

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE ELEMENTARY SCHOOL
February 4, 2013-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Mayor LaCicero stated that Council President Zalom did state at the last meeting that she would not be present for the two February council meetings.

The Mayor asked for a motion to excuse the absence of Council President Zalom.

A Motion was made by Councilman Horan to approve Council President Zalom's absence. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor. The motion passed.

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 Ocean Star on February 1, 2013. Notice was also posted on our municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for Donald Gillmore, a resident and member of the Lavallette Yacht Club who passed away recently.

PLEDGE OF ALLEGIANCE: Councilman Horan led us in the Salute to the Flag.

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

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

Mayor LaCicero stated that anyone in the audience who was here to speak about anything that was not on the agenda or not storm related or if they could not stay for the remainder of the meeting 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:

Regular Meeting of January 22, 2013
Bid Opening for Boardwalk Lumber of January 24, 2013
Bid Opening for Boardwalk Reconstruction of January 24, 2013
Special Meeting of January 28, 2013

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

REPORTS:

- a) Construction Report for October/November/December 2012-Councilwoman Filippone-read reports.
- b) Revenue Transaction Report for November and December 2012-Chief Financial Officer
- c) Tax Account Report for January 2013-Tax Collector
- d) 2012 Tax Collector’s Annual Statement of Receipts-Tax Collector

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2013-76 authorizing transfers between 2012 budget appropriations-Mr. Parlow stated that there was a need to order some cellular equipment due to sandy related purposes so we needed to transfer funds from electricity to phone services.
- 2013-77 urging the legislature to reject A-1196 and urge the supporters of this legislation to work with the MEL and representatives of other units of government to develop less expensive ways to improve compensation to first responders
- 2013-78 authorizing the award of a contract to Polygon US Corporation for Lavallette Fire Company records water damage recovery
- 2013-79 authorizing the dates and times upon which businesses located along Grand Central Avenue may exhibit or display for sale merchandise in accordance with Chapter 50 of the Code of the Borough of Lavallette
- 2013-80 policies and procedures regarding post-issuance compliance of federal tax requirements regarding tax-exempt debt issues

- 2013-81 authorizing change order #1 for Advantage Sitework for repairs to the sanitary sewer cleanouts in the amount of \$3,429.00-Mr. Parlow stated that the two contracts were awarded in December and as work progressed; more issues were identified so we needed to do these two change orders. We are allowed to do change orders up to 20%. Mayor LaCicero questioned if these jobs were still going to be reimbursed 75% by FEMA. Mr. Parlow stated that they were going to be reimbursed.
- 2013-82 modifying the time period established per Resolution 2012-290B for the waiving of construction fees for damaged caused by Super Storm Sandy from 6 months to 3 months-Councilwoman Filippone stated that as a recommendation from Mr. Parlow and with the volume of work and the amount of revenue we need to start collecting fees in order for the Borough to function. Mayor LaCicero stated that we have doubled the staff and yet the revenue is zero. Councilwoman Filippone stated that the Construction Office is self sufficient so if we do no't collect fees to pay for that department we will have to find the revenue somewhere else.
- 2013-83 authorizing the change order #1 for DSC Construction for water distribution system repairs-ocean side streets in the amount of \$9,896.18
- 2013-84 approving the change in the award of contract to Allcomm Technologies, Inc. under state contract A53804 for the purchase of five new police Astro APX Dual Band Digital Radios in the amount of \$24,382.00 and rescinding Resolution 2013-66-Mr. Parlow stated that there was an error in the brand of radio that was approved at the last meeting so this resolution is just rectifying the change in brand of radio and contract price.

A Motion was made by Councilwoman Filippone 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.

Kathy Lucciola, 140 Newark Avenue questioned what the date was that you could get your building permits in before the fees started.

Mr. Parlow stated that the date was February 19th that fees will start.

John Corney, 1 Newark Avenue questioned what the amounts were for Resolution 2013-76 and 2013-78.

Mr. Parlow stated that for Resolution 2013-76 the transfer amount was \$6,000 and for Resolution 2013-78 the contract amount was \$4,697.11

Mark Speaker, Lavallette Business Association questioned that if any of the businesses need permits they should get them by February 19th before the fees start up again.

Mayor LaCicero stated that is correct.

Jack Sauer, 405 Bay Boulevard questioned if permits already issued were affected by this.

Mayor LaCicero stated that if you already got permits you are not affected unless you apply for more permits after February 19th.

Mr. Sauer questioned Resolution 2013-79 and what it was about.

Mayor LaCicero stated that every year the businesses need approval for any displays or sales that they want to put outside their establishments.

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

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

RESOLUTION - OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2013-85 Bills List in the amount of \$2,670,231.04

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

ADOPTION OF ORDINANCES:

Ordinance No. 2013-02 (1117) – Ordinance Of The Borough Of Lavallette, County Of Ocean, State of New Jersey, Amending And Supplementing Chapter 31, Entitled “FLOOD HAZARD AREAS”, Of The Revised General Ordinances Of The Borough Of Lavallette.

Mayor LaCicero stated that as of today the State still has not made available the flood maps or the model ordinance so we need to hold off on this vote until the next meeting.

Mayor LaCicero questioned Mr. George on whether or not we could modify the ordinance and still adopt on February 19th.

Mr. George stated that there are standards that are required regarding the flood maps so we need to wait and see what the deal with them is first.

Mayor LaCicero stated that even if we do not adopt we can modify later.

Councilwoman Filippone stated that this ordinance would have to be changed to reflect the coastal A zone. All coastal A zones have different construction standards requiring pilings.

Mayor LaCicero stated that we have not received the draft ordinance and the map so we will have to wait and see what the State does. We will hold off on the vote for the next meeting and decide at that point.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Associates/Philip George, Esq/Little Giant, LLC v. Borough of Lavallette/Block 10, Lot 26.1/Received January 9, 2013
- b) Eric M. Bernstein & Associates/Philip George, Esq/Little Giant, LLC v. Borough of Lavallette/Block 10, Lot 26.2/Received January 9, 2013
- c) Eric M. Bernstein & Associates/Philip George, Esq/Giant Realty, LLC v. Borough of Lavallette/Block 11, Lot 21/Received January 9, 2013
- d) Eric M. Bernstein & Associates/Philip George, Esq/Giant Realty, LLC v. Borough of Lavallette/Block 25, Lot 3/Received January 9, 2013
- e) Eric M. Bernstein & Associates/Philip George, Esq/Liccardi v. Borough of Lavallette/Block 11, Lot 2/Received January 9, 2013
- f) Eric M. Bernstein & Associates/Philip George, Esq/Bid and Award for Boardwalk Reconstruction/Received February 1, 2013

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell/Service Lateral Cleanout Repairs/Pay Estimate #1/Received January 24, 2013
- b) O'Donnell, Stanton & Associates/Michael O'Donnell/Boardwalk Reconstruction/Bid Review and Recommendation/Received January 28, 2013
- c) O'Donnell, Stanton & Associates/Michael O'Donnell/Boardwalk Reconstruction/Received February 4, 2013

New Jersey League of Municipalities:

- a) NJLM's 2013 State Legislative Priorities/Received January 7, 2013
- b) Read Across America-NJ/Received January 8, 2013
- c) 2013 Bid Acceptance Dates/Received January 8, 2013
- d) Follow Up on League Response to Sandy Issues and Concerns/Received January 9, 2013
- e) Changes to the Filing of Annual Debt Statement and Supplemental Debt Statement/Received January 9, 2013
- f) Op-ed Supporting Direct Payment of Energy Tax Funding Posted/Received January 9, 2013
- g) Sandy Federal Relief Funding Update/Received January 9, 2013
- h) League Technology Advisory Service/Received January 10, 2013

- i) Rebuilding Post Hurricane Sandy/Important Floodplain Considerations for NJLM Members/Received January 11, 2013
- j) NJ Health Info on Flu Activity/Received January 14, 2013
- k) Invitation to Access to Capital Forum/Received January 15, 2013
- l) Supreme Court Punts on Business Personal Property Tax Relief Motion Legislative Action is Needed/Received January 16, 2013
- m) Special Recognition Ceremony and Networking Event on January 29th/Received January 16, 2013
- n) House Passes Sandy Emergency Relief Funding Bill/Received January 16, 2013
- o) Mayors! Help Your Town Stay Healthy in the New Year. Join the Mayors Wellness Campaign/Received January 16, 2013
- p) Federal Aid Available for Local Governments Community Disaster Loan Program Deadline to Notify the Division of Local Government Services is February 1, 2013
- q) Municipalities Which Contract with Private Ambulance Suppliers/Received January 22, 2013
- r) Revised Open Public Meetings Act Bill Introduced/Received January 22, 2013
- s) Action Needed to Advance Restoration of Energy Receipts Bills/Received January 23, 2013
- t) NJEIT Survey Seeks to Identify Cost of Sandy Destruction/Received January 23, 2013
- u) BPU Order Mandates Timetable for Specific Utility Reforms/Received January 24, 2013
- v) Sandy Funding Update/US Senate Action Set for Monday/Please Complete NJEIT Survey to Maximize Support for New Jersey Needs/Received January 25, 2013
- w) PSE & G Super Sandy Emergency Response Meeting/Received January 25, 2013
- x) A-1196, Public Safety Workers' Compensation, Scheduled for Assembly Floor Vote Monday, January 29, 2013/Received January 25, 2013
- y) Enhanced Clean Energy Program Incentives to Assist Hurricane Sandy Flood Victims/Received January 28, 2013
- z) Affordable Housing, Governor's Order to Abolish COAH; Municipal Housing Trust Fund/Received
- aa) Important Conference Cancellation Information/Received January 31, 2013
- bb) Leadership for a Better America Program/Received January 31, 2013

General With No Action:

- a) William & Denise Apsey/116 Vance Avenue/Received January 8, 2013-Mr. Parlow stated that she just wanted to make her comments known of her displeasure of the flood maps and how her property is cut in half by two zones. Councilman Borowski stated that the flood maps can not be finalized until they go through a public hearing process and appeals process. He stated that he sent to each Council Member and Mayor via email an analysis from a Toms River Engineer stating that the new maps did not include any data from Sandy and that is very problematic. There are a lot of discrepancies and we as a Borough need to be a part of the public hearing/appeal process.
- b) Albert & Audrey Hughes/201 Haddonfield Avenue/letter to the DOT on defective storm drain/Received January 8, 2013-Mayor LaCicero stated that this is all due to the Route 35 Restoration Project that is supposedly now going to be started this spring. Mr.

Parlow stated that the State is moving forward with the Route 35 Restoration Project from Bay Head to Seaside Park starting May through completion. He stated that this is insane that they decide to start this now with all that is going on and during the spring and summer which is the barrier island's busiest time.

- c) State of New Jersey/Department of Transportation/Michael Russo, Director/ARRA Funds/Received January 9, 2013
- d) New Jersey Natural Gas/Stephen Rybka, Manager/Waiving Fees for Service Disconnection/Received January 9, 2013
- e) Ocean County Department of Human Services/Ryan Reilly, Coordinator/Point In Time Count/Received January 10, 2013
- f) Sherri Paris/105 Ortley Avenue/letter to AshBritt requesting reimbursement for damaged siding/Received January 10, 2013
- g) Betsey Barr/22 Elizabeth Avenue/thank you letter to Mayor and Council and staff for their handling of super storm sandy/Received January 15, 2013
- h) Chris Nelson/Sandy Bill/Received January 15, 2013
- i) BCANJ/Jack Kocsis, Jr., Chief Exec. Officer/Bid and Award for Boardwalk Construction/Received January 16, 2013
- j) Board of Chosen Freeholders/Joseph Vicari, Freeholder/join in opposition of eliminating beach fees/Received January 18, 2013
- k) Ocean County Young Republicans Organization/2013 New Jersey Young Republican State Convention/Received January 22, 2013
- l) Michele Burk/CFO/Tax Collector/letter of resignation as of July 1, 2013/Received January 23, 2013-Mayor LaCicero stated that we will be in need a new CFO very soon.
- m) Cablevision/Layth Taki, Senior Vice President/Cablevision's Franchise Fee Payment in the amount of \$21,737.00/Received January 24, 2013
- n) RBA Group, Inc./Drew Markewicz, Project Manager/Route 35 Restoration/Final Design Progress Submission/Received January 24, 2013-Mayor LaCicero stated that he and Mr. Parlow attended a meeting with the County and we will be doing an interlocal shared service contract regarding the homes in town that are going to be a public health hazard due to homeowners that have abandoned their properties
- n) Ocean County Health Department/Daniel Regenye, Coordinator/Abandoned Homes Constitute a Public Health Hazard and need to be Demolished/Received January 28, 2013-Mayor LaCicero stated that he and Mr. Parlow attended a meeting with the County and we will be doing an interlocal shared service contract regarding the homes in town that are going to be a public health hazard due to homeowners that have abandoned their properties. The homeowner will be billed and it will also be recoverable by FEMA.
- o) Loretta Rom/Rose Rom-Perez/Dominic Rom/thank you letter to Mayor and Council for all the updates and help with super storm sandy/Received January 28, 2013
- p) Ocean County Utilities Authority/Richard Warren, Executive Director/Certificate of 2013 Annual Charge/Received January 28, 2013-Councilman Horan stated that the bulk rate is going to remain the same as last year.
- q) Cablevision/R. Thurman Barnes, Area Director/Launch of Optimum Economy Package/Received January 28, 2013
- r) Ocean County Health Department/Daniel Regenye, Public Health Coordinator/services and programs available from the Ocean County Health Department/Received January 31, 2013

- s) Ocean County Utilities Authority/Richard Warren, Executive Director/Deficiency Notification for 2012 Calendar Year/Received February 1, 2013-Councilman Horan stated that we remained under the 165,000,000 gallons in 2012 and received a credit of \$9,705.00. Mayor LaCicero stated that no one was here through November and December but the infiltration was quite significant before the storm.

General With Action:

- a) Colin Bottles/Mayors Against Illegal Guns/requesting Mayors join the Coalition/Received January 15, 2013-Mayor LaCicero stated that he will take a look at this.
- b) US Department of Labor/Occupational Safety & Health (OSHA)/Paula Dixon-Roderick, Area Director/requesting a meeting to discuss OSHA's role during super storm sandy recovery efforts/Received January 17, 2013-Mr. Parlow stated that he will be handling this.
- c) Board of Chosen Freeholders/John Kelly, Freeholder Director/James Lacey Freeholder Deputy Director/2013 County Road Improvement Program/requesting the yearly meeting date with the County/Received January 22, 2013-Mayor LaCicero stated that he and Mr. Parlow will be attending this meeting on February 21, 2013 at 10:30 am. Councilwoman Filippone questioned if we have heard anything from the County on the West Point Island streets and curbs? Mr. Parlow stated that we have not. Councilwoman Filippone requested that the Mayor include this request for this meeting.
- d) Lavallette Hardware/1601 Grand Central Avenue/requesting permission to display merchandise from May 1, 2013 through October 1, 2013/Received January 23, 2013
- e) B & B Department Stores/Jeff Davidson, Exec. V.P./requesting permission to display merchandise from April 1, 2013 through October 1, 2013/Received January 24, 2013-Mr. Parlow stated that the ordinance requires that the Council approve we do a resolution once we receive the letter. These resolutions will be on for the next meeting.
- f) Clean Ocean Action/Tavia Danch, Education Coordinator/requesting permission to hold the Beach Sweeps on April 27, 2013 and October 19, 2013/Received January 24, 2013-Mayor LaCicero asked if Council was all in favor of this. All of Council was in favor.
- g) Eric & Denise Olsen/Ocean Beach I/requesting the Borough of Lavallette bring Ocean Beach I into our district/Received January 28, 2013-Mayor LaCicero stated that unfortunately we aren't interested right now.
- h) Arleen Maglionico/Susan Kotch/Camden Avenue/requesting the route used by the debris and sand trucks be moved to Brown Avenue/Received January 28, 2013 Mayor LaCicero stated that AshBritt is going to set up their site on Bay Boulevard and Brown Avenue to stop the traffic from going up and down Camden Avenue.
- i) Ocean County Office of Emergency Management/Sarah Bowen, Project Manager/requesting attendance at their meeting in developing a FEMA Approved Multi-Jurisdictional All Hazards Mitigation Plan on February 13, 2013/Received January 31, 2013-Councilwoman Filippone questioned who would be going to this meeting? Mr. Parlow stated that he will be going. This is a county wide hazard mitigation plan that was put in place last year. It has nothing to do with the mitigation grants that we are

doing here. Councilwoman Filippone questioned if they flood maps would have an impact on this plan? Mr. Parlow stated that he does not believe so.

- j) Janice and Kelly Merna/90 Grand Central Avenue/Disaster Hazard Mitigation Grant Program/requesting some answers to some questions/Received February 1, 2013-Mayor LaCicero stated that he spoke to Mrs. Merna and answered her questions for her.

UNFINISHED BUSINESS:

Councilwoman Filippone stated that this ordinance regarding the height revisions is still of concern to her. There are some clerical corrections that need to be done that were requested by Planning Board. With the new flood insurance schedules that provide discounts for elevating higher than the base flood. The Borough of Lavallette is not allowing anyone to go higher. She stated that there are some limits that need to be changed despite being fair. We have the 28 foot height proposed now; if you choose to go higher then you will have to take off the top of the house. Some towns are going as high as 45 feet but that is just too high for Lavallette. The total feet altogether should be 40 feet and that is it. You could have 15 feet and still get your discount.

Mr. Parlow stated that the freeboard is based upon the flood maps and is included in the 42 foot height.

Councilman Lamb stated that right now it is all complete speculation right now.

Mayor LaCicero stated that right now we do not have the answers as of yet; we would just be thinking and speculating. The V Zone 14 feet plus 2 feet to the finished floor which is 16 feet above sea level finished to first floor.

Councilman Lamb questioned why are we speculating now. We need to wait until we get confirmation and that is why we have the ordinance to do that.

Mayor LaCicero stated that we fast tracked this ordinance to help our residents and now we have to delay everything and wait on the state.

Councilwoman Filippone stated that if they want to go higher they will have to go to Planning Board. There are standard rules and regulations and we should not be dictating how high every home should be. We should just go with what they are telling us now; there will not be any drastic changes.

Mayor LaCicero questioned if we will have to start the zoning ordinance over again regarding the 45 days.

Mr. George stated that adding building height restrictions you would need some certainty from the flood maps. Adding the height restrictions is a substantial change you would need to re-advertise and it would have to go to Planning Board for review just for the height difference

Councilwoman Filippone stated that it should just be passed as it is and if you want to go higher you will need to get a variance from Planning Board. Truly, that is the only way to do this.

Mayor LaCicero questioned if we made the changes when would we be able to adopt the change.

Mr. George stated that if we did the amendment by February 19th we could introduce the amendment on the 19th and refer it back to the Planning Board and if they have no objections we could come back and adopt at the first meeting in March.

Mr. Parlow stated that this is all contingent upon the State releasing the model ordinance and the flood maps with the coastal A and V zone standards. These maps have an enormous impact on this ordinance as well. He stated that we should follow through with the adoption for the next meeting as is with no intent to go above advisory and freeboard.

Councilman Lamb stated that he agrees with Mr. Parlow to go ahead with the adoption at next meeting as is.

Councilman Stogdill stated that he does not want to hold up these homeowners any longer than we have already.

Mr. Parlow stated that he sent out an emergency notification to advise residents that tomorrow is the deadline for filling out the mitigation program forms. After that, we need to supply a letter of intent to the County OEM along with the spreadsheet of how much money we have requested. He stated he is looking to add 20% onto the total amount. The monies are to raise homes but we might not see any monies for at least 18 months.

Mayor LaCicero stated that he received the streamline variance draft proposal from the Planning Board Attorney. There are some sections of this proposal that in his opinion are objectionable regards to the certificate of noncompliant. We have never used a certificate of noncompliance since most of our homes are non-conforming. We are going to have a sit down with Mr. Brady and try to iron out the issues.

Councilwoman Filippone stated that she spoke to the Zoning Officer and he had some good suggestions about the streamline variance. We can make a few changes to the current ordinance and that can loosen up a lot.

Mayor LaCicero stated that unfortunately we do not have any answers right now but we would like to get something on the books.

Councilwoman Filippone stated that with the new construction rules and the non-conforming there are new firewall regulations.

Mayor LaCicero stated that he has been getting a lot of questions regarding modular homes and heating ducts in the freeboard. He stated that he found out that you can put the heating ducts in the freeboard and they do not have to be above flood elevation.

Mr. Parlow stated that the debris pickup was extended to February 28th. All of the storm debris needs to be out to the curb on February 28th. Also, since we have extended this debris pickup his

suggestion is to suspend the bulk pickup in June that the town usually has. If we have the pickup in June we will have residents waiting to get their debris out until then and that is just too long to wait.

NEW BUSINESS:

Councilman Borowski stated that there was an article in the Ocean Star from James Mason discussing the v zone and pilings and how instead of pilings people can do an engineered foundation which is just as appropriate as pilings. To mandate people to put in pilings is just so unreasonable. He stated that people should look into these engineered foundation and see what can be done. He stated that he is going to look into, also.

COMMENTS FROM THE PUBLIC:

Michael Jordan, 217 Westmont Avenue, stated that there definitely needs to be a change in the zoning ordinance. He stated that he already received a variance for a second story pre sandy and was just about ready to get his permits when Sandy hit. Now his permits are sitting at the construction department because everything is all changed now. Anything we need to do definitely needs to be expedited and the process needs to get moving quickly for the good of the town and its residents.

Mayor LaCicero thanked him for his comments.

Anna Loratundo, Hope & Healing Program through St. Barnabas Health stated that she is here to help with people who are very frustrated and having difficulties dealing with rebuilding and the devastation of sandy. This is a state wide program and she has some pamphlets on the table for people who need them. She stated that she will be staying until the end of the meeting for anyone that wishes to speak to her.

Darren Hunsinger, 8 Philadelphia Avenue stated that he agrees with Councilwoman Filippone about the zoning ordinance and she thinks that 40 feet maximum is a good idea. You should not have to start the calendar over, it should just be adopted on February 19th.

Susan Kotch, 119 Camden Avenue thanked Mayor and Council for changing the truck route to Brown Avenue. She questioned the Mayor and Council on if there was any news about the Post Office and if not what the residents can do to help with getting the post office back quickly.

Mayor LaCicero stated that unfortunately the federal government is the problem not Lavallette. No one is willing to commit whether or not the post office is coming back or not. We need to get some clarification and yet we get no definitive answers.

Councilwoman Filippone stated that she heard that they are getting rid of all the post offices on the barrier island.

Mayor LaCicero stated that he will do some research and put phone numbers on the website for residents to call and voice their opinions.

Barbara Susinno, 1 Pennsylvania Avenue stated that there is a street light across the street from her house that shines so brightly in her window at night that she is not sleeping. She believes it is an LED light but thinks that there is something wrong with it. If someone could just move the light towards the boardwalk so it is not shining in my window or move it down five feet, it would be greatly appreciated.

Mayor LaCicero stated that he would look into it for her and hopefully the problem can be fixed.

James Barrett, 133 Elizabeth Avenue stated that he has an ICC application at the building department waiting for approval but the office says that they are waiting on FEMA to come and review all applications before anything can be done with them. He asked what is the story with these applications.

Mr. Parlow stated that there are 75 applications to process which means there are 75 substantially damaged determinations that the building department needs to approve. The Construction Office will sign off on the 50% damage but FEMA inspectors need to go out and inspect before we can do anything. He stated that he received an email that says that the inspectors should be out here by the end of the week.

Mr. Barrett questioned what the recourse is regarding FEMA.

Mr. Parlow stated that there is an appeal process; but understand if you want your house to be determined to be substantially damaged we will do that for you.

Mr. Barrett stated that he is going from A8 to A10; will they be able to give me a permit when the time comes.

Mr. Parlow stated that we are trying to push through as quickly as possible.

Mr. Barrett stated that he seems like he is just going round and round and like it is going to become null and void.

Mr. Parlow stated that it is restrictive now but he is confident that it will become more liberal. The height will be modified to 1 foot free board if ordinance gets adopted.

Mayor LaCicero stated that it will be 2 foot freeboard for new construction.

Lucille Jarosinski, 1305 Bay Blvd thanked Mayor and Council for keeping the firehouse bathrooms opened and cleaned for residents who still have no facilities available and are still working in their homes. It is very comforting to have some heat, light and being able to wash your hands so thank you very much.

Frank Farley, 1007 Bay Blvd stated that he saw on the internet that there will be no post offices on the barrier island anymore. He did see that Bay Head post office will remain open.

Kathy Lucciola, 140 Newark Avenue stated that there is concrete still in the front of her house from weeks ago, is that going to be picked up?

Mr. Parlow stated that she needed to be patient. There are different trucks for different debris pickup and they probably just have not got to you yet.

Mrs. Lucciola stated that she has to raise her house and her contractor is ready to go. Should she just wait until the next meeting to see what happens with these ordinances.

Mayor LaCicero stated that she is better waiting until the next meeting to see what happens.

Jack Sauer, 405 Bay Blvd. stated that this whole mess is a much bigger issue than Lavallette regarding these flood maps. The Army Corps Of Engineers determined this storm to be a 300 year storm. The insurance companies are just making out on all of this and yet we are suffering and going crazy. They are saying they are only going to max pay \$250,000 for the dwelling and \$100,000 contents which in my case is a joke and yet they are trying to tell us that we will be paying \$20,000 to \$30,000 in flood insurance. How does that all make senses. The federal government works for us and we need to all reach out to the Governor, residents and politicians and make it visible what is going on so maybe someone will listen and start investigating. We need to contact our delegations and see if they can write a letter.

Mayor LaCicero stated that he will continue to make phone calls.

There were no additional comments from the public.

The Mayor closed the floor to public comment.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Lamb stated that we are still on our regular garbage and recycling pickup on Mondays only for the entire town.

Councilman Horan stated that Lacey Township Public Works have loaned us their Jet Vac to clean out our storm drains at no cost to the Borough.

Mayor LaCicero stated that the County and the State have been taking care of their storm drains in town.

Mr. Parlow stated that he just received an email from the State that the model ordinance is ready now and the flood maps will be released in two days.

Mayor LaCicero stated that is good news and hopefully we can get the process going as quickly as possible.

Mr. Parlow stated that he attended a meeting on wet debris with the State. The State has approved boats with fish finders and a wet debris company to clean out the Barnegat Bay. There are at least

80 vehicles and 1,000 boats at the bottom of the Barnegat Bay. They are hoping to have the state channel cleared by Memorial Day and all debris removed by July 4th. They also stated that if any sailing groups who go out on the bay sees anything they should let them know.

Mr. Parlow stated that the municipal building needed some additional mediation and mold was found so the whole first floor needs to be gutted. The police department was substantially damaged and needs to be elevated above flood plain so we are probably going to need to knock down and rebuild. Lifeguard headquarters should be completed by Memorial Day. He stated that with everything that has been going on and with all the money that needs to be spent you might want to consider knocking both buildings down and building a new municipal complex.

Councilwoman Filippone stated that we should look into the cost of a new complex. The Chief is working with the Chief's Association for a design for the Police Department. The Municipal Building has always needed a lot of work even before the storm so maybe now is the time to think about the complex and have a bridge over the parking lot so we do not lose the parking.

Mayor LaCicero stated that we could probably find an alternate source of funding for all of that, too.

EXECUTIVE SESSION:

There was no executive session.

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 Motion Passed.

The Caucus/Regular Meeting was adjourned at 8:51 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 4th day of **February 2013**

Christopher F. Parlow
Municipal Clerk