

BOROUGH OF LAVALLETTE (minutes)
REORGANIZATION MEETING OF MAYOR AND COUNCIL
LAVALLETTTE MUNICIPAL BUILDING-COUNCIL CHAMBERS
MONDAY, JANUARY 5, 2009 – 7:01 PM

CALL TO ORDER: Mayor Walter G. LaCicero, Presiding

MEETING NOTICE STATEMENT:

Notice of this meeting complies with the Open Public Meetings Act. Public Notice was given to the Ocean County Observer, the Ocean Star, and the Ocean County Gazette and was published in the Asbury Park Press on January 11, 2008. Notice was posted on the Municipal Bulletin.

INVOCATION: John T. Collins, Faith Lutheran Church

MOMENT OF SILENCE-SALUTE TO THE FLAG:

The Mayor asked for a moment of silence for our troops who have been overseas. Mayor LaCicero led us in the Salute to the Flag.

ADMINISTRATION OF OATH OF OFFICE:

Anita F. Zalom elected as Councilwoman will take her Oath of Office, which will be administered by Mayor Walter G. LaCicero. Three (3) year term of office from January 1st, 2009 through December 31, 2011. (Holding the Bible for Councilwoman Zalom was her daughter, Helena Zalom)

LeRoy “Lee” Horan elected as Councilman will take his Oath of Office, which will be administered by Mayor Walter G. LaCicero. Three (3) year term of office from January 1st, 2009 through December 31, 2011. (Holding the Bible for Councilman Lee Horan was his wife, Paulette Horan)

Mayor LaCicero swore into office Councilwoman Zalom and Councilman Horan.

ROLL CALL: Councilwoman Britta F. Wenzel
Councilman Lee Horan
Council President Anita F. Zalom
Councilman Michael Stogdill
Councilwoman Joanne Filippone
Councilman Robert P. Lamb

Also Present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Phil George, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk

MAYOR'S ANNUAL MESSAGE:

The Mayor thanked everyone for coming out and wished everyone a Happy New Year! He then began his speech.

I thought the year 2008 was a very productive year for Lavallette. Many things have been accomplished. We saw the completion of the much needed paving project and drainage improvements on White Avenue/Coleman Lane and Ortley Avenue which was funded with a \$100,000 grant from the NJDOT. We hope to have the ocean block of Kerr Avenue completed in 2009 with an NJDOT grant in the amount of \$145,000 and also between the highways on Bond Avenue with a \$155,000 NJDOT grant.

We reestablished the Lavallette Building Department as our own to give better service to residents as well as a better "rate of return" for the taxpayers. We have allocated the final \$300,000 towards the completion of the boardwalk project which in total comes to \$1,050,000. Final completion is scheduled for the Spring of 2009.

Some of our zoning issues were addressed such as resolving the half-story issue, lowering the height of a structure, and removed the ability to convert an attic to living space. On West Point Island, we revised the lot-size requirements to require a larger lot size and required all lots to have a fifty foot front or minimum of 5,000 square feet with a forty-five foot frontage.

We also created an outdoor seating ordinance which provides greater flexibility by allowing a restaurant owner the ability to seek a variance if they can not meet the required specification. We corrected the condition placed on corner lots located on Route 35 South that required two front yard setbacks and corrected the Land Use Ordinance by providing for a Planning Board checklist.

In the latter part of 2007, we created a Self-Generation Ordinance which established regulations and procedures to permit utility customers the ability to install renewable generation and sell-back excess power to our electric utility.

We filed and received approval for a beach and dune maintenance individual permit from the Department of Environmental Protection and resolved an enforcement action given by the NJDEP. We executed an Electric Contract with American PowerNet to provide managed contract services for the procurement of energy and are already seeing a benefit from this. We have established regulation for a residential parking permit for undersize lots which has helped many residents in town to be able to actually have their own parking space in front of or as close to their home as possible. We established fees for the use of the gazebo and beach pavilions to help offset costs of maintaining the property. We adopted a revised personnel policy for all borough employees. We established necessary bond ordinances to purchase needed supplies for the electric distribution system in the amount of \$175,000.

We established regulations regarding the obstruction of Borough streets during homeowner construction projects. We established the ability of the Borough to recoup the cost of performing extraordinary utility connection services during homeowner construction projects, such as moving electric wires for modular construction. We are still continuing participation in the Flood Insurance Program which gives our residents a 10% decrease in premiums. Our Stormwater Management Plan was received and

approved by the County and State. We awarded contracts for the placement of cellular antennas on our water tower which increases the Borough's revenue by \$91,000 per year. We are now in the process of receiving bids to sell advertising space along our beach and Bayfront to increase more revenue. We have installed new doors at the Fire House and new sidewalks along Bay Blvd. through the use of CDBG monies. We have also reconstructed the Tennis Courts.

The unsightly double telephone poles on the southbound highway are slowly being removed. We have allowed the placement of a liquor license at Gabriella's. We disallowed placement of a pocket license within 1500 feet of another liquor establishment which was very controversial. Police enforcement, as well as, court revenues are at an all time high with overtime still being greatly reduced.

Beach badge revenues were down for the year but because of better oversight, we saved \$20,000 in salaries, which more than offset the loss. We also instituted the use of credit cards to pay for your beach badges and a third of all the sales were purchased by credit card. Hopefully, we will look into online badge sales in 2009, as well as, automatic debits for payment of taxes and utilities.

In 2009, we need to continue to keep an eye on the State in their effort to take over our beaches and our town, as well as, our school. We hope to resolve the bicycle and newsrack issues for this year. We will continue pushing the WPI dredging problem and pushing the State for the Route 35 repairs. We hope to secure monies from the advertising on the lifeguard stands and continue the paving projects.

ELECTION OF BOROUGH COUNCIL PRESIDENT FOR 2009:

A Motion was made by Councilwoman Filippone to elect Councilwoman Zalom for the position of Council President for the year 2009. The Motion was seconded Councilman Lamb. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan, and Filippone voted Yes. The Motion passed.

2009 BOROUGH APPOINTMENTS BY THE MAYOR: (not requiring Council approval)

Mayor LaCicero made the following appointment to the Lavallette Planning Board / Board of Adjustment.

| <u>Term</u> | <u>Position</u> | <u>Appointee</u> |
|-------------|---------------------------------|-----------------------|
| 1 Year | Class I Member-Mayor's Designee | Vincent Marino |
| 1 Year | Class II Member | Christopher F. Parlow |
| 4 Years | Class IV Member | Lionel Howard |
| 2 Years | Alternate #2 | Barbara Brown |

2009 COUNCIL COMMITTEE ASSIGNMENTS:

Committee Assignments of Borough Council

By Borough Council (Resolution 2009-01)

A Motion was made by Councilwoman Wenzel to approve Resolution 2009-01. The Motion was seconded by Council President Zalom. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The Motion passed.

2009 BOROUGH APPOINTMENTS BY THE MAYOR: – (requiring advice and consent of Council)

Mayor LaCicero recommended the following professional appointments for 2009.

Borough Attorney - Eric M. Bernstein Associates

By Borough Council (Resolution 2009-02)

A Motion was made by Councilwoman Wenzel to approve Resolution 2009-02. The Motion was seconded by Councilman Stogdill. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The Motion passed.

Borough Auditor - Robert S. Oliwa / Oliwa & Company

By Borough Council (Resolution 2009-03)

A Motion was made by Councilwoman Filippone to approve Resolution 2009-03. The Motion was seconded by Councilman Stogdill. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan, Filippone and Lamb voted Yes. The Motion passed.

Borough Prosecutor - Kim A. Pascarella, Esquire

By Borough Council (Resolution 2009-04)

A Motion was made by Councilman Stogdill to approve Resolution 2009-04. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan, Filippone and Lamb voted Yes. The Motion passed.

Various Professional Appointments -

Bond Counsel – Dilworth, Paxson, LLP
Special Prosecutor – Joseph Coronato / Mulvaney, Coronato and Brady
Special Hearing Officer – Christopher Reid, Esq.
Alternate Prosecutor - Bonnie Peterson
Alternate Prosecutor #2 – Holzapfel & Zabarsky
Public Defender - Margarie Herlihy
Conflict Public Defender - Philip G. Mylod
Labor Attorney – Sean Gertner

By Borough Council (Resolution 2009-05)

A Motion was made to approve Resolution 2009-05 by Councilman Stogdill. The Motion was seconded by Councilman Lamb. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The Motion passed.

Mayor LaCicero recommended the following appointments to serve on various municipal committees for 2009.

Various Advisory Committees-

CDBG / Tourism / Grants Committee:

| | |
|----------------------|------------------|
| Anita Zalom, Liaison | Judy Mrozek |
| Barbara Florimont | Penny Hahn |
| Jean Lane | Elaine Schardien |
| Joseph Palinsky | Patricia Hoffman |

Council President Zalom asked that Patricia Hoffman be added to the CDBG Committee.

Municipal Utility Advisory Committee:

| | |
|---------------------------|--------------------|
| Lee Horan, Liaison | Christopher Parlow |
| Michael Stogdill, Liaison | Al DeBenedictis |
| Roger Martin | Bill Zylinski |
| Joseph Palinsky | Dave Brown |

Ordinance Committee:

| | |
|----------------------|---------------------------|
| Robert Lamb, Liaison | Joanne Filippone, Liaison |
| Christopher Parlow | Sheila Sharkey |
| Roger Martin | Patricia Marrone |
| Martin Morales | Theresa Coleman |
| Audrey Zylinski | Nicholas Zaccaria |
| Rosangela Zaccaria | Barbara Brown |
| Gary Royer | Lionel Howard |

Recreation Advisory Committee:

| | |
|-------------------|----------------------|
| Laurie O'Brien | Anita Zalom, Liaison |
| Leonard Calderaro | Georgia Calderaro |
| Brian Sandy | Karen Sandy |
| Katherine Sandy | Emanuel Calvanico |
| Hanna Scott | Bart Coleman |
| Theresa Coleman | Harriet Sheridan |
| Luke Cuccurullo | James Disbrow |

Kathleen Disbrow
Rosalie Dolinaj
Audrey Zylinski
Jane Garber
Maureen Gross
James Haag
Joyce Hornung
Sgt. Justin Lamb
Vincent Marrone
Jean Lane

John Dolinaj
Rosangela Zaccaria
Dr. Jim Enright
Chief Colin Grant
Aileen Gulino
Bruno Hornung
Patricia Hoffman
Patricia Marrone
James Disbrow
Gary Royer

Beautification Committee:

Anita Zalom, Liaison
Patricia Marrone
Theresa Coleman
Leonard Calderaro
Rich Traverso
Joyce Hornung

Joanne Filippone, Liaison
Arlene Maglionico
Bruno Hornung
Julie Henry
Mark Rothlein

Parking Committee:

Anita Zalom
Chief Colin Grant
Kimberlee Samarelli, LBA
Anthony Rocco, Westmont Shores
Michele Donato
Bill Bogdan, Lavallette Seniors
Martin Morales

Christopher Parlow
Irene Kelly, WPI Civic Assoc.
Rosangela Zaccaria, Planning Bd.
Clem Boyers
Deborah Ciambrone
Deborah Conner, PTA

Environmental Protection Advisory Committee:

Britta Wenzel, Liaison
Lee Horan, Liaison
John Dolinaj
Donna Franzoso
Patricia Hoffman

Anita Zalom, Liaison
Luke Cuccurrullo
Rosalie Dolinaj
Joy Grosko
Kayla Schardien

By Borough Council (Resolution 2009-06)

A Motion was made by Councilwoman Wenzel to approve Resolution 2009-06. The Motion was seconded by Councilman Stogdill. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The Motion passed.

Mayor LaCicero recommended that Barbara Florimont be reappointed to the Health Services Advisory Board.

Board Appointment –

Health Services Advisory Board

Barbara Florimont (3 Year Term)

By Borough Council (Resolution 2009-07)

A Motion was made by Councilwoman Filippone to approve Resolution 2009-07. The Motion was seconded by Councilman Stogdill. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The Motion passed.

RESOLUTIONS – ON CONSENT:

- 2009-08 Approving Temporary Budget
- 2009-09 Designating Official Newspapers
- 2009-10 Appointment of Joseph Lord to the position of Full-time Public Safety Telecommunicator for the Lavallette Police Department
- 2009-11 Authorizing officials to sign checks, disbursement funds checks and drafts
- 2009-12 Appointing Internal Affairs Officers to the Lavallette Police Department
- 2009-13 Establishing 2009 Petty Cash Funds
- 2009-14 Designating Official Depositories
- 2009-15 Fixing rate of interest to be charged on delinquent taxes or assessments
- 2009-16 Adoption of Rules for the Mayor and Council
- 2009-17 Authorizing Mayor Walter G. LaCicero to sign quarterly DWI Reports
- 2009-18 Establishing 2009 Change Funds
- 2009-19 Authorizing the Chief Financial Officer to make certain timely payments for specific monetary obligations
- 2009-20 Establishing calendar of 2009 Council Meetings
- 2009-21 Establishing the allocation of salaries of certain employees within the Borough

- 2009-22 Authorizing the application to obtain a Tourism Grant from the County of Ocean in the Amount of \$3,500.00
- 2009-23 Authorizing execution of Schedule “C” Agreement with the County of Ocean
- 2009-24 Reaffirming Cash Management Plan
- 2009-25 Adopting federal guidelines for mileage reimbursement for Public Officials
- 2009-26 Authorizing participation in the State of NJ Cooperative Purchasing Program
- 2009-27 Authorizing professional services contract with Commerce National Risk Control Services for CDL Random Alcohol & Drug Testing Program Year 2009
- 2009-28 Authorizing Mayor LaCicero to sign and execute 2009 Municipal Alliance Agreement
- 2009-29 Approving Ocean County Animal Facilities fee schedule
- 2009-30 Endorsing submission of year 2009 Recycling Tonnage Grant Application
- 2009-31 Authorizing Software Contract – Edmunds & Associates \$9,929.00
- 2009-32 Authorization to approve seasonal appointments prior to meeting confirmation
- 2009-33 Designating Public Agency Compliance Officer in accordance with N.J.A.C. 17:27-3.5 – Borough Administrator/Municipal Clerk, Christopher F. Parlow
- 2009-34 Authorizing the Tax Assessor to act as agent for Lavallette and File Appeals for tax year 2009
- 2009-35 Approving contract for C-2 license-Theodore J. Golubowski
- 2009-36 Approving contract for T-2 and W-2 licenses-Gary K. Schlosser
- 2009-37 Authorizing the submission of the 2009 Barnegat National Estuary Program Grant Application in the amount of \$7,500 by the Environmental Committee-Council President Zalom stated that she thinks this is wonderful idea and can’t wait to see how beautiful the area around the tennis court is going to look.
- 2009-38 Approving contract for Animal Control Officer-Michael Maguire
- 2009-39 Approving appointment of Public Power Association of New Jersey Representatives: Administrator Christopher F. Parlow – Representative / Lee Horan - Alternate
- 2009-40 Approving appointment of Emergency Management Team for 2009

- 2009-41 Approving appointment of members to the Lavallette Emergency Planning Committee
- 2009-42 Approving appointments within the Lavallette Police Department for 2009: Special Police, Class I & II, Crossing Guards, Part-time Dispatchers, and Matrons
- 2009-43 Approving appointments of ADA Coordinator – Councilmember Anita F. Zalom, Deputy ADA Coordinator - Elaine Schardien, and members to the Lavallette Community Partners for People with Disabilities for 2009-Council President Zalom thanked Elaine Schardien for all she does.
- 2009-44 Approving appointment of Theodore J. Golubowski as Lavallette Safety Coordinator-Council President Zalom thanked Teddy for the wonderful job he does
- 2009-45 Authorizing the appointment of temporary workers for the Lavallette Public Works Department
- 2009-46 Approving appointment of Christopher F. Parlow as Ocean County JIF/Mel Fund-Fund Commissioner
- 2009-47 Redemption of a tax sale lien on Block 36.02, Lot 30 in the amount of \$2043.30 to CCTS Tax Lien II, LLC

The Mayor opened up the floor for Public Comment on the Consent Agenda and the Bills List.

Clem Boyers, 20 Kerr Avenue questioned whether we can get that tourism brochure that was done some time ago for Lavallette as part of that tourism grant?

Council President Zalom stated that she will put in the request.

A Motion was made by Councilwoman Wenzel to approve the Consent Agenda. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone stated Yes. The Motion passed.

BILLS LIST:

- 2009-48 Bills List in the amount of \$970,248.70

A Motion was made by Council President Zalom to approve the Bills List. The Motion was seconded by Councilwoman Wenzel. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The Motion passed.

PUBLIC HEARING:

Community Development Block Grant

Council President Zalom stated that the CDBG grant is available this year for Lavallette for handicap accessibility. The Borough has already used this grant money in the past to do handicap accessible bathrooms in Borough Hall and a lift. The Borough has also used the monies for handicap accessible bathrooms and exterior doors for the Firehouse. We used some monies for the sidewalks on Bay Blvd. All of this totaling \$109,000.00. For this year, there is approximately \$60,000 available for a Borough project. The Borough has received so many complaints about doing walkways over the dunes for handicap people to get to the beach easier. We could also do some walkways over the medians on Bay Blvd., too.

Mayor LaCicero opened the floor to the Public for the Public Hearing. No one had any comments or suggestions from the audience. Mayor LaCicero closed the Public portion of the hearing.

Mr. Parlow stated that we have two ideas for the walkways and he asked Council's permission to have the Engineer prepare some sketches of what these two options would look like. The sketches would be available at the next meeting.

Councilwoman Wenzel stated that she would also like to see some of that money go to sidewalks in the middle block of Jersey City Avenue. There is a light there and the library and people walk up and down that street constantly. It is a very dangerous corner and people should be able to stand on a sidewalk instead of the street when waiting to cross.

Mr. Parlow stated that he will have the Engineer take a look at the street for sidewalks, also.

Council President Zalom stated that the CDBG money will not pay for those sidewalks because it has nothing to do with handicap accessibility.

CITIZENS COMMENTS:

Pat Marrone, 11 Elizabeth Avenue questioned whether the County should do the walkway over the median on Bay Blvd. since it is a County road?

Mayor LaCicero stated that this is the County giving us the money.

Joe Palinsky, 122 Washington Avenue stated he would personally like to thank the Police Department for all their help in assisting with First Aid calls. They never give us a problem and are always there to lend a hand.

COUNCIL COMMENTS:

Councilwoman Wenzel welcomed Councilman Horan and wished him well.

Councilman Stogdill echoed Mayor's comments and also wanted to thank the employees downstairs in the administration office. They have had a lot more jobs given to them without the increase in staffing and yet they still manage to get it done every day.

Councilman Horan also thanked the Police Department for their help with the First Aid. He hoped the borough could incorporate solar and wind power in the future.

Councilwoman Filippone welcomed Councilman Horan and she feels he will be quite valuable to Council. She stated that Councilwoman Zalom is an inspiration with five terms up here. She stated she would like approval from Council to have Mr. Parlow start the procedure in requesting a Sergeant Exam from the State.

Mayor LaCicero asked Council for a roll call approval.

A Motion was made by Councilwoman Filippone. The Motion was seconded by Council President Zalom. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The Motion passed.

Mr. Parlow stated that he would start the procedure tomorrow.

Councilwoman Zalom thanked Mr. Parlow and Donnelly Amico for her corsage. She stated that she attended the meeting with the Planner and thought he did a wonderful job. She hopes this year will be the year the Borough acquires a bus for the town and hopes we can do a trial run with the bikes on the boardwalk. She thanked to the Beautification for a marvelous job in making the town so beautiful. She also thanked Public Works for their help with everything we ask. She hopes the Parking Committee will still continue to sort out our parking problems in town and she is pleased with the Environmental Committee's efforts to obtain funding for projects. She reminded everyone not to forget about a possible plan by the state to regionalize the school district and stated that the Borough does not want to lose what we have. The Mayor and Council need to keep on top of that.

Mr. Parlow stated that last year was a very busy year for the office. He hopes to finalize the newsrack issue for this year. He has already started on that project for this year so hopefully we can clarify this issue before the summer months. He thanked Pete's Florist for the donation of the poinsettias.

Mayor LaCicero requested on the agenda for next meeting a discussion on a liaison for the School Board. He thanked everyone in the audience for coming to our meeting tonight despite the weather.

ADJOURNMENT:

A Motion was made by Councilman Stogdill to adjourn the meeting. The Motion was seconded by Councilman Horan. Vote: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone voted Yes. The meeting was adjourned at 8:06 pm.

CERTIFICATION

I, Christopher F. Parlow, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby attest these to be a true copy of the minutes of the Regular Meeting of the Mayor and Council held on the **5th** day of **January 2009**.

Christopher F. Parlow
Municipal Clerk