

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE ELEMENTARY SCHOOL – COUNCIL CHAMBERS
Monday, April 22, 2013-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Mr. Parlow stated that Councilman Borowski notified him that he was not able to attend the meeting because he was called into work.

A motion was made by Councilman Horan to excuse the absence of Councilman Borowski. The motion was seconded by Council President Zalom. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

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 published in the Ocean Star on March 1, 2013. Notice was also posted on our municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for all that were affected by the Boston bombings and for all the troops overseas.

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

Council President Zalom stated that we have a new resident of Lavallette and he has lots of family already here. Colton Wallace LaCicero was born on Monday, April 15, 2013. She congratulated Mayor LaCicero.

Mayor LaCicero thanked everyone and stated that his grandson weighed 11 pounds and 1 ounce at birth. He is a big boy.

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

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

Mayor LaCicero stated that anyone in the audience who was here to speak about anything that was not on the agenda or not storm related or if they could not stay for the remainder of the meeting could do so now.

Eleanor Scarcella, 106 Coleman Lane questioned who is taking care of testing the bay waters in Lavallette?

Mr. Parlow stated that the Ocean County Board of Health is responsible for testing the bay waters and they have been conducting tests already. So far they have cleared the waters for swimming. He stated that they will be testing the waters all through the bathing season.

Linda from NJ Hope and Healing stated that they are a crisis center part of St. Barnabas Health that helps people dealing with crisis. She stated that there will be support groups for people to get involved in, also. She will be here for the length of the meeting if anyone wishes to speak with her.

APPROVAL OF CLERK’S MINUTES:

Caucus/Regular Meeting of April 8, 2013
Bid Opening of April 17, 2013

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

RESOLUTIONS-ON CONSENT:

- 2013-145 authorizing the removal of an electric account at 122 Newark Avenue due to the two family becoming a one family dwelling
- 2013-146 authorizing the approval of a special event/facilities use application to Sam Hammer to hold his fourth annual surf camp from June 24, 2013 through September 1, 2013 Mondays through Saturdays at various times-Mayor LaCicero stated that this camp may not be on Brown Avenue this year due to the minimal openings this year. He has spoken to Mr. Hammer about this and he is fine with whatever beach it will be located on.
- 2013-147 authorizing the approval of a special event/facilities use application to Robert Hoffman of Suburban Camp, LLC to hold a basketball camp from July 27, 2013 through July 26, 2013 at the basketball courts on Bay Boulevard from 9am to 1pm
- 2013-148 authorizing the CFO to apply the following 2012 tax overpayments in the amount of \$8,276.70 to 2013 taxes receivable
- 2013-149 amending the 2013 temporary budget for various items
- 2013-150 authorizing the dates and times upon which The Beach Home may exhibit merchandise in accordance with Chapter 50 of the Code of the Borough of Lavallette

- 2013-151 recognizing the week of April 21, 2013 through April 27, 2013 as National Volunteer Week in the Borough of Lavallette - Council President Zalom stated that the Borough of Lavallette has the best volunteers. On behalf of the Council she thanked all of the volunteers for everything they do.
- 2013-152 supporting S2487/A1280 which revised the definitions of the Open Public Meetings Act
- 2013-153 appointing Matthew Condit as a Lifeguard Sergeant at an hourly rate of \$15.30 for the 2013 beach season
- 2013-154 appointing members to the Mayor and Council's Advisory Committee/Municipal Complex-Mayor LaCicero stated that the committee had their first meeting with the architect last week to see the plans and get a feel of what it should look like.
- 2013-155 supporting S2618/A3896 supplementing the Eminent Domain Act as it pertains to dune construction and beach replenishment-Mayor LaCicero stated that this bill could be used to gain the private easements by towns taking into consideration to pay either less or more for the land. Mr. George stated that some people do not want dunes constructed because of them blocking their views and yet some want the dunes for more safety
- 2013-156 authorizing the transfer of a water/sewer credit in the amount of \$147.39 to the electric account for 1704 Grand Central Avenue, Unit 5
- 2013-157 authorizing a contract with ModSpace for the lease of additional temporary trailers in the amount of \$11,341.52 for a set up fee and a total monthly fee of \$850.65
- 2013-158 endorsing the submission of the 2012 Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection
- 2013-159 appointing Pam Caucino as the Badge Checker Supervisor at a weekly rate of \$520.00 and Geraldine Dolinski as the Beach Badge Office Supervisor at a weekly rate of \$522.00
- 2013-160 appointing a certifying officer to the PJM Interconnection and adopting the required Risk Management Plan
- 2013-161 authorizing the certification of submission of expenditure of taxes in the amount of \$7,813.71 for 2012 Recycling Tonnage Grant

- 2013-162 awarding a contract to Rumsey Electric for the purchase of electric transformers, distribution system materials, supplies and tools in the amount of \$31,694.32- Mayor LaCicero stated that this resolution and the next three are for transformers and electrical supplies that the electric utility needed. We bid these items out this way to get the best price for specific line item rather than the cheapest price for the entire bid. We awarded the contracts based upon the lowest line item price.
- 2013-163 awarding a contract to Franklin Electric for the purchase of electric transformers, distribution system materials, supplies and tools in the amount of \$20,326.39
- 2013-164 awarding a contract to Valley Power, Inc. for the purchase of electric transformers, distribution system materials, supplies and tools in the amount of \$145,544.99
- 2013-165 awarding a contract to T & R Electric Supply Co., Inc. for the purchase of electric transformers, distribution system materials, supplies and tools in the amount of \$149,786.00
- 2013-166 authorizing the execution of a state contract with General Recreation, Inc. to provide garbage/recycling baskets in the amount of \$18,930.00
- 2013-167 consenting to the application to the New Jersey Department of Environmental Protection for the Route 35 Restoration Project to relocate and/or construction of PVC sanitary sewer in the Borough of Lavallette-Mayor LaCicero stated that this is so the DOT can relocate some of the sanitary sewers when they start the Route 35 Restoration Project. Council President Zalom questioned when the public forum is going to be scheduled for the Route 35 Restoration. Mr. Parlow stated that he has already reached out to the State DOT with the same question and has not received an answer as of yet. He stated that the plans that were submitted were from back in 2002 and call for the reconstruction of the sanitary sewer lines that would be in the right of way where the Borough performed the Roadway Reconstruction Project. That is the only plans that we have seen so we need to see the newest plans to make sure that they are not in our damaging the work that the Borough completed three years ago.
- 2013-168 authorizing the execution of an addendum to the contract with Eagle Paving Corporation for the installation of a water main on the top of Dover Avenue in the amount of \$30,000-Mayor LaCicero stated that this is to construct a water main while the street is open for better water service.

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 Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-OFF CONSENT:

There were no resolutions off consent.

ORDINANCES ON FOR INTRODUCTION:

ORDINANCE 2013-05 (1120) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 13, ENTITLED "BUILDINGS, MOVING OF" AND CHAPTER 56, ENTITLED "STREETS AND SIDEWALKS" TO PROVIDE FOR TEMPORARY RELOCATION OF BUILDINGS DURING RENOVATION/RECONSTRUCTION

Mayor LaCicero stated that this ordinance would establish regulations that would permit property owners to move their homes into the street or right-of-way if they need to move the structure in order to elevate. You will need somewhere to put the existing home until the pilings are in. This is so you can put the house along the Borough right of way. There is also some language as to the time of year you can do this which would not be permitted during approved summer bathing season. It also provides the length of time that the house can be in the public right of way, which is limited to four days.

A Motion was made by Councilman Horan to introduce Ordinance No. 2013-05(1120). The Motion was seconded by Councilman Stogdill. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for May 6, 2013.

ORDINANCES ON FOR ADOPTION:

BOND ORDINANCE 2013-04 (1119) PROVIDING FOR REPLACEMENT AND INSTALLATION OF WATER METERS, APPROPRIATING \$1,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,000,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, NEW JERSEY

Mayor LaCicero stated that the remotes on the water meters were damaged from the flooding. Unfortunately, you can not get those remotes separate from the water meters so we have to order some new water meters. FEMA will reimburse us the 75% which is a good thing.

A Motion was made by Councilman Horan to adopt Bond Ordinance 2013-04 (1119). The Motion was seconded by Councilman Stogdill. The Mayor opened the public hearing and asked if anyone wished to comment on this Bond Ordinance.

Jon Corney, 1 Newark Avenue, questioned if the water and sewer bills and the readings were all wrong because of the water meters not functioning properly.

Mr. Parlow stated that the meters are not malfunctioning; it is the electronic reading devices that are not functioning correctly. There are some meters that were frozen from the winter, but the balance of the meters are registering water usage.

Mr. Corney stated that his new water bill is showing him using 7,000 and yet he is not even in his house.

Mr. Parlow stated that if he calls Public Works they will send a reader to his house to reread the meter.

There were no additional comments from the public.

The Mayor closed public hearing and asked Council for a vote on Bond Ordinance 2013-04(1119).

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

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Lavallette Business Association-requesting to hold a Patriotic Bicycle Parade on the boardwalk on July 6, 2013 from 9 am to 11am

Mayor LaCicero stated that this time frame exceeds the hours that bicycles are allowed on the boardwalk by one hour. We will need a motion and a vote by Council to approve this parade.

Council President Zalom stated that most of our businesses are back and happy to be back. Everyone just wants some normalcy in town and get things back to the way they were. This is so the kids can have fun with all that has happened.

Mr. George stated that you will need to pass a resolution to allow this one event being that it goes past the 10am time limit.

A Motion was made by Council President Zalom to approve Resolution 2013-169 that would permit the Patriotic Bicycle Parade on the Boardwalk on July 6, 2013 from 9am to 11am. The Motion was seconded by Councilman Horan. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Councilman Lamb stated that he spoke with the Superintendent of Public Works today and he has asked that the summer garbage collection start date be pushed from May 6th to May 28th to give them more time for getting the town ready by Memorial Day.

A Motion was made by Councilman Lamb to approve the new summer garbage collection date from May 6th to May 28th. The Motion was seconded by Councilman Horan. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Councilman Horan read from the DPW Report stating that the boardwalk is done down to Jersey City Avenue. Summer garbage collection has been pushed back until May 28th. Please try and stay away from the people working up on the boardwalk and anywhere else in town. Stay safe and be careful. The irrigation systems at the ball field, park and gazebo have been completed. Still answering all customer calls on electric, water and sewer problems. There are still 55 transformers to complete but there were new ones installed at Reese, Camden and PNC Bank. The gazebo has all new electric that was done.

Councilwoman Filippone stated that the boardwalk is completed from Brooklyn Avenue north. She asked if the Council should do something about opening up the beach and boardwalk for pedestrians on those streets.

Councilman Lamb stated that is probably a good idea because Albert Marine will be done with his work by Friday and our guys will be done in a couple of weeks. We would have been done sooner but they ran out of hardware which pushed everything back.

A Motion was made by Councilwoman Filippone to allow access to the beach and boardwalk from New York Avenue to the north. The Motion was seconded by Councilman Stogdill. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

COMMENTS FROM THE PUBLIC:

Carmine Casciano, 137 Elizabeth Avenue stated that the sewers by his home are filled with sand and have been for some time. He informed Public Works about it and they told him it would be fixed soon. This has been going on for months and he would like these sewers cleaned out immediately.

Mayor LaCicero stated that they are not sewers they are storm drains and we have had many issues with all the storm drains being clogged. We have an interlocal with the County to clean them out so he is sure that it what the hold up has been.

Mr. Parlow stated that he will check on where the County is at with this and let him know.

Clem Boyers, 20 Kerr Avenue questioned if the town still had the 6pm curfew.

Mayor LaCicero stated that was changed a while ago to he believes 10pm. He will have to check with the Chief.

Mr. Boyers questioned if we will be getting calendars any time soon.

Mr. Parlow stated that the calendar was sent to the printer last week. Should have them out by this week or next week in the mail.

Margaret Astorino, 2 Elizabeth Avenue requested that the sign by her house says something positive about the town like Welcome or something nice like that.

Mr. Parlow stated that he would check on that for her.

Kathy Mango, Municipal Alliance Coordinator thanked Mayor and Council for their support all the time. She attends all the County meetings for Municipal Alliance and hears so many towns complaining about their governing body not supporting them so she really appreciates all the support. Even the staff and Chris Parlow are always very helpful and supportive. Thank you to all of you.

Bob Astorino, 2 Elizabeth Avenue questioned when the southern ocean blocks were going to get their streets repaved and fixed.

Mayor LaCicero stated that Earle Asphalt was awarded the contract and should be starting within the next week or so.

Mary Logios, 4 Sterling Avenue questioned if the speed limit will be reduced to 35 for the summer on Route 35 South.

Mayor LaCicero stated that the State was supposed to adhere right now to the summer speed limit of 35.

Mr. Parlow stated that it is 45 right now on Route 35 South.

Mayor LaCicero stated that he would speak to the Chief about it.

Mrs. Logios questioned who is responsible for cleaning the streets.

Mayor LaCicero stated that the town is and they use a street sweeper.

Mrs. Logios stated that her street is a mess and because it is so small and set back it is always forgotten and the storm drains in front of 15 Sterling are very clogged and it has a horrible odor.

Mayor LaCicero stated that he would call Public Works and let them know and with the new restoration project they will be getting new storm drains over there shortly.

Mrs. Logios stated that with regards to the raising of homes her street is so small there is really no room to put a house in the right away for four days. What will residents do on her street if they need to raise their homes.

Mayor LaCicero stated that the next meeting on May 6th is the public hearing on that ordinance so she should come to that meeting with those questions.

There were no additional comments from the public.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Council President Zalom stated that Saturday is the Beach Sweeps from 9am to 12 noon. The NY bus trip will be May 4th with pickup at the ball field. Lakehurst Color Guard will be at our Memorial Day Services and she thinks we have a speaker but he has to check his schedule first. All the exercise classes will be on the bay this year as usual. Our concerts and movies on the bay are all a go for the summer season as well.

Mr. Parlow stated that he had a meeting at the County regarding the wet debris update. The boaters need to be very careful in what they call the Lavallette Channel because there is a lot of debris still there.

Mayor LaCicero stated that the Lavallette Channel is between West Point Island and the bridge going over to Toms River and he has been told it is nearly impassable. Apparently, a bulkhead broke apart in that channel also.

Mr. Parlow stated that he had a webinar today and supposedly the working flood maps will be released to the municipalities the third week in May. He believes this is when we will know if there are any changes to the ABFE maps. We will post on our website the maps and any changes that have occurred. Understand, they say the 3rd week in May which in his opinion means the third week in June but this gives the municipality the opportunity to adopt as the best available data that we will have.

Mayor LaCicero stated that we will adopt those maps as soon as we get them.

Council President Zalom stated that Michele Donato had nominated the Borough of Lavallette for the Planning of Achievement Award and the Borough has won. Some of us will be going to that dinner to accept this award.

Mayor LaCicero stated that they are still looking for a possible location in Lavallette for the post office. Apparently, the building in Ocean Beach was not equipped for the amount of parking it needed. Denise Wirth is working very diligently to make sure we get our post office kept in

town. She has a TV station coming to troubleshoot the situation for us. Word is circulating that the post office officials are displeased with all the negative information.

EXECUTIVE SESSION:

There was no executive session.

ADJOURNMENT:

A Motion was made by Councilman Horan 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 7:59 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 meeting held on the **22nd** day of **April 2013**

Christopher F. Parlow
Municipal Clerk