

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Tuesday, February 22, 2011-7:01 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: 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 Asbury Park Press and was published in the Ocean Star on January 7, 2011. Notice was also posted on the municipal bulletin board and the municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for longtime resident Emma Borrelli who passed away over the weekend.

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

Mayor LaCicero stated that Mr. Parlow will not present tonight nor is Council President Zalom.

MAYOR'S WELCOMING STATEMENT: Mayor LaCicero thanked everyone for coming out to tonight's meeting.

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.

No one wished to comment at this time.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES:

Caucus/Regular Meeting of February 7, 2011
Budget Meeting of February 9, 2011

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

RESOLUTIONS – ON CONSENT:

- 2011-73 approving the Lavallette Business Association’s sidewalk sales and display of merchandise dates for the 2011 summer season
- 2011-74 authorizing the filing of an application with the Ocean County Community Development Block Grant Committee for Improvements to Handicap Access-Ocean Beach areas in the amount of \$46,317.00
- 2011-75 accepting the resignation of Brian Bea and authorizing payment of unused vacation time
- 2011-76 authorizing the Treasurer to apply 2010 tax overpayments in the amount of \$7,160.23 to 2011 taxes receivable
- 2011-77 authorizing the Treasurer to refund a tax credit balance of \$809.58 to George Smith at 113 New Jersey Avenue, Unit 1
- 2011-78 appointing Richard Burk as a permanent part time Meter Reader for the Borough of Lavallette
- 2011-79 establishing the garbage bulky waste and recycling fees, schedules and regulations pursuant to Chapter 55 of the Borough Code4 entitled “Solid Waste”
- 2011-80 authorizing the grant of an easement on certain Borough property to the County of Ocean for the construction of a storm water drainage system on lots 1, 2.01 and 3 in Block 70 in the Borough of Lavallette without fee or cost to the County of Ocean-Mayor LaCicero stated that the County needs to reconstruct a storm water drainage project at Washington Avenue and Bay Blvd and they will also repave the parking area that will be disturbed..
- 2011-80A approving application of William Paul as a probationary member of the Lavallette Volunteer Fire Company #1-Councilman Borowski stated that Mr. Paul is an active member already the paperwork just got a little messed up in the beginning. He asked that the resolution be amended to read active instead of probationary
- 2011-80B authorizing submission of a letter of intent to participate in the New Jersey Infrastructure Financing Program-Barneгат Bay Storm Water Projects Principal Forgiveness Loan Program for the acquisition of a street sweeper-Mayor LaCicero stated that instead of applying for a jet vac we were advised that a street sweeper would be a better decision

A Motion was made by Councilman Horan to approve Consent Agenda. The Motion was seconded by Councilman Stogdill. At this time, the Mayor opened the floor for public comment and asked if anyone wished to comment on the consent agenda or the bills list. No one wished to

comment on the consent agenda or the bills list so the Mayor closed the floor to comments and asked Council for a vote. Vote: Council Members Borowski, Filippone, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2011-81 Bills List in the amount of \$298,678.98

A Motion to Approve the Bills List was made by Councilwoman Filippone. The Motion was Seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

FINAL ADOPTION/SECOND READING OF ORDINANCES:

ORDINANCE NO. 2011-01 (1091) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 7 OF THE CODE ENTITLED "BATHING AND BEACH CONTROL" SO AS TO ESTABLISH A PERMIT FOR COMMERCIAL FOR-PROFIT ACTIVITIES ON PLACES OF PUBLIC RESORT

A Motion was made by Councilman Stogdill to adopt Ordinance No. 2011-01 (1091). The Motion was seconded by Councilwoman Filippone. The Mayor opened the public hearing and asked if anyone wished to comment on Ordinance 2011-01 (1091). No one wished to comment on Ordinance 2011-01 (1091). The Mayor closed the public hearing and asked Council for a vote. Vote: Council Members Borowski, Filippone, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

UNFINISHED BUSINESS:

Councilman Lamb stated that he had Mr. George look into the fifty year lease of the Fire house with the Borough of Lavallette regarding the duration of fifty years.

Mr. George stated that the duration of the lease can be modified to not have it included the Borough would just have to do a resolution to restate the certification to delete the duration of time in the agreement. Even if we put a duration time of seventy years and the time has expired you can still continue the lease until all paperwork is dissolved.

Mayor LaCicero stated that he will have Mr. Parlow do a resolution for the next meeting.

NEW BUSINESS:

American Diabetes Association requesting to hold a charity walk on April 3, 2011 on our boardwalk starting at 10am-Mayor LaCicero stated that this is a non-profit event and it is before the season starts. The Mayor asked for a motion of approval.

Councilman Stogdill made a motion to approve the Diabetes Walk contingent upon the receipt of their Certificate of Insurance. The Motion was Seconded by Councilman Horan. Vote: All of Council was in Favor. The Motion Passed.

Island Junior Baseball League requesting to use our ball field from March 8th through August 18th during the week-Councilman Stogdill stated that he would like this League as well as any other non profit league to rake the field after each use.

Councilman Stogdill made a motion to approve the League's schedule contingent upon the receipt of their Certificate of Insurance and their agreement to rake the field after each use. The Motion was Seconded by Councilman Borowski. Vote: All of Council was in Favor. The Motion Passed.

Councilwoman Filippone stated that she had a conversation with Mr. Parlow about charging a fee for the exercise classes all year round. The way it is right now is they charge a \$3.00 just in the winter months and no fee in the summer. Her suggestion is that we charge a \$2.00 fee all year round to make it fair for everyone.

Councilman Borowski questioned why the Borough does not just keep it \$3.00 all year round?

Mayor LaCicero stated that he did have a conversation with Council President Zalom and she was on board with the \$2.00 fee also. He asked that a resolution be prepared for the next meeting establishing the \$2.00 donation and discuss it then. All of Council was in agreement of that.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue stated that all the ladies who attend these exercise classes attend them because they are free but if you charge a fee in the summer they might not attend at all. That would be a loss for us. He also questioned if we are still going to pick up papers on Wednesday and if we are having recycling two days or one day a week.

Councilman Borowski stated that Wednesday pick up is gone forever and garbage and recycling will be picked up twice a week in the summer and one day a week in the winter.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that he attended the seminar given by the JIF Insurance in order to reduce our premium by \$250.00. It was interesting to know that 60% of our premiums go to fund the workman's compensation issues. The Mel-JIF also does a lot of safety workshop and programs for the workers. He stated that there is some pending legislation that has not come up

yet that will require every municipality to adopt a boardwalk maintenance program and he would like the Borough to pass a resolution of support for this legislation when it comes up.

Councilwoman Filippone stated that she believes that we do have a boardwalk maintenance program on file; she thinks it just needs to be formalized.

Councilman Lamb questioned whether or not the garbage can with the lids has been rectified?

Councilman Borowski stated that there not giving out any red stickers and they are picking up all the garbage. He stated that the intent is to try and resolve the size of the garbage can and the weight of the can. Hopefully, we can resolve this sooner than later.

Mayor LaCicero stated that Public Works is looking at a piece of their old equipment that they may be able to retrofit to pick up the cans but right now it is just being looked at there have been no decisions yet.

Mayor LaCicero stated that he attended the County Road meeting again this year with Mr. Parlow and spoke to them about the use of their equipment on Bay Boulevard. We were told that those pieces of equipment were broken down during the storm and they are not looking for us to use any of their equipment any time soon. They are willing to look and see if they have some old snow plows that we could purchase for a \$1.00 from the County. We also asked about them repaving Washington Avenue for us and they agreed to put it on their list. We also asked them if they could purchase the paint for us and we would have our guys paint over the graffiti on the West Point Island Bridge and were told that was their Bridge and they would take care of the graffiti. We discussed the triangle on Jersey City Avenue and they agreed to put in new curbs if we get rid of the asphalt and then we can take care of the soil and plantings there. The final item of discussion was the storm drains on West Point Island and they advised us that they will be going out to bid for that project soon and they will probably start that project in the fall.

ADJOURNMENT:

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

The Regular Meeting was adjourned at 7:35 pm.

CERTIFICATION

I, Donnelly Amico, Deputy 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 Regular Meeting of the Mayor and Council held on the 22nd day of February 2011.

Donnelly Amico
Deputy Municipal Clerk