

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Tuesday, January 23, 2018-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

A Motion was made by Councilman Borowski to excuse Councilman Stogdill. The Motion was Seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

Also present: Dominic DiYanni, Borough Attorney
 Donnelly Amico, Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting was published in the Asbury Park Press on January 17, 2018 and noticed to Ocean Star on January 12, 2018. Notice was also posted on our municipal bulletin board and municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for two longtime residents Ann Martino of New Jersey Avenue and Bill Dunleavy of Bay Blvd. who passed away recently.

PLEDGE OF ALLEGIANCE: Mayor LaCicero led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: Mayor LaCicero stated that the interviews for our Borough Administrator are completed. We had 5 applicants that were interviewed. They were all qualified for the position and we are hoping to have an appointment on for the next meeting.

Mayor stated that we have a Police Officer here that is being promoted to Sergeant tonight and he happens to be my son Adam LaCicero. We are going to vote on the resolution for him now and swear him in.

Councilwoman Filippone welcomed the LaCicero family and members of the Lavallette Police Department tonight. Adam joined the Police Department in 2009 and has since received distinctive awards. He was involved in and helped with a fire, he was in charge of investigating the robbery at the Sunoco station in town where he was able to arrest the suspect and charge him and he was involved in the home invasion where the suspect was arrested and charged. Adam is a very worthy and productive member of the Lavallette Police Department and we are proud to promote him tonight to the position of Sergeant.

Councilman Borowski stated that Adam is an asset to our Police Department as well as the town. Congratulations!

Council President Zalom stated that she was proud to promote Adam to the position of Sergeant to add to the great Police Department we have.

2017-64 appointing Patrolman Adam LaCicero to the position of Police Sergeant for the Lavallette Police Department

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

Mayor LaCicero swore Adam in as Sergeant as his wife held the bible and his children and family all present.

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

The Mayor stated that if anyone wished to comment on any items that were not on the agenda they could do so now.

No one wished to comment at this time.

APPROVAL OF MINUTES:

Minutes of Regular Meeting of December 18, 2017
Minutes of Executive Session Meeting of December 18, 2017
Minutes of Reorganization Meeting of January 2, 2018

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

REPORTS:

- a) Lavallette Construction Report for December 2017-Councilwoman Filippone-read report
- b) Seaside Park Construction Report for December 2017-Councilwoman Filippone-read report
- c) Lavallette Zoning Report for December 2017-Councilwoman Filippone-read report
- d) Seaside Park Zoning Report for December 2017-Councilwoman Filippone-read report
- e) Municipal Court Report for November & December 2017-Councilwoman Filippone-read report
- f) Police Overtime Report for November & December 2017-Councilwoman Filippone-read report
- g) Animal Control Report for November & December 2017-Councilwoman Filippone-read report
- h) Public Works Report for December 2017-Councilman Lamb-read report
- i) Public Affairs Report-Council President Zalom-The ski trip was great! We had a lot of people that took advantage of the trip. It was a fun time for all. She will be in Florida for the month of February so she will see everyone when she returns.
- j) Tax Account Report for December 2017-Tax Collector
- k) Revenue Transaction Report for November 2017-Chief Financial Officer
- l) Report of BAN sale on December 21, 2017-Chief Financial Officer

Councilwoman Filippone stated that the year-end figures for our shared services with Seaside Park came in and they were not bad for the first year. We are at \$12,900 for Construction, \$7,000 for Zoning and -\$5,400 for code enforcement which we knew was going to be. We expected the first year to not be great but we do expect this year to be better. Seaside Park had two full time girls in the office with decent salaries and benefits which is an expense. They will be retiring as of next week and we will now have two girls in there that are part-time at an hourly rate and no benefits so just that alone will benefit us. We also have a full-time Construction Official with a salary of \$85,000 but does not receive benefits and he runs both departments. All of the inspectors for each discipline are part-time hourly. There have been some issues that we have slowly tried to take care of and we have accomplished most of them.

Mayor LaCicero stated that there was some discussion with Seaside Park and they were considering rescinding the agreement. They were questioning some issues and the fees. They lost \$85,000 the previous year in revenue in that department and that is why they decided on the shared services agreement so it was not our request. This year they didn't lose any revenue because we took on the department so they should be in better shape.

Councilwoman Filippone stated that the biggest issue of why they were not making any revenue was most likely because they were paying for two full time girls with benefits which is definitely a bulk of the expense. Also, if they decide that they want to rescind the agreement, they will still be responsible for paying half of the Construction Official's salary and also he would work part of his time down there.

Councilman Borowski stated that he just wanted to commend the Public Works department for making sure the fire hydrants were cleared of snow which helped us with the fire that happened a few weeks ago. He also stated that the volleyball court took a beating with all this wind and storms already. Do we have any suggestions as to what can be done to keep the sand from blowing all over the place?

Councilman Lamb stated that it is becoming an issue and Public Works is in the process of trying to figure out what we can put over the sand to stop it from blowing. For the time being, they put some silt fence on the east side to help with the blowing. Hopefully we can put something there that is more substantial soon.

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

2018-55 appointing Ann Earle as a part-time Clerk 1 position in the Construction Office at an hourly rate of \$14.00 effective January 16, 2018

- 2018-56 accepting the retirement of Raymond Toscano and authorizing payment of unused sick and vacation time-The Mayor stated that Mr. Bernstein had requested this resolution be tabled until further notice.
- 2018-57 authorizing the dates and times for businesses located along Grand Central Avenue may display for sale of merchandise
- 2018-58 authorizing the dates upon which Big Ed's Produce may exhibit merchandise outside the confines of his business
- 2018-59 approving a facilities use application submitted by the Jersey Shore Running Club for their annual relay on our boardwalk on April 21, 2018 from 8am to 10am for the Special Olympics
- 2018-60 approving a facilities use application submitted by Lavallette Select Baseball to hold baseball tournaments in 2018 on March 24/25, June 23/24, July 14/15 and Oct 6/7 from 9am to 10pm and Friday nights from April to June from 5pm to 10pm
- 2018-61 authorizing the execution of master power purchase and sale agreements and confirmation transactions between the Borough of Lavallette and various suppliers regarding Public Power Association of NJ
- 2018-62 approving the proposed calendar of events for 2018 from the Lavallette Business Association
- 2018-63 opposing New Jersey offshore oil and gas activities
- 2018-64 appointing Patrolman Adam LaCicero to the permanent position of Sergeant for the Lavallette Police Department
- 2018-65 authorizing the transfer of funds in the amount of \$27,231.60-Councilman Borowski stated that this transfer is due to the Public Power bill being under budgeted which was due to the transmission and capacity charges being higher than expected. There seems to be some under estimated regarding the highest peak demand in 2016
- 2018-66 approving the date for Founder's Day 2018
- 2018-67 appointing Barbara Allen Woolley-Dillon as a fill-in Zoning/Code Enforcement Officer at an hourly rate of \$25.00 effective January 22, 2018
- 2018-68 awarding a contract as a proprietary purchase to Rumsey Electric for the purchase of electric meters with Itron software in an amount not to exceed \$65,000-Councilman Borowski stated that we need to keep adding to the stock in order to keep replacing the old for new until entire town is complete.

- 2018-69 awarding a contract to Martin A. Ackley Associates, Inc. for sampling and testing of bituminous concrete core used on the Elizabeth Avenue road project not to exceed \$995.00-Donnelly Amico stated that as part of the grant from the DOT it is mandatory for this testing if the job consisted of more than 5,000 square yards of asphalt.
- 2018-70 authorizing the transfer of 2017 overpayments to 2018 taxes receivables in the amount of \$28,359.59

A Motion to approve the consent agenda minus Resolutions 2019-56 and 2019-64 was made by Councilman Lamb. The Motion was Seconded by Councilwoman Filippone.

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

Kevin Kolas, 120 Newark Avenue stated that he is the applicant for the facilities use baseball games. His league is for profit right now but they are considering whether to go for non-profit status. He understands the 10% profits and is fine with that. He would like to amend the application to include Saturday nights from April to June and to include the Friday night before the March, June and July dates as well.

Mayor LaCicero stated that the application will be amended and he should speak with Donnelly for any other issues.

The Mayor closed the floor to the public and asked Council for a vote on the consent agenda minus the two resolutions stated above.

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

RESOLUTIONS - OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2018-71 Bills List in the amount of \$3,043.669.13

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

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Associates/Eric Bernstein, Esq/PBA Local 372 and Borough of Lavallette/draft collective bargaining agreement/Received January 18, 2018

- b) Eric M. Bernstein & Associates/Eric Bernstein, Esq/Borough of Lavallette and Teamsters Local 469/draft collective bargaining agreement/Received January 18, 2018
- c) Eric M. Bernstein & Associates/Eric Bernstein, Esq/Borough of Lavallette International Brotherhood of Teamsters Local 97 and Borough of Lavallette/Received January 18, 2018

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Elizabeth Avenue Road Improvements/Pay Estimate No. 3/Received December 14, 2017
- b) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Rehabilitation & Repainting of Water Storage Tank/Pay Estimate No. 4/Received December 22, 2017

New Jersey League of Municipalities:

- a) Expiration of Interest Arbitration Cap/Received November 29, 2017
- b) Weekly Update/Received December 1, 2017
- c) Daily Updates/Received December 6, 2017
- d) Weekly Update/Received December 8, 2017
- e) Weekly Update/Received December 15, 2017
- f) Reminder About the 20th Annual Elected Officials Hall of Fame/Received December 20, 2017-Council President Zalom stated that she will look into this because it will be in March this year and she won't be away.
- g) Weekly Update/Received December 22, 2017
- h) Questions Concerning Property Tax Pre-Payment Option/Received December 27, 2017
- i) IRS Advisory on Deductibility of Prepaid Property Taxes Offers Some Guidance/Received December 28, 2017
- j) Weekly Update/Received December 29, 2017
- k) Daily Update/Received January 3, 2018
- l) Weekly Update/Received January 5, 2018

General with No Action:

- a) Ocean County Municipal Joint Insurance Fund/Perma Risk Management Services/2018 Budgets/Received December 4, 2018
- b) Ocean County Sheriff's Department/John Kirwin, Deputy Emergency Management Coordinator/Lavallette's Emergency Operations Plan/Received December 14, 2017
- c) Ocean County Planning Board/Robin Florio, Secretary/Proposed Amendments to OC Master Plan/Notice of Public Hearing/Received December 15, 2017
- d) New Jersey American Water/Frank Simpson/Petition for Increased Tariff Rates for water and wastewater service/Received December 18, 2018
- e) US Department of Homeland Security/FEMA/Brent Schultz, Branch Chief/Project Worksheet 3981/Large Project Final Accounting/Received December 18, 2017
- f) Janice Merna/90 Grand Central Avenue/expressing her distress regarding only one option of Cablevision/Optimum for TV and Internet/Received December 21, 2017-

Mayor stated that we have had some residents who are not happy with Optimum and Cablevision.

- g) DEP News Release/Christie Administration Releases Department of Environmental Protection Accomplishments Report/Received January 12, 2018
- h) Lavallette Yacht Club/Ruth Oliver, Secretary/2018 Officers for the Lavallette Yacht Club/Received January 19, 2018

General with Action:

- a) Alison Sanchirico/requesting to hold her wedding ceremony on the ocean beach between Philadelphia and Washington Avenues on September 21, 2018 at 4:30pm/Received January 10, 2018-Mayor stated that this is after our summer season but she should be advised of the beach replenishment and it could be affected.
- b) Gerald Fitzgerald/806B Grand Central Avenue/requesting some assistance in regards to a permit that should not have been issued for an outside shower/Received January 19, 2018-Mayor stated that he came to see him on Friday and he believes this is now resolved.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

There was no new business.

COMMENTS FROM THE PUBLIC:

Mark Speaker, 111 Brown Avenue stated that he has a check in the amount of \$2,000 from the Lavallette Business Association to go towards the new bulletin board in front of the Municipal Building to present to Mayor and Council tonight.

Mayor LaCicero thanked Mr. Speaker and the LBA for the donation.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that on February 5th the Public Power Association will be receiving RFP's for bulk power. These RFP's will be prices continued through end of 2022 and we are hoping for them to be lower.

Councilwoman Filippone thanked Public Works for repainting our walls in the Municipal Offices. We ordered a 75 inch tv for Council Chambers and we will be using it for Council Meetings, workshops and anything else that is needed.

Councilman Lamb stated that Public Works will be repairing the steps in front of the Municipal Building which should be done soon.

Councilwoman Filippone stated that the calendars will be going out soon. We have some ideas for pictures but if anyone else has recommendations we welcome them. Right now we were discussing taking pictures of the portraits that were donated by some of our artist residents and also the historical items in the lobby.

Councilman Borowski stated that the sign on top of building that says Lavallette Municipal Building needs to be looked at. It looks like it might need to be adjusted.

EXECUTIVE SESSION:

Mr. DiYanni stated there is a need to go into executive session to discuss some non-contractual matters. There is no anticipated action to take place.

A Motion to adjourn the Caucus/Regular Meeting to go into Executive Session was made by Councilman Finter. The Motion was Seconded by Council President Zalom. Vote: All of Council was in favor. The Motion Passed.

The Caucus/Regular Meeting was adjourned to go into executive session at 8:04pm.

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

Mr. DiYanni stated while in executive session there was some discussion regarding non contractual negotiations. No action was taken.

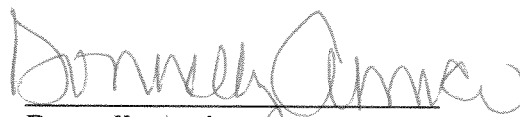
ADJOURNMENT:

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

The Caucus/Regular Meeting was adjourned at 8:21pm.

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 23rd day of **January 2018**


Donnelly Amico
Municipal Clerk