

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Tuesday, September 4, 2018-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Robert Brice, Borough Administrator
 Donnelly Amico, Municipal Clerk
 Dominic DiYanni, Borough Attorney

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

MOMENT OF SILENCE: The Mayor asked for a moment of silence for longtime resident John Curcio who passed away recently. Mr. Curcio resided on Bryn Mawr Avenue but now resides in Florida. Also, for Patricia Parlow, who is Chris Parlow's mother, who passed away over the weekend.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed every to tonight's meeting. It was a good summer and we had some really good weather so we can't complain. He stated that anyone who wishes to comment on any items that are not on the agenda or if they could not stay for the remainder of the meeting they could so now.

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

No one wished to comment.

APPROVAL OF MINUTES:

Minutes of Regular Meeting of August 20, 2018

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

REPORTS:

- a) Lavallette Construction Report for August 2018-Councilwoman Filippone-read report
- b) Seaside Park Construction Report for August 2018-Councilwoman Filippone-read report

- c) Lavallette Zoning Report for August 2018-Councilwoman Filippone-no report
- d) Seaside Park Zoning Report for August 2018-Councilwoman Filippone-read report
- e) Municipal Court Report for August 2018-Councilwoman Filippone-read report
- f) Police Overtime Report for August 2018-Councilwoman Filippone-no report
- g) Animal Control Report for July 2018-Councilwoman Filippone-no report
- h) Public Works Report for August 2018-Councilman Lamb-read report
- i) Beach Badge Report for through 9/3/2018-Councilman Stogdill-read report
- j) Public Affairs Report for August 2018-Council President Zalom-We collected \$1,500 of donations at the concerts this summer. A big thank you to the PD for giving out the free ice cream to all the kids that follow the bicycle rules and wear their helmets. Founder's day will be this Saturday. Don't forget about all the events and programs that the library has going on every month. The Ladies Aux. of the Fire Dept. has started their mum sale so let's make sure we order our mums. The Beach Sweeps will be October 20th and we look forward to it every time.
- k) Tax Account Report for August 2018-Tax Collector
- l) Revenue Transaction Report for July 2018-Chief Financial Officer

Councilwoman Filippone stated that the Chief, Sgt. LaCicero and the Safety Officer for the school, Taylor Verrier have been training teachers in the Lavallette School on safety and how to handle a crisis situation and what tools they can use in case.

Council President Zalom stated that Taylor Verrier also talked to the kids on bicycle safety at the Movies on the Bay.

Councilman Borowski wanted to commend the Borough Administrator for researching and coming up with a lower price for the bocce ball sand.

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2018-252 approving the annual certifications for the Lavallette First Aid volunteer members who have qualified for credit under the LOSAP program for 2017-Councilman Borowski requested that this be put off consent.
- 2018-253 approving a facilities use application to This Is Yoga to hold yoga classes on the ocean beach at Kerr Avenue on Tuesdays in the month of September 2018 from 6pm to 7pm.
- 2018-254 approving the hiring of Charles Apgar as a lifeguard for the remainder of the 2018 summer season at an hourly rate of \$9.00 effective August 20, 2018

2018-255 approving the Civil Service title change of eight employees of the Department of Public Works from Laborer to Public Works requiring no increase in salary

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

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 minus Resolution 2018-252.

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

RESOLUTIONS - OFF CONSENT:

218-252 approving the annual certifications for the Lavallette First Aid volunteer members who have qualified for credit under the LOSAP program for 2017

Mayor stated that Council Members Borowski and Finter are members of the First Aid so they will abstain from this.

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

APPROVAL OF VOUCHERS:

2018-256 Bills List in the amount of \$1,062,393.14

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

ORDINANCES ON FOR PUBLIC HEARING/FINAL ADOPTION:

Ordinance 2018-06 (1189) Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, 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 many other communities have already passed this ordinance and it has become necessary for our sea life.

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

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

Jon Corney, 1 Newark Avenue questioned if the lanterns are included in this ordinance?

Mayor LaCicero stated that they are not included in this ordinance but we will be looking into that as well.

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

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

COMMUNICATIONS:

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/NJDOT Municipal Aid Program 2019 Application/Received August 9, 2018
- b) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Elizabeth Avenue Road Improvement/Pay Estimate #4/Received August 13, 2018
- c) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Bryn Mawr Avenue Road Improvements/Received August 15, 2018

New Jersey League of Municipalities:

- a) State Issues/Received August 3, 2018
- b) Report of NJ Economic & Fiscal Policy Workshop Issued/Received August 10, 2018
- c) State Issues/Received August 10, 2018
- d) New Jersey Economic & Fiscal Policy Workgroup/Received August 14, 2018
- e) Governor Declares State of Emergency in Rain Drenched Counties/Received August 15, 2018
- f) State & Federal Issues/Received August 17, 2018
- g) State Issues/Received August 24, 2018
- h) Attorney General Issues Guidance to Prosecutors on Municipal Marijuana Prosecutions/Received August 30, 2018
- i) State & Federal Issues/Received August 31, 2018

General with No Action:

- a) Association of State Floodplain Managers, Inc./Chad Berginnis, Exec. Director/Doug Erb has been Certified as a Floodplain Manager/Received August 13, 2018
- b) Judy Booth/9 Philadelphia Avenue/thanking Lissa Gesumaria, Beach Badge Assistant Supervisor for going above and beyond in helping with locating an electronic key fob that

was lost on the beach/Received August 13, 2018-Councilman Stogdill stated that Lissa is a great asset up there at the beach. She

- c) Ocean County Columbus Day Parade Committee/Michael Blandina, Chairman/Fundraiser on September 8, 2018/Received August 21, 2018
- d) Tina and George Johnson/yearly vacationers/complaint letter about enforcement rules and regulations of bicycles, skateboarders on sidewalks and pedestrian crossing not being done/Received August 23, 2018/Received August 23, 2018

General with Action:

- a) Central Regional School District/Triantafillos Parlapanides/Supt. of Schools/requesting attendance at a Recognition Ceremony for three alumni on Friday, October 19, 2018 /Received August 8, 2018-Mayor LaCicero stated that there is no one from Lavallette who is being honored so I am not sure why we would attend.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Councilman Finter stated that the Borough applied for the NJDOT Water Quality Grant in the amount of \$50,000 for a GIS System which is to map the existing storm sewers. The Engineer prepared all the documents and submitted grant application at no cost to the Borough.

Council President Zalom stated that she read an article where some communities have been covering the big utility boxes on telephone poles with different artwork. There is actually a grant to do this as well. However, the NJDOT is not in favor of this but she is waiting on a call from them.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue questioned if other towns in Ocean County were requested to do a reval?

Mayor LaCicero stated that he believes, Toms River Township, Manchester Township and the Borough of Tuckerton also have to.

Mark Speaker, 111 Brown Avenue stated that he has seen the utility boxes with the artwork down in Ocean City, NJ and they are really cool. He stated that he was curious to know when the barrels and cones are going to be removed from Brown Ave and Rt. 35 South? He is unsure whether they were there for the Borough or contractors because there was a contractor in that area putting pavers in but they have not been there awhile.

Mayor LaCicero stated that he thinks the ones on Rt. 35 North and Pennsylvania should be removed as well. He will reach out to the Chief and let him know.

Mary Semler, 2407 Grand Central Avenue, questioned if Capriccio's has followed through with providing all the necessary documents that was required in the resolution?

Mayor LaCicero stated that Mr. George is not here tonight, but he did notify the ABC of the violations.

Mrs. Semler questioned if the meeting with the two Chiefs of Police has happened?

Mr. Brice stated he believes that both Chiefs have been in touch and have been discussing it so he will try and get an update.

Joe Alicino, 13 Dover Avenue stated that the noise and music over the weekend was incredible. He recorded it as best he could. He also questioned whether or not the issue with the drainage problem was alleviated?

Mayor LaCicero stated that we tried to put some extra drains there but that did not alleviate the problem. The same issue is happening on Reese Avenue as well. The Engineer is trying to come up with a fix so hopefully it will be rectified.

Mr. Alicino also questioned if the Borough of Lavallette is getting monies from the construction permits issued in Seaside Park?

Mayor LaCicero stated that was correct.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Council President Zalom stated that the pickle ball tournament was great. The group also donated pick ball equipment to the Lavallette School. She stated that Kathy Grandstrand who is in charge of all of it is here tonight so I would like her to come up and discuss it all.

Kathy Grandstrand stated that they had a great season with no issues. She gave Council a copy of the report off all the monies taken in and given out. We are donating \$1200.00 to the town and would like it to be strictly for the improvement to the pickle ball courts.

Mr. Brice stated that she can deliver the check to the Administration Office and they will take care of accepting it.

Councilman Borowski stated thanked Council for approving the LOSAP. He stated that there is a point system for the different activities and time that is put in and you need to accrue a certain amount of points to qualify. One of the requirements is based on the percentage of calls that you participate in which should be no less than 50%. Most of our volunteers do at least the 50% but there is one volunteer that has gone way over the 50% and that is Dave Finter. He was on a total of 267 calls in 2017. He deserves a big thank you.

Mr. Brice stated that Code Red, which is our emergency notification system will be doing a purging of phone numbers from our system. Everyone who is signed up with our system will be receiving

calls on September 17th through 19th. If you do not answer the call or if you do not respond back, they will be purging your phone number from the system.

Mayor LaCicero stated that the APP poll for the best Jersey Shore town is still running so please vote for Lavallette. The voting ends tomorrow. Also, according to the APP Lavallette is the 13th lowest tax rate in the State.

Mayor stated that we have an executive session.

EXECUTIVE SESSION:

Dominic DiYanni, Borough Attorney stated that there is a need to go into executive session to discuss two matters of attorney-client privilege and a contractual matter. There is no action that will be taken.

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

The Caucus/Regular Meeting was adjourned to go into executive session at 8:04pm.

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

Mr. DiYanni stated that while in executive session there was discussion on two items and there was no formal action.

ADJOURNMENT:

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

The Caucus/Regular Meeting was adjourned at 8:40pm.

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 4th day of **September 2018**

Donnelly Amico
Municipal Clerk