

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, July 25, 2011-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Zalom, Filippone, Lamb, Horan and Stogdill were present.
Councilman Borowski was absent.
Mayor LaCicero stated that Councilman Borowski absence was excused.

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Philip George, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting complies with the Open Public Meetings Act. Public Notice was given to the Asbury Park Press and was published in the Ocean Star on January 7, 2011. Notice was also posted on the municipal bulletin board and the municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for all of our troops that lost overseas.

PLEDGE OF ALLEGIANCE: Councilman Lamb led the Salute to the Flag

MAYOR'S WELCOMING STATEMENT: Mayor LaCicero thanked everyone for coming out to tonight's meeting.

COMMENTS FROM PUBLIC: (Items not listed on Agenda/not staying for remainder of meeting)

The Mayor asked if anyone wished to comment on any items that were not listed on the agenda and that they did not wish to stay for the remainder of the meeting they could do so now.

Alita Taylor, 1 Philadelphia Avenue stated that she wanted to know if Council was going to restrict smoking on the beach anytime soon.

Mayor LaCicero stated that the issue has been brought up on several occasions but has not received any motions from Council. We have been discussing restricting the smoking to certain zones on the beach but it won't be done for this summer.

Mrs. Taylor stated that something definitely needs to be done if not just for health reasons. We have children on our beaches and some with health issues. There are already a lot of towns that have restricted it on their beaches.

Mrs. Taylor stated that she also would like the town to maybe designate a certain parking area for the lifeguards and badge checkers to park their vehicles when working. They take all our parking spaces on Philadelphia Avenue and it is upsetting a lot of our residents. Maybe they

could move the bike rack down on the bay by the parking lots so they can park their cars down there and then ride their bikes to the boardwalk.

Councilman Lamb stated that he will look into the problem and maybe there is something that they can figure out.

Mrs. Taylor stated that the last thing she had was that the Police on bicycles do not have bells or lights on their bicycles and she thinks it is a safety hazard.

Councilwoman Filippone stated that she will speak to the Chief about that.

Paulette Horan, 16 New Jersey Avenue stated that she does not appreciate turning down New Jersey Avenue and seeing 18 garbage cans without lids and a mess on the side of the road when she approaches. There has to be something that can be done about this horrible mess of a situation.

Mayor LaCicero stated that he will speak to the Code Enforcement Officer and see what can be done.

John Cassese, 13 New Jersey Avenue stated that he seconds Mrs. Horan's complaint. He lives on New Jersey Avenue also and has been at meetings before complaining about the mess at the corner of his road with the establishment there. There has to be something that can be done. It is just a disaster and no one seems to care.

Mayor LaCicero stated that he will definitely speak to the Code Enforcement.

Marie Festa, 1905 Grand Central Avenue stated that she is a new business owner in Lavallette and will be open all year round. She wanted to introduce herself and question when the garbage is picked up in the business district.

Mr. Parlow stated that he believes the garbage is picked up every day for businesses but he will check with Public Works tomorrow. He advised her to call him tomorrow morning and he will have an answer for her.

There were no additional comments made from the public.

The Mayor closed the floor to public comment.

PRESENTATION: Chris Marino made a donation of the Elliptigo 8S bicycle.

Mayor LaCicero stated that Mr. Marino is here to present his donation to the town.

Chris Marino introduced himself as a resident and business owner and introduced his partner Mike. He explained that this is a called an Elliptigo 8S which he explained is similar to a bicycle but much better because it does not have a seat and you get better leverage over vehicles and it helps with keeping you on the go. He and his partner decided to donate one to the town for the Police Department to utilize and they will help with the training of how to use it.

Councilwoman Filippone stated that she will accept this donation on behalf of the Lavallette Police Department and thanked Mr. Marino for his generosity. She stated to him that he should contact the Chief to schedule the training and he should also contact the Fire Chief.

APPROVAL OF CLERK’S MINUTES:

Caucus/Regular Meeting of July 11, 2011
Executive Session Minutes of July 11, 2011

A Motion was made by Councilman Lamb to approve the Minutes. The Motion was Seconded by Councilman Horan. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS – ON CONSENT:

- 2011-185 establishing annual rates for part time non contractual employees for the year 2011
- 2011-186 authorizing the Treasurer to issue a check in the amount of \$48,918.37 to US Bank for the redemption of tax sale certificate #080006
- 2011-187 authorizing the electric collector to adjust a billing amount from \$1,412.18 to \$14.75 due to an over read meter
- 2011-188 authorizing the acceptance of the donation of an Elliptigo 8S for the Lavallette Police Department from resident/business owner Chris Marino
- 2011-189 authorizing Mayor LaCicero to sign and execute an interlocal shared services agreement between the Borough of Lavallette and the Ocean County Prosecutor’s Office to participate in the “SOG” program
- 2011-190 authorizing a special permit for social affairs to the Lavallette First Aid to sell alcoholic beverages at the Lavallette Heritage Day to be held on September 10, 2011

A Motion was made by Councilman Lamb to approve the consent agenda. The Motion was seconded by Councilwoman Filippone. Mayor LaCicero opened the floor to public comment and asked if anyone wished to comment on the consent agenda or the bills list. No one wished to comment. Mayor LaCicero closed the floor to public comment and asked Council for a vote on the consent agenda. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-OFF CONSENT:

- 2011-190A granting a special event permit to the Lavallette Volunteer Fire Company #1 upon stated conditions

A Motion was made by Councilman Stogdill to approve Resolution 2011-190A. The Motion was Seconded by Councilman Horan. Mayor LaCicero opened the floor and asked if anyone wished to comment on Resolution 2011-190A. No one wished to comment. The Mayor closed the floor to public comment and asked Council for a vote on Resolution 2011-190A. Vote: Council Members Filippone, Zalom, Stogdill and Horan voted Yes. Councilman Lamb Abstained. The Motion Passed.

APPROVAL OF VOUCHERS:

2011-191 Bills List in the amount \$657,877.97

A Motion was made by Councilman Lamb to approve the bills list. The Motion was seconded by Councilman Horan. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

UNFINISHED BUSINESS:

Council President Zalom stated that she attended the Freeholder Meeting last week to thank them for their prompt response to our request on the triangle on Jersey City Avenue. They acted promptly and took care of the problem immediately. She stated that she read a letter that she wrote to them thanking them and would like it to be included in the minutes.

She also stated that she received a letter in her mailbox at home from Bill Matthaei who is a homeowner praising the Public Works beach crew guided by Doug Clinton on how wonderful the beach looks. She stated that she would like a copy of this put in his personnel file and will also include this in the minutes.

NEW BUSINESS:

There was no new business.

COMMENTS FROM THE PUBLIC:

Joe Palinsky, 122 Washington Avenue questioned whether or not there was any feedback from the County about the stop sign on Washington and Bay Blvd?

Mayor LaCicero stated that he has not received anything on it as of yet.

Ian Inverno, 129 Elizabeth Avenue questioned if Council was looking into creating an Ordinance pertaining to permits to park in front of your driveway. Right now under State statute it is not allowed unless the town allows it by Ordinance.

Mayor LaCicero stated that there was some discussion on it pertaining to adding additional parking for the town, however; it has not been discussed since but we will revisit the issue in the fall.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Lamb stated that he would like the signs around town advertising certain events in town removed by Public Works. Any town events that we have are posted on our calendar of events and also in our bulletin boards. These signs such as soccer camps, science camps, arts & crafts that are on the grass and the telephone poles are unsightly.

Councilwoman Filippone stated that the Code Enforcement Officer is responsible for that task of removing the signs.

Councilman Lamb stated he would like them to receive summonses so as not to do it again.

Mr. Parlow stated that as long as the Borough Attorney agrees that it is within our right to remove the signs he will make sure they are.

Mr. George stated that signs can be removed in front of residences and businesses but not quite sure about the right of ways. This is the responsibility of the zoning/code enforcement department who should issue a violation notice first telling them it needs to be removed before a summons is issued.

Councilman Lamb stated that last week there was a flea market and after it was over the mess was absolutely unnecessary. There were papers flying all over the place. He stated that he made some calls and finally found out that it was the Ladies Auxiliary of the First Aid that was sponsoring it. Jim Borowski and his family came and cleaned it up but these sponsors need to be held accountable for making sure it is cleaned up before anyone leaves the premises. There should be some type of inspection before anyone is allowed to leave.

Mayor LaCicero stated that the new Event Committee will look into all these problems with all our events and find the solutions.

Councilman Lamb stated that he wanted to thank Mayor and Council for all their support in raising the daily badge fee. It has become very noticeable that our weekly and season badges have increased in number of sales since we increased the daily to \$7.00 so thank you for your support.

Councilwoman Filippone stated that the loose ends on our Ordinances need to be addressed sooner than later. The display of merchandise is clearly getting out of hand. We have the idea of creating a smoking ordinance with suggestions of doing all the beaches or just some beaches. She stated that she has seen so many things that are being sold on our boardwalk from lemonade stands to painted sea shells to t-shirts. This is not allowed and we have ordinances against it but nothing is enforced. The only problem we have with all of this is lack of enforcement.

Mr. George stated that he did look into this and there should be no solicitation being allowed on our boardwalk.

Mr. Parlow stated that he will have Public Works put some signs up at the boardwalk that there is no solicitation allowed at all.

Council President Zalom stated that Mrs. Marrone at the last meeting had a good idea. Maybe if we just put some signs up asking the public nicely to respect our children's health and not to smoke in the swimming areas they would respect that.

Councilman Horan stated that one of our residents sent a letter thanking our linemen for being so prompt with helping them with their outage of electricity. Also, the linemen did a great job in attending to a fire on Magee Avenue concerning a utility pole. There will be a Senior Health Fair on July 29th in Lacey Township and Congressman Jon Runyan will be in attendance for any questions.

Council President Zalom stated that the Lavallette Lifeguards took second place with the Tournament and Barnegat Light took first place. We had two hundred applicants for the skim boarding contest and next year the one of the makers of skim boards "Zap" will be sponsoring the event.

Tuesday night's "Movies on the Bay" was so crowded. It seems that these movie nights are getting bigger and bigger every year. If it rains we do it at the school. The CSI Camp starts tomorrow and the Asbury Park Press is doing a big article about it. We have our Arts & Crafts show on July 31st and there is a Psychic Fair at the Library on August 10th with pre registration for that. Don't forget about all our exercise programs we have in town. Our Breast Cancer Walk will be held on August 7th.

ADJOURNMENT:

A Motion to Adjourn the Regular Meeting was made by Councilman Horan. The Motion was Seconded by Councilman Stogdill. Vote: All of Council was in Favor. The Motion Passed.

The Regular Meeting was Adjourned at 7:53 pm.

CERTIFICATION

I, Christopher F. Parlow, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, does hereby attest these to be a true copy of the Minutes of the Regular Meeting held on the 25th day of **July 2011**

Christopher F. Parlow
Municipal Clerk