CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

A Motion was made by Councilman Horan to excuse Councilman Borowski. 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
Eric M. 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 May 31, 2013. Notice was also posted on our municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for Isabelle Hayes a long time resident of Lavallette who recently passed away and all the troops over seas.

Council President Zalom stated that there were nine families in Lavallette that either owned property here or had a family member pass away on 9/11. We had plaques made for these families with the deceased names and sayings that the family wrote. This is our last meeting before 9/11 so we would like to read the names of the heroes that passed on that day. She reported that we have ordered a large plaque to put all the small plaques on to put up at our 9/11 memorial on the boardwalk.

Councilman Horan read the names and sayings on the plaques and Council President Zalom rang the bell.

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

MAYOR’S WELCOMING STATEMENT: The Mayor thanked everyone for coming out tonight. He stated that the last day to buy a board will be on September 7th at Founder’s Day. He stated that there is a lot of road work and construction work in town. There are some roads blocked due to the construction with the Route 35 Restoration Project. We ask that you just try and bear with it for now. There should be no issues with the road or construction for Founder’s Day so we do get that little reprieve.

Councilman Lamb questioned if the State Contractor was violating any ordinances regarding the start times.
Mr. Parlow stated that he has been in contact with the State regarding the start times and there
to him was that the State regulations supersede any municipal ordinances. They are just
trying to get this work done as quickly as they can.

Council President Zalom stated that the library is very happy with the work that is being done by
them.

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

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

Alice Comer, 13 Vance Avenue stated that her and her neighbors have been dealing with an
unsightly and now since the storm an unhealthy situation at 15 Vance Avenue. It has now become a
quality of life issue since the storm. She stated that there are numerous code violations on the
property. For the past few years, she has complained about the property to the code official and
they have issued summonses and some of it is has been addressed. Now since the storm it is a total
disaster. The property owners in Lavallette have all had to clean up their properties since Sandy
and the Borough provided debris pickup for us to a certain date. We all took care of cleaning up our
properties except for this property. She asked why is it that they are allowed to have their property
look like that. The Code Enforcement Officer has issued summonses but they have refused to sign
for them. She asked what could be done; they just can’t take it anymore.

Mayor LaCicero stated that he is familiar with the property but he was not aware of the service
problems regarding the summonses. He stated he will talk to our Borough Attorney and see what
recourse the Borough has to get this property cleaned up and how we can issue them there
summonses.

2013 BOROUGH APPOINTMENTS BY THE MAYOR:

Mayor LaCicero made the following appointment to the Lavallette Planning Board / Board of
Adjustment

2 Year Term  Alternate Member #2  Vincent Marino  January 1, 2013-December 31, 2014

APPROVAL OF CLERK’S MINUTES:

Regular Meeting of August 22, 2013
Bid Opening Minutes-5K Metering Cubicle of August 27, 2013
Bid Opening Minutes-Water Meter Replacement-August 27, 2013
Request For Proposals Minutes-Professional Planner-August 27, 2013

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

a) Construction Report for August 2013-Councilwoman Filippone-read report

b) Zoning Report for August 2013-Councilwoman Filippone-read report

c) Public Affairs Report-Council President Zalom-Founder’s Day is September 7th and it is going to be such a great day. There will be a number of craft and food vendors, games and rides for the kids, music and entertainment and then the fireworks at dusk. She stated that joy Grosko might attend. The Founder’s Day Committee, including Joanne LaCicero and Mark Speaker, should get a world of thanks for all they have done for this day. Also, on September 7th at 10am the library will be having their grand opening and the Mayor and her will be in attendance. She reminded all not to forget about our Halloween Hoedown on October 25th; there will be tons of activities and events for the children of all ages. The New York City Bus trip will be December 11th and December 14th this year. The town birthday party will be December 21, 2013. The next beach sweeps is October 19th.

d) Beach Badge Report for August 2013-Councilman Stogdill-read report-Councilman Lamb stated that he wanted to commend Councilman Stogdill for his first year as the Beach Liaison. He thinks he did a great job. There is still a lot of vacant houses still trying to clean up after Sandy and not thinking about badges or the beach so our revenues are down because of that. Councilman Stogdill thanked Pam Caucino and Bob Tormollan for a job well done. Without them up there every day taking care of things it would not have run so smoothly.

e) Revenue Transaction Report for July 2013-Chief Financial Officer

f) Tax Account Report for August 2013-Tax Collector

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

2013-282 authorizing the electric collector to adjust an electric bill in the amount of $19.74 for 11 Reese Avenue

2013-283 authorizing a Chapter 159 Budget Amendment to the 2013 municipal budget for Clean Communities Grant in the amount of $11,405.08

2013-284 authorizing a Chapter 159 Budget Amendment to the 2013 municipal budget for Alcohol Education Rehabilitation Grant in the amount of $844.40

2013-285 authorizing a Chapter 159 Budget Amendment to the 2013 municipal budget for a Cops in Shops Grant in the amount of $1,200.00
2013-286 authorizing the CFO to refund planning board applications fees in reference to Planning Board Case #17-13 in the amount of $100.00 due to an overpayment

2013-287 authorizing five applicants to attend the Ocean County Police Academy for Class II Training beginning September 3, 2013 through May 31, 2014

2013-288 awarding a contract to Awards of Brick for the purchase of a 24 x 26 aluminum plaque for the 911 plaques in the amount of $1,291.99-Council President Zalom stated that this is the plaque to put our 911 plaques on for our memorial

2013-289 denying a residential parking permit application from Manuel and Daisy Colon of 99 Bond Avenue

2013-290 recognizing the month of September 2013 as “National Preparedness Month” in the Borough of Lavallette

2013-291 authorizing the electric collector to adjust an electric bill in the amount of $331.03 at 2304 Grand Central Avenue Unit #53

2013-292 authorizing the electric collector to adjust an electric bill in the amount of $106.81 for 23 Philadelphia Avenue

2013-293 authorizing the transfer of an electric credit balance in the amount of $185.25 to the water/sewer account for 1400B Baltimore Avenue

2013-294 awarding a contract to Reuter Hanney for the 5KV Metering Cubicle Replacement for our substation due to damage sustained from a lightning storm on July 7, 2013 in the amount of $55,000.00-Councilman Lamb questioned if this and the water meter replacement will be covered under FEMA or any insurance. Mr. Parlow stated that this resolution for the electric will be covered by a claim that was made prior to Sandy.

2013-295 awarding a contract to Rio Supply, Inc. for the water meter replacement due to damages sustained from super storm sandy in the amount of $644,355.00-Mr. Parlow stated a Project Worksheet for water meters has been prepared by FEMA.

2013-296 supporting the FoodBank of Monmouth and Ocean Counties and the National Hunger Relief Initiative and designating the month of September 2013 as Hunger Action Month in the Borough of Lavallette-Council President Zalom stated that she hopes the Fire House is fixed quickly so we can get our Nutrition Center back there for the seniors to have meals there.

2013-297 approving the calculation of accumulated leave for Laura Giovene, the Borough’s Chief Financial Officer and Tax Collector-Mr. Parlow stated that every new employee gets vacation, sick and personal days given to them when they are hired.
2013-298 awarding a contract for cellular telephone facilities lease consultancy to FSD Enterprises, LLC-Mayor LaCicero stated that the radio station is finally gone which makes room for another cell antennae and this is the consultant that we used to get our other cell antennae. Mr. Parlow stated that we are also asking the consultant to coordinate the tie-in of all cellular carriers into the Borough’s backup generator rather then have four individual units on site.

2013-298A appointing Douglas Erb to the part-time position of Electrical Sub Code Official for the Borough of Lavallette at an hourly rate of $30.00-Mayor LaCicero stated that the Borough Construction Department has been super busy trying to get permits out and do inspections. Right now we have DCA Electrical Inspectors helping us out since the storm but they are slowly drifting away. It has been difficult to get an electrical inspector to fit our hours and times. These guys are hard to come by since the storm and that is why the hourly rates are higher.

2013-298B authorizing the Engineer to seek competitive bids for the demolition of the Lavallette Police Building and the Lavallette Municipal Building

2013-298C authorizing the Engineer to seek competitive bids for the new construction of the Lavallette Municipal Complex

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.

Alice Bass, 200 Pershing Blvd. questioned if anyone has received the $10,000 REEM Grant that was offered by the State. She applied for it but has not heard anything yet.

Mayor LaCicero stated that he did not receive his as of yet but he knows that many residents have received it. If you get a call to go to Lakewood that means you will be getting your money so wait for that call.

RESOLUTION OFF CONSENT:

APPROVAL OF VOUCHERS:

2013-299 Bills List in the amount of $559,396.16

Motion: Second: Vote:

COMMUNICATIONS:

Engineering:

a) O’Donnell, Stanton & Associates/Michael O’Donnell/Repair of Southern Ocean Block Streets/Westmont Avenue Road Improvements/Punch List/Received August 15, 2013
New Jersey League of Municipalities:

a) Transportation-Housing and Urban Development Funding Bill Stalls in Congress/Received August 2, 2013
b) S-2340, Expands Ability of Court Order Attorney Fees and Types of Filings Considered Frivolous/Received August 6, 2013
c) Governor Creates Pension Fraud and Abuse Unit by Executive Order/Received August 7, 2013
d) Your help is needed to Protect Municipal Bonds/Received August 7, 2013
e) Sandy Rebuild-HUD Environmental Reviews/Received August 7, 2013
f) Governor Signs Legislation/Received August 8, 2013
g) Governor Signs Gun Control Bills/Received August 8, 2013
h) A-3730, Extending Certain Deadlines in the Interest Arbitration Process/Received August 13, 2013
i) Affordable Care Act Free Online Information Session Scheduled/Received August 13, 2013
j) Recap of August 19 Senate Voting Session/Received August 20, 2013
k) New Content on DLGS Web Site/Received August 21, 2013
l) Property Tax History Pamphlet Revised and Updated/Received August 26, 2013
m) A-248/S-2458, Defeated School Budget Deadline/Received August 28, 2013
n) USEPA Brownfields Program Grant Writing Workshops/Received August 29, 2013
o) Public Health Update: List of Persons No Longer Eligible to Work as Animal Control Officers in New Jersey/Received August 29, 2013

General With No Action:

a) New Jersey Housing and Mortgage Finance Agency/Anthony Marchetta, Executive Director/CDBG Funding/Received August 6, 2013
b) NJ Department of Environmental Protection/Cindy Randazzo, Director/International Coastal Cleanup Day/September 21, 2013/Received August 6, 2013
c) State of New Jersey/Department of Health/Michael Coyne, Enforcement Coordinator/Order to Comply Extension for the Lavallette Police Department/Received August 9, 2013
d) Bathgate, Wegener & Wolf/Lawrence Bathgate, III, Esq/Insurance Storm Update/Received August 9, 2013
e) State of New Jersey/Department of Environmental Protection/James Ponteriero, Supervisor/Treatment Works Approval/Received August 12, 2013
f) Cooper Electric Supply Co./Linda Maia-Lopes, Marketing Manager/New Lavallette Location/Received August 12, 2013
g) Nancy Allen/Ocean Beach Unit 1/Beach Badge Payments/Received August 11, 2013
h) PS & S/Donald Sharp, Senior Associate/Borough of Lavallette Municipal Buildings-Hurricane Sandy Damage(Revised Estimate)/Received August 15, 2013

i) Jersey Central Power & Light/Mark Mader, Director/In the Matter of the Provision of Basic Generation Service for the Period Beginning June 1, 2014/Received August 19, 2013

j) New Jersey Natural Gas/Tracey Thayer, Esq./Director/Received August 20, 2013

k) Senator’s Fourth Annual AFG/SAFER Grants Workshop for Fire Department/Kellie Drakeford/US Robert Menendez’s Office/Received August 22, 2013

l) Cablevision/R. Thurman Barnes, Area Director/MSG Varsity Changes/Received August 23, 2013

m) United States Postal Service/Richard Hancock, Real Estate Specialist/New Space Project/Selection of the New Post Office will be in the newly constructed Municipal Complex/Received August 26, 2013-Mayor LaCicero stated that the Borough received confirmation that the Municipal Complex will house the post office.

n) Ocean County Columbus Day Parade Committee/Michael Blandina, Parade Chairman/22nd Annual Ocean County Columbus Day Parade on October 13, 2013/Received August 26, 2013

o) State of New Jersey/Department of Environmental Protection/Elizabeth Semple, Manager/Municipal Public Access Plan Grant/Received August 26, 2013

p) Clean Ocean Action/Cindy Zipf, Executive Director/2012 Annual Beach Sweep Report/Received August 28, 2013

q) New Jersey Department of Transportation/Division of Traffic Operations/Advance Traffic Impact Notice/Received August 28, 2013

r) State of New Jersey/Office of Comptroller/William Challice, Director/In accordance with N.J.S.A. 52:15C-10 providing all contracts exceeding $2 million/Received August 28, 2013

s) Ortley Beach Liaison Committee/Ken Langdon/beach badge revenue analysis as of July 31, 2013 for certain towns/Received August 29, 2013

t) Jersey Central Power & Light/Sally Cheong, Manager/Notice of Proposed Increase in Societal Benefits Charge and Notice of Public Hearings/Received August 29, 2013

General With Action:

a) Joseph and Dina Rocco/8 Trenton Avenue/requesting an adjustment in their water bill due to super storm sandy and the water not being disconnected right away/Received August 5, 2013-Mr. Parlow stated that they had a water leak in their shed from the storm and they received credited on the sewer portion of their bill. It has been the policy that only the sewer portion will receive credit in cases where a leak can be proven.

b) Ocean County Columbus Day Parade Committee/Isa Appignani/requesting Mayor and Council’s attendance in the Parade on October 13, 2013/Received August 27, 2013-Mayor stated that they will decide on this

c) Elaine and George Andreach/2500 Ocean Front/requesting assistance from the Borough for an East to West retaining wall to secure the last lot in Lavallette/Received August 12, 2013-Mayor stated that Mr. Andreach was in the audience and he would like to speak on this. Mr. Andreach stated that he is the last lot in Lavallette on Dover Avenue. He has suffered tremendous erosion on his property with a 6 to 8 foot drop and a lot of loss of
sand. He needs to get even with the street but can not find a way to do that because there is nothing to hold the sand with. He was hoping that maybe the town could help him out with some type of retaining wall. Mayor LaCicero questioned if there was some type of CAFRA requirement that would be needed. Mr. Andreach stated that the bulkhead secures it on the north side it is the south side that is still eroded. Mayor LaCicero stated that he could have the Engineer take a look at it but could not guarantee anything. Mr. Parlow stated that this would not be reimbursable and he is not quite sure that we would be allowed to go onto private property. Mayor LaCicero questioned how high of a wall was he looking for. Mr. Andreach stated that it probably needs to be 6 feet high and 80 feet wide. Mayor LaCicero stated that it was a big project to take on but he would look into it.

d) Sal Valente/8 Bond Avenue/requesting a correction of his water bill/Received August 12, 2013-Mr. Parlow stated that it is just usage. They put a new irrigation system.

e) Jayne Abajian Hanley/20 Haddonfield Avenue/requesting some assistance in regards to her neighbor’s property at 22 Haddonfield Avenue with exterior side stairs that violate our zoning ordinance/Received August 12, 2013-Councilwoman Filippone stated that she has spoken to this woman already and this is a case from last year and it involved our previous zoning officer. The new zoning officer is also standing by the old approval.

f) Congress of the United States/House of Representatives/Anthony Ranucci, Director of Constituent Outreach/requesting the Mayor’s attendance at a group discussion on Improving the Federal Response to Natural Disasters: Lessons Learned from Hurricane Sandy on September 4, 2013/Received August 15, 2013-Mayor LaCicero stated that he is attending this discussion tomorrow.

g) Catherine Coviello/203 Haddonfield Avenue/requesting a handicapped parking space in the front of her home/Received August 21, 2013-Mr. Parlow stated that he has been to this property and there is a driveway to accommodate two cars. He stated that he observed a boat on a trailer currently occupying the off-street parking spaces. Councilwoman Filippone stated that technically we only put handicap spaces in front of public facilities to accommodate the public not one resident.

h) Lois Sabarese Fruhbeis/requesting permission for their family to fund and rebuild the little gazebo on Guyer Avenue that was given to the town by her family in memory of her father Dr. Theodore Sabarese/Received August 22, 2013-Mayor LaCicero stated that would be great if they could take care of the repairs of this gazebo.

i) Marilyn Andrews/3 Princeton Avenue/requesting a refund of all water charges since the storm/Received August 23, 2013-Mr. Parlow stated that she was disconnected in July and these are just the capital infiltration charges.

j) Itzhak Manor/Beach Authority 3245 Rt. 35 North/Lavallette/requesting assistance with his battle with his insurance company/Received August 27, 2013-Mayor LaCicero stated that unfortunately we are all having problems with our insurances and reimbursements. He stated that he would have Mark Speaker the LBA President see if he could help him out.

k) ShoreBuilders/Corey Wescoe, President/requesting the Mayor’s attendance at their next General Membership meeting on September 20, 2013-Mayor LaCicero stated that he will not be attending this meeting.
1) Eleanor Janowski/2401 Grand Central Avenue/requesting an adjustment with water/sewer bill/Received August 30, 2013-Mr. Parlow stated that this too was a leak and the sewer was adjusted just not the water.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

There was no new business.

COMMENTS OF THE PUBLIC:

Clem Boyers, 20 Kerr Avenue questioned if it was definite that the post office will occupy the municipal complex.

Mayor LaCicero stated that it is not set in stone but they have the letter and we are going to go with it as of right now.

Denise Wirth, 1606 Grand Central Avenue congratulated the Borough on the housing of the post office but questioned if we should get a binding agreement right now so they don’t back out last minute.

Mayor LaCicero stated that it is a process and should be finished by end of September or early October. Once that finishes they will start with the agreements. However, reality is that we do not have our building yet so anything could change.

Councilwoman Filippone stated that we are not going to design the inside of their space no matter what so if they change their minds we will not lose anything.

Jean Lane, 131 Elizabeth Avenue stated that she does not ever come to meetings but just wanted to say that all the members up there do a damn good job and thank you.

Jon Corney, 1 Newark Avenue stated that in the middle of the night there were cones put out and striping done on our street and they did not do a very good job. They should be more striping then they did and why did they do it in the middle of the night. They were very noisy and not paying attention.

Mayor LaCicero stated that he was not sure why it was done at that time but he will check with the Engineer.

Mr. Corney stated that there are many more storms that will be coming according to an article in the Asbury Park Press and our dunes are so much smaller than most towns. As of right now we have no protection at all.
Mayor LaCicero stated that now that the summer season is over we are going to make the beach and the dunes our main priority for the resident’s safety. We are working with Harms Construction about possible receiving sand and the NJ DEP about receiving materials dredged from the bay.

Mr. Corney stated that maybe the Council needs to set up a meeting with the residents to inform them of what is going on with this and when it is going to happen.

Mayor LaCicero stated that right now we have no information from the Army Corps as of yet but when we do we put all information as soon as we get it for everything on our website as soon as possible. Our number one priority is and has always been to protect our residents.

Mr. Corney questioned why there is no snow fencing on the east side.

Mayor LaCicero stated that we have a priority list and limited resources.

Carmela LiCastro, 5 Elizabeth Avenue stated that it is true about the middle of the night with the striping. She left at 6 pm for dinner and came back at 9 pm and she had two parking spaces lined in the front of her house and yet she was told that she could never have two spaces because there was not enough room. She called Public Works and they said it was not them.

Mayor LaCicero stated that Mr. Parlow will have the Engineer look into it.

Bill Murray, 1 Elizabeth Avenue stated that Mayor and Council did a great job with the rebuilding after Sandy so thank you. Yes, there were six guys and two trucks for about two hours in the middle of the night painting the striping for the parking spots. Also, we need to start enforcing the rules as far as keeping off the dunes. Maybe our Class I and II’s should be patrolling on the boardwalk watching for that.

Al Jones, 114 Reese Avenue stated that the Mayor and Council should look into keeping the lifeguards for Founder’s Day and Memorial Day Weekend and open up only a couple of beaches.

Mayor LaCicero stated that if we open one beach we must open all beaches.

Mr. Jones questioned if the beach will be open off season.

Mayor LaCicero stated that the beach is open all year and it is open for fishing also. Beach buggy permits are also available.

Mr. Jones questioned what is being done about the weeds and garbage on vacant lots.

Mayor LaCicero stated that the Code Officer is trying to take care of those situations as soon as he can. That Department is very busy and trying to prioritize their work. We are trying to get that Department some more part time help

**COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:**
Councilman Horan stated that the water, sewer and electric departments have been very busy with markouts for construction work, installing poles and disconnecting services for demolitions.

Council President Zalom stated that she attended the fundraiser at Gabriella’s for our Firemen and it was a big hit. Also, there was a second page of names of our 911 plaques so Councilman Horan will read those names right now.

**EXECUTIVE SESSION:**

Personnel Matter-Zoning/Code Enforcement

Mr. Bernstein stated that there was a need for an executive session to discuss a personnel matter regarding Zoning/Code Enforcement. There is no action that will be taken.

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

The Caucus/Regular Meeting was adjourned to go into executive session at 8:20pm.

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

The Caucus/Regular Meeting was reconvened at 8:52pm.

Mr. Bernstein stated that while in executive session there was discussion of a personnel matter regarding the zoning/code enforcement officer. Mr. Parlow was given direction how to deal with the Civil Service matter. There was no action taken.

**ADJOURNMENT:**

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

The Caucus/Regular Meeting was adjourned at 8:55pm.
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 September 2013

_______________________________
Christopher F. Parlow
Municipal Clerk