

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, August 20, 2018-7:00 pm**

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

**ROLL CALL:** Council Members Borowski, Lamb, Zalom, Stogdill, Finter and Filippone  
Councilman Finter was absent. All of Council were in favor of excusing him.  
Councilman Borowski was running late.

Also present: Robert Brice, Borough Administrator  
Phil George, Borough Attorney  
Donnelly Amico, Municipal Clerk

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

**MOMENT OF SILENCE:** Mayor LaCicero asked for a moment of silence for Joe Sanchirico of Washington Avenue who passed away recently.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor thanked everyone for coming out to tonight's meeting. The summer is winding down but it always does. He stated that NJ Magazine is doing a piece on best beach towns in New Jersey and Lavallette is in the running. 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)**

Dick Voelkel, 104 Camden Avenue questioned if Verizon will be bringing FIOS over here anytime soon?

Mayor LaCicero stated that he has been told that they will not be bringing it over here but there has been requests from a few providers to put nodes on our poles for upgrades to their systems so we will be looking into that shortly.

**APPROVAL OF MINUTES:**

Minutes of Regular Meeting of August 20, 2018

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

Council Member Finter was absent and Councilman Borowski was not present. The Motion Passed.

**ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:**

**RESOLUTIONS – ON CONSENT:**

- 2018-245      refunding unused balance of planning board escrow in the amount of \$518.50 to Kevin and Marlene Buckman
- 2018-246      authorizing the cancellation of prior year grant fund titled due to grantor in the amount of \$4,300.05 as it is no longer owed to the grantor
- 2018-247      authorizing the hiring of Jenna Sefcik as a badge checker at an hourly rate of \$8.60 for the remainder of the 2018 summer season effective August 15, 2018
- 2018-248      authorizing an NJDOT final quantities change order #1 to the contract with Johnson Baran Corp. for the Elizabeth Avenue road improvement project increasing the original contract price by \$12,974.03
- 2018-249      approving a facilities use application to Soccer Shots to use Chandler Field for soccer lessons from September 10<sup>th</sup> through November 12<sup>th</sup> 2018 from 4:30pm to 6pm
- 2018-250      appointing Najarian Associates for the preparation and updating the Borough's tax map in the amount of \$19,570-Mayor stated that we received two proposals and this proposal was extremely lower than the other one.
- 2018-250A      approving a facilities use application from Kathy Grandstrand to hold a pickle ball round robin tournament on the pickle ball courts on September 1, 2018 from 9:30am to 1:00pm with a rain date of September 2, 2018

A Motion to approve the consent agenda was made Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill.

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

Joe Palinsky, 122 Washington Avenue questioned who pays for the electric when the ballfield is used?

Mayor LaCicero stated that with the facilities use application they are required to give the Borough 10% of their profits so that goes towards the electric that is used.

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

Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. Councilman Borowski was not present. The Motion Passed.

**RESOLUTIONS - OFF CONSENT:**

There were no resolutions off consent.

**APPROVAL OF VOUCHERS:**

2018-251 Bills List in the amount of \$541,384.40

A Motion to approve the bills list was made by Councilman Lamb. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. Councilman Borowski was not present. The Motion Passed.

**ORDINANCES ON FOR PUBLIC HEARING/FINAL ADOPTION**

Ordinance No. 2018-05 (1188) Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Amending and Supplementing Chapter 89 of the Borough Code, Entitled, "Vehicles and Traffic" so as to Revise Section 89-26

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

Mayor LaCicero stated that this is for some handicap spaces on Camden Avenue by the church.

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

No one wished to comment. The Mayor closed the Public Hearing and asked Council for a vote on this ordinance.

Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. Councilman Borowski was not present.

**ORDINANCES ON FOR FIRST READING/INTRODUCTION:**

Ordinance of the Borough of Lavallette Amending, Revising and Supplementing the Borough of Lavallette Code By Amending, Revising and Supplementing Chapter 39 of the Borough Code, Entitled "Littering", By Adding a New Subsection, Section 39-13, ET SEQ., Prohibiting the Intentional Release of Balloons Outdoors

Mayor LaCicero stated that this ordinance is to protect the sea life who are suffering from these balloons landing in the water. Other barrier island towns have already passed this ordinance.

Councilwoman Filippone stated that we also should find out a proper way for the public to dispose of them.

Council President Zalom stated that she would also like this ordinance sent to the Freeholders.

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

Public Hearing and Final Adoption scheduled for September 4, 2018

### **UNFINISHED BUSINESS:**

Councilman Lamb stated that Public Works is in the process of putting the new frame for the bocce ball courts.

Council President Zalom stated that she will picking up the donation check from Dunkin Donuts to go towards the repairs to the bocce court. She stated that Kathy Grandstrand who is in charge of all the pickle ball will be donating pickle ball equipment to the Lavallette School so they are excited about that. She thanked Public Works for trimming the trees from President Avenue South.

Councilman Lamb stated that Public Works received some calls complaining about the bushes being trimmed.

Councilman Borowski arrived at 7:16 pm.

Council President Zalom stated that the memorial plaque in the pavilion at Vance Avenue for Tom Tevlin's grandson disappeared recently. Luckily, Rob Jones, a resident found it on the dunes and delivered it to the Tevlin's. They were so very thankful and we also want to thank him for taking the time to deliver it in person.

Councilman Lamb stated that there has also been some minor vandalism by the gazebo which Public Works takes care of repairing.

Council President Zalom stated that movies on the bay was great again last week but last night's concert had to be cancelled due to the weather.

### **NEW BUSINESS:**

There was no new business.

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

Bob Astorino, 2 Elizabeth Avenue questioned if this banning of the balloons also include those lighted lanterns that let off at the beach?

Mayor LaCicero stated that it does not include those lanterns but we will look into banning those as well.

Mary Semler, 2407 Grand Central Avenue stated that she was looking for an update on the meetings the Chief had with the owner of Capriccio's?

Mayor LaCicero stated that he believes the Chief has had two meetings with him as of last week and he has found some items that are non-compliant.

Mr. George stated that the Chief has had two meetings with Mr. Deiner. He has documented with memos what the items are that he is still non-compliant with and the ones that he is in compliant with. The sound device has been installed but there is an issue with the software and the tech has not come to check as of yet. The fire codes he has with Toms River has not been done so we put a call into Toms River Fire Marshall for enforcement. There are no violations as of now with the Board of Health and any previous ones have been rectified.

Mrs. Semler stated that the biggest issue we are having is with the outdoor seating due to the extreme noise and number of patrons. There is yelling and screaming and music. It is very disturbing to the residents surrounding the establishment.

Mr. George stated that his attorney had sent the outdoor seating chart and approval but it was dated 2006 so we sent it back and told him we needed the most recent seating approval.

Mrs. Semler also stated that she believes there is a problem with the lack of security there as well which was one of the conditions.

Mr. George stated that he will advise the Chief of this and at the next meeting he has with Mr. Deiner the Toms River Chief will be present as well.

Joe Alicino, 13 Dover Avenue questioned if there are any updates with the beach replenishment.

Mayor LaCicero stated that the last update was October or November start date so they moved it back a few weeks.

Mr. Alicino stated that he is glad that Council has done the balloon prohibition because they really do cause a lot of problems for the power lines as well.

Joe Palinsky, 122 Washington Avenue stated that he spoke to the Chief regarding the 4 way stop on New Brunswick and Bay Blvd. He told the Chief that Bay Head has it at their busy intersection and it is working out well for them. The Chief said he will check into with Bay Head and go from there.

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

Councilman Borowski apologized for being late. He had 4 back to back First Aid calls. He contacted the State regarding the dredging that they will be doing in the channel and they were receptive to working with the Borough to discuss including the dredging under the WPI bridge. Dr.

Farrell from Rutgers also has reviewed all the documents and he also will be a part of this and will submit a proposal.

Council President Zalom stated that Officer Taylar Verrier came to movies on the bay and talked to the kids about bicycle safety and handed out the rules and regulations for bicycle riding. Officer Verrier is also the Safety Officer at the Lavallette School.

Councilwoman Filippone stated that Officer Verrier is at the school during the school hours for the safety of the school. This is program we started a few years back and we are very proud of it.

Council President Zalom stated that Founder's Day is approaching very soon and they already have their list of bands. Also, take advantage of all the library programs and events they have going on all year round. The order form is already out from the Ladies Aux. of Fire Dept. for the mum sale and don't forget about the Soups of Shore on September 22, 2018.

#### **EXECUTIVE SESSION:**

There was no executive session.

#### **ADJOURNMENT:**

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

The Regular Meeting was adjourned at 8:41pm.

#### **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 20<sup>th</sup> day of **August 2018**

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