

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, March 22, 2010-7:00 pm

CALL TO ORDER: Mayor Walter LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Lamb, Stogdill, Horan and Filippone
Councilwoman Filippone was absent.

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Philip George, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting complies with the Open Public Meetings Act. Public Notice was given to the Ocean County Gazette and was published in the Ocean Star on January 8, 2010. Notice was also posted on the municipal bulletin board and the municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for our troops overseas

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

MAYOR'S WELCOMING STATEMENT: Mayor LaCicero thanked everyone for coming out to this meeting. He stated that there were many people in the audience tonight and he was not quite sure why. He then stated that anyone in the audience who wished to comment on any items that were not on the agenda or if you can not stay for the remainder of the meeting could do so now.

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

Mayor LaCicero opened the floor to anyone in the audience who wished to speak on any issues that were not listed on the agenda or could not stay for the remainder of the meeting.

Theresa Coleman, 9 Bullard Drive stated that she has been hearing a lot about the sale of Lavallette Avenue and has reviewed the plans. In today's economy and in hearing the governor's speech about the financial situation of our state why wouldn't we sale a portion of the street to increase our revenues. The plans look so beautiful and I think it would benefit the town.

Mary Ann Popper, 1600 Bay Blvd. stated that the latest rendering is very beautiful but it is still allowing that piece of land to become a build able lot. I am not sure the Mayor wants to take something on like this during his election this year.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES:

Caucus/Regular Meeting of March 8, 2010
Budget Meeting of March 4, 2010

A Motion was made by Council President Zalom to Approve the Minutes. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Zalom, Horan and Lamb voted Yes. Councilman Stogdill abstained on the March 4th Minutes and voted Yes to March 8th Minutes. The Motion Passed.

RESOLUTIONS – ON CONSENT:

- 2010-96 authorizing the Treasurer to refund an erroneous payment to Cascade Title Agency in the amount of \$4,221.27
- 2010-97 urging the State Legislature to reform interest arbitration
- 2010-98 approving two raffle licenses to the Lavallette PTA to be held on April 16, 2010 at their Spaghetti Dinner at the Union Church in Lavallette
- 2010-99 authorizing the change in the tennis court hours from 7am-3pm to 7am-8pm- Councilman Lamb requested that this resolution be pulled until the next meeting so we can discuss this further at the next budget meeting.
- 2010-100 designating the Mayor of the Borough of Lavallette as the Borough Council's designee pursuant to N.J.S.A. 40A:9-9
- 2010-101 authorizing the seasonal appointments for Beach Captain and Supervisor of the Beach Badge Office
- 2010-102 approving the Class I applicants to attend the Ocean County Police Academy Satellite Training Course in Seaside Heights at an hourly rate of \$7.25
- 2010-103 appointing Kate Graham to the permanent status of Supervising Public Safety Telecommunicator effective immediately
- 2010-104 approving a 50/50 Off Premise raffle to the Catholic Daughters of the Americas to be held on April 17, 2010 at St. Pio of Pietrelcina Parish Center
- 2010-105 approving a 50/50 Off Premise raffle to the Knights of Columbus to hold an Off Premise 50/50 raffle to be held on April 16, 2010 at the St. Pio of Pietrelcina Parish Center
- 2010-106 authorizing the Asbury Park Press as one of our official newspapers

2010-106A awarding a contract to Altec Industries, Inc. in the amount of \$86,069.00 for the purchase of a bucket truck-Councilman Borowski stated that he would like this to be put on the off consent agenda

The Mayor opened the floor for public comment on the consent agenda and the bills list and asked if anyone in the audience wished to comment on the consent agenda.

Kelly Johnson-Ms. Johnson stated that she has worked on the beach in Lavallette forever and she recently heard that the governing body was replacing Captain Cresbaugh. She thinks that the governing body should reconsider this decision. Captain Cresbaugh has been an inspiration to all of us and she think the governing body would be making a mistake by not hiring him.

Scott Darby stated that he would like to know why the Beach Captain is being replaced this year.

Mayor LaCicero stated that it was at the suggestion of the liaison to the beach that they try someone new this year.

Mr. Darby stated that this is a great disservice to the community of Lavallette. He knows Mr. Tormollan will do a good job but Captain Cresbaugh is well above any standards that are set. People in surrounding towns know if you worked in Lavallette as a lifeguard you are the best and have all the skills.

Kerri Kenneally stated that she has worked for the beach for many years and Captain Cresbaugh is the epitome of great respect and confidence. The governing body will be making a big mistake by not hiring him back.

Clem Boyers, 20 Kerr Avenue stated that he had a conversation in passing with a junior lifeguard last year and stated that they work very hard in Lavallette but most people leave after a few years because of the higher ups.

Chris Coghlan stated that he has worked here for many, many years and saying you are a Lavallette lifeguard has meaning and he is afraid that is going to change.

Bob Plaszo, 99 Bay Blvd. stated that he is one of the senior guards and he truly respects Captain Cresbaugh. More of the beach patrol wanted to be here for support. People wind up leaving all the time because we expect more from them. He is not saying Mr. Tormollan is not going to do an outstanding job he is just saying without Cresbaugh the standards will not be as high.

Darren St. Jean stated that he has worked on the beach for 10 years and Captain Cresbaugh was not only a boss but a true friend who would do anything for any of us anytime. That is how much of a decent person he is. He sets the bar very high in life also and always makes us feel like we can achieve anything.

Justin Alsobrooks stated that he has worked here for many years and Captain Cresbaugh has been a mentor to all of us. He is more than willing to help you on the beach, as well as, off the beach in anything we ask. No other beach patrol compares to us because of Captain Cresbaugh.

Keri Cresbaugh stated that she is Mr. Cresbaugh's daughter and is asking for the governing body to reconsider the hiring of him. This job is not only a job but a true passion for him. This job is all he thinks about and cares about. By not hiring him back this year is an extreme loss to him personally. This beach patrol is like his second family so please all he asks is that you reconsider.

There was no additional public comment.

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

A Motion was made by Councilman Lamb to approve the Consent Agenda with the exception of Resolutions 2010-99 and 2010-106A. The Motion was seconded by Councilman Stogdill. Vote: Council Members Borowski, Zalom, Stogdill and Lamb voted Yes. Councilman Horan voted No. The Motion Passed.

RESOLUTIONS-OFF CONSENT:

2010-106A awarding a contract to Altec Industries, Inc. in the amount of \$86,069.00

Mr. Parlow stated that this bid was authorized by an Ordinance last year. We had to go out to bid twice for this because the first time there was some documents inadvertently omitted from the bid documents. The contract was supposed to be awarded in January and somehow was overlooked. We still have the funds available and we are still within the time frame so we are going with the award of contract tonight with the lowest bidder.

Councilman Borowski stated that he asked for this to be put off consent because he was not a part of it last year and would like to abstain on it.

A Motion was made by Councilman Horan to approve Resolution 2010-106A. The Motion was seconded by Councilman Stogdill. Vote: Council Members Zalom, Stogdill, Horan and Lamb voted Yes. Councilman Borowski abstained. The Motion Passed.

APPROVAL OF VOUCHERS

2010-107 Bills List in the amount of \$302,689.18

A Motion was made by Councilman Lamb to Approve the Bills List. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Stogdill, Horan and Lamb voted Yes. Council President Zalom abstained from PO # 10-00287 and voted Yes to all others.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Planning Board-New Checklists prepared by the Engineer for Mayor and Council review-Mr. Parlow stated that the Planning Board had asked the Engineer to review our site plan ordinance along with the current checklist to see if it needed to be upgraded. This is the Engineer's new checklist to go along with the site plan ordinance. The Planning Board would like Mayor and Council to review so we can have the ordinance on for the next meeting.

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Stogdill stated that April 16th is the Spaghetti Dinner for the Eighth Grade at the Union Church.

Councilman Horan stated that there are flyers on the front table on all the energy programs that you can take advantage of and he will not be here at the next meeting.

Mr. Parlow stated that the Police Department received the grant for the communications upgrade in the amount of \$185,000 through the COPS program. The funding will be used for the purchase of a new CAD system. We also received a request from Seaside Park to possibly do an interlocal for dispatching services so that new cad system will help out with that.

Councilman Lamb questioned if the grant would pay for the whole system?

Mr. Parlow stated that the request was for car radios and a new cad system so we can piggyback with Toms River Township.

Councilman Horan stated that the Chief's car is the only one with the digital radio. He reminded all that there was a bank robbery in Brick and the only way our department knew about it was through the digital radio.

Mr. Parlow stated that March 30th is the last day to register to vote for the April School Election and April 12th is the deadline to file petitions for the June Primary.

Councilman Borowski stated that the Electric Supervisor is retiring as of June 30th. He would like Mr. Parlow to advertise for an Electric Supervisor and we are also looking into maybe shared services with the surrounding communities.

Council President Zalom stated that the NJ League magazine had an article about Lavallette's Autopay Program so kudos to Councilman Stogdill. She stated that she was reading about all these towns that had to bring in work crews from different states and towns to help out with the rain storm last week. She spoke with Mr. Schlosser and he said everything went fine with Lavallette and he did not need to bring in any work crews that weekend.

Mayor LaCicero stated that with the Governor's speech and the numerous budget cuts we also lost some State aid. Fortunately, they are rating Lavallette a medium town with high income so we are suffering less with a 26% cut and \$16,000 in state aid lost. We will have some extra revenue from Bay Beach Way. Our school revenue is up roughly \$100,000. The school is not looking at staff cuts but might have to cut some activities. We are certainly not in favor of a merger of our school system.

Council President Zalom stated that every year she gets an email requesting the buoys be put out for the slow / no wake zone. This year she received the email thanking us for getting them in n so early so kudos to Chief Grant.

Mr. Parlow stated that there is a budget meeting on Monday, March 29th at 6pm. This is really a synopsis to give some direction on what is in front of us. The town calendars will be out in the next few weeks.

Council President Zalom stated that the eighth graders helped recreation in hiding the Easter eggs for the children's east egg hunt down at the bay so she thanked them for a job well done.

EXECUTIVE SESSION:

Mr. Parlow stated that we have an executive session with no action to be taken.

Mr. George stated that there is a need for an executive session to discuss personnel matters. There is no action that will need to be taken.

A Motion was made by Councilman Horan to adjourn the Regular Meeting to go into Executive Session. The Motion was seconded by Councilman Stogdill. Vote: All of Council was in Favor. The Motion Passed. The Regular Meeting was adjourned to go into Executive Session at 7:46 pm.

A Motion was made by Councilman Horan to reconvene to the Regular Meeting. The Motion was seconded by Councilman Borowski. Vote: All of Council was in Favor. The Regular Meeting Reconvened at 8:16 pm.

Mr. George stated that in Executive Session there was a discussion in reference to personnel matters regarding shared inspection services within the construction department with no action being made.

UNFINISHED BUSINESS:

Mr. Horan asked Mr. Parlow for an update on the WWFM radio station on our water tower.

Mr. Parlow stated that the radio station had made a request to add additional equipment on the water tower site. That request was denied by the governing body. The radio station then informed the Borough that they were actively pursuing another location to relocate their antenna facilities and they had ask if the Borough would agree to an early termination of the contract. At

that time the Council agreed that they would be willing to terminate the contract without penalty. Mr. Parlow stated that he has recently received word from the station manager that they have been unsuccessful in locating a new site for their facilities. As of right now, the contract expires on December 31, 2011.

Mr. Horan stated that he has interference with his cable television from that antenna.

Mr. Parlow stated that anyone who experiences interference with their cable or telephone should put it in writing so he can address it with the radio station.

ADJOURNMENT:

A Motion was made by Councilman Horan to adjourn the Regular Meeting. The Motion was seconded by Councilman Stogdill. Vote: All of Council was in Favor. The Motion Passed. The Regular Meeting was adjourned at 8:23 pm.

CERTIFICATION

I, Christopher F. Parlow, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, do hereby attest these to be a true and correct copy of the Minutes of the Regular Meeting held on the 22nd day of **March, 2010**.

Christopher F. Parlow
Municipal Clerk