

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, July 22, 2019-7:00 pm**

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

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

Also present: 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 4, 2019. Notice was also posted on our municipal website and bulletin board.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for WPI Bullard Drive resident Shelli Kinal who passed away and longtime resident Lou Liguori on Trenton Avenue. Lou was a fixture in Lavallette. He was a member of the 1<sup>st</sup> Aid, he served on the republican county committee for a term. He will be missed.

**PLEDGE OF ALLEGIANCE:** Councilwoman Filippone led us in the Salute to the Flag.

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. He stated that we had some power outages in town over the weekend.

Councilman Lamb stated that on Saturday we lost power due to not enough power coming from JCP & L. Due to the power going out we had issues with our pumps and we were pumping out a lot of water. The generators kicked on and helped but we were pumping a lot of water. We had a lot of power outages on Sunday but it seemed to be Seaside Heights as well. Seaside Heights electricians came to help out our electricians to speed up the process of getting the power back on and we also helped them out as well.

The Mayor stated that the pump issue would have probably been worse if we didn't get that new filtration system.

**APPROVAL OF MINUTES:**

Minutes of Caucus/Regular Meeting of July 1, 2019

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

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

## **RESOLUTIONS – ON CONSENT:**

- 2019-198      refunding unused planning board escrow in the amount of \$644.50
- 2019-199      authorizing the disposal of surplus property through GovDeals
- 2019-200      approving the hiring of badge checkers for the remainder of the 2019 season
- 2019-201      approving the hiring of two seasonal workers for the Department of Public Works
- 2019-202      accepting the donation of an American Flag from Conrad Brick of 122 New Jersey Avenue
- 2019-203      approving the hiring of a lifeguard for the remainder of the 2019 summer season
- 2019-204      approving the submission of the grant agreement and execution of any grant agreement with the NJDOT for the New York Avenue road improvement project
- 2019-205      approving the submission of a grant agreement and execution of any grant agreement with the NJDOT for the Bryn Mawr Avenue road improvement project
- 2019-206      awarding a contract as a proprietary purchase to Rumsey Electric for the purchase of electric meters with specific Itron software not to exceed \$45,000-The Mayor stated that this is the 2<sup>nd</sup> phase of upgrading our electric meters. We started the 1<sup>st</sup> phase last year.
- 2019-207      requesting approval of items of revenue and appropriation per N.J.S.A. in the amount of \$911,561.77 for the electric utility budget for year 2019-Councilman Borowski stated that we were holding approximately \$900,000 in abeyance anticipating this was going to happen so we were prepared.
- 2019-208      authorizing the purchase of a 2019 Caterpillar Wheel Loader through Sourcewell Cooperative Purchasing Program in the amount of \$205,024.00-The Mayor stated that this is for the public works department and was much needed. We traded in our old one and received \$26,000 towards the purchase.
- 2019-209      authorizing the Borough Engineer to go out bid for the bulkhead replacement and boat ramp reconstruction at Bay Blvd. and Washington Avenue
- 2019-210      reappointing Donnelly Amico as the Municipal Clerk with tenure status for the Borough of Lavallette
- 2019-211      appointing a mediator for court imposed mediation in connection with current litigation not to exceed \$4,000-Councilman Borowski stated that this he believes is for the planning board litigation regarding a denial.

A Motion approving the consent agenda was made by Councilwoman Filippone. 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.

Jon Corney, 1 Newark Avenue stated that Council needs to find a solution with the microphones. No one can hear anyone. The old microphones like the one the Mayor uses are much better with the sound.

The Mayor stated that he will see if we still have the old mics and if we do we can see about swapping them out.

No one else wish 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, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

#### **RESOLUTIONS - OFF CONSENT:**

There were no resolutions off-consent.

#### **APPROVAL OF VOUCHERS:**

2019-212 Bills List in the amount of \$788,698.67

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.

#### **UNFINISHED BUSINESS:**

Council President Zalom commended the Mayor for attending the patriotic bike parade on the 4<sup>th</sup> of July. He spoke to everyone and reminded them about the fireworks. She was told that our fireworks were the best in Ocean County. We had our movies on the bay and every one a police officer comes and talks to the kids about bicycle safety.

Mayor LaCicero stated that the reval is now in process. The letters and cards went to all the homeowners.

Councilman Borowski stated that Waves of Impact will be having a small fundraiser on August 3<sup>rd</sup> in the early morning with paddle and kayaks. There will be about 30 to 35 people and will be over before the beach opens for beachgoers.

Council President Zalom stated that she received a call from a resident of Brown Avenue whose 24-year-old daughter passed from a brain aneurysm. Her daughter loved to go down to the pier and watch the sunset. She has asked if she could purchase a bench with a plaque to put on the pier in memory of her daughter. Councilman Lamb had stated that there are already a bunch of benches down there already.

Council President Zalom stated that she took a walk down there the other day and she couldn't believe how many people were there for the sunset. They bring their own beach chairs. She spoke to the Supt. of Public Works and he said he can build the bench in 2 hours.

Mayor LaCicero stated that the resident is here tonight so why don't we bring her up to speak.

Maryann Wilson, 100 Brown Avenue, thanked Council for giving her the opportunity to speak. We would like to donate monies for a bench to be put on the pier down at the bay where my daughter Kimberly loved to watch the sunsets. My daughter was 24 years old and passed away suddenly. She loved to come to Lavallette and mostly enjoyed watching the sunsets down at the pier. She was full of life and had so much love and kindness. She loved life and people. Our family will take comfort in being able to sit on the bench and watch the sunset and thinking how much joy it would be bringing her. Right now there are only two benches on the pier so adding another would be a great addition. We will pay for any materials that will be needed and anything else.

Councilman Stogdill suggested that the bench be put at the top southeast end of the pier that extends out more than the northeast this way the center won't be obstructed at all.

A Motion to approve the donation of a bench on the pier was made by Council President Zalom. The Motion was seconded by Councilman Lamb. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

#### **NEW BUSINESS:**

##### **PPANJ Rate Comparison-June 2019**

Councilman Borowski stated that this is a rate comparison for the 10 municipalities in the Public Power Association. Lavallette's rate is average and the 3<sup>rd</sup> lowest.

Councilwoman Filippone questioned how the lifeguards and checkers communicate with each other?

Councilman Lamb stated that they use radios.

Councilwoman Filippone stated that Seaside Heights has an intercom system and every morning people congregate and the National Anthem plays. She would like to see if Lavallette could do something like that.

Mayor LaCicero stated that we could take a look at it and see.

Chris Simoes, Island Heights, stated that she was a long-time resident of Lavallette but now resides in Island Heights. She still faithfully comes to the Lavallette beach on Trenton Avenue. Last weekend there was a 6-year-old child that was extremely upset because he was lost. She brought him to the lifeguards but there was no report of a missing child at that time. Soon after that, they were able to locate the parents who were on the beach in Ortley by Barnacle Bill's. It amazed me that the child came all the way down from there to Lavallette. She is recommending that every town use last year's wristbands just to put on the children under 12 so when they do become lost that people will now right away what beach they came from.

Councilman Stogdill stated that the issue is already being discussed by the lifeguard captain who will be discussing with the surrounding lifeguards from the other towns.

Councilman Finter stated that the First Aid flea market will be this Wednesday, July 24<sup>th</sup>.

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

The Mayor stated that during the public comment period we follow rules of order. When you come up to the microphone, you are required to give your name and address and you will have 2 minutes to speak.

Joe Palinsky, 122 Washington Avenue questioned if the buy a board program could be done for the pier?

Mayor LaCicero stated that it was a very time consuming program so he doesn't think that Lavallette will enter into that again.

Vincent Mazza, 901 Bay Blvd. stated that lights for the Pickleball courts stay on until 11:30 at night and they shine very bright into his windows.

Mayor LaCicero stated that he thought they were programmed to go off at 9 or 10pm. Maybe the power failure screwed up the timer.

Clem Boyers, 20 Kerr Avenue stated that phone books are dropped in front of every home in Lavallette. If no one lives there year round the phone book just sits there, potentially advising thieves that the house is vacant. He knows that Mantoloking came up with a system where they have advised Verizon that all phone books should be delivered to the Borough Hall or Public Works and they will distribute. He thinks we should look into this as well.

Mayor LaCicero stated that maybe we should have them delivered to recycling to save everyone time.

Mike Vintzileos, 2019 Beach Blvd., Pt. Pleasant stated that when he came to the last meeting to speak about medical marijuana the Council was disrespectful and rude. This behavior should not be tolerated by elected officials to anyone. There were Council up there laughing and whispering which was so distasteful. These are public meetings and for you to whisper and laugh for everyone

to see is just so wrong. We were kicked out of the meeting before we could even speak because we were recording which is not illegal, by the way. All of you should be ashamed of yourselves.

Lefty Grimes, Bayonne, NJ stated that he suffered injuries due to an accident and was always in severe pain. The doctors prescribed opiates for the pain which are very strong and can become very addictive. The opiates basically keep you in a state of numbness and you can't function. Finally, I decided that I could not live my life on these opiates and my doctors approved me for medical marijuana. I cannot tell you the change I felt. My pain is so much better and I don't feel like I am in a fog. It helps me with being able to function with the pain and keeps me going. This is why for the last few years I have become an advocate for medical marijuana. It does help people regardless of how many different opinions there are. I am living proof of this.

Mayor LaCicero stated that the State of New Jersey has approved medical marijuana but not for recreational use. As an elected official of the Borough, first and foremost, my job is to respect the residents, taxpayers, rate payers, renters, voters, visitors and tourists and listen to their opinions and what they want. I have had a number of residents come to me opposing this issue and my job is to stand by them and respect their opinions. Unfortunately, you guys do not live in Lavallette and we appreciate your comments but have to put our residents and taxpayers first.

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

Councilman Borowski stated that he looked over the draft ordinance regarding the Junior Firefighters and it says the ages from 14 to 21 years old but we only wanted kids 14 to 18 years old.

Mr. George stated that the State law states 14 to 21 years old but as long as it is between those ages we can change it to 18 years old. He will update the draft and send it for another review.

Councilman Lamb stated that a boat landed on the Washington Avenue ocean and got stuck in the sand. The man was under the influence of alcohol and was arrested. The lifeguards handled it great. Unfortunately, we are down 7 guards this year but it still seems to be going smoothly.

Council President Zalom stated that there is a first aid flea market this Wednesday and the ocean mile swim. She spoke to the LBA and they will be talking to all the businesses to see who wants two-hour parking signs in front of their establishments.

Mayor LaCicero stated that we received a letter from the production company asking if they could film the Jersey Shore show on private property at a home in Lavallette. We will be discussing it at the next meeting but they never gave us an address so maybe it isn't even Lavallette. There have been a number of towns that have denied their request and we are not really looking to have them here either.

Mr. George stated that the Director of the ABC has revoked Capriccio's liquor license and so far we have heard nothing further from them. Once we get any information we will update the public.

**EXECUTIVE SESSION:**

There was no executive session.

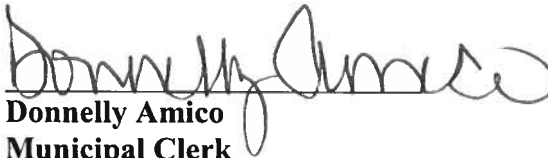
**ADJOURNMENT:**

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

The Council Meeting was adjourned at 8:35pm.

**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 **22<sup>nd</sup>** day of **July 2019**

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