

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, March 5, 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 to excuse Councilwoman Filippone for this meeting and the next was made by Councilman Borowski. The Motion was Seconded by Council President Zalom. Vote: All of Council was in favor. The Motion Passed.

Also present: Robert Brice, Borough Administrator
 Donnelly Amico, Municipal Clerk
 Eric Bernstein, Borough Attorney

Mayor stated that Mr. Bernstein is stuck in traffic so he will be here shortly.

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

MOMENT OF SILENCE: The Mayor asked for a moment of silence for any loved ones who have passed away and for all the victims and families of the Florida school shooting.

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

The Mayor stated that there is a new Police Officer to swear in tonight. Thomas Harrington has been a resident in town for many years. He is coming over from the Borough of Lakehurst where he was a full time Police Officer. We will be appointing him with a resolution and then he will be sworn with his fiancé holding the bible and his parents standing by his side.

2018-102 appointing Thomas Harrington as a new Patrol Officer for the Lavallette Police Department

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

Mayor LaCicero swore in new Patrol Officer Thomas Harrington.

MAYOR'S WELCOMING STATEMENT: The Mayor thanked everyone for coming to tonight's meeting. He stated that our new TV has been installed on the back wall finally. There seems to be a lot of flooding than usual on Bay Blvd. by President Avenue.

Council President Zalom stated that the County will be taking care of that situation very soon. They had to go out to bid for the job because it involves the outfall pipes and was more extensive than anticipated. They will be either getting it done before the summer season starts or right after in the fall. They will also be paving Bay Blvd. after the pipe job is completed.

The Mayor stated that 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 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.

2018 BOROUGH APPOINTMENTS BY THE MAYOR: (not requiring Council approval)

Mayor LaCicero stated that our new Administrator, Bob Brice is with us tonight. He was appointed at the last meeting but I was not in attendance. He will be sitting on the Planning Board as well as a Class II Member.

Planning Board / Board of Adjustment

1 Year Class II Member Robert Brice

APPROVAL OF MINUTES:

Minutes of Regular Meeting of February 20, 2018
Minutes of Executive Session Meeting of February 20, 2018

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

REPORTS:

- a) Lavallette Construction Report for February 2018-Councilwoman Filippone-received
- b) Seaside Park Construction Report for February 2018-Councilwoman Filippone-received
- c) Lavallette Zoning Report for February 2018-Councilwoman Filippone-no report
- d) Seaside Park Zoning Report for February 2018-Councilwoman Filippone-no report
- e) Municipal Court Report for February 2018-Councilwoman Filippone-received
- f) Police Overtime Report for February 2018-Councilwoman Filippone-no report
- g) Animal Control Report for February 2018-Councilwoman Filippone-no report
- h) Public Works Report for February 2018-Councilman Lamb-read report
- i) Public Affairs Report for February 2018-Council President Zalom-She is so glad to be back but she does miss the hot and sunny weather. The Easter egg hunt will be March 28th, the First Aid will have card parties again and take advantage of the recreation exercise programs going on. She will be inducted into the NJLM Hall of Fame for Government Officials that have served at

least 20 years on March 14th in Atlantic City.

j) Tax Account Report for February 2018-Tax Collector

k) Revenue Transaction Report for January 2018-Chief Financial Officer

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2018-103 awarding a contract to Earle Asphalt Company for the President Avenue road improvement project in the amount of \$130,813.13-Mr. Bernstein requested this resolution be put off consent.
- 2018-104 supporting the 9th Legislative District's sponsorship of S-2461 and A-4209 to study technology and other methods used to reduce or eliminate telemarketing harassment and intimidation
- 2018-105 approving a facilities use application to Breathe Life Yoga to hold yoga classes on the ocean between Newark & Trenton Avenues from 7:30am to 8:30am on various days from June 2nd through September 30th and Memorial Day Weekend
- 2018-106 urging the Governor and the State Legislature to permanently extend the 2% cap on interest arbitration awards
- 2018-107 approving a facilities use application to the Lavallette First Aid Women's Auxiliary to hold a flea market on Wednesday, July 25, 2018 from 6am to 5pm with a rain date of Thursday, July 26, 2018
- 2018-108 establishing the beach badge preseason office hours for the 2018 summer season and establishing the official summer beach opening day for 2018 as June 23, 2018
- 2018-109 approving a facilities use application to the LBA to hold their food truck festival on June 23, 2018 from 3pm to 9pm in the Washington and Bay Blvd. parking lot
- 2018-110 approving a facilities use application to the LBA to hold their Soups of the Shore on September 22, 2018 from 11am to 3pm on Chandler Field
- 2018-111 approving a facilities use application to the LBA to hold their food truck & football festival on October 14, 2018 from 12 noon to 5pm in the parking lot located on Washington Avenue and Bay Blvd.
- 2018-112 approving a facilities use application to the LBA to hold their patriotic bike parade on the boardwalk from President to Philadelphia Avenues on July 4, 2018 at 10am

2018-113 appointing Fred Moramarco as a temporary part time fill in Code Enforcement Officer at an hourly rate of \$25.00 not to exceed 29 hours per week

A Motion to approve the consent agenda minus Resolution 2018-102 and 2018-103 was made by Councilman Finter. The Motion was Seconded by Councilman Stogdill.

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

Jon Corney, 1 Newark Avenue stated that optimum has the capability to block unwanted calls from telemarketers and AT&T also has an app for you to block them indefinitely.

Mayor LaCicero stated that he wasn't aware of that and thanked Jon for the information.

The Mayor closed the floor to the public and asked Council for a vote on the consent agenda minus the two resolutions 2018-102 and 2018-103.

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

RESOLUTIONS - OFF CONSENT:

2018-103 awarding a contract to Earle Asphalt Company for the President Avenue road improvement project in the amount of \$130,813.13

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

APPROVAL OF VOUCHERS:

2018-114 Bills List in the amount of \$1,066,800.06

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

COMMUNICATIONS:

New Jersey League of Municipalities:

- a) Weekly Update/Received February 2, 2018
- b) Weekly Update/Received February 9, 2018
- c) Opportunity Zones Conference Call 2/13 with Senator Booker/Received February 12, 2018
- d) Weekly Update/Received February 16, 2018

- e) Bill to Transfer of PFRS to a Labor-Management Board before Senate/Received February 21, 2018
- f) Weekly Update/Received February 23, 2018

General with No Action:

- a) Office of the Ocean County Engineer/John Ernst, Engineer/Preconstruction Meeting/Reconstruction and Resurfacing of Portions of Certain County Roads/Received February 7, 2018
- b) Ocean County Administrator/Michael Fiure, Assistant County Administrator/Presentation of the 700MHz Public Safety Communications System Upgrade Project on Thursday, March 1, 2018/Received February 14, 2018-Councilman Borowski stated that he attended this meeting as a member of the First Aid and Fire. This will be a new system and will have new frequencies with additional towers within the County.
- c) Community Services, Inc. of Ocean County/James Sigurdson, Executive Director/thanking the Borough for their donation for the residents who receive the meals on wheels/Received February 16, 2018-Council President Zalom stated that she is still in process of trying to get the Meals on Wheels to come back to the fire house because it was so convenient for our elderly residents.
- d) United States Senate/Senator Cory Booker/Information letter of his intent and commitment to working with his constituents/Received February 14, 2018
- e) Richard W. Smith, Esq/thanking Mayor and Council for opposing legalization of recreational marijuana in Lavallette/Received February 22, 2018-Mayor LaCicero stated that we have not yet passed an ordinance banning the sale in town because we were just waiting to see exactly what was going to be legalized but we are going to be proceeding with it very soon. Councilman Finter stated that he attended a meeting for all governmental units on this topic and they presented information regarding other states who have legalized and what the negative affects the state of Colorado is dealing with as far as a larger percentage of homeless invading their parking lots, crime totals increasing, more vehicle accidents from DUI's and more suspensions in schools. This is a serious issue and we will be passing an ordinance very soon.
- f) New Jersey American Water/John Tomac/Improvement Charge/Received February 22, 2018
- g) Ocean County Board of Freeholders/Betty Vasil, Clerk of the Board/Resolution authorizing a revision of a through street along CR#87 aka Bay Blvd. in Seaside Heights, Toms River and Lavallette/Received February 26, 2018
- h) State of New Jersey/Department of Transportation/Diane Guitierrez-Saccetti, Acting Commissioner/Approval of Grant Funds for the Bryn Mawr Avenue Road Improvements/Received February 28, 2018

General with Action:

- a) ReMax Real Estate/Melissa Fogler, Supervisor/requesting to hold their 2nd annual Memorial Day Weekend Kick Off to Summer event in front of their business on May 26, 2018 from 12 noon to 4pm and to allow a DJ to setup on south side of their building during the event hours only/Received February 14, 2018-Mayor LaCicero stated that this is an annual event and is ok to proceed.

- b) County of Ocean/Department of Parks & Recreation/Linda DePonte, Recreation Leader/requesting the approval of the annual dates for their Kids Tennis, Pickle ball Clinic, and T-ball to hold in Lavallette the week of July 23 through July 26, 2018 from 10am through 1:45pm/Received February 21, 2018-Mayor LaCicero stated that these programs are done every year in town by the County and we have never had any issues.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

There was no new business.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue stated that at the last meeting there was some type of discussion regarding the beach replenishment project and some type of seismic testing that they were going to be doing? What exactly does that entail?

Mayor LaCicero stated that when the project starts the machines that are being used to move the sand and pump and all that needs to be done set off vibrations. The Army Corps. has hired Weeks Marine to take pictures of the homes on the ocean front and blocks that would be affected by these vibrations. They will be sending out notices to these homeowners that would be affected in Lavallette very shortly requesting to enter the homes and take photographs that are necessary for the insurance company in case the vibrations affect any homes and do any damage. This has to be completed before the project itself is started.

Mayor stated that right now the updated information is Lavallette's project for the beach being done between August and November 2018.

Mr. Brice stated that the next meeting for any updates will be March 20th in Mantoloking and he will be attending.

Rebecca Malloy, LBA President thanked Mayor and Council for approving their events.

Mark Speaker, 111 Brown Avenue questioned if there was going to be any changes to the mooring ordinance?

Mayor LaCicero stated that we did talk about modifying the mooring situation last year for this year but with John abruptly leaving we got a little side tracked. Maybe you and Councilman Stogdill who is in charge of the beach should get together one day and take a walk over there and see what possibly could be done to rectify a lot of the issues.

Mr. Speaker also stated that he was in a different town where the beach project was already completed and they have the walkovers we will have here. The handicap accessible walkovers

seem to be extremely narrow for wheelchair access even though they say they are wheelchair accessible. Maybe someone should check on this to make sure ours will be fit for wheelchairs.

Mayor LaCicero stated that he was told they are fit for wheelchairs because they are mandated to be. He will have the Administrator check on that at the next meeting on the 20th.

Jon Corney, 1 Newark Avenue requested that Councilman Lamb extend a big thank you to Doug Franzoso in the water department for helping a resident who happens to be a friend of mine regarding an issue with a plot plan for a zoning permit that had to do with moving a water meter. The new zoning officer was telling my friend he needed an engineer and a plot plan and so on but it certainly didn't need to go that far and Doug worked with him and her to rectify the issue. He wanted to also discuss the tax account report and the revenue transaction report that is voted on every month. The tax acct report clearly shows how much taxes are delinquent in town. If you look at the total it is extremely large which clearly shows how many people do not pay their taxes on time which causes issues for the rest of us. This is the reason why we should be doing tax sales at the end of each year for the current taxes. They need to really think about this more.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Council President Zalom stated that she wanted to thank Councilwoman Filippone and Councilman Finter for taking care of ordering the bulletin boards. One will be going on Bay Blvd. by the First Aid and one will be going in front of our Municipal Building. She will be riding in the St. Patrick's Day Parade with other elected officials from Seaside Heights and Toms River.

EXECUTIVE SESSION:

There was no executive session.

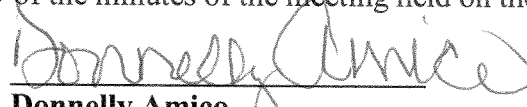
ADJOURNMENT:

A Motion to adjourn the Caucus/Regular Meeting was made by Councilman Finter. The Motion was Seconded by Councilman Stogdill. The Motion Passed.

The Caucus/Regular Meeting was adjourned at 8:00 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 5th day of **March 2018**


Donnelly Amico
Municipal Clerk