

**BOROUGH OF LAVALLETTE(minutes)  
REGULAR MEETING OF THE MAYOR AND COUNCIL  
LAVALLETTE MUNICIPAL BUILDING  
Monday, June 20, 2016-7:00 pm**

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

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

Also present: John Bennett, Borough Administrator  
Eric Bernstein, Borough Attorney  
Donnelly Amico, Acting Municipal Clerk

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

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Lucille Lamb, a resident on Ortle Avenue who passed away recently and for Andrew Calderaro, the son of long time residents Len and Georgia Calderaro who passed away suddenly.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. The first meeting of the summer and the longest day of the year. We didn't receive any written verification as of yet but we were notified verbally that none of the towns that applied for the Essential Services Grant will be receiving them this year. The State has decided that they will not be going forward with the program. We knew that this could happen so we are ready to go through the budget again and do some cuts.

Mr. Bennett stated that he has been working on the budget already and we are prepared so far to do the amendment and public hearing and final adoption all at the next meeting on July 5<sup>th</sup>.

Councilman Lamb questioned if that is set in stone and we have no chance of getting the grant this year?

Mayor LaCicero stated that according to the State they will not be giving any out this year.

Mayor LaCicero stated that anyone who wished to comment on any items that are not on the agenda or if they can not stay for the remainder of the meeting they could do so now.

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

No one wished to comment at this time.

## **APPROVAL OF CLERK'S MINUTES:**

Caucus/Regular Meeting of June 6, 2016

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

## **RESOLUTIONS-ON CONSENT:**

- 2016-193      appointing three lifeguards for the 2016 summer season
- 2016-194      approving a facilities use application to Jillian Kepich from Surfing the Dream to hold surf lessons on the ocean beach on Bryn Mawr Avenue on an as needed basis on various dates and times in July and August-Councilman Borowski requested this resolution be put off consent for discussion
- 2016-195      approving a facilities use application to Gabriela DeMaria to hold yoga classes at the gazebo on Mondays in July and August 1<sup>st</sup> at 6pm
- 2016-196      approving a facilities use application to Anthony Scorciolla from Making the Cut to hold soccer games on July 18<sup>th</sup> to July 22<sup>nd</sup> and July 25<sup>th</sup> to July 29<sup>th</sup> from 9am to 3pm
- 2016-197      renewal of membership in the Ocean County Municipal Joint Insurance Fund for a three year period commencing January 1, 2017 and ending December 31, 2019
- 2016-198      appointing three seasonal employees for the Department of Public Works
- 2016-199      approving the renewal of Plenary Retail Liquor License for license year 2016-2017 held by J. Ralph, Inc. doing business as Cornerstone Wines and Liquors
- 2016-200      approving the renewal of Plenary Retail Liquor License for license year 2016-2017 held by White Whale, LLC doing business as Lavallette Liquors
- 2016-201      approving the renewal of Plenary Retail Liquor License for license year 2016-2017 held by Saulwil, Inc. doing business as the Crab's Claw Inn
- 2016-202      approving the renewal of Plenary Retail Liquor License for license year 2016-2017 held by Sherman Hospitality, LLC doing business as Pete's Poolside Bar-Councilwoman Filippone requested this resolution be put off consent.
- 2016-202A      approving the renewal of Club Liquor License for license year 2016-2017 held by the Lavallette Yacht Club, Inc-Councilman Borowski requested this resolution be put off consent.

A Motion to approve the consent agenda minus Resolutions 2016-194, 2016-202, 2016-202A was made by Council President Zalom. The Motion was Seconded by Councilman Finter.

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

Joe Palinsky, 122 Washington Avenue stated that Resolution 2016-195, the application for yoga it is not marked whether they are not for profit so you should deny it until the application is complete.

Donnelly Amico, Municipal Clerk stated that she spoke to Mrs. DeMaria and advised her of the 10% profits if you are making money on the event. She is fully aware of this.

No one else wished to comment on the consent agenda.

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

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

#### **RESOLUTIONS OFF CONSENT:**

2016-194 approving a facilities use application to Jillian Kepich from Surfing the Dream to hold surf lessons on the ocean beach on Bryn Mawr Avenue on an as needed basis on various dates and times in July and August

Councilman Borowski questioned what exactly does this program entail?

Jillian Kepich was in the audience for any questions so she came up to answer any questions that were needed.

She stated that they are surfing coaches and will only be using the beach at the times that people call to schedule coaching. They won't exactly be doing on a daily basis.

Councilman Borowski questioned if it was individual coaching or group?

Ms. Kepich stated that they will be doing individual coaching not group.

Councilman Borowski also questioned if Bryn Mawr is a surfing beach?

Ms. Kepich stated that it was a surfing beach.

Councilman Stogdill stated that when they do have hours to coach they need to advise the beach captain ahead of time so he is aware of it and also if it is during bathing hours all will need beach badges.

The Mayor opened the floor to the public and asked if anyone had any comments on this resolution.

No one wished to comment. The Mayor closed the floor to the public and asked Council for a vote on this resolution.

A Motion to approve Resolution 2016-194 was made by Councilman Borowski. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

2016-202 approving the renewal of Plenary Retail Liquor License for license year 2016-2017 held by Sherman Hospitality, LLC doing business as Pete's Poolside Bar

Councilwoman Filippone stated that we spoke about this last year and we know that Pete's Poolside is no longer in business and it is now Capriccio's by the Sea. Why is he still doing business as Pete's Poolside Bar? The Clerk has advised us that the corporate papers are still with the State and is in the process of being changed but we need to approve this resolution on the intent that it will be changed once the paperwork goes through and is approved.

Mr. Bernstein stated that they can approve it tonight and when the paperwork goes through with the change they can do another resolution with the new trade name.

A Motion to approve Resolution 2016-202 contingent on the State's approval of the license was made by Councilman Borowski. The Motion was Seconded by Councilwoman Filippone.

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

No one wished to comment. The Mayor closed the floor to the public and asked Council for a vote on this resolution.

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

2016-202A approving the renewal of Club Liquor License for license year 2016-2017 held by the Lavallette Yacht Club, Inc

A Motion to approve Resolution 2016-202A was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill.

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

No one wished to comment. The Mayor closed the floor to the public and asked Council for a vote on this resolution.

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

2016-203 authorizing a refund to Anita Zalom for off duty escrow

A Motion to approve Resolution 2016-203 was made by Councilman Borowski. The Motion was Seconded by Councilwoman Filippone.

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

No one wished to comment. The Mayor closed the floor to the public and asked Council for a vote on this resolution.

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

#### **APPROVAL OF VOUCHERS:**

2016-204 Bills List in the amount of \$540,531.39

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

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

No one wished to comment. The Mayor closed the floor to the public and asked Council for a vote on the bills list.

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

#### **UNFINISHED BUSINESS:**

Mayor LaCicero asked Mr. Bennett for an update on the Lifeguard Building.

Mr. Bennett stated that he was up there today and the Engineer was surveying the area and all that was done was the changing of a light bulb. The Plumbing and Electrical is not done as of yet. He spoke to the Construction Official and there was an arrangement to move the railings and ramp back a foot in order to comply with the code. The Engineer told me today that in order

to take care of this it is going to cost the town another \$2,000. He advised Mr. O'Donnell that the town is not paying another cent on this project.

Mr. Bennett also stated that the lifeguard captain and the checker supervisor are working together and have done a good job of getting things situated for the season to start. There are port o potties up there for the employees to use and we lock them when they are not being used. Two neighbors have allowed the lifeguards to use their outside showers which was just great. We are moving along but at a slow pace.

Mayor LaCicero stated that we have liquid damages that we are entitled to since the project was not finished by June 1<sup>st</sup> so we will be dealing with that as well.

Councilman Stogdill stated that we are up 7% in badge sales since last year already. We are doing well so far.

Council President Zalom stated that the letter was received from the DEP regarding the EZ Docks being put on our beach. They have no issues with it. Also, we have a homeowner in town that owns a company that has LED lights and we spoke to him about getting some shades for our LED lights to keep them from glaring into windows.

Council President Zalom stated that the owner of Lucky Lady, a store in town asked if we could put a bench in front of her store. Pat Marrone did some research to see what bench could be taken and put up there and they decided that the Friends bench that Beautification donated can be taken from Baltimore Avenue and put up there. She spoke to Public Works and asked that when they had time could they move that bench and they had it done in two hours. Great job always Public Works!

Councilman Borowski stated that we received paperwork regarding the State dredging the channel and we can give our comments about it to the State. This paperwork on where they are dredging and what they will be doing differs greatly from what we thought. They are dredging a hole north of West Point Island in deep water. This concerns me because it is so close to the WPI Bridge and that already has too much sand there. He would like to get Dr. Farrell involved in this to see how he can help us.

Mayor LaCicero stated that if Dr. Farrell can help us that would be great. He agrees that the depth in the Channel will definitely be worse. We should try and see if we can acquire that sand for our use as well.

Council President Zalom stated that she saw that our legislators are trying to pass a bill to allow municipalities to hire an outside contractor to dredge the waters in their town. She is going to reach out to the County and see if they can do some dredging for us as well.

#### **NEW BUSINESS:**

There was no new business.

## COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue stated that over by the Lavallette Yacht Club there is a hole from a previous dredging. That hole is about 20 feet deep but the surrounding area is very shallow. Also, the handicap ramp and railings seem to be sticking out to much on the boardwalk. Is that the way it is supposed to be?

Mr. Bennett stated that it is not supposed to be that way. They are encroaching on the boardwalk to much. The problem is being dealt with already.

Mr. Boyers stated that the railings only have to be fixed not the ramp.

Mayor LaCicero stated that the ramp and railings are both not up to code.

Mr. Boyers stated that the bench that is a little far out on the boardwalk why can't we put it right on the line of boardwalk and beach.

Mayor stated because the boardwalk is right on our property line. It deviates in some places but that is our property line.

Mr. Boyers stated that the north end of the boardwalk about 75 feet of those boards are going to have to be replaced because they are all buckling badly.

Councilman Lamb stated that he noticed that as well and they will be looking into that.

Mr. Bennett stated that he will work on locating some money for the work to be done up there for repairs.

Council President Zalom stated that the Supt. of Public Works has came up with a solution for the bench on New York Avenue. He recommended that we move it to the east side of the boardwalk on the sand to avoid any other issues with where it is now.

Councilwoman Filippone stated that she does not think that is a good place for it.

Mayor LaCicero stated that we will have to put it there and see how it does just like we did with it on the boardwalk. He thinks it will do better there in the sand.

Herb Hascher, 1307 Bay Blvd. stated that Saturday's shredding event at the firehouse was a bit of a disaster. There was no parking for any of the cars and the line was horrific. There was no organization and people and cars were everywhere.

Mayor LaCicero stated that he didn't even know it was going on. We should have received notification and we should have approved it.

Councilman Borowski stated that the program was very well received but it will just need to be organized much better.

Mayor LaCicero questioned who gave the approval.

Donnelly Amico, Municipal Clerk stated that it is a County program and is in a lot of different towns. They notified Public Works and it was in the calendar.

Mr. Hascher stated that he is also having a lot of problems with the sand blowing onto his property again. He has to actually blow the sand in piles and dump it at the recycling plant. The County really needs to come with the street sweeper on Bay Blvd. to sweep that street.

Council President Zalom stated that she will contact the County on all of these issues.

Mr. Hascher also commented that the bike cops are going the wrong way on their bikes. They should be setting an example for the other bikers to go with the flow of traffic.

Jack Sauer, 407 Bay Blvd. stated that the property at 99 Bay Blvd. really needs to be addressed. It really is unfair for the neighbors to have to live next to that junk yard.

Mayor LaCicero stated that there was litigation on it about 20 years ago that prevented us from doing anything on it but we need to get the paperwork from then and see if there is anything that can be done now.

Joe Palinsky, 122 Washington Avenue stated that regarding the shredding program he thinks that there was a lack of communication between Public Works and the Police Department. The Police Department said they weren't even aware of the program happening. Once the police got there they did a great job of handling the chaos and moving it along.

Al Jones, 113 Reese Avenue stated that he would like to see the black boards on the back of the lifeguard stands with the times of high and low tide and the water temp.

Councilwoman Filippone stated that they are on there they are just smaller than before.

Gary Adams, 108 Haddonfield Avenue stated that he utilizes the shredding program on a yearly basis through the County. He goes on their website and checks the list of towns and dates that the program will be. Most of the other towns that utilizes the program have the hours from 9am to 1pm but Lavallette's was only 9am to 11am and Seaside Heights is only that too.

Mayor LaCicero stated that we will see if we can get the four hours for next time as well.

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

Councilwoman Filippone stated that the wall in the Borough Hall has the Admiral of Lavallette portrait and the replica of the ship displayed. This is the first of several displays that will be displayed on the walls in the Borough Hall. The entire display was funded by the West Point Island Civic Association. There will also be a bronze sculpture going up that is just gorgeous as well as the Lavallette Quilt.



Councilman Borowski stated that he will be attending the Public Power meeting on June 28<sup>th</sup>. The President Jim Jablonski will be retiring within the next year so it will be interesting to hear the discussion on that issue. He will have some numbers on for the next meeting.

Council President Zalom stated that there were 190 garage sales and that money is returned back to the Borough from Municipal Alliance to go towards the fireworks. The plantings have gone in on the median on Bay Blvd. so thanks to the County for that. We will be ordering new shuffleboard equipment. There will be summer karate for kids and adults at the school for the summer. One of our residents, Karen Sandy wrote a book and all the donations will go to the Humane Society. Our summer schedules are available on line and in Borough Hall.

Mayor LaCicero stated that they received a letter from residents who would like to donate a substantial amount of money for the refurbishing of our basketball courts.

Councilman Lamb stated that we were looking into relocating the courts to the hockey rink because it has a much better surface.

Mayor LaCicero stated that we will be coordinating with the Daly's to see their plan for the refurbishing.

Mr. Bennett stated that he and Mr. Royer have a meeting tomorrow with the Administrator from Seaside Park to discuss the shared services with our Construction Office. Also, he has three more Tax Assessor interviews and two Construction Official interviews this week.

Mayor LaCicero stated that Johnson Baran finished paving the area on Westmont Avenue that had the pooling water issue. It is finally done so we shouldn't have any issues with that anymore.

#### **EXECUTIVE SESSION:**

There was no executive session.

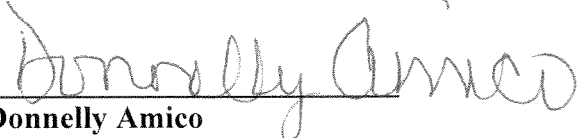
#### **ADJOURNMENT:**

A Motion to adjourn the Regular Meeting was made by Councilman Lamb. The Motion was Seconded by Councilman Stogdill. Vote: All of Council was in favor. The Motion Passed.

The Regular Meeting was adjourned at 8:30 pm.

**CERTIFICATION**

I, Donnelly Amico, Acting 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 20<sup>th</sup> day of **June 2016**

  
**Donnelly Amico**  
**Acting Municipal Clerk**