

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Tuesday, September 5, 2017-7:00 pm**

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

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

Councilman Finter was absent.

Also present: John Bennett, Borough Administrator  
Phil George, Borough Attorney  
Donnelly Amico, Municipal Clerk

**READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT:** Notice of this meeting was published in the Ocean Star on January 6, 2017. Notice was also posted on our municipal bulletin board and municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Joseph Wojton a longtime resident of Jersey City Avenue and also the father of Ron Wojton who is a retired electrician that worked at Public Works for many years. Ron's wife Eileen also passed away a few days after his father from cancer. Gerald Ticehurst from Jersey City Avenue a former Public Works employee who passed away and Frank Santoro a resident of West Point Island who passed away also. Let's also keep the victims of Hurricane Harvey in our thoughts as well.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. He spoke to the DEP on Friday to get some type of updated time table as to when the beach replenishment project was going to start in Lavallette. The original time frame was to start here in April 2018 and to hopefully be finished before the summer season started. Now due to some issues that are again putting a hold on what is being done now, they don't have an exact time frame of when they will be here. They advised me that they are already three months behind schedule which would bring us to the middle of our busy summer season. This is not good for us but as they have continually advised us we have no choice but to accept what is dealt to us. My law office will be collecting items for Hurricane Harvey victims so you can bring them to Founder's Day and also my office. The information will be on our website at lavallette.org. He stated that anyone who wanted to comment on any items that are not on the agenda or if they cannot 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)**

Sante D'Emidio, 147 Newark Avenue thanked Mayor and Council for the smoking ban on the beaches and for the Sunday concerts. He stated that he has a complaint about there not being

enough garbage and recycling receptacles on the boardwalk and beaches, specifically the Newark Avenue beach. There is an abundance of garbage up there and no where to put it. There is just not enough receptacles to put everyone's garbage. They are always overfilled and falling out all over the boardwalk and beaches which bring the seagulls.

Mayor LaCicero thanked him for his comments and stated that Councilman Lamb will discuss the issue with the Public Works Department and see what we can do.

Mayor LaCicero stated that he received a call about the water tank and whether or not we were going to change the location of the town name on it once it is done. They would like to see the name of the town being able to be seen coming up Route 35 South.

Councilman Borowski stated that we have had this discussion before and agreed we should leave it all where it is.

### **APPROVAL OF MINUTES:**

Minutes of Regular Meeting of August 21, 2017

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

### **REPORTS:**

- a) Lavallette Construction Report for August 2017-Councilwoman Filippone-read report
- b) Seaside Park Construction Report for August 2017-Councilwoman Filippone-read report
- c) Lavallette Zoning Report for August 2017-Councilwoman Filippone-read report
- d) Seaside Park Zoning Report for August 2017-Councilwoman Filippone-read report
- e) Municipal Court Report for August 2017-Councilwoman Filippone-read report
- f) Police Overtime Report for August 2017-Councilwoman Filippone-read report
- g) Animal Control Report for July 2017-Councilwoman Filippone-read report
- h) Public Works Report for August 2017-Councilman Lamb-read report
- i) Beach Badge Report for August 2017-Councilman Stogdill-read report
- j) Public Affairs Report-Council President Zalom-Ginny Haines came to our last summer concert and she was extremely impressed. She said that more towns should offer these wonderful events that Lavallette does. Also, the NY bus trips will not be charged for the buses from Trolley Tours due to the mishap with the bus for the ski trip in January. The DOT will be changing the timing of the traffic lights that take way to long to change at no cost to the Borough.
- k) Tax Account Report for August 2017-Tax Collector
- l) Revenue Transaction Report for August 2017-Chief Financial Officer
- m) Certificate of Determination & Award on BANS for August 1, 2017-CFO

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

**ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:**

**RESOLUTIONS – ON CONSENT:**

2017-259 recognizing the month of September as “2017 National Preparedness Month” in the Borough of Lavallette

2017-260 approving a facilities use application to Mike Leone from USABL to hold baseball games on Chandler Field on Sundays starting September 17, 2017 through November 12, 2017 from 8am to 2:30pm

A Motion to approve the consent agenda was made by Councilman Lamb. The Motion was Seconded by Councilman Stogdill.

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

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

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

**RESOLUTIONS - OFF CONSENT:**

There were no resolutions off consent.

**APPROVAL OF VOUCHERS:**

2017-261 Bills List in the amount of \$1,215,148.64

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

**COMMUNICATIONS:**

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Elizabeth Avenue Road Improvements/Received August 9, 2017

New Jersey League of Municipalities:

- a) Daily Update/Received August 2, 2017
- b) Weekly Update/Received August 4, 2017
- c) Daily Update/Received August 9, 2017
- d) Weekly Update/Received August 11, 2017
- e) Daily Update/Received August 16, 2017
- f) Weekly Update/Received August 18, 2017
- g) Weekly Update/Received August 25, 2017

General With No Action:

- a) NJ Municipal Managers/Professionals in Government/Donna Vieiro, President/Received August 16, 2017
- b) Mark Speaker/111 Brown Avenue/comments to the potential change of the town ordinance related to boat moorings/Received August 16, 2017-Mayor stated that the ordinance is going to be revamped regarding boat moorings and we are going to hopefully do something about adding more posts, charging a larger fee and having an area just for kayaks.
- c) State of New Jersey/Dept. of Environmental Protection/Larry Herrighty, Director/Bear Facts/Received August 16, 2017
- d) ISO/Insurance Services Office, Inc./Garrett Byma, Specialist/2142 Credit Points for Lavallette /CRS Classification of 6/Received August 17, 2017-Council President Zalom stated that this is so great for our residents. We get a discount on our flood insurance because we participate in this program.
- e) Lorraine Bruno/13 Reese Avenue/response from homeowner regarding the sump pump issue at 13 Reese Avenue/Received August 17, 2017
- f) USS Hornet Museum/Holly Gallagher, Director/Transfer of Custodianship and Acceptance of DD-448 USS Lavallette Ship Bell/Received August 17, 2017-Councilwoman Filippone stated that we will be taken possession of this bell on Founder's Day. Another historical addition to our memorabilia in our Municipal Building.
- g) James Gilrain, Jr./106 Brown Avenue/expressing his pleasure with the service he has received from various municipal departments especially the Department of Public Works and the Administration Department for payment of Utilities/Received August 23, 2017
- h) ADL/Anti-Defamation League/Joshua Cohen Regional Director/Anti-Defamation League/Received August 25, 2017
- i) DEP Release/Christie Administration Reasserts Opposition to Industrialization of the Jersey Shore/Received
- j) State of New Jersey/Department of Environmental Protection/Division of Land Use Regulation/Water Front Development Permit In-Water/Magda Usarek-Witek, Environmental Specialist/Dredging of Lavallette Beach Channel/Received August 20, 2017-Mayor LaCicero stated that this is the dredging that the Army Corps. will be doing in the Bay. They will be from the Yacht Club up and around West Point Island and out through Ortley Beach.

- k) State of New Jersey/Department of Transportation/Michael Russo, Director/Transportation Alternatives Project/Denial of Funding for the Grand Central Avenue Sidewalk Beautification Project-Phase 2/Received August 20, 2017-Council President Zalom stated that she was disappointed about not receiving this grant again. We were told we would get the grant once the highway project was completed. She spoke to the State and they assured me that if we apply again for this next year we should have no problem receiving it.
- l) Ocean County Health Department/Daniel Regenye, Coordinator/Availability of Funds for reimbursing costs of Hepatitis B inoculations for emergency medical technicians, firefighters and police officers/Applications should be postmarked by October 6, 2017/Received September 1, 2017

General With Action:

- a) Ocean County Columbus Day Parade Committee/Isa Appignani and Millie Aprea, Co-Chairs/inviting the Borough Officials to participate in their OC Columbus Day Parade on October 8, 2017/Received August 9, 2017-Mayor LaCicero stated that Anita always takes care of this for us.
- b) Ashley Raine/requesting to hold her wedding ceremony on the Philadelphia Avenue ocean beach on September 15, 2017 at 6pm/Received August 28, 2017-Mayor LaCicero stated that this is no problem.

**UNFINISHED BUSINESS:**

Discussion and Review of two quotes from O'Donnell, Stanton and Associates and Najarian Associates for preparing our Municipal Public Access Plan for the NJ Department of Environmental Protection

Mayor LaCicero stated that he is still not sure that we need to do this right now.

Mr. Bennett stated that we will need to do when we apply for the our DEP permit.

Mayor LaCicero stated that he remembers this already being done by Chris but he can't remember when.

Councilwoman Filippone stated that if it was done previously, the Engineer would have been involved so we should ask him if he has any paperwork regarding it.

Mayor LaCicero stated that he thinks we should hold off on voting on these proposals tonight until we discuss these issues further.

Mr. George stated that we can carry it until the next meeting.

Mr. Bennett stated that the Engineer did a lot of extra paperwork and meetings and work regarding the water tank and the interconnect agreement with NJ American Water. The additional engineering costs are \$12,000 on top of the proposal that was already approved in the amount of

\$24,000. The Engineer is requesting approval of these costs. They did do a lot of work with the interconnect and did deal in numerous meetings and conversations with NJ American Water on this as well as paperwork that was distributed to them.

A Motion to approve the additional Engineer costs was made by Council President Zalom. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed. Resolution 2017-260C

#### **NEW BUSINESS:**

Mr. Bennett stated that the school wants to continue the shared services agreement for a police safety officer. We drew up another agreement but are going to use a Class II Officer instead of a regular officer to save the money. A Class II Officer will get paid \$14 per hour and we can also utilize any of the Class II Officers that are available which is also a plus. We weren't able to have this ready for the agenda on Friday so we need a vote on it now.

Resolution #2017-260A

A Motion to approve this resolution was made by Councilwoman Filippone. The Motion was Seconded by Council President Zalom. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

Mr. Bennett stated that the contractor that did the new basketball courts has requested a certificate of completion from the Borough for the job. The Clerk already sent him his certificate of approval from the construction permit and the letter from the Engineer approving the completed project but he apparently is not satisfied with this and has contacted the Attorney to receive this certificate. We had to do a resolution approving the attorney's certificate of completion so we will need a vote on this as well.

Resolution 2017-260B

A Motion to approve this resolution was made by Council President Zalom. The Motion was Seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

#### **COMMENTS FROM THE PUBLIC:**

Clem Boyers, 20 Kerr Avenue questioned if there were plans to see exactly where this project is going to dredge?

The Clerk advised him that they are available in her office during business hours.

Mark Speaker, 111 Brown Avenue stated that Founder's Day is this Saturday and we have a lot more vendors this year as well as a lot of different kids rides and games. Hope everyone can come and have some fun.

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

Councilman Borowski stated that he met with Greg McGuckin and discussed the electric utility and we did some tweaking of the ordinance. We were able to secure our bulk rates for our energy until 2022. Each year it keeps going down and down so we are going to be in great shape.

Mayor LaCicero stated that this Public Power Association is shared with 8 other smaller communities and we seem to do very well with our rates.

Council President Zalom stated that St. Pio will have their Pancake Breakfast on Sunday, September 10<sup>th</sup>.

**EXECUTIVE SESSION:**

There was no executive session.

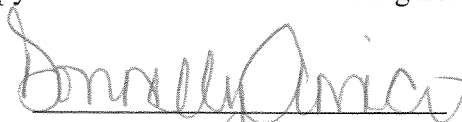
**ADJOURNMENT:**

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

The Caucus/Regular Meeting was adjourned at 8:10 pm.

**CERTIFICATION**

I, Donnelly Amico, 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 25<sup>th</sup> day of **September 2017**



**Donnelly Amico  
Municipal Clerk**