

**BOROUGH OF LAVALLETTE (minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**February 8, 2016-7:00 pm**

**CALL TO ORDER:** Mayor Walter LaCicero, presiding

**ROLL CALL:** Council Members Borowski, Lamb, Zalom, Stogdill, Finter and Filippone  
Council President Zalom was absent.

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

**READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT:** Notice of this meeting was published in the Ocean Star on January 8, 2016. Notice was also posted on our municipal bulletin board and municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Arlene Ottison, a long time Councilwoman in Seaside Heights who passed away recently.

**PLEDGE OF ALLEGIANCE:** Councilman Borowski led us in the Salute to the Flag

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. We are supposedly getting some more snow storms but we are always prepared. Last week we had a meeting with the NJ Department of Transportation regarding the parking. They agreed to give us back 22 spaces but that was taking away some handicap spaces. They are going to re-template the entire area again and we will have to sign off on the diagram. We did not leave the meeting as happy as we expected to but we will keep trying. We had our meeting with FEMA and Homeland Security and we are nearing the end of the process with that audit. The meeting was to give FEMA the findings of the audit from Homeland Security. They have come up with 3.9 million dollars of discrepancies. Half of that amount is attributed to the electric utility, where the Borough received duplicate payments from both FEMA and the insurance company. Another item was due to the Ashbritt contract for the Sandy cleanup regarding the dimensions of the trucks being off. This was a contract that the Borough had with the County so it should not be our responsibility anyway. Most of the items are minor in nature and according to FEMA will be addressed during closeout. We were happy with how the meeting turned out. This was just a meeting to discuss the preliminary findings. The final meeting and paperwork will be determined.

Mr. Parlow stated that another item that was on their list was regarding one of our Project Worksheets that included the use of police vehicles. The Borough calculated the use of the vehicles in hourly rates and Homeland is stating that it should be calculated in mileage. In past weather events FEMA has always accepted the hourly rates for police vehicles.

Mayor LaCicero stated that other issues involved the purchase of some John Deere Gators after the storm that were needed for cleanup as well as the use of clean up contractors after the governor's

declared fourteen day emergency for purchases without having to go out to bid after the storm. Apparently, the Borough went over that emergency by three days. Overall, we are in good shape with the audit.

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

The Mayor stated that 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.

Clem Boyers, 20 Kerr Avenue questioned if this FEMA meeting had to also do with the new Municipal Building.

Mayor LaCicero stated that the municipal building is entirely on its own and that appeal is separate from this.

**APPROVAL OF MINUTES:**

Minutes of Caucus/Regular Meeting of January 25, 2016

Minutes of Executive Session of January 25, 2016

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

**REPORTS:**

- a) Construction Report for January 2016-Councilwoman Filippone-read report
- b) Zoning Report for January 2016-Councilwoman Filippone-read report
- c) Municipal Court Report for January 2016-Councilwoman Filippone-read report
- d) Police Overtime Report for January 2016-Councilwoman Filippone-read report
- e) Public Works Report for January 2016-Councilman Lamb-Public Works is very busy with the snow cleanup. We did lose some equipment due to the blizzard a couple weeks ago and we are dealing with some beach erosion so the guys are shoring up some weak areas. We also received a sixty two page report on the water tower and it is definitely going to need maintenance in the near future. We will have to start planning for this soon. Councilwoman Filippone stated that she needs to compliment Public Works with doing a great job with snow removal during the blizzard and after. With working all weekend long they still picked up garbage on Monday.
- f) Public Affairs Report-Councilman Finter-The ski trip is rescheduled for March 5<sup>th</sup> and the NYC bus trip is April 16<sup>th</sup>. We only have one bus for the spring trip to NYC so if you want to go get your tickets soon.
- g) Tax Account Report for January 2016-Tax Collector
- h) Tax Collector's Annual Statement of Receipts for 2015-Tax Collector

A Motion was made by Councilman Finter to approve the reports. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Stogdill, : Second: Vote:

**ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:**

**RESOLUTIONS – ON CONSENT:**

- 2016-85 authorizing the Treasurer to apply the 2015 tax overpayments in the amount of \$13,297.96 to 2016 taxes receivables
- 2016-86 approving the facilities use application to Hammer Surf School to hold surf lessons and stand up yoga on the beach from June 20<sup>th</sup> through September 3<sup>rd</sup> 2016 Monday through Saturday in three hour time frames from 8am to 5pm
- 2016-87 approving the facilities use application to the Women’s Auxiliary of the Lavallette First Aid Squad to hold a flea market on Wednesday, July 27, 2016 with a rain date of July 28, 2016 from 6am to 5pm
- 2016-88 appointing WorkNet Occupational Medicine Center as our Municipal Physician for the Borough of Lavallette

A Motion was made by Councilman Stogdill to approve the consent agenda. The Motion was seconded by Councilwoman Filippone.

The Mayor opened the floor to the public and asked if anyone wished to comment on the consent agenda.

No one wished to comment.

The Mayor closed the floor to the public and asked Council for a vote on the consent agenda.

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

**RESOLUTION - OFF CONSENT**

- 2016-89 approving the place to place transfer of Plenary Liquor License No. 1515-33-002 004 held “in pocket” by Lenny’s Pizzeria Restaurant, Inc. to 76 Grand Central Avenue in the Borough of Lavallette

Mayor LaCicero stated that the new location is going to be on the corner of Haddonfield and Grand Central Avenue which does not conflict with the proximity ordinance. We did not receive any letters from residents objecting to or in favor of this transfer.

A Motion was made by Councilman Stogdill to approve Resolution 2016-89. The Motion was seconded by Councilwoman Filippone.

The Mayor opened the floor to the public and asked if anyone wished to comment on this resolution.

No one wished to comment on this ordinance.

The Mayor closed the floor to the public and asked Council for a vote on Resolution 2016-89.

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

Phil Mylod, Esq. thanked the Mayor and Council and said this has been a long time coming. There is still some litigation that is active but he hopes with this transfer that will be wrapped up quickly.

### **APPROVAL OF VOUCHERS:**

2016-90 Bills List in the amount of \$456,607.65

A Motion was made by Councilman Stogdill to approve the bills list. The Motion was seconded by Councilman Finter.

The Mayor opened the floor to the public and asked if anyone wished to comment on the bills list.

No one wished to comment.

The Mayor closed the floor to the public and asked Council for a vote on the bills list.

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

### **COMMUNICATIONS:**

Legal:

- a) Eric M. Bernstein & Associates/Eric Bernstein, Esq./Lavallette Goose Patrol Dogs/Received January 29, 2016

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Borough of Lavallette/Route 35 Restoration/Received January 25, 2016
- b) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Guyer Avenue Road Improvements/NJDOT Highway Occupancy Permit/Received January 29, 2016
- c) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Guyer Avenue Road Improvements/Highway Occupancy Application/Received February 2, 2016

New Jersey League of Municipalities:

- a) Governor Delivers 2016 State of the State/Received January 13, 2016
- b) Bill Awaiting Governor's Action/Received January 14, 2016
- c) Governor Takes Action on Numerous Bills/Received January 14, 2016
- d) Weekly Policy Update/Received January 15, 2016
- e) Federal Update/Received January 19, 2016
- f) Governor Takes Action on Legislation/Received January 20, 2016
- g) Weekly Policy Update/Received January 22, 2016
- h) Governor Declares State of Emergency/Received January 22, 2016
- i) Local Finance Notice on Storm Response/Received January 26, 2016
- j) Weekly Policy Update/Received January 29, 2016
- k) 22<sup>nd</sup> Annual Scholarship Competition/Received February 1, 2016

General With No Action:

- a) FEMA Fact Sheet/Disaster Deductible/Advance Notice of Proposed Rulemaking/Received January 25, 2016
- b) Ocean County Homeless Prevention and Assistance Coalition/Patricia Cash, Chair/Received January 25, 2016
- c) Ocean County Utilities Authority/Richard Warren, Executive Director/Certificate of 2016 Annual Charge/Received January 28, 2016
- d) Jersey Central Power & Light/Matter of the Verified Petition Seeking Review and Approval of Its Deferred Balances Relating To And an Adjustment of Rider Recovery Charge of Its Filed Tariff/Received February 1, 2016
- e) Lavallette Yacht Club/Ruth Oliver, Secretary/Swan Point Road will be Officially Closed for all access on Super Bowl Sunday from 9am Sunday, February 7<sup>th</sup> until 9am Monday, February 8<sup>th</sup> 2016/Received February 3, 2016
- f) Lavallette Yacht Club/Ruth Oliver, Secretary/Change in Officers for 2016/Received February 3, 2016
- g) Ocean County Health Department/Leslie Terjesen, Public Information Officer/Ocean County Health Department Staying Updated on Zika Virus/Received February 4, 2016
- h) Ocean County Utilities Authority/Richard Warren, Executive Director/Deficiency Notification for 2015 Calendar Year/Received February 4, 2016-Mr. Parlow stated that we will be getting an 80,000 credit applied to 2016.

General With Action:

- a) Gosta Lovgren/12 Trenton Avenue/requesting assistance with street lights on Trenton Avenue/Received February 1, 2016-Councilman Finter stated that he has spoken to the Superintendent of Public Works about this and he will be taking care of getting some extra lights up there. Councilman Borowski stated that it usually is every other pole and for some reason there is an extra pole so the lighting is off. Councilman Finter stated that some streets have fewer lights on poles. He spoke to some of the neighbors and they are not objecting. Councilman Finter requested approval from Council to go ahead with this.

A Motion to put extra lighting up on Trenton Avenue was made by Councilman Finter. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

### **UNFINISHED BUSINESS:**

Councilman Borowski stated that with Mr. Parlow's resignation we have put an ad in a couple different papers and on the NJ League website and we have received some applications. He would like to discuss this Administrator position in an Executive Session tonight if that is possible.

Mayor stated that he agrees.

### **NEW BUSINESS:**

There was no new business.

### **COMMENTS FROM THE PUBLIC:**

Chris Angulo, 17 Trenton Avenue stated that the Mayor use to have hours on the Friday before a Council Meeting according to the website.

Mayor LaCicero stated that his hours started again on Friday, February 5<sup>th</sup> at 3pm.

Councilwoman Filippone stated that he could discuss his issues now.

Mr. Angulo questioned if there was any discussion on compact car parking spaces.

Mayor LaCicero stated that there was discussion with DOT about them.

Mark Speaker, 111 Brown Avenue stated that the new Ocean County Tourism Guide for 2016 is now available and Lavallette is advertised.

### **COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:**

Councilman Borowski thanked the Mayor and the Chief of Police for participating in the walk through of the new municipal building with the 3<sup>rd</sup> and 4<sup>th</sup> graders of the Lavallette School. They all sent thank you letters and the best thing they enjoyed seeing was the jail cells.

Councilman Finter requested that he be excused from the next meeting of February 22<sup>nd</sup>.

Councilman Borowski stated that Councilman Finter is receiving an award from the Masonic Lodge on that day.

A Motion was made by Councilwoman Filippone to excuse Councilman Finter from the February 22<sup>nd</sup> meeting. The Motion was seconded by Councilman Stogdill. Vote: All of Council was in favor. The Motion Passed.

**EXECUTIVE SESSION:**

Mr. Bernstein stated that there is a need to go into executive session to discuss the position of Administrator. There may or may not be formal action taken.

Mr. Parlow waived the "Rice" notice requirements.

A Motion was made by Councilman Stogdill to adjourn the Caucus/Regular Meeting to go into executive session. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor.

The Caucus/Regular Meeting was adjourned to go into executive session at 7:42 pm.

A Motion was made by Councilman Finter to reconvene the Caucus/Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

The Caucus/Regular Meeting was reconvened at 8:16 pm.

Mr. Bernstein stated that while in executive session there was discussion on filling the position of Administrator. The Mayor and Council will go through the process of reviewing the applications and making determinations. There was no action taken.

**ADJOURNMENT:**

A Motion was made by Councilman Finter to adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor.

**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 meeting held on the 8<sup>th</sup> day of **February 2016**



**Christopher F. Parlow**  
**Municipal Clerk**