

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
ISLAND HEIGHTS MUNICIPAL BUILDING – COUNCIL CHAMBERS
December 3, 2012-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

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 was published in the Asbury Park Press on November 30, 2012. Notice was also posted on our Municipal Website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Vincent Pepe, a long time resident who recently passed away and for all our troops overseas

PLEDGE OF ALLEGIANCE: Councilwoman Filippone led us in the Salute to the Flag

MAYOR'S WELCOMING STATEMENT: The Mayor waived this portion of the meeting until the end of all business.

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

APPROVAL OF CLERK'S MINUTES:

Regular Meeting of October 15, 2012
Caucus/Regular Meeting of November 19, 2012

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

REPORTS:

a) Report of Sale of Bond Anticipation Notes-Chief Financial Officer

Mr. Parlow stated that due to the expenses relating to Super Storm Sandy we needed to raise cash through the sale of a special emergency note. Due to the damage incurred through the Borough, the bond market wasn't responding to the sale of the note. Thanks to PNC Bank, which has a branch in Lavallette, we were able to negotiate a note sale deal. We need to give a big thanks to PNC for a fantastic interest rate of 1½ %.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2012-292 applying 2011 tax overpayment to 2012 taxes due, as a result of a successful tax appeal for Block 20 Lot 4, 1906 Ocean Front
- 2012-293 authorizing the Municipal Clerk to advertise for Building Inspectors, Plumbing Subcode Officials and Electrical Subcode Officials due to the demand of work created by Super Storm Sandy
- 2012-294 authorizing the Municipal Clerk to advertise and receive bids for boardwalk lumber due to the damage sustained by Super Storm Sandy- Councilwoman Filippone questioned if we should be starting this just yet. Mr. Parlow stated that on several streets to the north some of the cross arms are still in tact and the Superintendent of Public Works wants to start rebuilding that right away. Councilwoman Filippone stated that there is a large group residents and homeowners who would like to sponsor selling pieces of the boardwalk. The Beautification Committee will be dealing with it. It is going to have to be planned accordingly and we need to make sure it is done right
- 2012-295 agreeing to indemnify the federal government for any damages to property caused by public property debris removal from private property resulting from Hurricane Sandy
- 2012-296 reaffirming the award of a contract to Team Electrical Services, LLC for electrical services due to the damage caused by Hurricane Sandy
- 2012-297 reaffirming the award of contract to H & H Power, Inc. for electrical services due to the damage caused by Hurricane Sandy
- 2012-298 authorizing the Borough Engineer to advertise and receive bids for the removal and replacement of the existing timber bulkhead and anchor system at the ocean side street ends located on Trenton Avenue and Newark Avenue
- 2012-299 authorizing transfers between budget appropriation accounts from the water interest on bonds to water principal on bonds due to the refunding bond-Mr. Parlow stated that this has to do with our refunding bonds regarding our water/sewer loans.
- 2012-300 authorizing the Borough Engineer to advertise and receive bids for the reconstruction and repairs to roads as a result of damaged caused by Super Storm Sandy-Mayor LaCicero stated that the next 4 or 5 resolutions have to do with various projects that need to be done throughout the town to get the process started of repairing and rebuilding Lavallette. Mike O'Donnell stated that most of the work is on the ocean blocks. The bids will be received next Thursday. As long as we have a mild winter we should be able to get the asphalt through the winter. Council President Zalom

questioned if we have all the approvals from FEMA for all this work. Mr. Parlow stated that FEMA does not have to pre-approve contracts as long as we go through the bidding process it will be FEMA eligible. Mayor LaCicero stated that the first 14 days after the storm anything we did was covered but now we have to abide by the FEMA rules so it will slow us down a bit but it will still all get down. Councilman Lamb stated that FEMA will pay 75% and we will have to be responsible for 25%.

Mayor LaCicero stated that the State might also help us out with our 25% but we are still looking into that.

- 2012-301 authorizing the Borough Engineer to advertise and receive bids / proposals for the Newark Avenue Bayside Aluminum Bulkhead repair as a result of damaged caused by Super Storm Sandy
- 2012-302 authorizing the Borough Engineer to advertise and receive bids / proposals for sanitary sewer cleanout repairs as a result of damaged caused by Super Storm Sandy
- 2012-303 authorizing the Borough Engineer to advertise and receive bids water services and hydrants / repair and replacements as a result of damaged caused by Super Storm Sandy
- 2012-304 authorizing payment of invoice to Albert Marine, Inc., for Emergency Repairs to Newark Avenue due to damage from Hurricane Sandy
- 2012-305 authorizing payment of invoice to Albert Marine, Inc., for Emergency Rip-Rap Restoration work due to damage from Hurricane Sandy-Councilman Lamb questioned if this work has been done yet. Mr. Parlow stated that the work has been completed.
- 2012-306 authorizing the amendment to the 2012 capital budget- Mr. Parlow stated that an amended to the capital budget is required reflect the introduction of the schedule electric improvement bond ordinance.
- 2012-307 authorizing the change from salary to an hourly rate of \$24.04 for the Zoning Officer
- 2012-308 authorizing payment of invoice to Wesco Distribution, Inc. for the purchase of electrical supplies due to damage from Hurricane Sandy
- 2012-309 authorizing payment of invoice to Reuter Hanney to perform substation maintenance as a result of damage from Hurricane Sandy

A Motion was made by Council President Zalom to approve the consent agenda. The Motion was seconded by Councilman Stogdill. The Mayor opened the floor to public comment and asked if

anyone wished to comment on the consent agenda. No one wished to comment at this time. The Mayor closed the floor to public 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.

RESOLUTION - OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2012-310 Bills List in the amount of \$730,746.87

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, Horan and Lamb voted Yes. The Motion Passed.

ORDINANCES ON FOR INTRODUCTION:

Bond Ordinance No. 2012-16 (1115) BOND ORDINANCE PROVIDING FOR ELECTRIC DISTRIBUTION CENTER IMPROVEMENTS, APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, NEW JERSEY

Public Hearing and Final Adoption is scheduled for December 17, 2012.

Mayor LaCicero stated that these funds that we need come from bonds from the electric utility and the actual costs should not be anywhere near \$5,000,000.

A Motion was made by Councilman Borowski to introduce Bond Ordinance 2012-16 (1115). The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb. The Motion Passed.

The Mayor stated that Public Hearing and Final Adoption are scheduled for December 17, 2012.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Associates/Philip George, Esq/Thomas Loreda & Lori-Gatfield Loreda/Received October 1, 2012
- b) Eric M. Bernstein & Associates/Philip George, Esq/Underground Utility Easements along Ocean Avenue Boardwalk Properties/Received October 11, 2012

- c) Eric M. Bernstein & Associates/Philip George, Esq/Limitation on Political Yard Signs/Received October 11, 2012
- d) Eric M. Bernstein & Associates/Philip George, Esq/Beach Personnel Enforcement of Ordinances/Received October 12, 2012
- e) Eric M. Bernstein & Associates/Philip George, Esq/Thomas Loredo & Lori Gatfield-Loredo v. Borough of Lavallette/Received October 15, 2012
- f) Eric M. Bernstein & Associates/Philip George, Esq/Reconstruction of Non-Conforming Use Residences following Hurricane Sandy/Received November 28, 2012-Mr. George stated that non conforming uses that were damaged could be replaced overall with an ordinance allowing non conforming use to be reconstructed partially destroyed at 50%. You can not increase the foot print or the size and if you rebuild you will have to follow through with the current code even if you were already grandfathered in. Mr. Parlow stated that Mr. George is referencing non-conforming uses, which are basically your two family homes. Mayor LaCicero stated that we should be getting the new flood maps on December 10th which will impact the overall height if the maps have changed. He stated he heard it is going to change by 1 to 4 feet. Councilman Lamb questioned if that was for non-conforming use also. Mayor LaCicero stated that it would. Councilwoman Filippone stated that there is a Planning Board meeting on December 12th and residents might be able to ask questions. We should be able to come to some consensus about this but the earliest a new ordinance could be approved would be February. Mr. Parlow stated that if you just had first floor water damage and no structural damage on a non-conforming use and not 50% you can repair to pre storm conditions without Planning Board approval. The only issue you would need to wait on would be the elevation issue.

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell/Westmont Avenue Road Improvements/Received October 12, 2012-Mr. Parlow stated that this project was supposed to be done in fall 2012 but has been pushed off until spring 2013. Mr. O'Donnell stated that there are no issues with the DOT regarding reimbursements so we are good.
- b) O'Donnell, Stanton & Associates/Michael O'Donnell/Westmont Avenue Road Improvements/Received October 16, 2012
- c) O'Donnell, Stanton & Associates/Michael O'Donnell/Westmont Avenue Road Improvements/Received October 16, 2012
- d) O'Donnell, Stanton & Associates/Michael O'Donnell/Preconstruction Conference Minutes/Westmont Avenue Road Improvements/Received October 23, 2012
- e) O'Donnell, Stanton & Associates/Michael O'Donnell/2013 NJDOT Municipal Aid Program/Virginia Avenue Road Improvements/Borough Resolution/Received October 24, 2012
- f) O'Donnell, Stanton & Associates/Michael O'Donnell/Westmont Avenue Road Improvements/Received October 24, 2012
- g) O'Donnell, Stanton & Associates/Michael O'Donnell/Camden Avenue Road Improvements/Final Reimbursement/Received October 24, 2012
- h) O'Donnell, Stanton & Associates/Michael O'Donnell/Westmont Avenue Road Improvements/Received October 24, 2012

- i) O'Donnell, Stanton & Associates/Michael O'Donnell/2013 NJDOT Municipal Aid Program/Newark Avenue Road Improvements/Borough Resolution/Received October 24, 2012

New Jersey League of Municipalities:

- a) New Rates for State Health Benefits Plan/Received September 28, 2012
- b) Nominations for Two Special Forms of Recognition/Received October 1, 2012
- c) Municipal Issues 2012-Race for US Senate: The Candidates Respond/Received October 1, 2012
- d) League Educational Foundation Presents Solar Energy Policy Study/Received October 2, 2012
- e) Verizon Business Personal Property Tax Appeal Denied Hopewell and League to Seek Legislative Remedy and Supreme Court Intervention/Received October 2, 2012
- f) Red Tape Review Commission Public Hearing/Received October 4, 2012
- g) Homestead Benefit Application Extension/Received October 11, 2012
- h) Proposed Rules for Non-State Health Benefits Plans/Received October 11, 2012
- i) A-2006 (Allows Contracting for Construction Code Services)/Received October 11, 2012
- j) COAH 3rd Round Rules Challenge Scheduled for NJ Supreme Court Oral Argument/Received October 12, 2012
- k) The 2011 Federal budget Control Act (Debt Ceiling Deal), Expiring Tax Cuts and the Fiscal Cliff/Received October 16, 2012
- l) A-3393 Would Clarify Telecommunications Tax Law correct Court Decision in Verizon v. Hopewell/Received October 17, 2012
- m) A-2586 & S-1534, Exempts Private Institutions of Higher Education from MLUL Requirements/Received October 17, 2012
- n) User Friendly Budget Proposed Reporting Platform Update/Received October 19, 2012
- o) 97th Annual League Conference, November 13-15, 2012 Program Posted on the Internet/Received October 24, 2012
- p) Assembly Action Update for October 18/Received October 24, 2012
- q) Sample Resolution in Support of A-3393, Clarifies Verizon's Responsibility to Remit Business Personal Property Taxes/Received October 25, 2012
- r) Follow-Up Regarding Administrative Order 2012-09-NJDEP Websites/Received October 25, 2012
- s) Approaching Major Storm/Received October 25, 2012
- t) Labor Situation at Trop and Revel in Atlantic City during League Conference/Received October 25, 2012
- u) Hurricane Sandy Response and Recovery Seminar News/Received November 29, 2012
- v) Shared Services Bill Threatens to Penalize Taxpayers Recent Amendments Weaken Management Reforms/Received November 29, 2012
- w) Senate Voting Record on S-2 Concerning Shared Services/Received November 30, 2012
- x) Opposition to Concurrence with Governor's Conditional Veto of A-3096 (Permits Municipal Court Conditional Dismissal Program)/Received November 30, 2012

General With No Action:

- a) Gibson & Perkins, PC/Richard Welsh, Esquire/Professional Service Providers/NJ Public Employees' Retirement System Compliance/Received October 1, 2012
- b) Regular Republican Club of Lavallette/Gail Stefanelli, Secretary/commending the Borough on the success of the 125th Anniversary Celebration held on Sunday, September 23, 2012/Received October 1, 2012
- c) Carluccio, Leone, Dimon, Doyle & Sacks, LLC/John Paul Doyle, Esq/Bay Villa Condominiums/Received October 2, 2012-Mayor LaCicero stated that this was in reference to these condos in Ocean Beach who wanted to be part of Lavallette.
- d) Sharon Dunn-Nugent/Brick, NJ/thanking the Borough for including the crew members and their families in the 125th Anniversary Celebration on September 23, 2012-Council President Zalom stated that this was one of the family members of one of the crew members of the USS Lavallette.
- e) United States Conference of Mayors/Tom Cochran, CEO/Revolutionary Plan Changes that will save your employees money/Received October 19, 2012
- f) Cablevision/R. Thurman Barnes, Area Director/Launch of One World Sports and new Japanese Package/Received October 15, 2012
- g) New Jersey Chapter/American Public Works Association/Paul Wnek, President/Ted Golubowski has been selected to receive the 2012 NJ Chapter APWA Employee Award/Received October 22, 2012-Council President Zalom stated that this is a wonderful thing for Mr. Golubowski. He is an asset to the Borough for sure.
- h) Badge Revenue Update, as of September 3, 2012/Ken Langdon, Ortle Beach Liaison Committee/Received October 23, 2012
- i) Jersey Central Power & Light/Lawrence Corona, Layout Technician/Fixed Cost Agreement Regarding the Substation/Received October 26, 2012
- j) Ocean County Municipal Joint Insurance Fund/Perma, Inc./Public Hearing-2013 Proposed Budgets/Received October 26, 2012
- k) Ocean County Utilities Authority/Richard Warren, Executive Director/Preliminary Estimate of 2013 Annual Charge/Received November 13, 2012
- l) PPL Energy Plus, LLC/For Settlement Discussion Purposes Only/Subject to Rule 408 of the Federal Rules of Evidence/Received November 19, 2012
- m) The Incase/Jessica Czop, Director of Sales/ground breaking new emergency contact information system for homeowners/Received November 26, 2012
- n) Cablevision/Adam Falk, Vice President/information regarding the effects of Hurricane Sandy and Cablevision/Received November 19, 2012
- o) Chester, Ploussas, Lisowsky Partnership, LLC/Gregory Ploussas, Senior Member/offering their support services to our Municipality/Received November 26, 2012
- p) Borough of Bay Head/William Curtis, Mayor/copy of letter sent to Governor Christie/Received November 27, 2012
- q) Ocean County Municipal Joint Insurance Fund/Perma Risk Management Services/2013 Budgets/Received November 27, 2012
- r) Betts & Holt, LLP/Jill M. Barker, Attorney/PPL EnergyPlus Block Purchases-Force Majeure/Received November 27, 2012

- s) Dearborn National/Tom McNally, Vice President/change in name for the Borough's Life Insurance Services/Received November 27, 2012

General With Action:

- a) John Corney/1 Newark Avenue/requesting a report status of electric utility reconstruction progress/Received November 17, 2012-Councilman Horan stated that Ortlely Avenue between the highways has been restored, New Jersey to Philadelphia Avenues restored 100%, Jersey City Avenue and ocean block road opening underground pad mount still needs work, Elizabeth Avenue energized but still need some poles, Newark Avenue ½ the street is energized, Trenton Avenue energized at the highway side but not on the ocean block and Dover Avenue has no power as of yet. Mr. Corney asked if they had a time table for the unsafe areas. Councilman Horan stated that it's all up to the product and man power. Mr. Corney stated that he sees no trucks working. Mr. Parlow stated that the southeast corner streets in Lavallette are gone, roadways and utilities are gone; everything needs to be rebuilt. It's going to be awhile before those streets are fully restored and rebuilt. We need to rebuild from the bottom up. There are no roadways which is a hazard to set poles. We need road surface to sustain vehicles. Mr. Corney stated that we should give the digger and aerial lift to the out of state crews if we are not going to use them. Mr. Parlow stated that every piece of equipment is being used when necessary. All the bids for those projects are being awarded on the 17th of December.
- b) Celeste Brockwell/154 Pershing Blvd/inquiring when access will be open to residents and business owners seven days a week/Received November 27, 2012- Mayor stated that this was already taken care of.
- c) Victor Kwortnik/a concerned family member of a Lavallette resident/ requesting more access for homeowners/Received November 27, 2012-Mayor LaCicero stated that access has already been given.
- d) Eleanor and John Scarcella/106 Coleman Lane/requesting the Borough consider changing the height restriction in Lavallette due to the damages from Hurricane Sandy/Received November 30, 2012-Mayor LaCicero stated that we are considering changing the height restriction.
- e) Lavallette Business Association/Elizabeth D'Aloisio, Treasurer/requesting the Borough give them permission to plant a Christmas Tree and give them a location in town where to plant it to ensure the regrowth and spirit of Lavallette-Mayor LaCicero stated that we really can't give a location for this tree with every area needed repairs so we need to put this on hold for now. Councilwoman Filippone stated that all of her shrubbery is dieing due to lack of water. At this stage, to plant anything you would need to clean out beds and soil and replace everything because there are so many toxins everywhere.

UNFINISHED BUSINESS:

Mr. Parlow stated that our consulting firm Betts & Holt who is our firm dealing with our electric power purchases called to let me know that PPL Energy the company that we buy our power from is going to modify our contract due to the storm and is only going to charge us based upon the amount

we used versus the block that we purchased. He stated that he would like to thank them for that because they were under no requirement to modify their contract.

Mayor LaCicero stated that electric bills will be going out the end of the week.

NEW BUSINESS:

Councilman Lamb stated that there were some employees that pulled 16 hour days without fail and did not get any compensation for it. Mr. Parlow and the Chief were here every day without any hesitation or compensation for their time. The Superintendent of Public Works gets overtime because it is in his contract but these two employees do not. He commented that the Administrator could not even get over here the day after the storm with a vehicle so he hitched a ride with an emergency vehicle. He stated that he would like to make a motion to give the Chief and Administrator overtime at time and a half for their time here during the storm.

Mr. Parlow stated that it should be capped off at a 30 day window block so it will be consisted with FEMA.

Mr. George stated that there could be an amendment to be compliant with FEMA contingent upon state law and FEMA approval.

A Motion was made by Councilman Lamb approve Resolution 2012-309A which provides the Administrator and the Chief of Police compensation time at time and a half for their overtime during the storm capped off at a 30 day window. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Mayor LaCicero stated that Mr. Parlow and the Chief did a great job with no complaints even without the overtime. All the employees did a great job along with Council and volunteers. Thanks to all.

Mayor LaCicero stated that the Public Works employees worked every day since the storm getting the town cleaned up quickly. Some of them had vacation days that needed to be taken before the end of the year or they will lose them. He stated he would like them to be allowed to rollover their vacation time.

Mr. Parlow requested that the motion include that the time be utilized in 2013.

A Motion was made by Councilman Stogdill to allow employees who would lose unused vacation time to roll the time over to 2013 contingent upon the time being used in 2013. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Mayor LaCicero stated that the debris generated by businesses can not be picked up by the Borough under FEMA guidelines. He stated he has been speaking with Mark Speaker, the President of the LBA, and have come up with a somewhat of a solution. The Borough would pickup it up and cart it

away and the LBA will pick up the tipping fees. It is a split, we pay for the manpower and equipment and they pay for the tipping fees.

Mark Speaker stated that he has talked to the business owners and they are in agreement. He stated that we all just need to move forward. Also, Rite-Aid is looking to open on January 3, 2012.

A Motion was made by Councilwoman Filippone to approve the pickup of the debris by the public works department generated by businesses contingent upon the businesses paying the tipping fees. The Motion was seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Mayor LaCicero stated that he has been made aware that North Lavallette does have water. As far as the electric, JCP & L and Toms River came up with a different plan than Lavallette. Unfortunately, they did not know boundaries and pulled meters anyway. Hopefully, this will all be taken care of soon.

Mayor LaCicero stated that he received a phone call from the Chief earlier about NJNG re-pressurizing the gas lines on the barrier island. They are closing the towns by sections. Right now as it stands tonight Lavallette will be closed to the public on December 11th, 12th and 13th, which means no one can be in Lavallette at all on those days. This schedule will probably change so keep checking our website for update.

Mr. Parlow stated that only essential personnel is allowed to be in Lavallette at this time such as Police, Fire, and some Public Works employees so all the work that is being done will discontinue on these days.

Mayor LaCicero stated that he sent a letter to the Governor requesting an answer on why we should wait to move our residents back in. The gas company is even offering electric heaters for our residents. Col. Fuentes of the State Police and the Chief will be submitting a plan on Friday. He stated he is hoping that we will be back in very soon. Keep up the letters to editors, emails to Governor because they worked very well.

Mayor LaCicero stated that there have been a lot of requests about food trucks coming in the area and he wasn't sure if they needed any licenses.

Councilman Lamb questioned if that would be stepping on the toes of the LBA.

Mark Speaker stated that there were no objections from them.

Mr. George stated that regarding our ordinance with ice cream vendors we would need an amendment resolution to allow food vendors to come into the Borough.

Councilwoman Filippone stated that we should set a limit.

Mr. George stated that you really can not set a number but you can set a sunset clause.

Mayor LaCicero stated that maybe we can approve them coming in until the next meeting.

Councilwoman Filippone stated that without permits we might be looking for trouble.

Mark Speaker stated that the only store open with food is Quik-Stop.

A Motion was made was made by Council President Zalom to allow the food vendor trucks until the next meeting and authorize the Chief to determine the number of trucks that could be here. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Council President Zalom stated that the NYC bus trip information is under town events on our website so check it out. Our 125th Birthday/Christmas Party is going to be at Tiffany's on December 21st. Go to our website and check it out.

Mr. Parlow stated that there is a form on our website that can be downloaded regarding the reassessment of your property. The Tax Assessor stated that if you fill it out you need to get it to us by December 31st.

Councilman Lamb stated that he thinks access needs to start at 7am so you have more time before sunset.

Mayor LaCicero stated that he would like to acknowledge the newly elected member of the Lavallette School, Dave Finter.

COMMENTS FROM THE PUBLIC:

Maria Bartnichak, 117 Bond Avenue questioned what was going to happen with the debris on the highway for residents Grand Central Avenue?

Mayor LaCicero stated that if they are residents it should get picked up but he will check on it.

Matt Schlosser, 600 Grand Central, Schlosser Real Estate questioned if they already had their debris removed do we still have to be a part of paying the Borough's tipping fees?

Mayor LaCicero stated absolutely not if you already removed the debris we thank you.

Sherry Karas, 8 Camden Avenue stated that she has her foundation up but did not start to build her house yet. If she wanted to go higher we would have to wait 55 days after the after the first reading for adoption.

Mayor LaCicero stated if you wanted to go higher up you would have to wait until the ordinance took effect.

Mrs. Karas questioned if she could adjust her plans.

Mayor LaCicero stated that it varies by zone.

Mrs. Karas questioned if they are going to be flexible with the height.

Mayor LaCicero stated that it has to be at a minimum flood height.

Councilwoman Filippone stated that the height comes from the bottom no matter what.

Mr. Parlow stated that if you already have a permit you can continue to build, the risk is the house may not be to the new standards of FEMA.

Mayor LaCicero stated that she should wait until the new maps are received from FEMA which should be on December 10th.

Ruth Antolino, 11 Dover Avenue stated that the electric could take months to come back but what about the water on Dover Avenue.

Mr. Parlow stated that the water should be fine it is the electric that will take a while.

Michele Donato, 2202 Ocean Front stated that Lavallette is doing a great job considering the circumstances. Unfortunately, she is in the worst section of the town where nothing has been done. She stated that she keeps hearing that you need a solid base for poles, we never had any before.

Mayor LaCicero stated that we need to go through the bidding process according to FEMA.

Ms. Donato stated that you are supposed to tackle the worst problems first, not last. You should think about some underground utility and extra conduits also because she knows that our poles on Elizabeth Avenue have been worked on often. She stated that without electric for months there is no hope in sight. We should not have listened to the Mayor's optimism. At least the business owners have Mark Speaker as a voice; the year round residents have no one. She asked who is the one person we can talk to about access. Why can some people enter the town through Mantoloking Road and some can not.

Mayor LaCicero stated that no one can get through Mantoloking Road because it is not an accessible road as of right now.

Eileen Ciliento, 107 Jersey City Avenue stated that she wants to congratulate the employees and Mayor and Council for doing the best job under the worst of circumstances. Mayor LaCicero lives on Elizabeth Avenue. To sit here and listen to someone complaint as much as the person before me when Ortleigh Beach has lost everything. You should be thankful you still have a house.

Jack Sauer, 405 Bay Blvd questioned if the Council could allow the homeowners who want to build higher an interim period to do so before the ordinance is finalized.

Mr. George stated that was not possible.

Councilwoman Filippone stated that we have a Planning Board only not a Zoning Board so that can not happen.

Karen Wejnert, 108 Brown questioned when she would be able to get permits and how much will they be.

Mayor LaCicero stated that all the fees are waived and the Construction Office is in a trailer in the firehouse parking lot.

Mr. Parlow stated that you can go see the Construction Official and he will take your name, address and write down the work to be done and when the work is complete you can come back and get the permits. He stated that the fees are waived for work that needs to be done associated with the damage from the storm.

Jon Corney, 1 Newark Avenue questioned where the Animal Control Officer is. There are some feral cats on 2204 Ocean Front and he also saw a very large mouse.

Mayor LaCicero stated that we had public works picking up perishables immediately. He will let the Animal Control know.

Mary Ann Popper, 1600 Bay Blvd., questioned the earliest the gas would be on.

Mayor LaCicero stated that when the gas company determines that it is safe enough. December 12th is when the meters will be going in hopefully.

Steve Atno, 109 New Brunswick Avenue questioned if residents could get in before the gas lines are put in.

Mayor LaCicero stated that the gas is out of his control but we are far ahead from everyone else and he is hoping to get the residents all in very soon.

Paul Jacobsen, 46 Dickman stated that if he has permits active permits already from before the storm and is not looking to build higher, he can just move forward with his work.

Mr. Parlow stated that he could continue with his work immediately.

Mr. Jacobsen questioned if trucks could deliver materials.

Mayor LaCicero stated that they should not have a problem getting on the island.

Joe Palinsky, 122 Washington Avenue stated that he wants to thank the Mayor, Councilman Lamb and Councilman Horan for working tirelessly through the storm. Also, the First Aid is up and running with coverage 24/7 and was also up and running through the storm. There is no pattern with AshBritt, there has been no debris picked up on Washington Avenue and Bay Boulevard.

Judith Storch, Baltimore Avenue thanked the Mayor and Council for the pictures on the website. It was very helpful.

Andrew Feranda, 3 Princeton Avenue stated that there is a State effort to change the restrictions of building for the shore communities so maybe you should check with them before you change yours. The state might supersede Lavallette.

Mayor LaCicero stated that we are waiting for the flood maps before we do anything.

Mark Speaker stated that the LBA is having a Christmas gathering on December 14, 2012 at the Orthodox Church on Church Road. He would like to invite everyone from Lavallette including the employees, Mayor and Council, the residents and any outside contractors that helped with the storm.

David Caruso, 29 Bullard Drive state that some of these houses have not even been touched and he is concerned about a public health issue.

Mayor LaCicero stated that if there are any issues they should be directed to our Code Enforcement Officer.

Councilman Lamb stated that eventually we are going to have to put a date on how long AshBritt will be picking up the debris so people will start to jump on it quicker and get the garbage out of here.

Mr. Parlow stated that the governing body is going to need to decide when the finality of the AshBritt contract should end.

Donald Fix, 223 Westmont Avenue questioned if the water is safe in that area.

Mayor LaCicero stated that it is pressurized but he does not know if it is safe to drink. Check with the DEP Advisories on the internet they should post it.

Councilwoman Filippone stated that we do have a property maintenance code for any houses that are not up to the proper codes. You can contact the Code Enforcement Officer.

Clem Boyers, 20 Kerr Avenue questioned if the post office is going to be up soon.

Mayor LaCicero stated that he has heard nothing about our post office but the mail for Lavallette is going to Brick Township post office.

Councilman Lamb questioned if the school is coming back when the gas comes back.

Eileen Cilento, 107 Jersey City Avenue stated that she does not think the children should ride through these towns in this way. It would not be good for their mental health.

Mayor LaCicero stated that was a very good point.

ADJOURNMENT:

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

The Caucus/Regular Meeting was adjourned at 9:03 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 meeting held on the **3rd** day of **December 2012**

Christopher F. Parlow
Municipal Clerk