

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Tuesday, January 21, 2020-7:00 pm**

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

**ROLL CALL:** Council Members Borowski, Lamb, Zalom, Stogdill, Finter and Filippone  
Councilman Stogdill was absent.

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 10, 2020. 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 our troops overseas.

**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 there is a lot going on right now. We have been told the dredging will be completed by January 27<sup>th</sup> but not sure if that is going to happen.

Mr. Brice stated that the dredge just arrived over here on the January 25<sup>th</sup> so he doesn't think they will get it done by January 27<sup>th</sup>.

The Mayor stated that we also have Dr. Farrell here tonight to discuss some options to help prevent the sand issue under the WPI Bridge.

The Mayor stated that if anyone 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)**

Tyler Zylinski, 118 Magee Avenue stated that he would like the Borough to do an ordinance preventing the use of plastic bags in town. These bags have proven to be very hazardous for our marine life as well as being environmentally unsafe for our oceans and beaches. Some shore towns have already adopted this ordinance and he believes that there will be a NJ statewide ban of plastic bags very soon. If Lavallette does adopt this ordinance they will be the first in Ocean County to do so and will set a precedence for other towns in our county to do so as well.

Mayor LaCicero thanked Tyler for coming tonight and speaking about this issue. He stated that there will be an ordinance committee meeting on January 28<sup>th</sup> and we will make sure they get all this information that he has provided to Council to discuss.

**SPEAKER:** Dr. Stuart Farrell to discuss his ideas to mitigate future shoaling under the WPI Bridge

Councilman Borowski introduced Dr. Stuart Farrell. He stated that he is the Director and Founder of the Stockton University Coastal Research Center.

Dr. Farrell thanked Council for inviting him tonight. He stated that the sand issue under the WPI Bridge has become a continued problem and will always be a problem due to the NW wind that blows across the bay causing sand to move along with it but then stops at the WPI Bridge. Once the dredging under the bridge is done, then we need to figure out how to prevent the continued problem with more permanent options. The reconstruction of a new bulkhead is heading in the right direction. Another option would be a rubble mount structure out to the bay and the Borough has a riparian grant for that area. This would need a separate permit for the permanent structure. A better idea is to come up with a better living shoreline solution such as quarlogs with plant inside. This permit would be \$1,000. A lot of other towns have used geotextiles filled with sand but these have shown that they can get damaged a lot. Other options such as oyster shell bags and oyster castles. Whatever the Borough decides to do this fix should include being put on the north side of the boat ramp.

Mayor LaCicero questioned if wire mesh baskets are an option?

Dr. Farrell stated that the gabion baskets have not shown to be a good idea because of the salt water.

The Mayor stated that he has lived here a very long time and use to jump off of the WPI Bridge when he was a kid. He stated that the abundance of sand under the bridge only started to become an issue in the 80's.

Dr. Farrell stated that under the bridge probably went down about 12 feet and the sand just kept accumulating over time. He also thinks there must have been an inlet close by there at some point which also would have added to the problem.

The Mayor opened the floor to the public and asked if anyone wished to ask Dr. Farrell any questions.

No one wished to speak at this time. The Mayor closed the floor to the public and thanked Dr. Farrell for coming tonight.

He stated that he and Council will discuss all of these options and hopefully will come up with a plan to prevent this from happening in the future.

**APPROVAL OF MINUTES:**

Minutes of Regular Meeting of December 16, 2019  
Minutes of Reorganization Meeting of January 6, 2020

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

**REPORTS:**

- a) Construction Report for December 2019-Councilwoman Filippone-read report
- b) Zoning Report for December 2019-Councilwoman Filippone-no report
- d) Municipal Court Report for November & December 2019-Councilwoman Filippone-read report
- f) Police Overtime Report for November & December 2019-Councilwoman Filippone-read report
- g) Animal Control Report for December 2019-Councilwoman Filippone-no report
- h) Public Works Report for December 2019-Councilman Lamb-read report-He also stated that the Supt. of Public Works has been looking at various surfaces that are cheaper but still efficient for the tennis courts. The resurfacing that we have been doing just isn't working. Councilman Borowski questioned when the last resurfacing was? Mayor LaCicero stated that it had to be about 15 years ago.
- i) Public Affairs Report-Council President Zalom-Don't forget about the ski trip on January 25<sup>th</sup> to Wyndham Mountain.
- j) Tax Account Report for December 2019-Tax Collector
- k) Revenue Transaction Report for November & December 2019-Chief Financial Officer

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

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

**RESOLUTIONS – ON CONSENT:**

- 2020-55 authorizing the Mayor to sign and execute an interlocal shared services agreement with the County of Ocean Prosecutor's Office for participation in the "Move Over" Law Enforcement Program for year 2020
- 2020-56 authorizing the transfer of 2019 tax overpayments to 2020 taxes receivables in the amount of \$27,948.98
- 2020-57 authorizing the refund of an electric bill credit in the amount of \$245.14 due to sale of property
- 2020-58 authorizing the Mayor to sign and execute an interlocal shared services agreement with the County of Ocean Prosecutor's Office for participation in the "Driving While Intoxicated Enforcement Program" and the "Drug Recognition Expert Callout Program"

- 2020-59 approving the facilities use application to Sherri Paris to hold her annual Marine Science Camp on the bay front between President and Reese Avenues, Monday through Friday, from June 22<sup>nd</sup> through August 28<sup>th</sup> 2020
- 2020-60 approving the facilities use application to the Lavallette Regular Republican Club to hold their meetings in Council Chambers on the third Thursday of every month at 7pm for year 2020
- 2020-61 approving five applications for the participation in the Lavallette Volunteer Fire Department's Junior Firefighter Program
- 2020-62 approving the date of Saturday, September 12, 2020 for Founder's Day 2020 and appointing the 2020 Founder's Day Committee
- 2020-63 appointing Glen Purves as the part-time temporary fill-in Plumbing Subcode Official and Plumbing Inspector
- 2020-64 authorizing the issuance of a road opening permit to NJNG for 506 Ocean Front/President Avenue
- 2020-65 authorizing the redemption of a tax sale certificate in the amount of \$2,096.28

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

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

**RESOLUTIONS - OFF CONSENT:**

- 2020-66 approving a facilities use application to Team Zebra Multisport to hold a triathlon on Bay Blvd. and our Magee Avenue parking lot and bay beach area on Sunday, May 31, 2020 from 6am to 10:30am and on Saturday, May 30, 2020 at 4pm for bike rake setup in the parking area

The Mayor stated that this has been an annual event. We do have a representative, John Stock, here tonight if there are any questions.

A Motion to approve this resolution 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 this resolution.

Mark Speaker, 111 Brown Avenue stated that last year there was discussion on how much it costs the Borough for our police and public works employees to have to be at these events. There was discussion on increasing these facilities use fees substantially for these events.

Mayor LaCicero stated that we do receive 10% of their proceeds back and these events bring people into the town which is good for the local businesses and restaurants.

Councilman Borowski stated that there was an issue at their last event there with residents not being able to access the t-dock the evening prior to the event because of the setup. Can we stipulate to them that we don't want the access to the t-dock shut down until the morning of the event?

John Stock, Team Zebra stated that they use that area for the bike racks. The t-dock still has always had access but we will make sure that the access is more noticeable to the public.

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

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

2020-67 Bills List in the amount of \$541,833.12

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

#### **ORDINANCE ON FOR PUBLIC HEARING/FINAL ADOPTION:**

**Ordinance No. 2020-01 (1201) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE ESTABLISHING SALARIES AND WAGES OF OFFICERS AND EMPLOYEES OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY**

The Mayor stated that this ordinance has to be updated every three years. There were substantial changes just some deletions of old Civil Service titles.

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

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, Finter and Lamb voted Yes. The Motion Passed.

## **COMMUNICATIONS:**

### Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Revised Proposal of Services/West Point Island Bulkhead Replacement and Boat Ramp Reconstruction/Received December 17, 2019
- b) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Bryn Mawr & Sterling Avenues Road Improvements/NJDOT Final Payment Voucher/Received January 15, 2020
- c) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Revised Proposal of Services/Beach and Dune Maintenance Activities/Cafra Permit/Received January 15, 2020

Mr. Brice stated that the two proposals above are updated proposals.

Councilman Borowski questioned if the ramp was going to be included in the bulkhead project.

Mayor stated that the ramp has not been discussed as of yet.

Councilman Borowski questioned if it would impact the construction of the bulkhead?

Mayor stated that it wouldn't and we will be reconstructing the ramp in the future.

### New Jersey League of Municipalities:

- a) State & Federal Issues/Received December 20, 2019
- b) State Issues/Received January 3, 2020
- c) State & Federal Issues/Received January 10, 2020

### General with No Action:

- a) State of New Jersey/Department of Transportation/Laine Rankin, Director/DOT 2020 Municipal Aid Program/denial of Bryn Mawr Avenue Road Improvements Project-Phase 2/Received December 11, 2019
- b) OC Municipal Joint Insurance Fund/Perma Risk Management Services/2020 Budgets/Received December 20, 2019
- c) DEP News Release/DEP Awards More than \$14 Million in Grants to Local and County Governments to Enhance Recycling Efforts/Received December 23, 2019

- d) DEP News Release/DEP Reminds Public to Take Precautions when Burning Wood in Colder Weather to Help Protect Air Quality and Prevent Fires/Received January 3, 2020
- e) DEP News Release/DEP 2019 Beach Flora Survey Shows Major Increase of Endangered Seabeach Amaranth Plants South of Sandy Hook/Received January 3, 2020
- f) Ocean County Health Department/Saranda Ceka, Coordinator/Upcoming Deadlines for Municipal Alliance Grant Cycle/Received January 3, 2020
- g) Friends of Lavallette Beautification Committee/ Pat Marrone, President/email thanking the DPW as well as Pete Kane, Supervisor Electric for doing a great job putting up the Christmas decorations and the lights on the Christmas Tree/Received January 8, 2020

Councilwoman Filippone stated that the snowflake decorations project started out as a joint effort between the Beautification Committee, Heritage Committee and the LBA. However, it seems that the only group that has been purchasing new decorations as they are needed has been Beautification. This year they are purchasing 6 more new snowflakes for more of the streets but there are still some streets that need them. She would like to get permission to buy 1 more snowflake for a street with the donations that are left from my Memorabilia Committee. The Beautification Committee is asking that the Borough pay for another 3 snowflakes for three more streets.

Pat Marrone, President Beautification stated that the snowflakes cost is \$690 each. We need what is called the marine package for our decorations to prevent them from rusting. February is what the company calls their best buy month where they discount their decorations. If the Borough purchases these in the month of February, they will cost \$463. The Electrical Supervisor at Public Works has recommended that the swags be discarded because they are in disrepair and have become unsafe so we have some extra streets to take care of.

A Motion was made by Councilman Borowski to approve the Borough's purchase of 3 new snowflake decorations in the amount of \$2,000 pending approval of funds. The Motion was Seconded by Councilwoman Filippone.

The Mayor opened the floor to the public and asked if any wished to comment on this topic.

Joe Palinsky, 1606 Ocean Front, stated that he would like to see more colorful decorations with colorful lights around town and not just the white lights.

Pat Marrone, Beautification Committee stated that the Christmas Tree has multi colored lights as does the wreaths around the lamp posts by the businesses and the wreath on the Borough Building. The thoughts that were given for the snowflakes were that they were very classy and bright.

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

General with Action:

- a) Rachael Cousens/PTO Chair/Marine Academy of Technology and Environmental Science (MATES)/Requesting a donation for their auction from the Borough to represent the town/Received December 5, 2019

Councilman Borowski made a motion to donate a Lavallette Blanket for this school's auction. The Motion was Seconded by Council President Zalom. Vote: All of Council was in favor. The Motion Passed.

- b) FEMA/Michael Foley/Option to Adopt 2015 FIRM/Received December 18, 2019-Mr. Brice stated that the Flood Plain Managers recommendation is not to adopt the new maps since it only effects about 300 properties right now and may change in 2022.

A Motion to not adopt the new 2015 FIRM maps was made by Council President Zalom. The Motion was Seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

- c) Joann Marino/1501 Bay Blvd./requesting Council provide a solution regarding the microphone problems at the Council Meetings/Received January 7, 2020-Mr. Brice stated that a company is coming on Friday to take a look at our recording and mic system and give us a proposal on a new system.

- d) Lavallette Business Association/Rebecca Malloy, President/Proposed Calendar of Events for 2020/Received January 14, 2020

#### **UNFINISHED BUSINESS:**

NJ Direct Install Program/Lavallette Department of Public Works

Mayor LaCicero stated that this is a program to help pay for the upgrading of the lighting and air conditioning at some of our public buildings that are in need. Unfortunately, the Fire and First Aid buildings are not eligible but our Public Works buildings are.

Two of the PW buildings are eligible to receive all new lighting systems and cooling/heating system which costs a total of \$64,500 with the grant paying \$21,900 of that.

The other option eligible for those buildings is just the lighting systems without the cooling/heating system which is a cost of \$20,000 with the grant covering \$16,000 of that.

We will be discussing for our 2020 budget.

Council President Zalom stated that the plaques have been ordered to put over by the swings that were donated by a number of residents.

Councilwoman Filippone stated that so far 30 people have paid and selected their street for their memorial bench. Several people have withdrawn their request and we still have benches left so if you want a bench in memory of a loved one call the Administration office and get your name on the list.

Councilman Lamb stated that Mr. Brice has come up with a few designs for the signs of the 6 residents who were killed in action. He would like to first get some input from the families before we agree on a specific design with the wording and start the order.



## **NEW BUSINESS:**

Annual dinner for residents who are married 50 years or more/allocation \$4,000

Councilwoman Filippone stated that when this event was proposed last year for the first time, it was her understanding that the dinner would be a one-time dinner for these couples who attended and they weren't going to keep attending each dinner every year and it would be new couples each year. It just seems like every year we are paying for the same couples. It just seems to repetitive for that kind of money.

Pat Marrone, 11 Elizabeth Avenue stated that maybe each year it could be done for the couples who are married 50 years in that year, like couples who are married 50 years in 2020.

Council President Zalom stated that last year they only asked for \$2,500 and didn't use it all so returned the rest. She thinks it is a great event and the couples also pay towards their dinner. Last year they had to turn couples away because they didn't have enough room so this year they want to do it at the Parish Center which holds more people. More people equals more money so that is why she is asking for the \$4,000.

Mayor LaCicero stated that he will see if Joanne LaCicero can come to the next meeting and answer any questions on this to give more information.

Council President Zalom stated that the Council Meeting for December 21<sup>st</sup> will have to be changed since that is Lavallette's Birthday Party.

The Mayor stated that we have some time to think about another date.

Council President Zalom stated that a resident approached her about her grandmother who lived in town and was in World War I and II. She was only 14 years old when she joined but lied about her age. She has requested that her grandmother's name be placed on the War Memorial. She will be getting a price to see how much it will cost to add the name and this resident has also offered to pay for it.

Councilwoman Filippone stated that she has put together a proposal for salary increases for Mayor and Council in increments within a three-year period. She is hoping to get the resolution on for the next meeting.

## **COMMENTS FROM THE PUBLIC:**

Marlene Chamberlain, 26 Bond Avenue, stated that the Michele Donato and her group who is against the settlement agreement for 103 Magee Avenue sent a request last week requesting to be put on the agenda for tonight but she sees that it was not done.

She questioned whether or not the Borough Council is going to oppose the settlement or not?

Mr. George stated that there is nothing to oppose because the settlement agreement was only approved in December 2019 at a public Council Meeting.

Mrs. Chamberlin stated that she is very disappointed how Mr. George and Council went about this case and feels that Michele Donato has a very strong case to intervene so understand that this is not over yet.

Al Jones, 113 Reese Avenue questioned when the dune grass will be planted this year?

Mr. Brice stated that the Army Corps. has given the time frame of March and April for the dune grass planting.

Joe Palinsky, 1606 Ocean Front requested that Council get some colored bulbs for Christmas decorations this year.

Chris Chamberlin, 26 Bond Avenue stated that he thinks that the NJ Direct Install grant program should be done for both the lighting and cooling/heating system since climate change is a big issue now.

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

Councilman Borowski stated that he will be attending another Public Power meeting on Thursday and there will be some discussion regarding electric vehicles.

Councilman Finter stated that the First Aid is in need of volunteers so if you are available please volunteer.

Mr. Brice stated that the gas company is still upgrading their pipes on some streets. They have already finished on Magee and Brown.

#### **EXECUTIVE SESSION:**

There was no executive session.

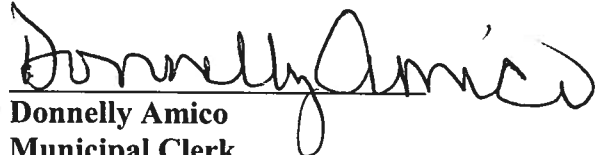
#### **ADJOURNMENT:**

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

The Council Meeting was adjourned at 9:11 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 Council meeting held on the 21<sup>st</sup> day of January 2020.

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