

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, September 9, 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
Robert Brice, Borough Administrator

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 bulletin board and municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for all the victims and their families who were affected by the Hurricane in the Bahamas.

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 NJ Magazine ranked us 45 regarding best towns in New Jersey. In reading the data that they had for Lavallette it was very clear how wrong it was. They had our debt so far out there and had our crime rate so ridiculously high. He reached out to them and questioned how they got these figures. The way they figure it out is not the way it should be figured out. Especially the crime rate which they base on our off season population which makes it look like we have an overabundance of crime. I let them know that whoever they hired to do this data are idiots.

Council President Zalom read aloud the names of residents who owned homes in Lavallette that perished in 9/11.

He stated that if anyone wished to comment on any items that were not on the agenda or if they could not stay until the end of the meeting they could do so now.

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

Taylor English, 117 Pennsylvania Avenue stated that she would like the Mayor to think about a way to make it easier for the physically challenged in wheelchairs especially to be able to get down to the ocean from the ramp. She loves the water and to play in the sand but can't because there is no accessible access for her wheelchair to get there.

Mayor LaCicero stated that they have already discussed this issue and are hoping to have some type of mat at one of the handicap accessible ramps for next summer that will help her get down to the water to enjoy it.

Ms. English thanked the Mayor for helping her situation.

Kathy Grandstrand, 100 Brown Avenue stated that Pickleball was a big hit again this year. They have at least between 40 and 50 people every weekend. The total in rental fees that were given to the Borough for the use of the courts for this year was \$2,600.00. We donated \$1,250 to the Borough last year and this year we are donating \$1,500 but we ask that it be put towards repairing the courts. The condition of the courts needs to be addressed soon. They really need repairing.

Mayor LaCicero stated that they have been made aware of this and are trying to schedule them to be repaired before the season starts next year.

Mrs. Grandstrand stated that the donated monies of \$1,250 last and the \$1,500 for this year should be used towards the repairs to help with the costs.

APPROVAL OF MINUTES:

Minutes of Regular Meeting of August 19, 2019

A Motion to approve the minutes 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.

REPORTS:

- a) Lavallette Construction Report for August 2019-Councilwoman Filippone-read report
- b) Lavallette Zoning Report for August 2019-Councilwoman Filippone-no report
- c) Municipal Court Report for July and August 2019-Councilwoman Filippone-read reports
- d) Police Overtime Report for July & August 2019-Councilwoman Filippone-read reports
- e) Animal Control Report for August 2019-Councilwoman Filippone-no report
- f) Beach Badge Report through September 2, 2019-Councilman Stogdill-read report
- g) Public Works Report for August 2019-Councilman Lamb-read report
- h) Public Affairs Report-Council President Zalom-Founder's Day was a big hit! Thanks to Joanne LaCicero for doing a great job along with her Committee. The fall/winter schedules are ready downstairs to see what events are going on. There will be a bocce tournament next week. The County is in desperate need of poll workers so if you want to make some extra money contact the County Board of elections.
- i) Tax Account Report for August 2019-Tax Collector
- j) Revenue Transaction Report for July 2019-Chief Financial Officer

Mr. Brice stated that the Borough did pretty well this year with the beach. We definitely have a lot of dedicated guards and Jack Caucino has really done a great job handling the beach this year. He is here tonight and would like to speak about some issues.

Jack Caucino, Beach Captain stated that it is becoming more and more difficult to keep the required amount of guards in order to maintain every street end. The problem stems from the minimum wage increases and the fact that other towns also pay above what we pay hourly for their lifeguards. This year we were down 2 to 4 openings a day because we didn't have enough lifeguards to staff. The last week or so of the season we only had enough guards to cover only 10 openings. The majority of our guards and badge checkers come from over the bridge and what I have been hearing is why should they come over here for less money when they can work anywhere now for \$10 an hour or more.

Mr. Brice stated that he and Jack and Councilman Stogdill have discussed the rates for guards and badge checkers and have come up with a better system which we will try and have in place before next season to prevent these issues next year. We will also have to discuss raising the price of badges in order to compensate for the increases.

A Motion to approve the reports was made by Councilwoman Filippone. The Motion was Seconded by Council President Zalom. 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:

- 2019-234 awarding a contract to Martin A. Ackley Associates, Inc. for sampling and testing of bituminous concrete core used on the Bryn Mawr and Sterling Avenues road project in the amount of \$1,000-Mayor stated that this is a requirement with the grant we receive for every street.

- 2019-235 certifying to the NJ Local Finance Board that the Governing Body have reviewed the sections of the annual audit entitled "Comments and Recommendations"

- 2019-236 approving a facilities use application to Jersey Shore Waves to use Chandler Field for baseball games on Saturdays and Sundays, Sept. 14-15, Oct. 5-6, 12-13, 26-27 at 4:30pm and for practices on Tuesdays & Thursdays starting September 10th through October 31st from 6pm to 7:30pm

- 2019-237 approving the corrective action plan regarding the 2018 audit report

- 2019-238 requesting approval of items of revenue and appropriation per N.J.S.A. 40A:4-87 in the amount of \$32,000 for the CDBG Grant

- 2019-239 authorizing the police department's old radio equipment in storage that is no longer compatible with the new radio equipment being used be given to the Brick Township Police Department for their use until they receive their new equipment

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

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, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

RESOLUTIONS: OFF CONSENT:

There were no resolutions off-consent.

APPROVAL OF VOUCHERS:

2019-240 Bills List in the amount of \$598,951.90

A Motion to approve the bills list was made by Councilman Stogdill. The Motion was Seconded by Councilman Lamb. Vote: Council Members Borowski, Filippone, Zalom and Stogdill voted Yes. Councilman Finter abstained from PO #18-42402 and yes to all others. Councilman Lamb abstained from PO #19-00812 and yes to all others. The Motion Passed.

ORDINANCES ON FOR PUBLIC HEARING/FINAL ADOPTION:

ORDINANCE NO. 2019-09 (1199) Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Designating The Borough of Lavallette Public Works Department To Install And Maintain All Signs Associated With The Municipal Public Access Plan

Mayor LaCicero stated that this is pertaining to all the signs up at the ocean and bay beaches known as an interpretive trail. These signs were required as part of our NJDEP penalty and this is a requirement of the DEP.

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

The Mayor opened the public hearing 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 Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

COMMUNICATIONS:

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Philadelphia Avenue Road Improvements/NJDOT Permit/Received August 28, 2019

League:

- a) State Issues/Received August 9, 2019
- b) Governor Signs Law Correcting Municipal Liability Standards/Received August 9, 2019
- c) State Issues/Received August 16, 2019
- d) State & Federal Issues/Received August 23, 2019
- e) State & Federal Issues/Received August 30, 2019

General with No Action:

- a) Kristen Zielinski/letter thanking the Borough and Councilman Borowski for sponsoring Waves of Impact events/Received August 11, 2019
- b) Mark Dolaghan/Rutherford, NJ/letter addressing code and animal control issues regarding a home in Lavallette that he rented over the summer/Received August 12, 2019
- c) DEP News Release/NJEDA, DEP Announce List of Communities in Expanded Collaborative Initiative/Received August 13, 2019
- d) Ocean County Columbus Day Parade Committee/Michael Blandina, Chairman/Ocean County Columbus Day Parade 2019/Received August 20, 2019
- e) Sherri Pars/Marine Science Camp/check in the amount of \$2,098.00 for our portion of the facilities use proceeds/Received August 28, 2019
- f) Michael Maguire/Animal Control Officer/resigning from position as of January 1, 2020/Received September 3, 2019

General With Action:

- a) Taylor English/117 Pennsylvania Avenue/requesting a meeting with the Mayor to discuss creating an accessible ramp to take people with physical challenges all the way down to the water/Received August 13, 2019-The Mayor stated that we took care of this request at the beginning of the meeting with Taylor.
- b) US Department of Homeland Security/FEMA/Robert Schaefer, Senior Civil Engineer/requesting the Mayor's attendance to discuss updates on the NY/NJ Coastal Restudy at their meeting to be held on Thursday, September 26th from 2pm to 3:30pm at the OC Sheriff's Emergency Operations Center on Hooper Avenue in Toms River/Received August 28, 2019-Mayor LaCicero stated that this had to do with the flood maps and he would be attending.

UNFINISHED BUSINESS:

Council President Zalom stated that the DEP has granted the County their CAFRA permit to do the outfall pipe project on Bay and President Avenue so they will be starting that as soon as possible.

Mr. Brice stated that Professional Property Appraisers have so far completed 100% of the exterior inspections and 60% of the interior. Some residents have not responded to the letters to get into their homes. They don't need to wait for them to let them in. They will just assess their properties higher than usual to prompt them to have it inspected. Once they are ready to submit the data they will schedule a public information session for the residents to ask questions and understand how they come up with the data.

Councilman Borowski stated that it might be a good idea to web cast for this meeting.

NEW BUSINESS:

Council President Zalom stated that she has had some residents approach her on changing the speed limit on Route 35 North to 25 mph in the summer. We would have to send a letter to the DOT and have them change the signs.

Mayor LaCicero stated that we would have to discuss this closer to the summer but he doesn't know if that is a good idea.

COMMENTS FROM THE PUBLIC:

Bob Astorino, 2 Elizabeth Avenue questioned if the town was going to do anything about that proposed bill regarding the FEMA tax.

Mayor LaCicero stated that all the Mayors on the island had a meeting with Congressman Kim about that issue and he has stated that he will do whatever he needs to get that bill dropped.

Clem Boyers, 20 Kerr Avenue questioned when the new assessments will be available?

Mr. Brice stated that it will probably be mid-November some time.

Mary Logios, 4 Sterling Avenue questioned what bituminous concrete was?

Mayor LaCicero stated that it was a specific concrete that is required as part of the grant.

Mrs. Logios stated that there is never a lifeguard present at the north end of town so why would they residents down there be expected to pay a higher price for badges.

Mr. Brice stated that the whole point of increasing the badge cost as well as the hourly rates for the lifeguard and badge checkers is so we do have a lifeguard available for each street end.

Mark Speaker, 111 Brown Avenue thanked Mayor and Council as well as Public Works and the Police Department with all their help in making Founder's Day so great! We couldn't make it go so smooth without everyone's help.

Jon Corney, 1 Newark Avenue questioned how this company was going to appraise the land assessments.

Mr. Brice stated that he advised him at the last meeting that he had to reach out to the company for that answer. We do not have that answer, they do. The number is on the card that every resident received.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilwoman Filippone stated that Sgt. Christian LaCicero and Special Officer Taylar Verrier who is the school safety officer trained the staff and children down at the Bay Head Elementary School on how to handle active shooters through the ALICE Program. She is very proud of them.

Councilman Finter stated that the NYC bus trips will be on December 11th and 14th.

EXECUTIVE SESSION:

There was no executive session.

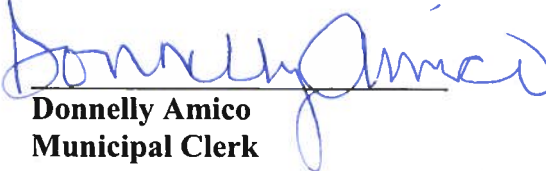
ADJOURNMENT:

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

The Council Meeting was adjourned at 8:38pm.

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 9th day of **September 2019**


Donnelly Amico
Municipal Clerk