

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
August 6, 2012-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Lamb, Stogdill, Horan and Filippone

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 was published in the Ocean Star on January 6, 2012. Notice was also posted on our Municipal Website and the Municipal bulletin board.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Doris Kinney, a longtime resident who passed away recently. Mrs. Kinney was the wife of Bill Kinney who was a past President of the Lavallette Voters & Taxpayers. He also asked for a moment of silence for all the troops overseas.

PLEDGE OF ALLEGIANCE: Council President Zalom led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: The Mayor 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 asked 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.

No one wished to speak at this time.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES

Regular Meeting of July 23, 2012

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

REPORTS:

- a) Police Overtime Report for July-Councilwoman Filippone-read report
- b) Municipal Court Report for June-Councilwoman Filippone-read report
- c) Animal Control Report for July-Councilwoman Filippone-read report
- d) Zoning Report for July-Councilwoman Filippone-read report
- e) Construction Report for July-Councilwoman Filippone-read report
- f) Public Affairs Report for July-Council President Zalom-
- g) Beach Badge Report for June(revised) & July-Councilman Lamb-As of Sunday we are at \$766,000 in sales. We did have one or two bad weekends which throws us off but we did hold our own this weekend with approximately 1,100 in badge sales with both days. We did have a number lot of complaints about the amount of garbage in the receptacles and our guys were out there. There was just a lot of garbage for our cleaners who usually finish around 10 a.m. did not finish until 12:30 pm. Councilwoman Filippone stated that she received a lot of compliments about the Mile Ocean Swim and how well organized and protected it was.
- h) Revenue Transaction Report for June-Chief Financial Officer
- i) Tax Account Report for July -Tax Collector

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2012-218 authorizing the electric collector to adjust an electric bill for 107 Reese Avenue from \$299.75 to \$110.80 due to an incorrect billing
- 2012-219 accepting the resignation of Jamie Ray Monroe effective July 27, 2012-Council President Zalom stated that this is accepted with regret. He has been here for 20 years and was always a wonderful worker.
- 2012-220 applying a tax overpayment from Block 1116.01 Lot 69 to Block 943 Lot 20 for taxes due for the 2012 tax year
- 2012-221 appointing Patrick Solan as a lifeguard at an hourly rate of \$9.75 for the 2012 summer season
- 2012-222 supporting the passage of S1502/A392 also known as “Peggy’s Law”
- 2012-223 calling upon the Governor and the Commissioner of the State of New Jersey to develop and commit themselves to expand the goals and objectives of action item #8 of the comprehensive plan to address the health of the Barnegat Bay and develop programs to educate the people of the State of New Jersey-Council President Zalom stated that something definitely needs to be done about this severe problem and maybe this will be the solution.

2012-224 cancelling property taxes due for 2012-2013 for a totally disabled veteran at 129 Princeton Avenue-Council President Zalom questioned if they have to apply every year for this? Mr. Parlow stated that the application is only done once.

A Motion was made by Councilman Horan to approve the consent agenda. The Motion was seconded by Councilwoman Filippone. The Mayor opened the floor to public comment and asked if anyone wished to comment on the consent agenda. No one wished to comment at this time. The Mayor closed the floor to public comment and asked Council for a vote on the Consent Agenda.

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

RESOLUTION OFF CONSENT

There were no resolutions off consent

APPROVAL OF VOUCHERS:

2012-225 Bills List in the amount of \$7,922,461.51

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

COMMUNICATIONS

Legal:

- a) Eric M. Bernstein & Assoc/Philip George, Esq/Lavallette Volunteer Fire Company #1/Received July 9, 2012
- b) Eric M. Bernstein & Assoc/Philip George, Esq/Thomas Loreda & Lori Gatfield-Loreda v. Borough of Lavallette/Received July 25, 2012
- c) Eric M. Bernstein & Assoc/Philip George, Esq/Lavallette Volunteer Fire Company No. 1/Received July 30, 2012
- d) Eric M. Bernstein & Assoc./Philip George, Esq/I/M/O Property at 23-25 Sturgis Road/Application for Construction Official Search Warrant/Received July 30, 2012
- e) Eric M. Bernstein & Assoc/Philip George, Esq/Lavallette Volunteer Fire Co. #1/Received August 6, 2012-Mr. George stated that compliments and congratulations to the Lavallette Volunteer Fire Company #1 for being incorporated once again in the State of New Jersey. Councilman Lamb stated that all thanks go to Mr. George and Mr. Bernstein for all their hard work on this.

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell/ Grand Central Avenue Sidewalk

Beautification Project/Received July 24, 2012

New Jersey League of Municipalities:

- a) League Shared Services Advisory Service Inter-Municipal Cooperation and Management Advisory Service/Received July 9, 2012
- b) League Files Brief to Protect Municipal Housing Trust Funds/Received July 9, 2012
- c) Attention Municipal Clerk-Please Forward to your Governing Body Members/Received July 13, 2012
- d) 18th Annual Mayors' Hall of Fame/Received July 13, 2012
- e) Lieutenant Governor Requests Disaster Declaration/Received July 13, 2012
- f) Appellate Division Decision Regarding Trust Funds/Received July 16, 2012
- g) "Improper Participation in the Pension System" Comptroller's Report Released/Received July 17, 2012
- h) Affordable Housing, Trust Funds-Please Advise the League of Your Status/Received July 18, 2012
- i) Red Tape Review Commission Hearing on Government Contracting Procurement/Received July 18, 2012
- j) 2012 New Jersey Governor's Environmental Excellence Awards/Received July 23, 2012-Councilman Horan stated that he gave this information to the Chairman of the Environmental Committee.
- k) Governor Signs Solar Legislation, S-1925/A-2966/Received July 23, 2012
- l) US Green Building Council New Jersey Chapter Seeking Nominations for 10th Anniversary Gala Awards/Received July 23, 2012
- m) Sustainable Jersey's First Ever "Farm To Table" Fundraiser/Received July 24, 2012-Council President Zalom questioned if anyone was attending this. No one was attending.
- n) New Content on DLGS Web Site/Received July 24, 2012
- o) Contractor's Registration Act/Received July 24, 2012
- p) Affordable Housing, Trust Funds/State Begins Process to Seize Funds/Received July 25, 2012
- q) An Important Decision Regarding the Open Public Meetings Act/Received July 25, 2012-Mr. George stated that there were some additional requirements that were to be added however the Supreme Court reversed the decision.
- r) SCR-110, Constitutional Amendment Regarding Judicial Salaries/Received July 27, 2012
- s) Utilize State Museum's 911 Commemorative Resources/Received July 30, 2012
- t) Affordable Housing Trust Funds/Received July 30, 2012
- u) Judges Don't Have to Contribute More for Health Care and Pensions, NJ Supreme Court Rules/Received July 30, 2012
- v) A-323/S-2074-Permits "Agricultural Tourism" Activities on Preserved Farmland/Received July 31, 2012
- w) Invitation to Join Mayors' Wellness Campaign/Received August 2, 2012
- x) Verizon Personal Property Tax Issue Appeal/Received August 2, 2012

General With No Action:

- a) New Jersey Legislature/Loretta Weinberg, Senator/thanking the Mayor and Council for their input concerning S1451 and S1452 which revises the Open Public Meetings Act and Open Public Records Act/Received July 9, 2012
- b) Ocean County Utilities Authority/Joanne Kazanowsky, Exec. Assistant/Established Bulk Rate/Received July 10, 2012-Councilman Borowski stated that he believes the rate stayed the same.
- c) Township of Woodbridge/John E. McCormac, Mayor/2012 New Jersey Senior Olympic Games/Received July 11, 2012
- d) EMEX, LLC/Todd Segmond, CEO/A Notice Regarding Your Rights Under the Local Unit Electronic Technology Pilot Program and Study Act/Received July 13, 2012
- e) Jersey Shore MultiSport/Christopher Wilcox, Managing Member/10% Activity Fees/LavaLove \$1,960.00/LavaSwim \$1,114.70/Received July 23, 2012-Mayor LaCicero stated that this was a nice amount of money we received from these events.
- f) Ocean County Utilities Authority/Michael L. Willis, Planning/Metering Engineer/2012 Metered Flow Data/Received July 23, 2012-Mayor LaCicero stated that the flow seems higher than last year. Councilman Horan stated that we have had some heavy rains. Mayor LaCicero questioned if this was going to be a budgetary problem. Mr. Parlow stated that we were still under so far but not as much as last year.
- g) GPC Worldwide, Inc./Walter Graf, President/Wind Energy/Received July 27, 2012
- h) Ocean County Health Department/John Clayton, Health Educator & Supervisor/Municipal Alliance Site Visit Report Calendar Year 2012/Received July 30, 2012-Council President Zalom stated that this is about our Municipal Alliance and it seems that everything is being done perfectly with no problems so far.
- i) New Jersey Conference of Mayors/Judges Don't Have to Contribute More for Health Care and Pensions, NJ Supreme Court Rules/Received July 30, 2012
- j) Harry Clunie/108 New York Avenue/special thanks to the Police Department and Officer Ian Inverno for his help on July 27, 2012/Received August 1, 2012-Mayor LaCicero stated that a copy of this letter will go into Officer Inverno's personnel file.
- k) Garden State Fireworks/Nunzio Santore, President/advising the Borough that they will be providing the fireworks for our 125th Anniversary on September 23, 2012 at no cost to the Borough due to some complications with our July 1, 2012 fireworks/Received August 1, 2012-Council President Zalom stated that she is very happy about this. We put a call into them about the problems with the July 1st fireworks and this is what they decided to do for us.
- l) Ocean County Library/June Schneider, Branch Manager/History of the USS LaVallette with the Naval Art of George S. Eisenberg running the months of September and October in Honor of Lavallette's 125th Anniversary/Received August 1, 2012-Council President Zalom stated that Harry Dews and the branch manager June Schneider are very excited about this exhibit. Mr. George Eisenberg was a crew member of the USS Lavallette and has so much art work to display. This is to coincide with our 125th Anniversary Parade on September 23, 2012
- m) Congress of the United States/Jon Runyan, Congress/Senior Health & Wellness Fair/August 23, 2012/Received August 2, 2012
- o) State of New Jersey/Department of Environmental Protection/Eugene Chebra, Acting

Assistant Director/Ocean County Utilities Authority/Infrastructure Improvements in the Northern, Central and Southern Wastewater Service Areas/Received August 3, 2012

General With Action:

- a) Clement & Joan Sullivan/901C Grand Central Avenue/requesting Mayor and Council accept their appeal on the decision to not issue them a parking decal sticker/Received July 9, 2012-Mr. George stated that there is no appeal process Council could just reconsider the requirements. This resident does not meet the statutory requirements that are necessary for this special parking permit. Council President Zalom stated that those specific condos went up before we required off street parking for each condo unit. Councilwoman Filippone stated that Council is not in any position to grant their request, it has to do with following the requirements in the Ordinance. Mr. Parlow stated that the reason for this Ordinance was to give relief for the undersized properties.
- b) New Jersey Society of Municipal Engineers/Stanley Schrek, President/requesting the Mayor participate in their 2012 Municipal Engineering Project of the Year Awards Program/Received July 9, 2012-Mayor LaCicero stated that he will take a look at this.
- c) Robert D'Alonzo/2202 Grand Central Avenue/requesting the Borough to help with the unsafe road condition in front of his property/Received July 12, 2012/letters sent from Mr. Parlow to the State DOT and Mr. D'Alonzo/sent July 13, 2012-Councilman Horan stated that this was already taken care of by Mr. Parlow.
- d) The FoodBank of Monmouth & Ocean Counties/Carlos Rodriguez, Exec. Director/requesting the Borough of Lavallette participate in Hunger Month in August to mobilize the public to take action to fight hunger/Received July 13, 2012-Mayor LaCicero stated that this was already linked to our website.
- e) Ocean County Columbus Day Parade Committee/Isa Appignani/inviting the Mayor and Council to participate in the Columbus Day Parade on October 7, 2012/Received July 13, 2012-Mayor LaCicero stated that one of Council always participates.
- f) West Point Island Civic Association/Joann Marino, Secretary/requesting that they be placed on the 2013 list to receive the dredged sand from the Barnegat Bay/Received July 13, 2012-Mr. Parlow stated that the dredging permit was just extended through the extension act for another five years. Councilman Lamb questioned being that this is a private beach if we would be able to do anything for them anyway being that it is not part of our beach access plan. Mr. Parlow stated that right now we can not do anything for them until our permit expires in five years.
- g) New Jersey Natural Gas/Suzanne Bostwick, Manager/daily list of disconnected residential gas customers/Received July 14, 2012
- h) Jersey Central Power & Light/Dorothy Kennedy, Supervisor/Uniform Fire Code/Received July 17, 2012-Mr. Parlow stated that in regards to letters g and h we will be requesting lists from both utilities.
- i) Regina Bien/Toms River, NJ/requesting to hold her wedding ceremony on August 11, 2012 at the Trenton Avenue Beach at 6pm/Received August 1, 2012-Mayor LaCicero stated that this is after beach hours so it is ok.

UNFINISHED BUSINESS:

Council President Zalom stated that the Mr. and Mrs. Sweeney are working hard on our parade and will help with where to line everyone up before hand. We are having a meeting at the Police Department with the Chief about it tomorrow at 6pm. Everything is coming together very nicely.

NEW BUSINESS:

Council President Zalom stated that for the 90th year the Borough sold commemorative tiles as a keepsake. She stated that she thinks we should do something commemorative for our 125th. We could sell the tiles with a design on the front for \$5.00 a piece. We could do a 6 x 6 or 9 x 9 and they come in lots of 144 tiles. She spoke with Lavallette Printing and he did some research and can have them ordered and delivered very quickly. We just need to decide on the design. She handed Council a couple of sample designs and they chose two different designs.

Councilwoman Filippone stated that we could maybe order double the quantity and have two different designs.

Councilman Borowski stated that we could order 144 tiles with one design and the other with another design.

Councilwoman Filippone stated that she thinks we should go with the 9 x 9 tiles so they are a nice size for the people to use.

A Motion by Council President Zalom was made to purchase 288 9 x 9 commemorative tiles with 144 with each of the two designs. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Councilman Borowski stated that he was out and about with his son around town this weekend and they played a game of shuffleboard and were by the crab dock. He stated that on the tennis courts on the north side there was some type of concession with a trailer that had signs saying kayaking lessons and some other types of lessons. He stated that it is solicitation and they are using borough property for their private business.

Mr. Parlow stated that he will advise the Chief to check it out.

Councilwoman Filippone stated that we have an ordinance against solicitation and anyone who sees anyone doing it should call the police.

COMMENTS FROM THE PUBLIC:

Judy Heim, 100 Bond Avenue stated that a couple of years ago Mrs. Grosko asked me to take pictures of all the organizations, buildings and the Mayor and Council all for a new updated history book for the 125th anniversary. She had asked what happened to that idea. She stated she mentioned it to Mrs. Grosko recently and Mrs. Grosko was not sure.

Council President Zalom stated that Mrs. Heim needs to get in touch with Denise Wirth our historian in town. She will give her the number at the end of the meeting. It might be too late to do this for our celebration but we could still do something.

Mayor LaCicero stated that our real birthday is December 21, 2012 so we could probably still punch out something for this year.

Joe Palinsky, 121 Washington Avenue questioned if there was any feedback about regulating the corner of Bay Boulevard and Washington Avenue and if they spoke to the County about the pedestrian signs.

Councilwoman Filippone stated that the Chief is not in favor of a three way stop sign on that corner and he would put the pedestrian signs there but the County is not in favor of them on there roads.

Council President Zalom stated that she spoke to Frank Scarantino and explained to him that Bay Boulevard has become very busy with vehicles, bikes and pedestrians and we would like the stanchions to be put on that road. He told her to have the Chief send him a letter requesting this and he will look into it for us. She said the Chief was taking care of faxing him a request letter.

Mr. Palinsky stated that the Engineer could over ride the County. He stated that the letter from the County back in 2010 required us to do an ordinance allowing the stanchions.

Councilwoman Filippone stated that the intersection of New Brunswick and Bay Boulevard is far worse than Washington and Bay Boulevard.

Mr. Palinsky stated that Council should do a resolution to purchase more stanchions because he believes that we do not have anymore.

Councilwoman Filippone stated that she asked the Chief to send a letter to the State DOT requesting that they paint crosswalks at every intersection on both Route 35 North and South and Bay Boulevard in order for the Borough to enforce this pedestrian law.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

There were no comments from Mayor and Council

EXECUTIVE SESSION:

There was no executive session.

ADJOURNMENT:

A Motion was made by Councilman Stogdill to adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilman Horan. Vote: All of Council was in Favor. The Motion Passed.

The Caucus/Regular Meeting was adjourned at 8:02.

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 **6th** day of **August 2012**

Christopher F. Parlow
Municipal Clerk