

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, May 21, 2018-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Councilman Stogdill was absent.

Also present: Robert Brice, 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 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 all the victims and their families of the Santé Fe School shooting and the school bus accident.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting. We seem to have a bigger crowd then usually so he is curious as to what is happening. The weather is supposed to be great for Memorial Day Weekend and the services we have on Monday.

Council President Zalom stated that the curbing is in disrepair over by the Memorial gardens but the County has advised me that it will be all fixed before our services. The speed limit signs have changed for the summer and the sign on Elizabeth has been removed.

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)

Ann Vitale, 8 Virginia Avenue stated that she has a dilemma regarding the temporary zoning officer. After the storm, there has been past practice regarding an ordinance that was done in 2013 with new construction to allow 38% of lot coverage. Apparently, there seems to be different interpretations by all involved but according to our architect he has built 10 homes according to this ordinance. My architect as well as myself have tried on numerous occasions to contact the zoning officer to discuss this issue and try to get it rectified but she never returns our phone calls. The

extra 1% of the lot coverage is for the stairs which is what the ordinance was basically written for so why is she saying that it is not correct.

Mayor LaCicero stated that this was discussed at my Mayor's hours on Friday with you. The Administrator also met with and it was discussed. We should have an answer for you within a few days. We are in the process already of discussing this with the Construction Official and the Zoning Officer to get it rectified.

Mrs. Vitale stated that the zoning officer is not very receptive to getting back to people and she is also not very nice to deal with.

Mayor LaCicero stated that once we have an answer we will contact you immediately.

Mary Semler, 2407 Grand Central Avenue stated that last year started the dilemma with Capriccio's and the previous Administrator had specified that the more noise complaints we call in the better it would be to get it rectified. We just want to make sure that our summer this year is not a disaster like last year.

Mr. George stated that he is working on the resolution to put special conditions on the license. He has received all the necessary reports from Lavallette and Toms River as well as paperwork from the Toms River Fire Official and also the Board of Health.

The Mayor stated that because this has become a big issue, we will be scheduling a hearing on this license separate from the other licenses that are approved. This hearing will be scheduled for the June 18th Council Meeting.

APPROVAL OF MINUTES:

Minutes of Caucus/Regular Meeting of May 7, 2018
Minutes of Special Meeting May 16, 2018

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

2018-172 requesting the State approve the Chapter 159 item of revenue and appropriations in the amount of \$1,250.00 for the Ocean County Tourism Grant that was received- Council President Zalom stated that this grant is wonderful for us each year because it gets put towards all recreation we hold in town.

2018-173 approving a facilities use application from Lavallette Personal Fitness to hold boot camp classes on the Guyer Avenue ocean beach on Saturdays from 8am to 10pm

starting July 2nd through September 5th 2018-Councilman Finter stated that he spoke with this person and they have decided to go with 8am-9am classes instead of 10am.

- 2018-174 appointing Glen Purves to the permanent part time position of Plumbing Inspector/Plumbing Subcode Official for the Borough of Lavallette
- 2018-175 approving a facilities use application to Soccer Shots to hold children's soccer games on Chandler Field on Mondays from 5:45 pm to 7pm starting July 2nd through August 20th 2018
- 2018-176 approving the appointment of two lifeguard officers for the 2018 summer season
- 2018-177 approving a facilities use application to Surfing the Dream to hold surf lessons on the Bryn Mawr surfing beach starting June 18th through September 5th 2018 at various times and days-Councilwoman Filippone stated that she has an issue with these surfing lessons interfering with our swimmers. Mayor LaCicero stated that Bryn Mawr Avenue is a surfing beach so that will not be an issue.
- 2018-178 approving a facilities use application to Magilla Entertainment to film on our beach in various areas if needed between May 30th and June 3rd 2018 at various times while filming on private residences
- 2018-179 approving a raffle license to Rosary Altar Society of St. Pio to hold a 50/50 off premise draw on September 9, 2018 at 5pm at the Parish Center
- 2018-179A approving the purchase of 4 surplus vehicles from the County of Ocean in the amount of \$4.00
- 2018-179B appointing two Class II Special Police commencing May 18, 2018
- 2018-179C approving 12 Class I Special Police commencing May 21, 2018

A Motion to approve the consent agenda was made by Councilman Finter. 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.

Jon Corney, 1 Newark Avenue questioned what a Chapter 159 was?

Mr. George stated that after the budget is adopted there are some grants or revenues that come in that need to be added into the budget. To do this, we have to get approval from the State to insert these revenues into the budget.

Mr. Corney stated that he knew what it was really he just wanted to educate the audience on what this was.

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

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

RESOLUTIONS - OFF CONSENT:

2018-180 appointing Craig Stogdill as a tennis court attendant at an hourly rate of \$8.60

A Motion to approve this resolution was made by Councilman Lamb. The Motion was Seconded by Councilman Finter.

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, Finter and Lamb voted Yes. The Motion Passed.

APPROVAL OF VOUCHERS:

2018-181 Bills List in the amount of \$523,543.23

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 and Finter voted Yes. Councilman Lamb abstained from PO# 18-00435 and 18-00436 and yes to all others.

ORDINANCES ON FOR INTRODUCTION/FIRST READING

ORDINANCE NO. 2018-03 (1186) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 89 OF THE BOROUGH CODE, ENTITLED "VEHICLES AND TRAFFIC" SO AS TO REVISE SECTION 89-26

Mr. Brice stated that the handicap space on this street was in front of a home that was building a new home and they had to put their driveway in a specific spot which caused the handicap space to have to be removed. This ordinance is moving the handicap space to another location in that same area.

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

Public Hearing and Final Adoption is scheduled for June 4, 2018

ORDINANCES ON FOR PUBLIC HEARING AND FINAL ADOPTION:

ORDINANCE NO. 2018-02 (1185) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING, REVISING AND SUPPLEMENTING CHAPTER 7 OF THE BOROUGH CODE BY AMENDING, REVISING AND SUPPLEMENTING CHAPTER 7, ENTITLED “BATHING AND BEACH CONTROL”, ARTICLE IX, ENTITLED “FEES FOR USE OF BEACHES AND FACILITIES”, BY ADDING NEW SUBSECTION, SECTION 7-9(F)(6)(D) WAIVING FEES FOR CERTAIN MUNIICIPAL BOARDS, COMMISSIONS COMMITTEES AND ORGANIZATIONS

Mayor LaCicero stated that this ordinance is waive the food truck permit fee for all Borough events that we have. Any events that are covered under the Borough’s insurance coverage is considered a Borough event.

A Motion to adopt this ordinance was made by Councilwoman Filippone. The Motion was Seconded by Councilman Lamb.

The Mayor opened the public hearing and asked if anyone wished to comment on this ordinance.

No one wished to comment.

The Mayor closed the public hearing and asked Council for a vote on this ordinance.

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

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Councilman Borowski stated that on the weekends when the badge office is open, some of the residents have asked to use the bathroom, however; there is no access to the second floor on the weekends. Is there any way that we could lock the Council Chambers doors and allow access on the weekends to the bath rooms?

Mayor LaCicero stated that first we will have to see if there is a key for these doors and if they can be locked. I am not sure giving anyone access to the 2nd floor on the weekends is a good idea for them to be wandering around but as long as all the offices are locked up it shouldn’t be an issue.

COMMENTS FROM THE PUBLIC:

Marlene Chamberlain, 26 Bond Avenue stated that they have a boat slip now on Jersey City Avenue #204 and for some reason we do not know which slip is 204. Is there any way someone could tell us which one is ours?

Councilman Borowski stated that it should be the 4th slip from the left. The first two slips are not rented because they are too shallow.

Mrs. Chamberlain also stated that the snow fences up on the ocean front are still encroaching on the boardwalk and one in particular is causing a very unsafe condition.

Kathy Grandstrand, 23 Brown Avenue thanked Mayor and Council for getting the courts all squared away for pickleball. She stated that the courts have been locked so they have not been able to utilize them. When will they be opened?

Councilman Lamb stated that he thinks they will be open for Memorial Day weekend but he will have to check and they will let her know.

Mrs. Grandstrand stated that at the last Council meeting there was discussion about tape that was put on the courts by the pickleball players that damaged the courts that was not approved for them to do by Council. She was very disheartened to hear this because she would never do something without permission. Last year she had asked if they could do this and was told by two officials that it was okay. She has a copy of the email with the approval. She stated that she doesn't believe that the tape damaged the courts nor made any cracks because those cracks were all there before they put the tape on just due to the age and condition of the courts.

Councilman Lamb stated that he was told without a doubt that the cracks that were under the tape were definitely caused by the tape.

Mary Logios, 4 Sterling Avenue questioned Councilman Lamb whether the area over by Ohana Grill regarding the parking spaces so close to the stop sign were looked at and if the yellow lines for no parking can be put there?

Mayor LaCicero stated that he was supposed to talk to the Chief about it and he doesn't think he go that far. He will definitely have the Administrator discuss with the Chief and have him take a look.

Mrs. Logios stated that it is the northeast corner.

Mary Lou, 5 Dover Avenue stated that Council should take a look at the demographics regarding the limited beach access we have now. There are more openings on the north end than the south end.

Mayor LaCicero stated that the last three streets which are Bryn Mawr, Westmont and Haddonfield do not have any boardwalk so we allow beach access for those three streets for that reason. If you leave those three streets out it is even down the boardwalk. Once the beach replenishment project is completed which should be in September every street will be opened for access for next summer.

Mary Lou stated that she was not aware of this and thanked Council for this information.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Lamb advised that the summer garbage schedule went into effect today with 2 day garbage pickup.

Council President Zalom stated that we are all set for Memorial Day services. The library is doing a bus trip to Atlantic City if anyone is interested. Don't forget about the town wide garage sale June 9th and 10th and all the other events that will be going on for the summer. Also, they will be paving President Avenue for the next two days.

EXECUTIVE SESSION:

Pending Litigation
Personnel Matters

Mr. George stated that there is a need to go into executive session to discuss some pending litigation and some personnel matters. There will be no action taken.

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

The Regular Meeting was adjourned to go into executive session at 7:56pm.

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

The Regular Meeting reconvened at 8:24pm.

Mr. George stated that while in executive session there was discussion on proposals regarding new tax maps and the proposed timeline of dates and discussion on a possible seasonal internship position with no specific employee name. There was no action taken.

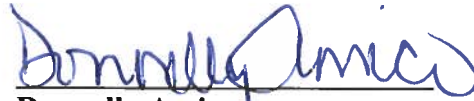
ADJOURNMENT:

A Motion to adjourn the 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 Regular Meeting was adjourned at 8:25pm.

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 **21st** day of **May 2018**


Donnelly Amico
Municipal Clerk