: This special meeting has been scheduled to discuss the subject of replenishment or beach renourishment. We wanted the whole town to understand this issue because it affects the entire town. We have all suffered through a horrific storm. Bay Head has had a little bit of luck because we aren't without hundreds of homes. Renourishment meetings were held in 2005 and 2006 but this meeting will be a lot different. With us tonight is Bob Mainberger, an engineer with Hatch Mott MacDonald whom we have hired to work strictly on our beach projects and who is also working with Mantoloking. Ben Kaiser, NJDEP Coastal Engineer and Dave Rosenblatt, NJDEP Coastal Engineer will be discussing the proposed federal beach fill program. The easement I mailed out to you was for information purposes only – we have received updates since the mailing but there are elements in the document that can't be changed. If we don't have the answer tonight we will get them for you.

Ben Kaiser introduced the project, giving the historical perspective. He stated the project started in the 1990's when certain mayor's went to their local state and federal officials to obtain funding. A feasibility study was done showing how much protection could be provided for the best dollars. The dune and beach study went to Congress and the bill was approved in 2007. The federal government is interested in a 50 year life permanent public access in the easement area.

Bob Mainberger discussed the scope of the project presenting technical facts, supported by visual aids. The request for the easement is to perform the work and maintain the same, it is not seizing the property. Bay Head as you know has a stone revetment which ends at elevation 15' top of the wall. People had sand over that wall which was lost during Sandy. That is the back line of the proposed by the Army Corps of Engineers. The dune is 5' horizontal for each vertical foot – top is 22' at the crest of the dune and is 25' wide. They want to place fill that will exist always keeping a minimum protection. This fill is placed to taper down to the mean high water line. I super imposed post Sandy area which shows the exposure – starting at the south end of the Borough in line with the line agreed on with Mantoloking. It will not be closer than 201 to any structure. The fill will be very significant and mined off shore. Army Corps of Engineers has not completed a final design. If all moves forward the project would not start until the beginning of 2014. The dredge would take place 2 miles off shore and piped to the beach. The process would run 24 hours a day south to north moving a couple hundred feet a day. There will be inspectors 24 hours a day and the pumping can take place summer and winter.

Mayor Curtis: This being a 50 year program – once the official phase is complete will they come back?

Mr. Rosenblatt: It would be budget by budget based to keep at design level – Congress has to appropriate the money. Those towns on Long Beach Island which received replenishment in 2007, after Sandy received funding under the Special Act passed by Congress so the Army Corps can come in and replenish and it will be fully funded 100% at the federal level. This indicates how seriously Congress is taking these projects.

Mayor Curtis: Many residents have been here all their lives as have their grandparents and parents. We hear the beach will come back naturally.

Mr. Mainberger: Army Corps has determined there is a problem. The second step is the feasibility study which is what they examine to see if the project is worth spending money on to resolve. Historic shore line records from the 1800's show we are losing one to two foot of beach a year. In 1961 you had a sea wall built. In the summer wave forms change sand coming in which is less and less. The shore line is actually moving to the north and to the south. Erosion is caused by waves and wind. Actually the area here is in the shadow of Long Island and Bay Head is caught in the middle – there is no significant amount of sand coming into the system.

Mr. Rosenblatt: The low profile seawall is being extended here which is the last line of defense – but there are dangers.

Mr. Mainberger: The sea wall as constructed is one foot horizontal to three foot vertical. You may get to the point they have in Sea Bright, Monmouth County with a sea wall and no beach in front of it. The beach is the life of this community. The object is not to build sea walls but to build beaches. The wall is a last stop gap measure – best is, you build it and never see it. During Sandy Bay Head fared better but not enough to protect every property. We know that the majority of properties the first floors were wiped out. A lot of water moved in the back bay heard and a lot of sand. It is important to look at the wall as the last resort. You need a dune system which serves two purposes – reserve sand and protect tidal surge. Mantoloking has been working on their dune system for 20 years and it was chipped away and the water came through.

Mayor Curtis opened the meeting to the public.

Scott Clayton, 37 Howe Street: I would like to compliment you on your presentation tonight.

Bill Fortenbaugh, 617 East Avenue: I believe the groins in Bay Head work. The Army Corps install them in 1960 and it built the beach up beautifully. We need to get the groins repaired now. In the fall it might be a good thing to work on the sea walls. We have the cart before the horse – I suggest we focus on rebuilding the groins.

Mr. Mainberger: Dr. Harrington talked about the groins in his report. No doubt they are in need of repair. Monmouth County large groins were notched to allow sand to move through the region. In a northeaster the sand wants to go south – groins can help sometimes but they can also prevent sand from moving.

Mr. Fortenbaugh: I disagree – the south side fills in and then spills over.

Councilmember Green: What is the current source of funding?

Mr. Rosenblatt: The funding for our shore protection project at the federal level is 10 million dollars for the project. 65 federal and 35 non federal – this year with Sandy Congress has provided a lot of funds. This is a unique opportunity to obtain funding for this project and one that will last much longer but it can't be done without the land.

Bob Renzulli, 409 East Avenue: What is the benefit to the beach front owners giving the easement to the Army Corps? We pay six times in property taxes. To afford flood insurance

the homes will have to be elevated. If this berm is constructed will there be any property tax relief?

Mayor Curtis: This is the first meeting but that is a good point and we will look at it.

Hal Kamine, 735 East Avenue: I have an issue with the easement "in perpetuity". We pay for the dune pushes ourselves twice a year. We just paid three million dollars for rocks – if we give the easement do we get money back for the wall?

Mr. Kaiser: They will not reimburse you for the wall.

Bill Gage, 115 Bridge Avenue: There presently is public access to the beach but you say the easement purpose is to preserve the public beach. There are no publicly owned beaches in Bay Head but public funds are being spent.

Mr. Kaiser: There will be no change to your beach badge fees. It is not the intent of the State to change what you have.

Mr. Gage: If construction is not done by some point in time is the easement released?

Mr. Kaiser: The easement can't be released until Congress de-authorizes the project.

Bob Hein, 204 East Avenue: I agree with Mr. Fortenbaugh – the width of the beach is the same since the 60's. I am of the mind set give it a year or so and it will be back. I have a big issue with the easement. This is something the Corps has decided it needs – there is never a de-authorization. If you don't obtain all easements will that be a deal breaker?

Mr. Mainberger: Since the 1800's records have been maintained. In 1962 the groin system was installed in Bay Head which traps a lot of sand from the south – in fact Mantoloking is running out of sand. After the 1990-1991 storms it took a long time for the sand to come back. Beach owners have pushed sand over the last 4 or 5 years. There is a historical erosion rate – there is no positive source of sand.

Wendy Bartels: We had a pretty big dune but it was just sand and didn't do that much good. For the people on North Street there aren't enough dollars – several million we have been told - to install the rocks. Will Army Corps install them?

Mr. Kaiser: No.

Ricardo Mestres, 757 East Avenue: I would join the comment of others as to the "in perpetuity". My principal concern is where the line is drawn, 20 feet to the east of my house. I don't feel it is appropriately drawn. Fourteen of us have put in a rock revetment – can the Corps come in and take it apart? I feel public trust and public beach should be excluded from the document.

Mr. Mainberger: All reference to the public trust has been removed. Army Corps will not remove the wall. Army Corps will only do the beach renourishment.

Mr. Mestres: I will be happy to review a later draft.

Andrew Fraizer, 821 East Avenue: I also live in Florida and have experience with renourishment projects. What are the quality control measures for the sand?

Mr. Kaiser: They will look at core borings to make it compatible with the sand you presently have.

Rick Mcgoey, 50 Harris Street: Can you point to a project with similar design and success?

Mr. Mainberger: The Corps has been successful in Monmouth County, Avalon was done in 1991. There has also been success in Atlantic City.

Mr. Mcgoey: Is the study on the history report available?

Mr. Mainberger: Yes the feasibility study by the Army Corps is on line.

Mr. Rosenblatt: If you are interested in the details in beach profiles go to Stockton College Coastal Research Center – they do that for us on an annual basis – they are a good resource.

Mr. Bathgate, 701 East Avenue: I have live here for 40 years and my family a lot longer than that. The house is over 100 years old. The Mantoloking easement start date is 2025 – that seems to be a long time to me. There needs to be condition to the easement “in perpetuity” to do something. We have always had a public beach in Bay Head, since the Matthews case. We lease the beach for \$1.00 to the BHIA and we paid to have the rocks covered with sand. The truth is the water doesn’t lap up on the rocks. The residents from Egbert Street south have installed the rocks. You can see the devastation to our neighbors to the south. Most people didn’t even know the rocks were there because they had always been covered with sand. Sandy with the combination of the high tide came in and stuck us – the rock wall saved us. No one else from Manasquan south has a rock wall revetment which was paid with private money. I can understand the federal government wants to have a license for a period of time but it should have an expiration date.

Councilmember Green: The Bay Head Environmental Commission will sponsor a presentation by Dr. Harrington from Stephens Institute on the design behind beach renourishment on June 12th at the Bay Head Fire House – the time will be either 6 or 7 pm.

There be no further business the meeting was adjourned.

Patricia M. Applegate, Municipal Clerk

William W. Curtis, Mayor