

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, June 21, 2010-7:03 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

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

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting complies with the Open Public Meetings Act. Public Notice was given to the Ocean County Gazette and was published in the Ocean Star on January 8, 2010. Notice was also posted on the municipal bulletin board and the municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for our troops overseas and for longtime resident Al Ciccalese who passed away recently

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

MAYOR’S WELCOMING STATEMENT: Mayor LaCicero thanked everyone for coming out to our first summer meeting and stated that the Mayor and Council will be in casual attire for the rest of the summer meetings.

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

Mayor LaCicero opened the floor to anyone who wished to comment on any items that were not on the agenda and did not wish to stay for the remainder of the meeting.

Nick Onembo, 1302 Baltimore Avenue stated that the intersection of Baltimore and Washington Avenue is a very dangerous situation. Cars are rolling through that stop sign all the time and it is going to cause a problem with pedestrians and accidents. He stated that if the Borough could paint in big white letters the word “Stop” on the street to let drivers know they have to stop ahead would be great.

Mayor LaCicero stated that Mr. Onembo is a State Trooper so he knows very well about safety. He will speak with Public Works to advise them about painting the street with “Stop”.

Councilwoman Filippone stated that this topic has come up before and the Chief is supposed to have extra patrols at that intersection for the summer.

Tom Tevlin, 13 President Avenue thanked Council President Zalom for all her work every year with the Memorial Day events. He stated that he was disappointed with the Mayor's political comments at the Memorial Day event and stated that the politics should be kept out of it. It is a day of recognizing the fallen and should stay that way.

Mayor LaCicero stated that his comments were taken out of context and he agrees that the politics should be kept out of those types of events. He stated that he was sorry that some people took it the wrong way.

Mr. Tevlin stated that on Rt. 35 South and Washington there should be pedestrian signs for walkers.

Councilman Lamb stated that Veteran's Day is celebrated in November and Memorial Day is celebrated for the fallen soldiers who made the ultimate sacrifice.

Council President Zalom stated that she believes that the public interpreted the Mayor's comments wrongly.

There were no additional comments from the public.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES:

Caucus/Regular Meeting of June 7, 2010
Executive Session Minutes of June 7, 2010

A Motion was made by Councilman Lamb to approve the Minutes. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS – ON CONSENT:

- 2010-174 supporting participation in the sustainable jersey municipal certification program
- 2010-175 appointing three members to the Environmental Protection Advisory Committee
- 2010-176 appointing three lifeguards for the 2010 summer season commencing June 19, 2010
- 2010-177 designating the hours bicycles are permitted on the boardwalk during the 2010 "bathing season" (5:00 am to 10:00 am as in previous years)-Council President Zalom requested that this resolution be put off consent. Council agreed.

A Motion was made by Councilwoman Filippone to approve the Consent Agenda with the exception of Resolution 2010-177. The Motion was seconded by Council President Zalom.

Mayor LaCicero opened the floor to the public and asked if anyone had any comments on the consent agenda or the bills list. No one wish to comment on the consent agenda. The Mayor closed the floor to public comment and asked for a vote on the consent agenda. Vote: Council Members Borowski, Filippone, Zalom, Horan and Lamb voted Yes. The Motion passed.

RESOLUTIONS-OFF CONSENT:

2010-177 designating the hours bicycles are permitted on the boardwalk during the 2010 “bathing season” (5:00 am to 10:00 am as in previous years)

Council President Zalom stated that she does not agree with the hours the bicycles are permitted on the boardwalk. The Chief of Police asked for a trial run to increase the hours the bicycles are permitted. Having the bicycles on the highway all day is too dangerous. There have been many accidents already with cars and bikes colliding. We should give more consideration to the Chief of Police’s request.

A Motion was made by Councilwoman Filippone to approve Resolution 2010-177. The Motion was seconded by Councilman Lamb. Vote: Council Members Borowski, Filippone, Horan and Lamb voted Yes. Council President Zalom voted No. The Motion passed.

APPROVAL OF VOUCHERS

2010-178 Bills List in the amount of \$334,688.31

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

FINAL ADOPTION/SECOND READING OF ORDINANCES:

BOND ORDINANCE NO. 2010-13 (1085) BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE BOARDWALK, AND APPROPRIATING \$100,000, THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY

Mr. Parlow stated that ordinance was included in the 2010 capital budget. Even though the boardwalk has been completed our policy has been to have an ordinance in place in case of emergencies such as floods or storms.

Mayor LaCicero stated that as of right now we do not foresee us having to use this money.

A Motion was made by Council President Zalom to adopt Bond Ordinance 2010-13 (1085). The Motion was seconded by Councilwoman Filippone. Mayor LaCicero opened the public hearing and asked if anyone had any comments on this Bond Ordinance. No one wished to comment on Bond Ordinance 2010-13(1085). The Mayor closed the Public Hearing and asked Council for a vote on Bond Ordinance 2010-13(1085). Vote: Council Members Borowski, Filippone, Zalom, Horan and Lamb voted Yes. The Motion Passed.

BOND ORDINANCE NO. 2010-14 (1086) BOND ORDINANCE PROVIDING FOR ENRGY EFFICIENCY IMPROVEMENTS, AND APPROPRIATING \$100,000, THEREFOR, AND AUTHORIZING THE ISSUANCE OF \$95,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOORUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY

Mr. Parlow stated that ordinance was included in the 2010 capital budget. The Borough had an energy audit on all our municipal buildings and this ordinance is for those improvements to make our buildings more energy efficient. We received a \$40,000 grant to have the energy audit done and hopefully we will receive a grant for the improvements which will pay 80% of the improvements. There is also a municipal block grant available, which is up to \$20,000.

A Motion was made by Councilman Horan to adopt Bond Ordinance 2010-14 (1086). The Motion was seconded by Councilwoman Filippone. Mayor LaCicero opened the public hearing on Bond Ordinance 2010-14(1086) and asked if anyone wished to comment on this bond ordinance. No one wished to comment on this bond ordinance. Mayor LaCicero closed the public hearing and asked for a vote on Bond Ordinance 2010-14(1086). Council Members Borowski, Filippone, Zalom, Horan and Lamb voted Yes. The Motion Passed.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Save Barnegat Bay requesting to hold “Hands Across the Sand” on the Brown Avenue beach for a total of 45 minutes and would like the badge fee waived for this event.

Mayor LaCicero stated that he does not believe we can stop them from having the event on the beach but we do not have to waive the badge fees.

Mr. Parlow stated that he does not believe that the ordinance even permits the Council the ability to waive the requirement to have a beach badge.

Councilman Borowski stated that he believes the Council has been pretty consistent not waiving any fees for any such events on the beach. There is no problem with them having the event on the boardwalk.

Residential Parking Permit Application - Mildred Allegar-114 President Avenue

Mr. Parlow stated that this resident had applied last year but was denied because the ordinance requires that 50% of the space be within the boundaries of the front of your home and she had a yellow curb line in front of her home. She now meets all the conditions and is now eligible because of the new ordinance we passed recently decreasing the distance from 50 to 25 feet from a stop sign.

Mayor LaCicero stated that he spoke to her and she would prefer the space be where a curb cut is with no driveway there.

Mr. Parlow stated that he believes that is possible.

Resolution 2010-177A approving the parking permit space to Mildred Allegar of 114 President Avenue

A Motion was made by Councilman Horan to approve Resolution 2010-177A. The Motion was Seconded by Council President Zalom. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

COMMENTS FROM THE PUBLIC:

Lach Cameron, 115 President Avenue stated to Councilman Lamb that Veterans do not go to our Memorial Day services for a pat on the back that they attend to honor their fellow soldiers who passed on and he resents the comment that was made.

Clem Boyers, 20 Kerr Avenue stated that the walkway on President Avenue is not worth the \$4,000 cost and we do not really need. We go to the beach to walk on the sand.

Mayor LaCicero stated that the mat is only a demo for people to give their opinions on how they like it. We did not purchase it.

Councilman Horan stated that we also have the beach wheelchairs for people who need them.

Joseph Palinsky, 122 Washington Avenue stated that he saw a mother with three children on tricycles and bikes with training wheels on the sidewalk and someone yelled to her that bicycles were not allowed on the sidewalks. The ordinance only pertains to bicycles with two wheels not three wheels or training wheels on Grand Central Avenue. He stated that the Borough should think about changing the ordinance if we are not going to allow even little kids on their bikes.

Tom Tevlin, 13 President Avenue stated that he agrees with Councilman Lamb in regards to the traffic safety with pedestrians. It is a disaster waiting to happen and we should try to do something to fix it before someone gets hurt.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Council President Zalom asked Councilman Horan for a status on the Sustainable New Jersey Grant applications.

Councilman Horan stated that he has applied for the Walmart Grant for \$25,000 for 33 LED lights. He stated that the Borough needs 38 of them but if we get the grant to pay for the 33 of them we could take care of the remaining five.

Councilman Lamb stated that LBI is having the same problem with the pedestrian crossing and cars only stopping in some lanes. They have a five lane highway so it is really creating a dangerous situation. He believes their Mayor has sent correspondence along with his legislators to the State to somehow figure out a better way. He asked if it would be possible for the Administrator and the Mayor to look into this.

Mayor LaCicero stated that he thinks their Senator and Assemblyman in that District are on board with them also.

Council President Zalom questioned how many crosswalks does the town actually have.

Councilwoman Filippone stated that the law also applies to intersections as well as painted crosswalks.

Councilman Lamb stated that the law is so confusing it has become a mess.

Councilman Borowski questioned if Lenny's Pizza's liquor license was approved.

Mr. Parlow stated that Lenny's Pizzeria has to apply to receive the license approval from the State because it is held "in pocket". He stated that he received a call from the ABC and that upon their approval the Borough will need to readopt the resolution of approval.

Councilman Borowski questioned the status regarding B & B Construction with the payments.

Mr. Parlow stated that the Engineer has denied the majority of the requested change order, explaining that it was included in the scope of work included in the specifications. Part of their request deals with some additional paving that was requested by the New Jersey Department of Transportation that may be outside of the scope of the project.

Council President Zalom stated that the PBA Honor Guard pictures were in the paper. The Battle of the Bands was a big hit and she was one of the judges. The businesses in town have agreed to honor our good bicyclist reward certificates, which will provide the kids with free food or items. She asked everyone not to forget about the Rite-Aid Summer Event on the 23rd of June. This Beach Sweeps will be our 25th year. We will have our fireworks on July 4th and the movie "Greetings from the Shore" will be aired on the Bay on July 8th. The Sandcastle and Kites contest will be held on July 9th. The 8th Grade Graduation is going on right now so congratulation to our Lavallette graduates. Also, we had our Awards night at the high school and Lavallette gave out 2 million dollars in scholarships. She wished everyone a Happy 4th of July.

Councilman Horan stated that 60% of the curbs in town have been painted white for the new spaces. The Police Department has stated that there will be no tolerance for cars parking in the

yellow anymore. Jersey Shore Outlets will give you a discount book if you show your beach badge and we are officially a military friendly town along with our businesses.

Mayor LaCicero also stated that the Chief has passed on that there will be no tolerance for cars parked in the yellow curb. He attended the awards night at the Lavallette School on Friday and gave out our History books to our graduates and they were very appreciative.

EXECUTIVE SESSION:

Mr. George stated that there is a need for Executive Session concerning the Electric Supervisor position that will be open soon and there may be some action taken.

A Motion was made by Councilman Horan to adjourn the Regular Meeting to go into Executive Session. The Motion was seconded by Council President Zalom. Vote: All of Council was in Favor. The Motion Passed.

The Regular Meeting was adjourned to go into Executive Session at 7:53 pm.

A Motion by Councilman Horan was made to reconvene the Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in Favor. The Motion passed.

The Regular Meeting reconvened at 8:09 pm.

Mr. George stated that in Executive Session there was only one matter discussed regarding a position in the electric utility department and action will be taken. There was also some partial discussion with an electric employee who was rice noticed.

A Motion was made by Councilwoman Filippone to authorize the Administrator to advertise for a part-time lineman position. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Horan and Lamb voted yes. The Motion passed.

ADJOURNMENT:

A Motion was made by Councilwoman Filippone to adjourn the Regular Meeting. The Motion was seconded by Councilman Horan. Vote: All of Council was in Favor. The Motion passed.

The Regular Meeting was adjourned at 8:12 pm.

CERTIFICATION

I, Christopher F. Parlow, 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 Caucus/Regular Meeting held on the **21st** day of **June 2010**

Christopher F. Parlow
Municipal Clerk