

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, September 19, 2011-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Filippone, Lamb, Horan and Stogdill

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: The Mayor asked for a moment of silence for all the troops that have been killed in the line of duty.

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 the meeting tonight. He stated that this was the last meeting of September and also the last casual meeting for the year. We will now go back to formal attire starting in October.

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 comment at this time.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES:

Caucus/Regular Meeting of September 6, 2011
Bid Opening Minutes of September 13, 2011

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

RESOLUTIONS-ON CONSENT:

- 2011-218 approving Adam Williams as a seasonal laborer for the Department of Public Works at an hourly rate of \$10.00 commencing September 19, 2011 through December 31, 2011

- 2011-219 awarding a contract for Camden Avenue Road Improvements Project to Earle Asphalt Company in the amount of \$128,213.13-Mr. George stated that he reviewed the bids that were submitted and the lowest bidder failed to file one of the required surety forms for the bid bond. He stated that that is a fatal flaw and the bid must be rejected. Earle Asphalt was the second lowest bid and their bid is in compliance, so they are who we need to go with. Council President Zalom stated that we have always had a lot of success with this company. Mr. Parlow stated that in paragraph 3 of the resolution the date has been left out until Mr. George provides a letter of opinion.

- 2011-220 authorizing the extension of the ending date of employment for Class II Officer James Monolio from September 6, 2011 through September 11, 2011-09-16

- 2011-221 appointing nine Class I Officers commencing September 10, 2011 through September 11, 2011 for coverage at the Heritage Day Festival

- 2011-222 appointing three Class II Officers commencing September 10, 2011 through September 11, 2011

A Motion was made by Councilman Horan to approve the consent agenda. The Motion was seconded by Councilman Stogdill. Mayor LaCicero opened the floor for public comment and asked if anyone wished to comment on the consent agenda or the bills list. No one wished to comment at this time. The Mayor closed the floor 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:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

- 2011-223 Bills List in the amount of \$3,397,480.73

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

ORDINANCES ON FOR SECOND READING/FINAL ADOPTION:

ORDINANCE NO. 2011-06 (1096) ORDINANCE OF THE BOROUGH OF LAVALLETTE ESTABLISHING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY

Mayor LaCicero stated that this needs to be done every three years with the minimums and maximum salary ranges established for both union and non-union titles.

A Motion was made by Councilwoman Filippone to adopt Ordinance 2011-06(1096). The Motion was seconded by Councilman Horan. The Mayor opened the public hearing and asked if anyone wished to comment on Ordinance 2011-06(1096). No one wished to comment on this ordinance. The Mayor closed the public hearing and asked Council for a vote on Ordinance 2011-06(1096). Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

UNFINISHED BUSINESS:

Councilman Borowski stated that we received a recycling grant for the 2nd quarter in the amount of \$5,816.00. The prior year for the same quarter was \$3,465.00. He stated that he believes that this is due to the new single stream recycling. He thanked all the citizens of Lavallette, the County and to the Department of Public Works for doing such a great job.

Councilwoman Filippone stated that the County is doing shredding for all citizens. The closest ones to us will be Point Pleasant Beach on September 22nd and Seaside Park so make sure you get that information if you are interested.

NEW BUSINESS:

Council President Zalom stated that she believes that there are less traffic tickets due to the cones on the highway with the pedestrian signs. She stated that the signs do slow traffic down. She stated that she was told that people do not like to ride through Lavallette because they are afraid of getting a ticket so the police officers must be doing their job.

Councilman Horan stated that there was the Garvey Boat race this weekend and it seemed to be alright except for some safety issues. There were four people who were injured and needed to be transported to the hospital. He stated that the County OEM was never notified of this event and there seemed to be no one in charge of this event.

Councilman Borowski stated that the police received several noise complaints. They had two dive teams on site, Berkeley and East Dover and not once were the First Aid or Fire Department in our town notified of this. He stated that the Ocean Beach Fire Department wanted to know why they were not notified either. The Yacht Club Regatta was cancelled due to poor weather conditions with the wind so he questioned why this event was allowed to continue. Two boaters were ejected just doing a training run. They had all the vehicles parked on the grass in the field. He asked what permission did they receive that allowed them to park on the field.

Mayor LaCicero stated that he thought it was a very well run event and had a great time.

Councilman Lamb stated that he was also down at the boat race and he also thought that it was very well run. He stated that he was not present when the injuries occurred but part of the boat racing is possible injuries. He stated that he was more impressed with how well they cleaned up. It was completely spotless as if it never occurred.

Councilwoman Filippone stated that it was very noisy but it was a boat race so it should have been expected. We have discussed this event openly at more than one meeting so everyone knew that it was approaching.

She also stated that she will be setting up a date in October for the Ordinance Committee to meet to discuss the numerous issues that have arisen.

Councilman Borowski also stated that they also had a 50/50 raffle that was obviously not approved by us.

Councilman Lamb stated that we should discuss these things when they are fresh in our minds. One thing that was brought to his attention about this race is that if we had to airlift someone who needed immediate emergency care we would not have been able to use the field which is where our heliport is located.

Council President Zalom stated that she attended the LBA meeting last week and it was very interesting. They were a number of items that were discussed one being the display of merchandise problem. They would like to be notified when the Ordinance Committee is going to meet because they would like to attend also. They are very pleased with the banners and are looking into maybe getting some seasonal ones also. She thanked Michele Burk the Chief Financial Officer for always taking care of the paperwork concerning the grants that we have. There was a letter that Council received that will be on the agenda at the next meeting that she has already taken care of. There was a resident who was having trouble seeing the street because of some overgrowth on a property. She stated that she had Rich Remy the Code Enforcement Officer check it out and he notified the homeowner of that lot and told them to trim the hedges back some. Thank you to Colleen King and the Ocean Star for the article and pictures of our September 11th memorial.

COMMENTS FROM THE PUBLIC:

Mayor LaCicero opened the floor to public comment.

Lucia Correll, 2207 Baltimore Avenue stated that she evacuated with the Hurricane. She stated that she tried to get some information about how bad Lavallette got hit and when did they expect we could come back into town. There was no information that was available for her. She stated she contacted the police who really were not helpful and also checked the website but there was nothing on there either. Maybe we need to think about some type of informative way to advise residents if this should happen again.

Mayor LaCicero stated that he would see to it that there is more information available next time but hopes there will not be a next time.

There were no additional comments from the public.

Mayor LaCicero closed the floor to public comment.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Lamb stated that he has asked Phil George to look into getting the Fire Department incorporated again.

Mr. George stated that he has been working on this and found out that they were incorporated back in the 1980's but no registration since then. His opinion is that the Department should just go through the process of reincorporating.

Councilman Stogdill stated that he spoke with the Island Junior Baseball League and they are very much in favor of elevating the fence on that side for safety reasons.

Councilwoman Zalom stated that Dave Finter has donated a United States Flag for the Borough to hang in the big front window of Borough Hall. Our wonderful Public Works Department has already taken care of that. She stated that she wanted to thank Mr. Finter for his generosity. Also, big thanks to Chris Parlow for getting our wonderful Police to bring down the flag during our Memorial of 9/11. She stated that she is going to apply for the Local Arts & History Grant this year.

Mr. Parlow stated that this is the same grant that he applied for last year and the application was rejected.

Council President Zalom stated that the Friends of Beautification are having a fundraising luncheon at Megs Grill. The Beach Sweeps will be held on October 22nd and the Halloween Hoedown is scheduled for October 28th this year. The New York bus trips will be December 7th and December 10th

Mayor LaCicero stated that the Coordinator of the Geese Patrol gave him an article in the paper where Tuckerton is actually putting netting down to gather all the geese and euthanize them humanely. She wanted the town to know that her Geese Patrol is doing a wonderful job of cleaning up our town of the geese problem and we are also getting some revenue from it.

EXECUTIVE SESSION:

Mr. George stated that there will be an executive session concerning the NJDEP violation and possible settlement options. There will be no other matters discussed and there will be no action taken.

A Motion was made by Council President Zalom to adjourn the Regular Meeting to enter into executive session. The Motion was seconded by Councilman Horan. Vote: All of Council was in favor. The Motion Passed.

The Regular Meeting was adjourned to go into executive session at 7:45pm.

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

Mr. George stated that during executive session the DEP violation was discussed with some settlement proposals that were supplied which we will be offering as part of our settlement. No action was taken during executive session and no other matters were discussed.

ADJOURNMENT:

A Motion was made by Councilman Horan 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 8:02pm.

CERTIFICATION

I, Christopher F. Parlow, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, do hereby attest these to be a true and certified copy of the minutes of the Regular Meeting of Mayor and Council held on the **19th** day of **September 2011**.

Christopher F. Parlow
Municipal Clerk