

**BOROUGH OF LAVALLETTE
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, April 15, 2024-7:00 pm**

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Bill Burns, Borough Attorney
Donnelly Amico, Municipal Clerk
John Bennett, Borough Administrator

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting was published in the Ocean Star on January 10, 2024. Notice was also posted on our municipal bulletin board and municipal website.

MOMENT OF SILENCE:

PLEDGE OF ALLEGIANCE:

MAYOR'S WELCOMING STATEMENT:

APPROVAL OF MINUTES:

Council Meeting Minutes of March 4, 2024
Council Meeting Minutes of March 18, 2024

Motion: Second: Vote:

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2024-102 approving a facilities use application from the National MS Society for their annual charity bike ride through town and use of the Washington Avenue parking lot/gazebo grassy area as a rest stop for their bicyclists on Saturday, May 11, 2024 at various times between the hours of 7:30am to 1pm
- 2024-103 authorizing the water/sewer collector to credit a water/sewer account for a documented water leak and refund the credit in the amount of \$8,155.05
- 2024-104 approving a facilities use application to K Rock Fitness, LLC to hold exercise fitness classes at the old basketball courts on Saturdays, starting May 25th through August 31st 2024 and Tuesdays and Thursdays starting June 18th through August 31st 2024 from 8am to 9am

- 2024-105 authorizing the refund of a construction permit fee in the amount of \$462.00 due to the fee being paid in duplicate
- 2024-106 approving a facilities use application to Vibe Sessions with Kate to hold meditation classes on the Virginia Avenue ocean beach on M-W-F starting June 24th through September 30th from 8am to 9am and Thursdays starting June 20th through September 30th from 6pm to 7pm
- 2024-107 approving a raffle license to St. Pio of Pietrelcina to hold an off premise raffle on Saturday, September 21, 2024 at 8pm
- 2024-108 approving the proposal from Van Cleef Engineering for Engineering and Surveying Services for the Newark Avenue Road Improvement Project in the amount of \$90,000
- 2024-109 approving a shared services agreement with the Toms River Fire Commissioners providing fuel to the Ocean Beach Fire Company No. 3 vehicles retroactively to March 3, 2024 through April 25, 2025

Motion: Second: Discussion: Vote:

RESOLUTIONS - OFF CONSENT:

- 2024-110 approving a facilities use application to the Lavallette Pickle Ball Club to utilize the pickle ball courts on Saturdays and Sunday, including Memorial Day, July 4th and Labor Day starting May 24th through September 17th 2024 with the exception of Saturday, September 7th 2024 which is the Borough's Founders Day and all courts will be closed for the day

Motion: Second: Discussion: Vote:

APPROVAL OF VOUCHERS:

- 2024-111 Bills List in the amount of \$464,228.65

Motion: Second: Vote:

ORDINANCES ON FOR FINAL ADOPTION/PUBLIC HEARING:

Ordinance No. 2024-09(1260) Ordinance To Exceed The Municipal Budget Appropriations Limits and To Establish a Cap Bank

Motion: Second: Public Hearing: Vote:

UNFINISHED BUSINESS:

NEW BUSINESS:

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

COMMENTS FROM THE PUBLIC:

EXECUTIVE SESSION:

ADJOURNMENT:

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

**Resolution No. 2024-102
Date of Adoption: 04/15/2024**

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey, that the Special Event/Facility Use Application submitted by the National Multiple Sclerosis Society for their annual charity bicycle ride through town and also use of the Washington Avenue parking lot/gazebo grassy area as a rest stop for their bicyclists on Saturday, May 11, 2024 at various times between the hours of 7:30am to 1pm has been approved.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Governing Body at their Regular Meeting held on the **15th** day of **March 2024**

**Donnelly Amico
Municipal Clerk**

EVENT NAME Bike MS: Coast the Coast EVENT DATE 05 / 11 / 24



Borough of Lavallette Special Event / Facility Use Application and Permit

Borough of Lavallette Contact Information:
1306 Grand Central Avenue, Lavallette, NJ 08735
(732) 793-7477 Fax: (732) 830-8248
www.lavallette.org

NOTE: The first page of this application will be returned to you as your permit. All pages **must** be completed in full in order to be considered. Please read the instructions on page 2.

Application Fee: \$25.00 to be submitted with Special Event Application and Permit
Check payable to the Borough of Lavallette

Applicant / Organization Name: National Multiple Sclerosis Society

Contact Person: Stacey Sanjurjo Current Date: 3/7/24

Address: 1480 US Highway 9 North, Suite 301, Woodbridge, NJ 07905

Tele#: 201-977-6053 Cell #: 407-432-8544 Fax#: _____ Email Stacey.Sanjurjo@nmss.org

Web site address (If event will be advertised) www.bikems.org

Exact Nature of the use or activity for which the permit is being sought: _____
Charity bicycle ride passing through Lavallette, using parking lot at the gazebo for a rest stop

Location of Event: Various municipal roads and the Bay/Washington Parking Lot

Schedule (List all dates and times)

Dates: Saturday 5/11/24 Time: 7:30 a.m. - 1:00 p.m

(attach additional sheet if necessary)

Rain or cancellation dates(s) N/A event is rain or shine (severe weather cancels)

Signature by the Municipal Clerk below certifies approval of this event subject to all municipal, state, and federal ordinances, statutes, and regulations. Conditions to the approval, as indicated below are on the back of this form. Proper insurance certificates must be provided along with this application.

Hold Harmless ___ / ___ / ___ Certificate of Insurance ___ / ___ / ___ Conditions: () Yes () No

DO NOT WRITE IN THIS AREA

Approval ___ Approved ___ Denied

Date approved / denied by governing body ___ / ___ / ___

Borough Clerk

APPLICATION FOR EVENTS AND SPECIAL ACTIVITIES

INSTRUCTIONS: This application must be completed in full and submitted at least 90 days prior to your event. All questions on this application must be fully answered or it will be deemed incomplete and will not be processed. If a question does not apply to your event, write "N/A" in the space provided. If you need more room for an answer, attach a separate piece of paper and reference this addition on the application. TYPE or PRINT YOUR ANSWERS. In order to expedite the processing of this application, attach any diagrams and schedules that you feel would help those reviewing the application. If this event is a walk, run, or race, attach a map showing the route, and start and finish locations and including distances. Note: Neighboring municipalities may need to be notified. Please note that vehicles will not be allowed on the Beach, Boardwalk or Bayfront Beach and no distribution of printed materials are allowed on our Beach, Boardwalk or Bayfront Beach. Signs advertising the event must be requested and will be limited to spaces designated by the governing body. Athletic and other similar events, included but not limited to lessons, classes, marathons, triathlons, walks, bicycle and similar races that require the use of any streets within the Borough west of Route 35 South, shall not be held during the approved "bathing season" and Memorial Day weekend.

APPLICATIONS WILL NOT BE ACCEPTED UNLESS THERE IS A SCHEDULE OF EVENTS ATTACHED. It is understood that schedules may change between the time of your application and the actual event. It is your responsibility to inform the governing body of the Borough of Lavallette of any proposed changes to the original schedule submitted and receive approval for the changes.

FEES FOR USES OF BEACH AND FACILITIES. A commercial for-profit applicant shall pay the fees for the application as required, including but not limited to any deposit for cleanup and/or damages, and in addition shall pay a permit activity fee of ten percent (10%) of gross revenues collected for the activity(s). Such additional fee shall be paid by the commercial for-profit applicant within ten (10) days of the last date of the event and shall be paid into the General Revenue of the Borough of Lavallette.

A HOLD HARMLESS AGREEMENT must be completed and RETURNED WITH THIS APPLICATION along with the PROPER CERTIFICATE OF INSURANCE. Applicant will provide a certificate of insurance in the amount of \$1,000,000 naming the Borough of Lavallette, 1306 Grand Central Avenue, Lavallette, NJ 08735, as both certificate holder and additional insured, and in the description box of the certificate of insurance, the date/dates of event must be listed. This Certificate of Insurance must be delivered to the Borough of Lavallette or the event will not be considered for approval. If this event is a walk, run, swim, race or any combination, a map showing the route, and start and finish locations including distances must be attached.

Type of Event: Charity Bicycle Ride

Note: Neighboring municipalities may need to be notified.

Rescheduling due to inclement weather will not be accommodated unless requested here.

Rain or Cancellation Policy: N/A - event is rain or shine (severe weather cancels)

Are you a commercial for-profit organization or individual: ___ Yes No

If Yes, see event fee requirements provided above.

Is this event a fundraiser: Yes ___ No

If Yes, provide beneficiary: National Multiple Sclerosis Society

Provide list of person(s) in charge and their cell number and on site person(s) and their cell number(s):

Name:	Cell Phone #
<u>Stacey Sanjurjo</u>	<u>407-432-8544</u>
_____	_____
_____	_____
_____	_____

Times(s): Start 7:30 am am / pm Finish 1:00pm am / pm

Setup Time(s) 6:30am am / pm Takedown Time(s) 2:00pm am / pm

Description of Event Setup: Temporary 8.5" x 11" route arrows will direct riders through the municipality and into the rest stop at the Lavallette Gazebo parking lot.

There we will have a pop up tent set up with prepackaged snacks and bottled water/energy drinks for the participants

Attach additional sheets as necessary, including plans, maps, etc.

Will tents be utilized for this event: Yes ___ No

If so, how many: 1 or 2 What size: 10'x10'

Will a stage be utilized: ___ Yes ___ No

If so, what dimensions: _____

Will there be tables and/or chairs used: Yes ___ No

If so, how many: 3-4 tables for snacks/drinks 5-10 chairs for volunteers

Will fencing, barriers, and/or barricades be utilized: ___ Yes No

If so, provide map that outlines placement

Will there be portable toilets: Yes ___ No

If so, supplier's name: United Site Services (to be confirmed)

Will there be inflatable devices, amusements: ___ Yes No

If so, supplier's name: _____

Will there be signs placed advertising the event: ___ Yes No

If so, provide map of locations where signs will be placed

Number and types of vehicles (if any): We will have support vehicles that travel along with the riders (not impeding traffic) that will assist with pickup up riders if they suffer from mechanical problems or exhaustion

Will equipment be on site overnight? Yes No

If Yes, please explain: _____

If medical / first aid assistance is needed, type of arrangements and name of contact: We will have a private ambulance company that travels along with the riders and respond to any emergencies along the course. On Time Ambulance is who is currently scheduled to be our private ambulance company

If you desire any special assistance or equipment from the Lavallette Department of Public Works, describe what you are requesting (trash receptacles, restrooms, etc.):No

County Permit Needed: Yes No

If Yes; explain what typeWe work with Ocean County to ensure they are aware of all usages of county roads for the event

If you require street closures, describe what streets are required (provide map):No street closures necessary, but we may hire police if it is deemed necessary at any intersections

What are your security arrangements? If police assistance is desired for security, escorts, crowd control or traffic control, describe the needs and your request. If you are not requesting Lavallette Police or in addition to Lavallette Police (any armed security must be approved by the Chief of Police:) We may look to hire a police officer to assist riders in the crossing from the park rest stop onto Washington Ave. No other police support would be necessary.

If you will have vendors or in any other way will sublet space, give particulars, including any fees that you will charge: N/A - no vendors at rest stops

If there will be live music, entertainment, or the use of amplified sound, provide the details: N/A - no music or entertainment at rest stops

If you will be selling or serving food and/or alcohol, give details: (If there will be any type of cooking, a state fire permit may be required): N/A - no alcohol

Please list all event sponsors, if sponsors are added after event approval, a revised list must be submitted to the Borough of Lavallette prior to the event (attach list of sponsors): N/A - no sponsors at rest stops

How will the event be promoted/advertised? (Be specific, including ad schedules; attach an extra sheet if necessary): The event is advertised via social media, to cycling clubs, and via bike shops. It is also advertised through our support groups and previous riders.

What is your plan for cleaning and disposing of all refuse from the event: All garbage from our rest stops will be taken away and disposed of off-site.

Estimate number of participants: 150 **Estimated number in attendance:** 125

Applicant Signature: Stacey Sanjurjo **Date:** 4/3/2024

Please fill out this entire application

**HOLD HARMLESS AGREEMENT
Between the Borough of Lavallette and**

Organization Name: National Multiple Sclerosis Society **Tel #** 201-977-6053

Street Address (Not P.O. Box): 1480 US Highway 9 North, Suite 301

City: Woodbridge **State:** NJ **Zip** 07095

Organization Type (Individual, Partnership, Non-Profit Organization, Corporation, Public Entity): Non-Profit Organization

In consideration of the use of Municipal Roadways and the Hankins Park Parking Lot

on the following date(s): Saturday, May 11, 2024

with a rain date(s) of: N/A

for the purpose of: Bike MS: Coast the Coast (Charity bicycle ride fundraiser)

the undersigned agrees to indemnify, and hold the Borough of Lavallette and its officers, agents and employees harmless from any and all liability, claims, costs and attorney's fees arising out of the use of the property referred to above, including, but not limited to, claims of any kind arising from the negligence of the Borough of Lavallette and/or Borough of Lavallette employees. I understand that this Hold Harmless Agreement also requires that the Borough of Lavallette is indemnified from any losses or damages resulting from the acts or omissions from any guest, participant, visitor or other person attending the event herein referred to. Unless waived in writing by the Borough of Lavallette, I agree to furnish a Certificate of Insurance specifically naming the Borough of Lavallette as Certificate Holder and as additional insured, providing general liability, bodily injury and property damage coverage with minimum limits of liability not less than \$1,000,000.00. In order to induce the Borough of Lavallette to accept this Hold Harmless Agreement, the following information concerning the intended use of the premises is furnished:

- A. Alcoholic Beverages () will () will not be served.
- B. Total number of persons anticipated is 150.
- C. Live entertainment () will () will not be provided.
- D. Other _____.

Signed this 3 day of April 2024
as the binding act in deed of

National MS Society

Name of Organization

Authorized Signature Stacey Sanjurjo

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

RESOLUTION NO. 2023-103
DATE OF ADOPTION: 4/15/2024

WHEREAS, the property at 4 Brooklyn Avenue had a water leak, and

WHEREAS, the homeowner is set up for the Borough of Lavallette Auto Pay Program,

WHEREAS, the payment was withdrawn from the homeowners checking account prior to providing the Water/Sewer Collector with documentation of the leak.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lavallette that the Water / Sewer Collector be authorized to credit the account for the amount of the leak and refund the credit of \$8,155.05.

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council on the 15th day of April, 2024

Donnelly Amico
Municipal Clerk

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

**Resolution No. 2024-104
Date of Adoption: 04/15/2024**

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey, that the facility use application submitted by K Rock Fitness, LLC to hold exercise fitness classes at the old basketball courts on Saturdays, starting May 25th through August 31st 2024 and Tuesdays and Thursdays starting June 18th through August 31st 2024 from 8am to 9am has been approved.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Governing Body at their Council Meeting held on the 15th day of April, 2024.

**Donnelly Amico
Municipal Clerk**

EVENT NAME K Rock FIT EVENT DATE Various / ___ / ___



Borough of Lavallette Special Event / Facility Use Application and Permit

Borough of Lavallette Contact Information:
1306 Grand Central Avenue, Lavallette, NJ 08735
(732) 793-7477 Fax: (732) 830-8248
www.lavallette.org

NOTE: The first page of this application will be returned to you as your permit. All pages **must** be completed in full in order to be considered. Please read the instructions on page 2.

Application Fee: \$25.00 to be submitted with Special Event Application and Permit
Check payable to the Borough of Lavallette

Applicant / Organization Name: K Rock Fitness

Contact Person: Kristin Harris Current Date: 3-8-24

Address: 50 Bay shore Dr Toms River NJ 08753

Tele#: 215 272 2040 Cell #: same Fax#: _____ Email KRockFitness@yahoo.com

Web site address (If event will be advertised) KRockFitness.com

Exact Nature of the use or activity for which the permit is being sought: _____
exercise classes

Location of Event: old basketball courts Brown Ave & Bay Blvd

Schedule (List all dates and times)

Dates: <u>May 25</u>	Time: <u>8am</u>
<u>June 1</u>	<u>8am</u>
<u>June 8</u>	<u>8am</u>
<u>June 15</u>	<u>8am</u>

(attach additional sheet if necessary)

Rain or cancellation dates(s) none

Signature by the Municipal Clerk below certifies approval of this event subject to all municipal, state, and federal ordinances, statutes, and regulations. Conditions to the approval, as indicated below are on the back of this form. Proper insurance certificates must be provided along with this application.

Hold Harmless ___ / ___ / ___	Certificate of Insurance ___ / ___ / ___	Conditions: () Yes () No
DO NOT WRITE IN THIS AREA		
Approval	___ Approved	___ Denied
Date approved / denied by governing body ___ / ___ / ___		
Borough Clerk		

Additional Dates - all at 8am * Rock FIT

June 18, 20, 22, 25, 27, 29

July 2, 4, 6, 9, 11, 13, 16, 18, 20, 23, 25, 27, 30

Aug 1, 3, 6, 8, 10, 13, 15, 17, 20, 22, 24, 27, 29, 31

...

APPLICATION FOR EVENTS AND SPECIAL ACTIVITIES

INSTRUCTIONS: This application must be completed in full and submitted at least 90 days prior to your event. All questions on this application must be fully answered or it will be deemed incomplete and will not be processed. If a question does not apply to your event, write "N/A" in the space provided. If you need more room for an answer, attach a separate piece of paper and reference this addition on the application. TYPE or PRINT YOUR ANSWERS. In order to expedite the processing of this application, attach any diagrams and schedules that you feel would help those reviewing the application. If this event is a walk, run, or race, attach a map showing the route, and start and finish locations and including distances. Note: Neighboring municipalities may need to be notified. Please note that vehicles will not be allowed on the Beach, Boardwalk or Bayfront Beach and no distribution of printed materials are allowed on our Beach, Boardwalk or Bayfront Beach. Signs advertising the event must be requested and will be limited to spaces designated by the governing body. Athletic and other similar events, included but not limited to lessons, classes, marathons, triathlons, walks, bicycle and similar races that require the use of any streets within the Borough west of Route 35 South, shall not be held during the approved "bathing season" and Memorial Day weekend.

APPLICATIONS WILL NOT BE ACCEPTED UNLESS THERE IS A SCHEDULE OF EVENTS ATTACHED. It is understood that schedules may change between the time of your application and the actual event. It is your responsibility to inform the governing body of the Borough of Lavallette of any proposed changes to the original schedule submitted and receive approval for the changes.

FEEES FOR USES OF BEACH AND FACILITIES. A commercial for-profit applicant shall pay the fees for the application as required, including but not limited to any deposit for cleanup and/or damages, and in addition shall pay a permit activity fee of ten percent (10%) of gross revenues collected for the activity(s). Such additional fee shall be paid by the commercial for-profit applicant within ten (10) days of the last date of the event and shall be paid into the General Revenue of the Borough of Lavallette.

A HOLD HARMLESS AGREEMENT must be completed and RETURNED WITH THIS APPLICATION along with the PROPER CERTIFICATE OF INSURANCE. Applicant will provide a certificate of insurance in the amount of \$1,000,000 naming the Borough of Lavallette, 1306 Grand Central Avenue, Lavallette, NJ 08735, as both certificate holder and additional insured, and in the description box of the certificate of insurance, the date/dates of event must be listed. This Certificate of Insurance must be delivered to the Borough of Lavallette or the event will not be considered for approval. If this event is a walk, run, swim, race or any combination, a map showing the route, and start and finish locations including distances must be attached.

Type of Event: exercise classes

Note: Neighboring municipalities may need to be notified.

Rescheduling due to inclement weather will not be accommodated unless requested here.

Rain or Cancellation Policy: none

Are you a commercial for-profit organization or individual: Yes No
If Yes, see event fee requirements provided above.

Is this event a fundraiser: Yes No
If Yes, provide beneficiary: _____

Provide list of person(s) in charge and their cell number and on site person(s) and their cell number(s):

Name:	Cell Phone #
<u>Kristin Harris</u>	<u>215 272 2040</u>
_____	_____
_____	_____
_____	_____

Times(s): Start 8 am / pm Finish 9 am / pm

Setup Time(s) 7-8 am / pm Takedown Time(s) X am / pm

Description of Event Setup: Small exercise equipment will be brought onto the court for use during class

Attach additional sheets as necessary, including plans, maps, etc.

Will tents be utilized for this event: _____ Yes No
If so, how may: _____ What size: _____

Will a stage be utilized: _____ Yes No
If so, what dimensions: _____

Will there be tables and/or chairs used: _____ Yes No
If so, how many: _____

Will fencing, barriers, and/or barricades be utilized: _____ Yes No
If so, provide map that outlines placement

Will there be portable toilets: _____ Yes No
If so, supplier's name: _____

Will there be inflatable devices, amusements: _____ Yes No
If so, supplier's name: _____

Will there be signs placed advertising the event: Yes _____ No

If so, provide map of locations where signs will be placed

Number and types of vehicles (if any): N/A

Will equipment be on site overnight? _____ Yes No

If Yes, please explain: _____

If medical / first aid assistance is needed, type of arrangements and name of contact: If needed, I will start / provide and call the appropriate people for help if needed.

If you desire any special assistance or equipment from the Lavallette Department of Public Works, describe what you are requesting (trash receptacles, restrooms, etc.): NO

County Permit Needed: _____ Yes No

If Yes; explain what type _____

If you require street closures, describe what streets are required (provide map): N/A

What are your security arrangements? If police assistance is desired for security, escorts, crowd control or traffic control, describe the needs and your request. If you are not requesting Lavallette Police or in addition to Lavallette Police (any armed security must be approved by the Chief of Police): N/A

If you will have vendors or in any other way will sublet space, give particulars, including any fees that you will charge: N/A

If there will be live music, entertainment, or the use of amplified sound, provide the details: use of a small blue tooth speaker for music

If you will be selling or serving food and/or alcohol, give details: (If there will be any type of cooking, a state fire permit may be required): N/A

Please list all event sponsors, if sponsors are added after event approval, a revised list must be submitted to the Borough of Lavallette prior to the event (attach list of sponsors): N/A

How will the event be promoted/advertised? (Be specific, including ad schedules; attach an extra sheet if necessary): website, word of mouth, Facebook, + current/past clients + participants

What is your plan for cleaning and disposing of all refuse from the event: we will take with us what ever we brought

Estimate number of participants: 5-15 Estimated number in attendance: 5-15

Applicant Signature: Hustin McHarris Date: 3-8-24

Please fill out this entire application

**HOLD HARMLESS AGREEMENT
Between the Borough of Lavallette and**

Organization Name: K Rock Fitness **Tel #** 215 272 2040

Street Address (Not P.O. Box): 50 Bay Shore Dr

City: Toms River **State:** NJ **Zip** 08753

Organization Type (Individual, Partnership, Non-Profit Organization, Corporation, Public Entity): Individual LLC

In consideration of the use of old basketball courts

on the following date(s): Saturdays, Tuesdays, Thursdays

with a rain date(s) of: none

for the purpose of: exercise classes

the undersigned agrees to indemnify, and hold the Borough of Lavallette and its officers, agents and employees harmless from any and all liability, claims, costs and attorney's fees arising out of the use of the property referred to above, including, but not limited to, claims of any kind arising from the negligence of the Borough of Lavallette and/or Borough of Lavallette employees. I understand that this Hold Harmless Agreement also requires that the Borough of Lavallette is indemnified from any losses or damages resulting from the acts or omissions from any guest, participant, visitor or other person attending the event herein referred to. Unless waived in writing by the Borough of Lavallette, I agree to furnish a Certificate of Insurance specifically naming the Borough of Lavallette as Certificate Holder and as additional insured, providing general liability, bodily injury and property damage coverage with minimum limits of liability not less than \$1,000,000.00. In order to induce the Borough of Lavallette to accept this Hold Harmless Agreement, the following information concerning the intended use of the premises is furnished:

- A. Alcoholic Beverages () will () will not be served.
- B. Total number of persons anticipated is 5-15.
- C. Live entertainment () will () will not be provided.
- D. Other _____.

Signed this 8 day of March 2024
as the binding act in deed of

K Rock Fitness

Name of Organization

Dustin M. Adams

Authorized Signature



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
03/10/2024

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Maguire Insurance Agency, Inc. FWI 1 Bala Plz Ste 100 Bala Cynwyd, PA 19004-1401 610.617.7900	CONTACT NAME:	
	PHONE (A/C, No, Ext):	FAX (A/C, No):
	E-MAIL ADDRESS:	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A : Philadelphia Indemnity Insurance Company	
	NAIC # 18058	
INSURED Kristin Harris 50 Bay Shore Dr Toms River, NJ 08753	INSURER B :	
	INSURER C :	
	INSURER D :	
	INSURER E :	
	INSURER F :	

COVERAGES **CERTIFICATE NUMBER:** **REVISION NUMBER :**

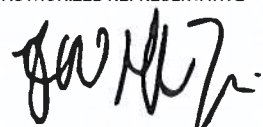
THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR <input checked="" type="checkbox"/> PROFESSIONAL LIABILITY GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER	X		PHPK2247060-003	03/10/2024	03/10/2025	EACH OCCURRENCE	\$1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence)	\$100,000
							MED EXP (Any one person)	\$2,500
							PERSONAL & ADV INJURY	\$1,000,000
							GENERAL AGGREGATE	\$3,000,000
							PRODUCTS - COMP/OP AGG	\$3,000,000
							SAM AGGREGATE	\$300,000
							SAM OCCURRENCE	\$100,000
	AUTOMOBILE LIABILITY <input type="checkbox"/> ANY AUTO OWNED AUTOS ONLY <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident)	\$
							BODILY INJURY (Per person)	\$
							BODILY INJURY (Per accident)	\$
							PROPERTY DAMAGE (Per accident)	\$
								\$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$						EACH OCCURRENCE	\$
							AGGREGATE	\$
								\$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N		N/A			<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER	
							E.L. EACH ACCIDENT	\$
							E.L. DISEASE - EA EMPLOYEE	\$
							E.L. DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
It is understood and agreed that the following entity is added as an additional insured but only with respect(s) to the operations of the named insured except that liability resulting from the additional insured's sole negligence.

CERTIFICATE HOLDER

CANCELLATION

Borough of Lavallette 1306 Grand Central Ave Lavallette, NJ 08735	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

**RESOLUTION OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN,
STATE OF NEW JERSEY AUTHORIZING THE REFUND OF A
CONSTRUCTION PERMIT FEE**

**RESOLUTION NO: 2024 - 105
DATE OF ADOPTION: April 15, 2024**

WHEREAS, The Accent Group paid \$462.00 for construction permit #20240038 for work to be done at 1900 Grand Central Avenue in Lavallette on March 7, 2024,

WHEREAS, after reviewing the file, it was determined that the contractor was charged twice for this permit fee,

WHEREAS, the construction department is requesting that a refund of \$462.00 be issued to the contractor as they were overcharged,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Lavallette that the Treasurer be and hereby is authorized to refund the amount of \$462.00 to The Accent Group, 104 East Centre Street, Nutley, NJ 07110.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, do hereby certify that the foregoing is a true and correct copy of a Resolution adopted by the Mayor and Council on the 15th day of April 2024.

**DONNELLY AMICO
MUNICIPAL CLERK**

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

**Resolution No. 2024-106
Date of Adoption: 04/15/2024**

BE IT RESOLVED, by the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey, that the special event/facility use application submitted by Kate Cannataro of Vibe Sessions with Kate, LLC to hold sound bath meditation on the ocean beach at Virginia Avenue on Mondays, Wednesdays and Fridays starting June 24^h through September 30th 2024 from 8am to 9am and Thursdays starting June 20th through September 30th from 6pm to 7pm has been approved.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Governing Body at their Council Meeting held on the 15th day of **April 2024**.

**Donnelly Amico
Municipal Clerk**

EVENT NAME Sound Bath EVENT DATE 6/20/24 - 9/30/24



Borough of Lavallette Special Event / Facility Use Application and Permit

Borough of Lavallette Contact Information:
1306 Grand Central Avenue, Lavallette, NJ 08735
(732) 793-7477 Fax: (732) 830-8248
www.lavallette.org

NOTE: The first page of this application will be returned to you as your permit. All pages must be completed in full in order to be considered. Please read the instructions on page 2.

Application Fee: \$25.00 to be submitted with Special Event Application and Permit
Check payable to the Borough of Lavallette

Applicant / Organization Name: Vibe Sessions with Kate

Contact Person: Kate Cannataro Current Date: 3/21/24

Address: 1505 Bay Blvd. Lavallette NJ 08735

Tele#: X Cell #: (631) 872-2070 Fax#: X Email kcannataro@gmail.com

Web site address (If event will be advertised) _____

Exact Nature of the use or activity for which the permit is being sought: Sound Bath

Location of Event: Virginia Avenue Beach

Schedule (List all dates and times)

Dates: _____ Time: _____

} on additional sheets

(attach additional sheet if necessary)

Rain or cancellation dates(s) N/A

Signature by the Municipal Clerk below certifies approval of this event subject to all municipal, state, and federal ordinances, statutes, and regulations. Conditions to the approval, as indicated below are on the back of this form. Proper insurance certificates must be provided along with this application.

Hold Harmless ___/___/___ Certificate of Insurance ___/___/___ Conditions: ()Yes ()No
DO NOT WRITE IN THIS AREA
Approval _____ Approved _____ Denied _____
Date approved / denied by governing body ___/___/___
Borough Clerk

June 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30						

8:00 am -
9 am

8:00 am -
9 am

8:am -
9 am

6-7 pm

July 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
	8-9 am		8-9 am		8-9 am 6-7 pm	
7	8	9	10	11	12	13
	8-9 am		8-9 am		8-9 am	
14	15	16	17	18	19	20
	8-9 am		8-9 am 6-7 pm		8-9 am	
21	22	23	24	25	26	27
	8-9 am		8-9 am		8-9 am	
28	29	30	31			
	8-9 am		8-9 am			

August 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat	
					1	2	3
						8-9am	
4		5	6	7	8	9	10
	8-9am	6-7pm	8-9am			8-9am	
11		12	13	14	15	16	17
	8-9am			8-9am		8-9am	
18		19	20	21	22	23	24
	8-9am 6-7pm			8-9am		8-9am	
25		26	27	28	29	30	31
	8-9am			8-9am		8-9am	

print-a-calendar.com

September 2024

Sun	Mon	Tue	Wed	Thu	Fri	Sat
1	2 8-9am	3 6-7pm	4 8-9am	5	6 8-9am	7
8	9 8-9am	10	11 8-9am	12	13 8-9am	14
15	16 8-9am	17 6-7pm	18 8-9am	19	20 8-9am	21
22	23 8-9am	24	25 8-9am	26	27 8-9am	28
29	30 8-9am					

APPLICATION FOR EVENTS AND SPECIAL ACTIVITIES

INSTRUCTIONS: This application must be completed in full and submitted at least 90 days prior to your event. All questions on this application must be fully answered or it will be deemed incomplete and will not be processed. If a question does not apply to your event, write "N/A" in the space provided. If you need more room for an answer, attach a separate piece of paper and reference this addition on the application. TYPE or PRINT YOUR ANSWERS. In order to expedite the processing of this application, attach any diagrams and schedules that you feel would help those reviewing the application. If this event is a walk, run, or race, attach a map showing the route, and start and finish locations and including distances. Note: Neighboring municipalities may need to be notified. Please note that vehicles will not be allowed on the Beach, Boardwalk or Bayfront Beach and no distribution of printed materials are allowed on our Beach, Boardwalk or Bayfront Beach. Signs advertising the event must be requested and will be limited to spaces designated by the governing body. Athletic and other similar events, included but not limited to lessons, classes, marathons, triathlons, walks, bicycle and similar races that require the use of any streets within the Borough west of Route 35 South, shall not be held during the approved "bathing season" and Memorial Day weekend.

APPLICATIONS WILL NOT BE ACCEPTED UNLESS THERE IS A SCHEDULE OF EVENTS ATTACHED. It is understood that schedules may change between the time of your application and the actual event. It is your responsibility to inform the governing body of the Borough of Lavallette of any proposed changes to the original schedule submitted and receive approval for the changes.

FEES FOR USES OF BEACH AND FACILITIES. A commercial for-profit applicant shall pay the fees for the application as required, including but not limited to any deposit for cleanup and/or damages, and in addition shall pay a permit activity fee of ten percent (10%) of gross revenues collected for the activity(s). Such additional fee shall be paid by the commercial for-profit applicant within ten (10) days of the last date of the event and shall be paid into the General Revenue of the Borough of Lavallette.

A HOLD HARMLESS AGREEMENT must be completed and RETURNED WITH THIS APPLICATION along with the PROPER CERTIFICATE OF INSURANCE. Applicant will provide a certificate of insurance in the amount of \$1,000,000 naming the Borough of Lavallette, 1306 Grand Central Avenue, Lavallette, NJ 08735, as both certificate holder and additional insured, and in the description box of the certificate of insurance, the date/dates of event must be listed. This Certificate of Insurance must be delivered to the Borough of Lavallette or the event will not be considered for approval. If this event is a walk, run, swim, race or any combination, a map showing the route, and start and finish locations including distances must be attached.

Type of Event: Sound Bath
Note: Neighboring municipalities may need to be notified.

Rescheduling due to inclement weather will not be accommodated unless requested here.

Rain or Cancellation Policy: N/A

Are you a commercial for-profit organization or individual: Yes No
If Yes, see event fee requirements provided above.

Is this event a fundraiser: Yes No
If Yes, provide beneficiary: _____

Provide list of person(s) in charge and their cell number and on site person(s) and their cell number(s):

Name:	Cell Phone #
<u>Kate Cannataro</u>	<u>(631) 872-2070</u>
_____	_____
_____	_____
_____	_____

Times(s): Start 8 am / pm Finish 9 am / pm

Setup Time(s) 8:00 am / pm Takedown Time(s) 9:00 am / pm

Description of Event Setup: Setting up instruments

Attach additional sheets as necessary, including plans, maps, etc.

Will tents be utilized for this event: Yes No
If so, how may: _____ What size: _____

Will a stage be utilized: Yes No
If so, what dimensions: _____

Will there be tables and/or chairs used: Yes No
If so, how many: _____

Will fencing, barriers, and/or barricades be utilized: Yes No
If so, provide map that outlines placement

Will there be portable toilets: Yes No
If so, supplier's name: _____

Will there be inflatable devices, amusements: Yes No
If so, supplier's name: _____

Will there be signs placed advertising the event: Yes No

If so, provide map of locations where signs will be placed

Number and types of vehicles (if any): _____

Will equipment be on site overnight? _____ Yes No

If Yes, please explain: _____

If medical / first aid assistance is needed, type of arrangements and name of contact: _____

_____ N/A

If you desire any special assistance or equipment from the Lavallette Department of Public Works, describe what you are requesting (trash receptacles, restrooms, etc.): _____

_____ N/A

County Permit Needed: _____ Yes No

If Yes; explain what type _____

If you require street closures, describe what streets are required (provide map): _____

_____ N/A

What are your security arrangements? If police assistance is desired for security, escorts, crowd control or traffic control, describe the needs and your request. If you are not requesting Lavallette Police or in addition to Lavallette Police (any armed security must be approved by the Chief of Police:) _____

_____ N/A

If you will have vendors or in any other way will sublet space, give particulars, including any fees that you will charge: _____

N/A

If there will be live music, entertainment, or the use of amplified sound, provide the details: _____

N/A

If you will be selling or serving food and/or alcohol, give details: (If there will be any type of cooking, a state fire permit may be required): _____

N/A

Please list all event sponsors, if sponsors are added after event approval, a revised list must be submitted to the Borough of Lavallette prior to the event (attach list of sponsors): _____

N/A

How will the event be promoted/advertised? (Be specific, including ad schedules; attach an extra sheet if necessary): word of mouth, Email list, Instagram + Facebook

What is your plan for cleaning and disposing of all refuse from the event: _____

N/A

Estimate number of participants: 20 Estimated number in attendance: 12

Applicant Signature: [Signature] Date: 3/21/24

Please fill out this entire application

**HOLD HARMLESS AGREEMENT
Between the Borough of Lavallette and**

Organization Name: Vibe Sessions with Kate **Tel #** (631) 872-2070

Street Address (Not P.O. Box): 1505 Bay Blvd.

City: Lavallette **State:** NJ **Zip** 08735

Organization Type (Individual, Partnership, Non-Profit Organization, Corporation, Public Entity): Individual

In consideration of the use of Virginia Ave Beach

on the following date(s): 6/20/24 - 9/30/24

with a rain date(s) of: N/A

for the purpose of: Sound Bath

the undersigned agrees to indemnify, and hold the Borough of Lavallette and its officers, agents and employees harmless from any and all liability, claims, costs and attorney's fees arising out of the use of the property referred to above, including, but not limited to, claims of any kind arising from the negligence of the Borough of Lavallette and/or Borough of Lavallette employees. I understand that this Hold Harmless Agreement also requires that the Borough of Lavallette is indemnified from any losses or damages resulting from the acts or omissions from any guest, participant, visitor or other person attending the event herein referred to. Unless waived in writing by the Borough of Lavallette, I agree to furnish a Certificate of Insurance specifically naming the Borough of Lavallette as Certificate Holder and as additional insured, providing general liability, bodily injury and property damage coverage with minimum limits of liability not less than \$1,000,000.00. In order to induce the Borough of Lavallette to accept this Hold Harmless Agreement, the following information concerning the intended use of the premises is furnished:

- A. Alcoholic Beverages () will () will not be served.
- B. Total number of persons anticipated is 20.
- C. Live entertainment () will () will not be provided.
- D. Other _____.

Signed this 21st day of March 2024
as the binding act in deed of

Vibe Sessions with Kate
Name of Organization

[Signature]
Authorized Signature

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

Resolution No. 2024-107

Date of Adoption: 4/15/2024

WHEREAS, the Church of St. Pio of Pietrelcina has submitted an application to hold a 50/50 off premise draw raffle to be drawn on Saturday, September 21, 2024 at 8pm at the St. Pio Parish Center located in Lavallette, NJ.

WHEREAS, an investigation has been made and the members in charge of the games are of good moral character; and

WHEREAS, the proceeds will be used to further support and foster the religious ideals and charitable purposes of St. Pio Parish.

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey, that this raffle license is hereby granted to the Church of St. Pio of Pietrelcina to hold a 50/50 off premise draw raffle on Saturday, September 21, 2024 at 8pm at the St. Pio Parish Center located in Lavallette, NJ.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Governing Body at their Council Meeting held on the **15th** day of **April 2024**.

Donnelly Amico
Municipal Clerk

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

**RESOLUTION NO: 2024-108
DATE OF ADOPTION: 04/15/24**

BE IT RESOLVED, that the Governing Body of the Borough of Lavallette has approved the Proposal for Engineering and Surveying Services for Newark Avenue Road Improvement Project as follows:

Phase 1 through 5 Survey, Engineering Design & Specifications, NJDOT Coordination and Advertisement & Bidding Services

Lump Sum \$41,700

Phase 6 Construction Management & Inspection Budget \$48,300

Total Costs \$90,000

BE IT FURTHER RESOLVED, that a certified copy of this resolution be forwarded to the Chief Financial Officer and Van Cleef Engineering.

CERTIFICATION

I, **Donnelly Amico**, Municipal Clerk of the Borough of Lavallette do hereby certify that the foregoing resolution was duly adopted by the Governing Body at their Council Meeting held the **15th** day of **April 2024**

DONNELLY AMICO
Municipal Clerk

March 7, 2024

Borough of Lavallette
Attn: Mr. Walter LaCicero, Mayor
1306 Grand Central Avenue
Lavallette, New Jersey 08735

RE: Proposal for Surveying and Engineering Services
Van Cleef Proposal #P24030.00
Newark Avenue Road Improvements
NJDOT FY 2024 MA Program

Dear Mayor LaCicero:

Van Cleef Engineering Associates (Van Cleef) is pleased to present this proposal for Surveying and Engineering Design, Advertisement & Bidding, Construction and Inspection Services associated with the above referenced project. As you are aware, this project will be funded under the 2024 NJ Department of Transportation (NJDOT) Municipal Aid Program (MA).

The Borough had applied for a \$550,000 grant (\$478,000 for construction, \$72,000 for inspection) from the NJDOT and ultimately received \$370,645. As always with MA projects, up to 15% of the final construction cost of eligible items can be allocated for inspection fee reimbursement. Based on the actual grant amount, this project would therefore breakdown to approximately \$322,300 available for construction and \$48,345 for inspection. However, since NJDOT limits the inspection reimbursement to strictly "boots on the ground" field time and not the management of the construction phase, we estimate the inspection reimbursement will be between \$20,000 and \$25,000 for a job of this scope. The difference can be reallocated to increase the construction cost to approximately \$350,000.

The approved project limits for this grant are as follows:

- Newark Avenue - from Bay Boulevard bulkhead to eastern terminus, approximately 2,900 linear feet
- Bond Avenue – from Route 35 North to eastern terminus, approximately 825 linear feet

Typically, the Borough intends for the construction of its MA projects to be fully funded (inclusive of construction & inspection services) within the grant allotment. Since the grant amount is significantly less than what was applied for, it will be necessary to reduce the scope of work to meet that objective. Per a discussion with the Borough Administrator, it was decided to eliminate the section of Newark Avenue between Baltimore Avenue and the Bay Boulevard bulkhead, approximately 1,175 linear feet. This section possibly requires elevation of the roadway surface to address flooding issues which would most likely utilize the entirety of the grant funding. The improvements on this block will be re-submitted, along with the West Point Island portion of Newark Avenue, for the 2025 MA application. **Please note, the surveying services of this section of Newark Avenue will be included in this proposal as this information is necessary to determine the extent of the road elevation so it can accurately be accounted for in the 2025 MA application.**

OFFICE LOCATIONS

www.vancleefengineering.com

Hillsborough, NJ 908-359-8291	Mt. Arlington, NJ 862-284-1100	Phillipsburg, NJ 908-454-3080	Doylestown, PA 215-345-1876	Pottstown, PA 610-323-4040
Hamilton, NJ 609-689-1100	Toms River, NJ 732-573-0490	Freehold, NJ 732-303-8700	Bethlehem, PA 610-332-1772	

The total length of the revised project is approximately 0.48 miles, or $\pm 2,550$ linear feet. The proposed scope of work includes the following: milling of the roadways and placement of a 2-inch hot mix asphalt overlay, installation of inlet basins and storm pipe to convey sump pump discharges to the existing drainage system, removal and replacement of deteriorated curbs and pavement reconstruction associated with storm pipe installation and curb replacement. Our preliminary construction estimate for this project is \$425,000. As such, we propose to bid the project with the Bond Avenue portion as an alternate to ensure the Borough can award a project that is fully funded if preferred.

It should be noted that the Borough is currently awaiting a response from Ocean County to its request for ARPA funding to address sump pump discharge issues. Should the Borough receive funding prior to the construction of this project, the drainage installation work can be removed from this project and included in an ARPA funded project. Should this be the case, additional curb replacement will be included to maximize the amount of improvements and ensure grant allotment is fully utilized.

In order to meet the requirements of the grant and accomplish the Borough's goals, the following Scope of Services is proposed:

SCOPE OF WORK

Phase 1 - Surveying Services

1. We will obtain a topographic survey of the project limits, obtaining field cross-sections at 50-foot intervals;
2. Locations of all physical features and utilities (based upon a utility mark-out) within the work limits will be obtained and used to prepare the final project design.

As noted above, survey services for Newark Avenue between Baltimore Avenue and the Bay Boulevard bulkhead are included in this phase.

Phase 2 - Engineering Services

1. A base map/existing conditions plan will be prepared showing the Plan view of the roadway and the existing conditions of the roadways within the proposed project limits;
2. Van Cleef representatives will walk the site with the Borough Clerk, Public Works Director and/or other Borough representatives to discuss the design and proposed improvements;
3. In general, the Construction Plans will consist of the following:
 - Title Sheet;
 - Construction Plan Sheets indicating existing conditions and all proposed improvements;
 - Typical Cross Section Sheet¹;
 - Construction Details;
 - Traffic Control Plans.
4. Van Cleef will prepare an Engineer's Construction Cost Estimate for the proposed work.

¹ Typical Cross Sections are now required on all Municipal Aid Designs

5. A final design meeting will be held with the Borough Clerk and Public Works Director to review the contract documents and ensure the Borough's goals have been satisfactorily addressed.

Phase 3 - Specification Preparation Phase²

1. Detailed Construction Specifications for the project will be prepared which will utilize the latest NJDOT Supplementary Specifications for State Aid Projects for the roadway reconstruction work.

Phase 4 – NJDOT Municipal Aid Program & Permit Coordination

1. The Plans, Specifications and Engineer's Construction Cost Estimate (P/S/E) will be submitted to the NJDOT via the PMRS project tracking system for review and will update the system accordingly;
2. Van Cleef will address any comments provided by the NJDOT as a result of their review and revise the Plans, Specifications and Estimate as needed in order to prepare a final version of the contract documents required for bidding;
3. An application will be prepared and submitted to Ocean County for a Road Opening Permit for the work proposed within County right-of-way;
4. If required, a permit application will be prepared and submitted to the Ocean County Soil Conservation District.

Phase 5 - Advertisement and Bidding Phase

1. Van Cleef will print ten (10) sets of Documents and advertise for the Bid in the local newspapers, Dodge Reports and Construction Data News;
2. Van Cleef will respond to questions and issues submitted by prospective bidders that will require clarification during the period between advertisement and receipt of bids;
3. A representative from Van Cleef will attend the bid opening and assist the Borough with any part of this process;
4. Van Cleef will review and tabulate all opened bids and provide a recommendation of award to the Borough as to the lowest responsible Bidder.

Phase 6 - Construction and Inspection Services

1. Van Cleef will schedule and attend a pre-construction meeting and prepare meeting minutes that will be copied to the Borough, NJDOT and the Contractor;
2. Van Cleef will review shop drawings, catalog data, schedules, insurance certificates and other data that the Contract Documents require the Contractor to submit for approval prior to construction activities can commence;

² Subsequent to the completion of Phase 3, the Construction Plans and Specifications will be submitted to the Borough for review and comment.

3. Van Cleef will provide full time inspection services for the roadway work to monitor compliance with the Contract Plans and Specifications (as far as ascertainable from checking the visible portion of the work), consult and troubleshoot any field changes or unforeseen conditions as necessary;
4. Van Cleef will recommend to the Borough disapproval or rejection of construction work which appears defective or not in conformance with the Contract Documents;
5. Review, check and approve all of the contractor's monthly vouchers;
6. If required, Van Cleef will review and execute change orders subsequent to the approval of the Borough;
7. Prepare a project punchlist and provide any additional inspection services necessary to confirm punchlist compliance;
8. Van Cleef will update the NJDOT PMRS online project management system as necessary;
9. Close out the project including administrative, funding and reimbursement with the NJDOT Municipal Aid Program.

FEES

It is proposed that the above Outlined Scope of Services be performed on a Lump Sum Basis for Phases 1 through Phase 5 and Budget amount for Phase 6 as outlined below:

ENGINEERING DESIGN & CONSTRUCTION MANAGEMENT FEES		
PHASES	PAYMENT	AMOUNT
Phases 1 – 5: Survey, Engineering Design & Specifications, NJDOT Coordination and Advertisement & Bidding Services	Lump Sum	\$41,700.00
Phase 6: Construction Management & Inspection	Budget	\$48,300.00
TOTAL³		\$90,000.00

³ Assuming the grant is fully applied to construction and inspection, the Borough's anticipated "out of pocket" expenditures would be approximately \$67,000 (\$41,700 for Phases 1 - 5 and \$25,000± for the portion of Phase 6 which does not qualify for reimbursement). Additionally, the Borough would also be responsible for any money spent on utilizing police for traffic protection as NJDOT deems these costs ineligible for reimbursement.

PAYMENT TERMS

Invoices shall be rendered on a percent complete basis for the Lump Sum Engineering Services. For budgeted items, the Borough will only be billed for the actual time spent on the project. Please be advised that the hourly rates billed will be in accordance with the latest approved Van Cleef rate schedule.

PROPOSAL EXCLUSIONS

Please note that application fees for any permitting that may be required for the construction of this project to the various regulatory agencies are not included in the above costs.

Thank you for the opportunity to submit this proposal. We look forward to continuing our work with the Borough on this project.

Should you have any questions concerning this matter, please do not hesitate to contact our office.

Very truly yours,

VAN CLEEF ENGINEERING ASSOCIATES, LLC



Robert Chankalian, PE
Senior Professional Engineer

FWG/MOD

cc: Borough Council

ec: John Bennett, Administrator

F. William Groff, PE, Van Cleef

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

**RESOLUTION NO: 2024-109
DATE ADOPTION: 4/15/2024**

WHEREAS, it is in the best interest of the residents of the Toms River Fire District and Lavallette to cooperate in providing fuel services so as to reduce costs to taxpayers; and

WHEREAS, this agreement for cooperation between the Borough of Lavallette and the Toms River Fire Commissioners should result in cost savings to the taxpayers; and

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey that authorization is as follows:

1. The Borough of Lavallette will permit five vehicles of the Ocean Beach Fire Company, No. 3 to receive fuel from Lavallette's public facilities.
2. Billing for the fuel used will be done by the Borough of Lavallette on a monthly basis at prevailing wage, plus an additional five (5) % percent administrative fee and submitted to the Toms River Fire Commissioners for reimbursement.
3. This agreement is effective for a term of one year commencing effective retroactively to March 3, 2024 and ending April 15, 2025 but may be cancelled by either party with a thirty (30) day notice.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, do hereby certify that the foregoing is a true and correct copy of a resolution adopted by the Governing Body at their Council Meeting held on the 15th day of **April 2024**

Donnelly Amico
Municipal Clerk

INTERLOCAL SERVICE AGREEMENT

THIS AGREEMENT made this 15th day of **April 2024**

BETWEEN: TOMS RIVER TOWNSHIP BOARD OF FIRE COMMISSIONERS, DIST. #1;

located at 1144 Hooper Avenue, Suite 306, Toms River, New Jersey 08753, hereinafter referred to as **FIRE COMMISSIONERS**

AND: BOROUGH OF LAVALLETTE

located at 1306 Grand Central Avenue, Lavallette, New Jersey, 08735 hereinafter referred to as **LAVALLETTE,**

WHEREAS, the Fire Commissioners and Lavallette are both Public Bodies which serve the taxpayers; and

WHEREAS, it is in the best interest of the residents of the Toms River Fire District and the Borough of Lavallette to cooperate in providing services so as to reduce costs to taxpayers; and

WHEREAS, this agreement for cooperation between the Toms River Fire Commissioners and the Borough of Lavallette should result in cost savings to the taxpayers;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey and by the Toms River Fire Commissioners, Township of Toms River, County of Ocean, State of New Jersey that this agreement is authorized as follows:

1. Lavallette will permit five fire vehicles of Ocean Beach Fire Co. No. 3 to receive fuel from Lavallette's public facilities.
2. Billing for the fuel will be done by the Borough at prevailing rate, plus an additional five percent (5) % administrative fee and submitted to the Toms River Fire Commissioners for reimbursement of the cost for the fuel provided.
3. This agreement is effective for a term of one year retroactively commencing March 3, 2024 through April 15, 2025 but may be cancelled by either party with a thirty (30) day notice.
4. This agreement, identified above, constitutes the entire agreement between the Borough of Lavallette and the Toms River Fire Commissioners and supersedes all prior written or oral understandings. This agreement may only be amended, supplemented, modified or cancelled by a duly executed written document.

**RESOLUTION OF THE BOROUGH OF LAVALLETTE
LAVALLETTE, NEW JERSEY**

**Resolution No. 2024-110
Date of Adoption: 04/15/2024**

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Lavallette, County of Ocean, State of New Jersey, that the facility use application submitted by Kathy Grandstrand from the Lavallette Pickleball Club to reserve the pickle ball courts on Saturdays and Sundays including Memorial Day, July 4th and Labor Day beginning May 24, 2024 through September 17, 2024 from 8am to 12 noon has been approved.

BE IT FURTHER RESOLVED, that approval does not include Saturday, September 7, 2024, which is the Borough's Founders Day, at which time all courts will be closed during this event.

CERTIFICATION

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Governing Body at their Council Meeting held on the 15th day of **April, 2024**

**Donnelly Amico
Municipal Clerk**

EVENT NAME Pickleball EVENT DATE / /

SAT + SUN 8-12
5/24 - 9/17
PLUS MEM DAY
JULY 4TH
LABOR DAY



Borough of Lavallette Special Event / Facility Use Application and Permit

Borough of Lavallette Contact Information:
1306 Grand Central Avenue, Lavallette, NJ 08735
(732) 793-7477 Fax: (732) 830-8248
www.lavallette.org

NOTE: The first page of this application will be returned to you as your permit. All pages must be completed in full in order to be considered. Please read the instructions on page 2.

Application Fee: \$25.00 to be submitted with Special Event Application and Permit
Check payable to the Borough of Lavallette

WAIVED
↓

Applicant / Organization Name: Lavallette Pickleball-NJ Non-Profit Corp

Contact Person: Kathy Granstrand Current Date: 04/04/2024

Address: 1 Camden Avenue Lavallette nj

Tele#: _____ Cell #: 973-903-4291 Fax#: _____ Email kagrans@aol.com

Web site address (If event will be advertised) _____

Exact Nature of the use or activity for which the permit is being sought: _____
Facilitate Pickleball Play on Municipal courts

Location of Event: Pickleball Courts

Schedule (List all dates and times)

Dates: 5/24-9/17 Time: 8am-noon
Weekends Sat and Sun
plus Memorial Day, July 4th
Labor Day

(attach additional sheet if necessary)

Rain or cancellation dates(s) N/A

Signature by the Municipal Clerk below certifies approval of this event subject to all municipal, state, and federal ordinances, statutes, and regulations. Conditions to the approval, as indicated below are on the back of this form. Proper insurance certificates must be provided along with this application.

Hold Harmless / / Certificate of Insurance / / Conditions: () Yes () No

DO NOT WRITE IN THIS AREA

Approval Approved Denied

Date approved / denied by governing body / /

Borough Clerk

APPLICATION FOR EVENTS AND SPECIAL ACTIVITIES

INSTRUCTIONS: This application must be completed in full and submitted at least 90 days prior to your event. All questions on this application must be fully answered or it will be deemed incomplete and will not be processed. If a question does not apply to your event, write "N/A" in the space provided. If you need more room for an answer, attach a separate piece of paper and reference this addition on the application. TYPE or PRINT YOUR ANSWERS. In order to expedite the processing of this application, attach any diagrams and schedules that you feel would help those reviewing the application. If this event is a walk, run, or race, attach a map showing the route, and start and finish locations and including distances. Note: Neighboring municipalities may need to be notified. Please note that vehicles will not be allowed on the Beach, Boardwalk or Bayfront Beach and no distribution of printed materials are allowed on our Beach, Boardwalk or Bayfront Beach. Signs advertising the event must be requested and will be limited to spaces designated by the governing body. Athletic and other similar events, included but not limited to lessons, classes, marathons, triathlons, walks, bicycle and similar races that require the use of any streets within the Borough west of Route 35 South, shall not be held during the approved "bathing season" and Memorial Day weekend.

APPLICATIONS WILL NOT BE ACCEPTED UNLESS THERE IS A SCHEDULE OF EVENTS ATTACHED. It is understood that schedules may change between the time of your application and the actual event. It is your responsibility to inform the governing body of the Borough of Lavallette of any proposed changes to the original schedule submitted and receive approval for the changes.

WAIVED

FEEES FOR USES OF BEACH AND FACILITIES. A commercial for-profit applicant shall pay the fees for the application as required, including but not limited to any deposit for cleanup and/or damages, and in addition shall pay a permit activity fee of ten percent (10%) of gross revenues collected for the activity(s). Such additional fee shall be paid by the commercial for-profit applicant within ten (10) days of the last date of the event and shall be paid into the General Revenue of the Borough of Lavallette.

WAIVED

A HOLD HARMLESS AGREEMENT must be completed and RETURNED WITH THIS APPLICATION along with the PROPER CERTIFICATE OF INSURANCE. Applicant will provide a certificate of insurance in the amount of \$1,000,000 naming the Borough of Lavallette, 1306 Grand Central Avenue, Lavallette, NJ 08735, as both certificate holder and additional insured, and in the description box of the certificate of insurance, the date/dates of event must be listed. This Certificate of Insurance must be delivered to the Borough of Lavallette or the event will not be considered for approval. If this event is a walk, run, swim, race or any combination, a map showing the route, and start and finish locations including distances must be attached.

Type of Event: _____
Note: Neighboring municipalities may need to be notified.

Rescheduling due to inclement weather will not be accommodated unless requested here.

Rain or Cancellation Policy: _____

Are you a commercial for-profit organization or individual: Yes No
If Yes, see event fee requirements provided above.

Is this event a fundraiser: Yes No
If Yes, provide beneficiary: _____

Provide list of person(s) in charge and their cell number and on site person(s) and their cell number(s):

Name:	Cell Phone #
Kathy Granstrand	973-903-4291
Jerry Guarino	732-374-6684
Tony Amado	201-401-7632
Karen Papsin	908-229-4198

Times(s): Start 8 am pm Finish 12 pm am

Setup Time(s) n/a am / pm Takedown Time(s) n/a am / pm

Description of Event Setup: n/a

Attach additional sheets as necessary, including plans, maps, etc.

Will tents be utilized for this event: Yes No
If so, how may: _____ What size: _____

Will a stage be utilized: Yes No
If so, what dimensions: _____

Will there be tables and/or chairs used: Yes No
If so, how many: _____

Will fencing, barriers, and/or barricades be utilized: Yes No
If so, provide map that outlines placement

Will there be portable toilets: Yes No
If so, supplier's name: _____

Will there be inflatable devices, amusements: Yes No
If so, supplier's name: _____

Will there be signs placed advertising the event: Yes No

If so, provide map of locations where signs will be placed

Number and types of vehicles (if any): n/a

Will equipment be on site overnight? Yes No

If Yes, please explain: _____

If medical / first aid assistance is needed, type of arrangements and name of contact: n/a

If you desire any special assistance or equipment from the Lavallette Department of Public Works, describe what you are requesting (trash receptacles, restrooms, etc.): n/a

County Permit Needed: Yes No

If Yes; explain what type _____

If you require street closures, describe what streets are required (provide map): n/a

What are your security arrangements? If police assistance is desired for security, escorts, crowd control or traffic control, describe the needs and your request. If you are not requesting Lavallette Police or in addition to Lavallette Police (any armed security must be approved by the Chief of Police:) n/a

If you will have vendors or in any other way will sublet space, give particulars, including any fees that you will charge: n/a

If there will be live music, entertainment, or the use of amplified sound, provide the details: n/a

If you will be selling or serving food and/or alcohol, give details: (If there will be any type of cooking, a state fire permit may be required): n/a

Please list all event sponsors, if sponsors are added after event approval, a revised list must be submitted to the Borough of Lavallette prior to the event (attach list of sponsors): n/a

How will the event be promoted/advertised? (Be specific, including ad schedules; attach an extra sheet if necessary): n/a

What is your plan for cleaning and disposing of all refuse from the event: n/a

Estimate number of participants: 100 Estimated number in attendance: _____

Applicant Signature: Kathleen A. Warstrand Date: 4/1/24

Please fill out this entire application

**HOLD HARMLESS AGREEMENT
Between the Borough of Lavallette and**

Organization Name: Lavallette Pickleball-NJ non-profit corp **Tel #** 973-903-4291

Street Address (Not P.O. Box): 1 Camden Avenue

City: Lavallette **State:** NJ **Zip** 08735

Organization Type (Individual, Partnership, Non-Profit Organization, Corporation, Public Entity): Non-Profit Corp- 501(c)(4)

In consideration of the use of Pickleball courts

on the following date(s): 5/24-9/17 Weekends plus Memorial Day, July 4th, LaborDay 8am-12pm

with a rain date(s) of: NA

for the purpose of: Facilitate Pickleball Playing

the undersigned agrees to indemnify, and hold the Borough of Lavallette and its officers, agents and employees harmless from any and all liability, claims, costs and attorney's fees arising out of the use of the property referred to above, including, but not limited to, claims of any kind arising from the negligence of the Borough of Lavallette and/or Borough of Lavallette employees. I understand that this Hold Harmless Agreement also requires that the Borough of Lavallette is indemnified from any losses or damages resulting from the acts or omissions from any guest, participant, visitor or other person attending the event herein referred to. Unless waived in writing by the Borough of Lavallette, I agree to furnish a Certificate of Insurance specifically naming the Borough of Lavallette as Certificate Holder and as additional insured, providing general liability, bodily injury and property damage coverage with minimum limits of liability not less than \$1,000,000.00. In order to induce the Borough of Lavallette to accept this Hold Harmless Agreement, the following information concerning the intended use of the premises is furnished:

- A. Alcoholic Beverages will will not be served.
- B. Total number of persons anticipated is 100.
- C. Live entertainment will will not be provided.
- D. Other _____.

Signed this 4th day of APRIL 2024
as the binding act in deed of

LAVALLETTE PICKLEBALL - NJ NONPROFIT CORP
Name of Organization

Karl Lamb Monstard
Authorized Signature

RESOLUTION NO. 2024-111

**RESOLUTION OF THE BOROUGH COUNCIL OF THE BOROUGH OF
LAVALLETTE APPROVING BILLS LIST AT THEIR MEETING OF
APRIL 15, 2024**

BE IT RESOLVED, the Chief Financial Officer has certified that funding is available to pay the following bills (list attached) in the amount of \$464,228.65 and Council hereby authorizes the issuance of payment.

CERTIFICATION

I, **Donnelly Amico**, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby certify that the foregoing resolution was duly adopted by the Governing Body at a Meeting held on the **15th** day of **April 2024**

Donnelly Amico
Municipal Clerk

ORDINANCE NO. 2024-09 (1260)

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET
APPROPRIATIONS LIMITS AND TO ESTABLISH A CAP BANK**

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and

WHEREAS, N.J.S.A. 40A:4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and

WHEREAS, the Mayor and Council of the Borough of Lavallette in the County of Ocean finds it advisable and necessary to increase its CY 2024 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and

WHEREAS, the Mayor and Council hereby determined that a 3.5% increase in the budget for said year, amounting to \$289,257.12 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and

WHEREAS, the Mayor and Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to the final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Lavallette in the County of Ocean, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2024 budget year, the final appropriations of the Borough of Lavallette shall, in accordance with this ordinance and N.J.S.A. 40A:4-45.14, be increased by 3.5% amounting to \$289,257.12 and the CY 2024 municipal budget for the Borough of Lavallette be approved and adopted in accordance with this ordinance; and

BE IT FURTHER RESOLVED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and

BE IT FURTHER RESOLVED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and

BE IT FURTHER RESOLVED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said director within 5 days after such adoption.