

**BOROUGH OF LAVALLETTE(minutes)  
REGULAR MEETING OF THE MAYOR AND COUNCIL  
LAVALLETTE MUNICIPAL BUILDING  
Monday, September 18, 2017-7:00 pm**

**CALL TO ORDER:** Mayor Walter G. LaCicero, presiding

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

The Mayor stated that Councilman Stogdill is not feeling well tonight so we will need a motion to excuse him.

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

Also present: John Bennett, Borough Administrator  
Eric Bernstein, Borough Attorney  
Donnelly Amico, Municipal Clerk

**READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT:** Notice of this meeting complies with the Open Public Meetings Act. Public Notice was published in the Ocean Star on January 6, 2017. Notice was also posted on our municipal website and municipal bulletin board.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Ann Susinno, a long time resident of Lavallette and mother of Barbara Susinno who is at all of our meetings except for tonight. She purchased her home on the ocean front in 1950. She was 98 years old and graduated college at 18 years old. Also, Maureen Galloway who passed away while vacationing here and owned a home on Baltimore Avenue.. Also, let's keep the victims of these hurricanes in our thoughts and prayers as well.

Council President Zalom stated that when 9/11 happened there were a few who passed away that had ties to Lavallette. We created a memorial on our boardwalk of plaques for them. She read the names of those who were on the plaques.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. He stated that Elizabeth Avenue and the portion of Dover Avenue road project is due to start on October 2<sup>nd</sup>. As far as the beach replenishment project, they still are not sure when it will start in Lavallette for next year because they are behind 3 months. Hopefully, we will hear something within the next few months. The water tower repainting project is still going on. We had a fantastic Founder's Day. The weather was beautiful and we had close to 100 vendors this year. There were a lot of people this year compared to the last few years. It was just overall a really great day. He stated that if anyone in the audience wished to comment on any items that

were not on the agenda or if they could not stay for the remainder of the meeting they could do so now.

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

Lou Bringuier, 2400 Grand Central Avenue stated that he had another issue regarding Capriccio's over the Labor Day weekend and this weekend. The music was extremely loud both weekends and he did call the Police and they came and he turned it down a bit but somehow it went back up. The performer there one night brought a conga line outside and opened our gate to go around our pool which is all private property and even in the middle of the street. This guy who owns this business is a very toxic person who doesn't seem to care about the laws. It is becoming more than just a nuisance now.

Mayor LaCicero stated that he wasn't aware that there were still issues. Maybe he was under the impression that everyone in the complex and around have all gone home and now he can do what he wants but that is just not how it works. The rules are the rules and he needs to abide by them at all times. We are going to make sure that next year when that liquor license is up for renewal that it is in writing what needs to be done or the license will automatically be revoked.

**APPROVAL OF CLERK'S MINUTES:**

Caucus/Regular Meeting of September 5, 2017

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

**RESOLUTIONS-ON CONSENT:**

- 2017-262 approving a social affairs permit to the Lavallette Business Association to sell beer and wine during their event "Soups of the Shore" to be held on September 23, 2017 from 11am to 3pm at Chandler Field
- 2017-263 authorizing participation in a cooperative pricing agreement for goods and services with the Educational Services Commission of New Jersey
- 2017-264 supporting the Mid-Atlantic Regional Ocean Action Plan
- 2017-264A approving a 50/50 raffle license to the Lavallette School PTO to hold a raffle on October 15, 2017 from 11am to 6pm at the LBA's Food Truck Festival to be held in the bay front parking area

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

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

No one wished to comment. The Mayor closed the floor to the public and asked Council for a vote on the consent agenda.

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

**RESOLUTIONS OFF CONSENT:**

There were no resolutions off consent.

**APPROVAL OF VOUCHERS:**

2017- 265 Bills List in the amount of \$444,197.68

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

**ORDINANCES ON FOR PUBLIC HEARING AND FINAL ADOPTION:**

ORDINANCE 2017-17 (1177) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 90 OF THE CODE OF THE BOROUGH OF LAVALLETTE, ENTITLED "ZONING" TO AMEND SECTION 25 ENTITLED, "SIGNS"

Mayor LaCicero stated that this is to keep the signs from contractors at a minimum and to make sure they are removed in a timely fashion.

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

The Mayor opened the Public Hearing and asked if anyone wished to comment on this ordinance.

Joe Palinsky, 122 Washington Avenue questioned how this will be enforced if the signs are not removed.

Mayor LaCicero stated that this falls under code enforcement and they will have to keep track of it and take care of issuing whatever is necessary. Lavallette is not out to make people's lives miserable so I am sure they will get a warning first and if not taken care of they will pull the sign and issue summonses.

Councilwoman Filippone stated that this Ordinance will be available in the Construction/Zoning Office and there will also be a sign up reminding the contractors of this. They will be told on an individual basis when they apply for a permit that the signs will need to be removed immediately after job is complete.

Councilman Borowski stated that he just wanted to go on the record and say that the Planning Board has reviewed this ordinance and supports it fully.

The Mayor closed the Public Hearing and asked Council for a vote on this Ordinance.

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

### **UNFINISHED BUSINESS:**

#### Discussion of NJDOT 2018 Road Improvement Application

Mr. Bennett stated that the Engineer will be completing the applications for the road improvements for next year. The first road will be Bryn Mawr but he just wanted to see if any of Council had an idea for the second road. He spoke to the Supt. and he will do his assessment of the roads and give us some suggestions according the necessity.

Mayor LaCicero stated that he thinks the Supt. should choose the next street. He has always done a good job with that.

Councilman Lamb stated there is an issue with the sand blowing from the volleyball courts all over the shuffleboard and tennis courts. He spoke to the Daly's and they suggested maybe a four foot fence between the volleyball and basketball courts with a gate to keep the sand from blowing everywhere. They are willing to pay for the fence so it wouldn't cost the Borough. It is going to be a big project for Public Works to deal with the sand because they will now have to take the time to sift through it before putting any of it back by the volleyball courts.

Councilwoman Filippone questioned what we did last year when there were complaints about sand blowing on to properties on the bay front?

Mayor LaCicero stated that we used snow fence.

Councilman Borowski questioned if we used some dune grass and created a burm would that take care of it.

Council President Zalom stated that is going to solve the problem, it definitely needs some kind of divider to prevent from blowing.

Mr. Bennett stated that the Supt. suggested some type of cloth fencing, like a soil fence for the winter.

Mayor LaCicero stated that the silt fence for the winter sounds like the best idea for now until we can figure out a permanent fix.

Councilman Borowski questioned if there was any decision made about the wording on the water tower?

Mayor LaCicero stated he spoke to a few people and they like the way Ortley and Seaside have theirs where you can see the town names when coming over the bridge and suggested that our town should be able to be seen driving in. He thinks if they move it in five or six letters from where it is now it should work.

Mr. Bennett stated that he spoke to Jack Berens about this and he stated that the last time the water tank was repainted this came up and residents came to Council Meetings in an uproar and wanted it to stay the way it is.

Councilman Borowski remembers that and also remembers when Ortley Beach removed the dolphins off of their water tower and the residents went crazy.

The Mayor stated that maybe there should be a vote on it.

Councilman Borowski made a Motion to keep the town name on the water tower in the same place it is now. The Motion was Seconded by Council President Zalom.

Vote: Council Members Borowski and Zalom voted Yes. Council Members Filippone, Finter and Lamb voted No. The Motion Failed.

Mayor LaCicero stated that until there is another motion to change it, he guesses it will stay the same as it is now.

#### **NEW BUSINESS:**

Council President Zalom stated that a teacher from Ridgewood has 25 middle school kids who want to come and plant some dune grass as an environmental project. They want to come on October 6<sup>th</sup>. She contacted the County and they receive their dune grass on that day. They suggested that we come on that day in the morning and pick up about 1,000 plants for these kids to plant and then pick the rest up on November 3<sup>rd</sup> for our annual planting. They will be doing it on Bond Avenue so if Public Works can go on October 6<sup>th</sup> and pick up 1,000 plants and deliver them to Bond Avenue it would work. She will schedule the planting for them to be around 10am to give PW time to pick up and drop off.

Councilman Finter stated that the tickets are available for the NYC bus trips for December 6<sup>th</sup> and 9<sup>th</sup>. There are 56 seats on the bus so call Peg to order your ticket.

Council President Zalom stated that the Halloween events are all scheduled and will take place on October 27<sup>th</sup>. The LBA has an event this weekend at the ballfield, Soups of the Shore on

September 23<sup>rd</sup> and it is always a great time. She thanked Al DeBenedictis for volunteering his time as part of the Emergency Management.

Mr. Bennett stated that there will be a meeting on October 19<sup>th</sup> at 10am here with the Ocean County Emergency Management to discuss the All Hazards Mitigation Plan. All of the blankets that we ordered have sold out completely. We will be ordering more for the holiday season. All of our exercise classes will now be paying for themselves instead of the Borough supplementing the difference. The Best Practices Checklist will be on for the next meeting. This year there were only 25 questions and they were the worst questions ever. There will be some decisions to be made in order to be in compliance for next year.

Mayor LaCicero stated that not being in compliance takes away \$2,000 of our State Aid which is not terrible but we should try to rectify some contractual items to become compliant.

Councilwoman Filippone stated that the problem always is that when the checklist is sent out, nobody knows what the questions will be until received.

Mr. Bennett stated that he will be working on the capital items for the capital ordinance and it will be pay as you go and some will need a ban.

#### **COMMENTS FROM THE PUBLIC:**

Joe Palinsky, 122 Washington Avenue questioned when the Police Blotter is going to go back in the paper?

Councilwoman Filippone stated that the Chief is not going to publish it in the paper anymore. It is not mandatory that it be done and he was never comfortable with doing it anyway. It hasn't been in the paper for a while now and he feels that sometimes identifying the issues in town doesn't need to be publicized. What is the benefit of it anyway?

Mr. Palinsky stated that it shows that the Police are doing their job. Residents deserve to know what is going on in their town as far as crime.

Mayor LaCicero stated that he will reach out to the Chief and see what he says.

Mark Speaker, 111 Brown Avenue stated that Founder's Day was a great success. We had so many more vendors this year and so many more attended. The weather was great! He thanked the Public Works and the Police Department for all their help setting up and cleaning up after. He thanked Mayor and Council and Mr. Bennett for always accommodating and helping in any way they can.

Mayor LaCicero stated that they also want to thank the Founder's Day Committee for all their hard work and being volunteers.

Mr. Speaker stated that he also wanted to thank Barbara Susinno who volunteers every year and uses her own money to buy prizes to give out. We are lucky to have her.

## **COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:**

Councilman Borowski stated that he gave Mayor and Council a copy of the letter he sent to McGuckin in reference to the Assembly Bill regarding Public Power.

Councilwoman Filippone stated that before Founder's Day started on Saturday we had a group called the Tin Can Sailors come out along with Frank Blousch, a retired US Army Lt. Colonel to deliver the bell from the USS Lavallette Destroyer. The Borough of Lavallette took possession of it from the USS Hornet Museum where it has been for many years. It is the 2<sup>nd</sup> bell from this ship and is smaller in size and not dated like the one that is outside of this building. Tomorrow at noon we will be having a luncheon with the family members of the shipmates that were on this ship. They are so very exciting to come down and see the new bell and they are looking forward to ringing it like their relatives who were on the ship. The first time they came here was during our 125<sup>th</sup> Anniversary and joined in our parade.

Council President Zalom stated that she was very impressed with the ceremony of delivering of the bell last week. They really take all this extremely serious. The first bell outside this building was accepted by Mayor Ralph Gorga.

## **EXECUTIVE SESSION:**

Mr. George stated that there is a need to go into executive session to discuss some contract negotiations. There is no action that will be taken.

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

The Regular Meeting was adjourned to go into executive session at 8:02 pm.

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

Mr. George stated that while in executive session some contractual issues were discussed and no action was taken at this time.

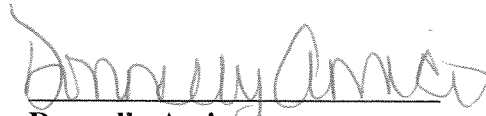
## **ADJOURNMENT:**

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

The Regular Meeting was adjourned at 8:32 pm.

**CERTIFICATION**

I, Donnelly Amico, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, does hereby attest these to be a true copy of the minutes of the meeting held on the 18<sup>th</sup> day of September 2017

A handwritten signature in cursive script, appearing to read "Donnelly Amico", written in black ink over a horizontal line.

**Donnelly Amico**  
**Municipal Clerk**