

BOROUGH OF LAVALLETTE(minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, April 23, 2012-7:02 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Filippone, Lamb, Horan and Stogdill
Councilman Lee Horan was absent.

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Philip George, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk
Michele Burk, Chief Financial Officer
Robert Oliwa, Borough Auditor

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 6, 2012. Notice was also posted on the municipal bulletin board and the municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for long time resident s Jane Phillips, and Anthony Rocco who recently passed along with all our troops overseas.

PLEDGE OF ALLEGIANCE: Council President Zalom led us in the Salute to the Flag.

MAYOR’S WELCOMING STATEMENT: The Mayor thanked everyone for coming to tonight’s meeting.

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

Mayor LaCicero asked if anyone wished to comment on any items that were not on the agenda or if they could not stay for the remainder of the meeting they could do so now.

No one wished to speak at this time.

Mayor LaCicero closed the floor to public comment.

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

No one wished to comment at this time.

APPROVAL OF CLERK’S MINUTES:

Caucus/Regular Meeting of April 9, 2012

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

PRESENTATION: Chief Colin Grant and Fire Chief Art Reece presented information on the Dive Team

Chief Grant stated that the Police Department along with the Lavallette Fire Department will have a mutual dive team with police personnel, as well as, fire personnel as members. There are some police personnel that are also volunteer fire personnel. With a scuba rescue the first responders will be police department personnel along with the fire department. The training has already happened and it was not done with taxpayer's money it was all paid for with forfeiture money. This will be advantageous for the Borough to combine as one.

Mayor LaCicero questioned if there would be two sets of equipment that both departments would maintain themselves?

Chief Grant replied that each department will have their own equipment.

Mayor LaCicero stated that would mean each budget pays for their own maintenance as well.

Councilman Lamb stated that he thinks this is a great idea. All of our first responders should be working together. We have water on both sides of us so it makes sense that we would need a dive team.

Councilman Borowski stated that his concern is the amount of overtime that will be required with the police department.

Chief Grant stated that with the Law Enforcement and the Volunteer Fireman is a dual job and will be some overtime involved.

Mayor LaCicero stated that they will need to sit down and put all the details in writing including the shifts and obligations. We need to make sure that everything is clearly defined.

Councilwoman Filippone stated that the protocol will have to all be put in writing specifically the guidelines to be followed. She stated she is also very proud of this endeavor.

ADOPTION OF 2012 MUNICIPAL BUDGET

2012-124 providing for the budget to be read by title only at the time of the public hearing

A Motion was made by Councilwoman Filippone to approve Resolution 2012-124. The Motion was seconded Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

Mr. Parlow stated that we need to reverse the order of the resolutions, but first we need to open the public hearing on the budget.

A Motion was made by Councilwoman Filippone to open the public hearing on the budget. The motion was seconded by Councilman Stogdill. Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

Mayor LaCicero opened the floor to public comment on the 2012 municipal budget. Mayor LaCicero asked Mr. Parlow to comment on the budget prior to receiving comments from the public.

Mr. Parlow stated that the budget reports were provided consistent with the requirement contained within the governor's toolkit. Mr. Parlow stated that a report provided by Mr. Oliwa the Borough auditor, is also provided to the public. Mr. Parlow read the report. Mr. Parlow stated that the reports will be provided on the Borough's Website.

There were no comments from the public.

Mayor LaCicero closed the floor to public comment.

2012-126 Resolution to Amend the 2012 Municipal Budget

Mr. Parlow read the budget amendment resolution a loud. Mr. Oliwa stated that the amendment has to do with the budget cap calculation workbook. There is an excel spreadsheet provided by the State and is reviewed by the State. There was a change in one of the calculations that requires an amendment. There is no change overall change in the appropriations just a change from inside the cap to outside the cap.

A Motion was made by Councilman Stogdill to adopt the Amendment to the 2012 Municipal Budget. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

2012-125 Resolution to Adopt the 2012 Municipal Budget

Mr. Parlow read the budget resolution a loud.

A Motion was made by Councilwoman Filippone to adopt the 2012 Municipal Budget as Amended. The Motion was seconded by Council President Zalom. Mr. Parlow read the budget report. The Mayor opened the public hearing and asked if anyone wished to comment on the Amended 2012 Municipal Budget. No one wished to comment. The Mayor closed the public

hearing and asked Council for a vote on the Amended 2012 Municipal Budget. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-ON CONSENT:

- 2012-135 authorizing the Treasurer to issue a check in the amount of \$24,279.49 payable to US Bank-Cust/SASS Muni V, for the redemption of Tax Sale Certificate #09-00003
- 2012-136 supporting A-2655 authorizing the courts to assess costs of prosecution against certain drug defendants
- 2012-137 endorsing the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection
- 2012-138 in opposition to Legislative Bills S-1451 and A-2456 to reform and modernize the Open Public Meetings Act-Council President Zalom stated that these requirements they are trying to set are ridiculous
- 2012-139 appointing the beach badge office staff for the 2012 summer season
- 2012-140 supporting Community Medical Center's application for a new cardiac surgery Program
- 2012-141 designating the week of May 20th through May 26th 2012 as National Public Works week in the Borough of Lavallette
- 2012-142 authorizing the return of LOSAP contributions to the beneficiaries of Charles Delayo

A Motion to approve the consent agenda was made by Councilman Stogdill. The Motion was Seconded by Councilman Borowski. The Mayor opened the floor to public comment and asked if any one wished to comment on the consent agenda.

Clem Boyers, 20 Kerr Avenue questioned Resolution 2012-135 and what that was about?

Mayor LaCicero stated that when someone doesn't pay their prior years taxes we put it on tax sale and companies buy the lien and then the homeowner has the option to redeem the lien.

Mr. Boyers questioned Resolution 2012-136.

Mayor LaCicero stated that this is just to allow us to add fees to sentences for certain drug offenses.

Mr. Boyers questioned 2012-137.

Mayor LaCicero stated that in order to receive the recycling monies there is an application process that is needed every year.

No one else wished to comment at this time. Mayor LaCicero closed the floor to comment and asked Council for a vote on the consent agenda.

Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-OFF CONSENT

2012-143 approving Special Event/Facility Use Application-Sam Hammer Surf Camp/Sam Hammer, Owner/requesting to hold third annual Surf Camp/Monday, June 18th through Saturday, September 8/various times/Brown Avenue Beach

A Motion to approve Resolution 2012-143 was made by Councilman Stogdill. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

Council President Zalom questioned when Municipal Alliance has the skimboarding contest and for this camp also does every one participating need beach badges?

Mayor LaCicero stated absolutely. Mr. Hammer is well aware of the badge requirement and he makes sure every one of his people has a badge.

APPROVAL OF VOUCHERS:

2012-144 Bills List in the amount of \$2,457,151.01

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

ADOPTION OF REFUNDING BOND ORDINANCE

Refunding Bond Ordinance No. 2012-04 (1103) - REFUNDING BOND ORDINANCE OF THE BOROUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, NEW JERSEY, PROVIDING FOR THE REFUNDING OF ALL OR A PORTION OF THE BOROUGH'S SEWER UTILITY BOND, DATED NOVEMBER 6, 1997, SEWER UTILITY BOND, DATED MARCH 22, 2002, SEWER UTILITY BOND, DATED MARCH 18, 2004, AND WATER UTILITY BOND DATED, JUNE 7, 2001, HERETOFORE ISSUED TO FINANCE SEWER AND WATER UTILITY IMPROVEMENTS, APPROPRIATING AN AMOUNT NOT EXCEEDING \$5,250,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$5,250,000 GENERAL IMPROVEMENT REFUNDING BONDS OF THE BOROUGH OF LAVALLETTE FOR FINANCING THE COST THEREOF

Mayor LaCicero stated that there was already a first and second motion on this ordinance last week along with a public hearing. We are going to open another public hearing tonight with a vote.

Mayor LaCicero stated that basically this Bond Ordinance is going to save the Borough approximately \$800,000 in savings.

Mayor LaCicero opened the Public Hearing and asked if anyone wished to comment on Bond Ordinance 2012-04(1103). No one wished to comment on this Bond Ordinance. Mayor LaCicero closed the Public Hearing and asked Council for a vote on Bond Ordinance 2012-04(1103).

Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Council President Zalom stated that there was a Beach Sweeps on Saturday and they didn't have as many people as they usually do. Overall, about 33 people showed when we usually get about 75 people. Joanne Filippone attended the LBA Meeting for me on Wednesday. There is going to be a new store called the The Beach Authority which is like Ben Franklin but smaller and a clothing store in the old Hankins Building that makes their own clothing. She stated that she spoke to someone from the State DOT on our latest 15 minute and two hour parking request and explained to them that with the summer coming we really need this approval quickly. They stated that they have a shortage of inspectors that they send out to investigate but they moved Lavallette to the top of the list so hopefully this will get done before the summer season starts. As far as the Anniversary Parade that we are going to have in September I am going to request

help from Pat and John Sweeney who have always been involved in getting together the St. Patrick's Day Parade so that should definitely help us out.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Mayor LaCicero stated that he would like to congratulate on a great budget with no increase in rates and with this new refunding bond perhaps a small decrease in sewer.

Council President Zalom stated that she was on vacation in Florida and they have such a nice idea with the newspapers. Their newspapers are behind a wall and they have to pay for them. Maybe we could look into something like that so we can collect revenue with our newspaper bins.

Mr. Parlow stated that he had a meeting with Global Connect and the system is up and running. We have put it on our website for everyone to give us their phone numbers and also a blurb on the electric bill. We will be sending a mailer with the tax bills for residents to fill out the form.

Also, we had another auction on Govdeals and sold 4 police cars for \$1,0000 to \$2,500.

EXECUTIVE SESSION:

PBA Grievance

Mr. George stated that there exists a need for an executive session to discuss a PBA Grievance and what the next step should be. The Officer has been rice noticed and did not wish to attend.

A Motion was made by Councilman Stogdill to adjourn to executive session. The Motion was seconded by Council President Zalom. All were in favor. The motion passed.

Mr. Parlow stated that Mayor LaCicero and Councilman Lamb have a conflict with the matter being discussed and can not attend the executive session. Mayor LaCicero and Councilman Lamb excused themselves for the remainder of the meeting.

A Motion to Reconvene the Regular Meeting was made by Councilman Stogdill. The Motion was Seconded by Councilman Borowski. Vote: All of Council was in favor. The Motion Passed.

The Regular Meeting was reconvened at 8:46 pm.

Mr. George stated that before the Executive Session began Mayor LaCicero and Councilman Lamb were excused due to conflict. He stated that in executive session there was discussion on a

PBA grievance by a sergeant regarding his longevity pay. He stated that he will proceed with proceedings and a formal letter. No action was taken at this time.

ADJOURNMENT:

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

The Regular Meeting was Adjourned at 8:47pm.

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 23rd day of April 2012

Christopher F. Parlow
Municipal Clerk