

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTTE FIRST AID BUILDING
August 5, 2013-7:00 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
Eric M. Bernstein, 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 May 31, 2013. Notice was also posted on our municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for long time resident Bob Tynski who recently passed away and for all the troops overseas.

PLEDGE OF ALLEGIANCE: Councilwoman Filippone led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting.

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

Mayor LaCicero asked if anyone in the audience wished to comment on any items that were not on the agenda or if they could not stay for the remainder of the meeting could do so now.

Pat Marrone, 11 Elizabeth Avenue, Friends of the Lavallette Beautification Committee stated that Joe Baginski, a long time resident who recently passed away, was a volunteer extraordinaire and he was a member of their committee from the beginning. They would like to propose that a plaque go on the bench at the top of Trenton Avenue for him. He was involved in everything and was always grateful to help out with anything that was asked of him. She stated that Mr. Baginski took part in the development of the streetscape plan from the beginning and was just an all around great guy.

Mayor LaCicero stated that Joe will be missed by all.

Councilman Stogdill stated that on Monday, August 12th the Island Junior Baseball League will be presenting a plaque to the Baginski family honoring Joe for all his work with the League.

A Motion was made by Councilman Lamb to approve the installation of a plaque on the bench on the top of Trenton Avenue for Joe Baginski. The Motion was seconded by Councilman Borowski. Vote: All of Council was in Favor. The Motion Passed.

Agnes Baccarro, 102 Philadelphia Avenue stated that she is very proud to own property in Lavallette and thanked Mayor and Council for all they have done. She stated that the pavilions were always very important to her because her husband had a stroke but was still able to take his wheelchair up to the boardwalk and sit in the pavilion and still be able to enjoy the town, beach, weather and most of all was able to associate with people. Since the pavilions are gone now he sits on our porch by himself and it is very sad for him. We need those pavilions back. She asked what the plans are for replacing the pavilions.

Mayor LaCicero stated that stated that there is a lot of misinformation out there. The Borough is in a holding pattern right now waiting on the Army Corps to decide if the dune restoration project is going to happen. If the project is a go the dunes will be located 20 feet out from boardwalk and we can put the pavilions back where they were, but if they are only going to be 8 feet out from the boardwalk we will have to put the pavilions in different areas so we have no choice but to sit and wait for them to decide. FEMA will reimburse the Borough for their replacement. With this Army Corps project every street and access way will have a dune walkover and some will be handicap accessible as well.

Mrs. Baccarro questioned the time line.

Mayor LaCicero stated that the Borough could replace the pavilions in no time but we can not do anything until we hear about the project.

Mrs. Baccarro questioned in the meantime if they could come up with any type of temporary solution.

Mayor LaCicero stated that they have no solution at this time. If we accommodate her with a temporary solution we would have to accommodate the whole town with a temporary solution and we just do not have the time right now to accommodate every one with something temporary.

Councilwoman Filippone stated that there is a gazebo still standing on Bond Avenue, he might want to check that out.

Mrs. Baccarro stated that she would also like to see if something could be done about the two churches by her that start ringing their bells before 7am. This is a vacation town for everyone and yet we can not sleep past 7 am.

Mayor LaCicero stated that he will see if our noise ordinance could help her out.

There were no additional comments from the public.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES:

Regular Meeting of July 22, 2013

Bid Opening Minutes-Lifeguard Headquarters of July 26, 2013
Bid Opening Minutes-5K Metering Cubicle of July 26, 2013

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

REPORTS:

- a) Construction Report for July 2013-Councilwoman Filippone-read report
- b) Zoning Report for July 2013-Councilwoman Filippone-read report
- c) Public Affairs Report-Council President Zalom-The Cancer Walk went wonderfully on Sunday. Thanks to the Police for the help with that. The Borough still has all the exercise programs and concerts going on all summer and the movies on the bay are still going strong. We will be having fireworks at Founder’s Day and will be getting a full show for only \$1,050.
- d) Beach Badge Report for July 2013-Councilman Stogdill-read report
- f) Municipal Court Report of June 2013-Councilwoman Filippone-read report
- g) Certificate of Determination and Award of Bond Anticipation Notes-Chief Financial Officer -Mr. Parlow reported that the Borough needed to borrow money due to cash flow issues resulting from the delay in receiving reimbursements from FEMA. The Borough has sent claims but FEMA is slow with issuing the checks. These are still short term notes that will be paid off quickly. Mayor LaCicero stated that they should be paid off in no time. Mr. Parlow stated that the percentage rate for this loan is only 1%.
- h) Revenue Transaction Report for June 2013-Chief Financial Officer
- i) Tax Account Report for July 2013-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:

- 2013-258 approving the special event/facilities use application for American Detours to film their road trip web series with a vehicle mounted with their cameras on our roads on August 15, 2013 from 9am to 1pm
- 2013-259 denying the special event/facilities use application for NJ Surf Show to hold a bonfire on the ocean beach on July 26th or the first week in August
- 2013-260 authorizing the electric collector to remove one electric account at 147 Newark Avenue due to the two family becoming a one family

- 2013-261 imploring our Legislators to act to reduce the federal student loan interest rates- Council President Zalom stated that she believes the rates have already gone down.
- 2013-262 authorizing the Municipal Clerk to advertise and receive proposals for the assistance of a AICP/PP Licensed Professional Planner or professional consultancy firm with duly licensed professionals on staff to prepare a Strategic Recovery Planning Report in order to receive funding from the NJ Department of Community Affairs' Post Sandy Planning Assistance Program-Mr. Parlow stated that the DCA is giving a series of planning grants to municipalities for a number of items and one stipulation for this grant is to hire a professional planner to prepare this specific report. The grant will also pay for the Professional Planner. Councilwoman Filippone stated that there is also a subsequent grant with this that will have a professional also look at our code books for any inconsistencies.
- 2013-263 appointing Chris Coghlin as an EMT/lifeguard at an hourly rate of \$15.00 for the remainder of the 2013 summer season
- 2013-264 accepting the retirement of Michele Burk and authorizing payment of unused sick and vacation time
- 2013-265 authorizing the electric collector to adjust an electric bill from \$2,049.97 to \$21.73 due to an incorrect reset of the meter
- 2013-266 authorizing the Mayor to sign an application for special permit for social affairs to the Lavallette Volunteer Fire Company #1 for the sale of alcoholic beverages in conjunction with the Lavallette Founder's Day to be held on the Borough of Lavallette bay front grounds on September 7, 2013-Councilman Borowski requested that this resolution be put off consent.
- 2013-267 awarding a contract for reconstruction of the Lavallette Lifeguard Headquarters to NT & P Construction, Inc. in the amount of \$132,000
- 2013-268 authorizing the electric collector to transfer an over payment on an electric bill in the amount of \$187.89 to the water/sewer account for 102 Grand Central Avenue, Unit #6
- 2013-269 authorizing the electric collector to remove one electric account from 507 Grand Central Avenue due to two unit storefront becoming a one unit storefront
- 2013-270 rejecting sole bid for construction of 5KV Metering Cubicle Replacement and authorizing re-bidding-Mayor LaCicero stated that last summer in July their was a storm and our electric substation was struck by lightning and some things needed to be repaired. Mr. Parlow stated that the Engineer's estimate for the proposed work was \$50,000 and the only bid received was over double that amount so we are recommending that the bid be rejected and the project readvertized.

2013-271 authorizing a public hearing to consider tax-exempt financing for the Lavallette Volunteer Fire Company No. 1 to lease purchase a vehicle for the Lavallette Fire Company #-Councilman Borowski requested that this Resolution be put off consent.

2013-271A authorizing the award of a contract to Garden State Fireworks for a fireworks display to be held on September 7, 2013 in conjunction with our Founder's Day in the amount of \$1,050

A Motion was made by Councilwoman Filippone to approve the consent agenda minus Resolution No. 2013-266 and Resolution No. 2013-271. The Motion was seconded by Councilman Stogdill. The Mayor opened the floor to the public and asked if anyone wished to comment on the consent agenda. No one wished to comment. The Mayor closed the to the public 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:

2013-266 authorizing the Mayor to sign an application for special permit for social affairs to the Lavallette Volunteer Fire Company #1 for the sale of alcoholic beverages in conjunction with the Lavallette Founder's Day to be held on the Borough of Lavallette bay front grounds on September 7, 2013

A Motion was made by Councilwoman Filippone to approve Resolution 2013-266. The Motion was seconded by Councilwoman Filippone. The Mayor opened the floor to public comment and asked if anyone wished to comment on this resolution. No one wished to comment on this resolution. The Mayor closed the floor and asked Council for a vote on Resolution 2013-266.

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

2013-271 authorizing a public hearing to consider tax-exempt financing for the Lavallette Volunteer Fire Company No. 1 to lease purchase a vehicle for the Lavallette Fire Company #

A Motion was made by Councilwoman Filippone to approve Resolution 2013-271. The Motion was seconded by Councilman Stogdill. The Mayor opened the floor to public comment and asked if wished to comment on this resolution. No one wished to comment on this resolution. The Mayor closed the floor to the public and asked Council for a vote on Resolution 2013-271

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

APPROVAL OF VOUCHERS:

2013-272 Bills List in the amount of \$3,834,258.24

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

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Associates/Philip George, Esq/Abstentions from Voting on Council Matters/Received July 25, 2013
- b) Eric M. Bernstein & Associates/Jeffrey Ziegelheim, Esq/Malavarca, Mary Trust v. Borough of Lavallette/Received July 31, 2013

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell/Boardwalk Reconstruction/Pay Estimate #4/Received July 11, 2013
- b) O'Donnell, Stanton & Associates/John Berens/5KV Metering Cubicle Replacement/Bid Review/Recommendation/Received July 29, 2013
- c) O'Donnell, Stanton & Associates/John Berens/Reconstruction of Lifeguard Building/Bid Review/Recommendation/Received July 29, 2013

New Jersey League of Municipalities:

- a) New Jersey Supreme Court Orders New Trial in Harvey Cedars Dunes Case/Received July 8, 2013
- b) League Legal Services/Received July 9, 2013
- c) NJ Supreme Court Issues Decision in COAH Abolition Case/Received July 10, 2013
- d) Woodbridge Township Will Host the New Jersey Senior Olympic Games/Received July 10, 2013
- e) Roseff v. Byram Township on Spending Cap Law/Received July 11, 2013
- f) Super Storm Sandy HUD Financed Projects-Prevailing Wage Requirements under Davis-Bacon Act/Received July 15, 2013
- g) Deadline is August 4, 2013 for Submitting Sustainable Jersey Small Grant Proposal/Received July 16, 2013
- h) Reimbursement for Special Election Expense/Received July 17, 2013-Mayor LaCicero stated that this is in reference to the towns getting reimbursed for these two special elections.
- i) Governor Vetoes S-1778-Public Safety Workers' Compensation Bill Would Have Increased Local Costs/Received July 18, 2013
- j) Excessive Heat Advisory/Received July 18, 2013
- k) Not in New Jersey Municipal Bankruptcy Advocates: "California Dreamin"/Received July 19, 2013

General With No Action:

- a) The United States Conference of Mayors/Revolutionary Plan Changes that Will Save Your Employees Money/Tom Cochran, CEO/Received June 10, 2013
- b) State of New Jersey/Office of the Governor/Chris Christie, Governor/Fiscal Year 2014 Budget/Received June 13, 2013
- c) Ocean County Health Department/Daniel Regenye, Coordinator/Mold Programs throughout the County/Received June 13, 2013
- d) Jersey Professional Management/Dan Mason, President/Assisting other Municipalities/Received June 13, 2013
- e) State of New Jersey/Department of Environmental Protection/Permit for 2013 pursuant to the NJ Safe Drinking Water Act/Route 35 Restoration Project/Received June 18, 2013
- f) Smith Chiropractic/Jersey Strong Project/Dr. Patrick Smith, Chairman/presented the Borough of Lavallette with a check for \$1,000/Received June 25, 2013
- g) State of New Jersey/Department of Community Affairs/Thomas Neff, Director /anticipated award to the Lavallette School in the amount of \$63,000/Received June 28, 2013-Mr. Parlow stated that the school has decided to accept this grant and it will help with property tax relief.
- h) Lavallette Heritage Committee, Inc./Margaret "Joy" Grosko/submission of resignation from the Lavallette Heritage Committee/Received July 8, 2013-Mayor stated that the whole town was very sad to see Joy go.
- i) Ocean County Health Department/John Protonentis, Coordinator/2014 Solid Waste Control Program/Received July 9, 2013
- j) Ocean County Utilities Authority/Joanne Kazanowsky, Exec. Assistant/Bulk Rates for 2014/Received July 9, 2013
- k) Cablevision/R. Thurman Barnes, Area Director/Rebrand of DVR Plus to Multi-Room DVR & Launch of Multi-Room DVR New Storage/Received July 11, 2013
- l) Scangarello, LLC/Thomas Scangarello, P.P./Funding Opportunities/Received July 11, 2013
- m) State of New Jersey/Department of Transportation/Chris Christie, Governor/NJDOT Transportation 2014 Grant Aid Applications/Received July 11, 2013-Mr. Parlow stated that this is a grant for the next round of road improvements. The next scheduled road is Newark Avenue so we need another suggestion for the second. Mayor LaCicero questioned that being that we are going to have a lot of construction going with the Route 35 restoration project if we choose a road now can we switch it after the fact. Mr. Parlow stated that he believes that would not be a problem. Mayor LaCicero stated that we do not want to choose a road that is scheduled for new storm drains. Council President Zalom stated that she is going to be contacting the State about a grant to paint crosswalks and bike paths. Mayor LaCicero stated that the State was adamantly opposed to having too many crosswalks painted on the highway. Councilwoman Filippone stated that the Chief put a request in to the State requesting more crosswalks and they denied the request. Councilman Lamb stated that he would prefer fewer crosswalks then more because they pose more of a danger than safety.
- n) NJ Bankers/Michael Affuso, Exec. Vice President/Property Preservation Specialists/Received July 12, 2013

- o) State of New Jersey/Department of Transportation/Chris Christie, Governor/Lavallette Received Funds in the amount of \$225,000 for road improvements to Virginia Avenue/Received July 15, 2013-Mayor LaCicero stated that this is the grant that they denied us for first and then Council President Zalom did her magic and now we were given the money.
- p) First Energy/Gwen Priester, Supervisor/Notification of Disconnects/Received July 16, 2013
- q) Cablevision/R. Thurman Barnes, Area Director/NTD New York Channel Removed from the Chinese Package and a Reduced Monthly A La Carte/Received July 16, 2013
- r) Ronald & Elaine Deramo/206 Haddonfield Avenue/Dangerous Electric Transformer and Pole Safety Issue with Jersey Central Power & Light/Received July 17, 2013-Councilman Horan stated that this situation was completely resolved.
- s) Vincent Foti/502 Grand Central Avenue/USPS Not Returning to that Location/Received July 18, 2013-Council President Zalom stated that Mr. Foti just wanted to set the record straight that he was not the reason why the post office could not move back to their previous location. The Postal Service advised him that they would not be returning.
- t) New Jersey Department of Environmental Protection/Immediate Release/Island Beach State Park to Host "Harvest the Bay" Festival/Received July 22, 2013
- u) Municipal Excess Liability Joint Insurance Fund/David Grubb, Exec. Director/September 1, 2013 Deadline for submitting all property flood loss claims for the Borough/Received July 23, 2013
- v) Sherry & Jim Varrato/117 White Avenue/thanking Mayor and Council for the excellent manner the Borough responded to the storm/Received July 24, 2013-Mayor LaCicero stated that we appreciate the thanks from everyone that gives it. Council President Zalom stated that everyone tells her how wonderful the notification system is and how it keeps them informed all the time. Mr. Parlow stated that before the storm we had 2,000 residents registered, that amount is now over 6,000.
- w) Congress of the United States/House of Representatives/Jon Runyan, Member of Congress/Health & Wellness Fair for Seniors on July 29th/Received July 24, 2013
- x) Insurance Services Office/Amanda Gowans, ISO/CRS Specialist/Preliminary Results Regarding Credits for your CRS Modification/Received July 25, 2013
- y) Jersey Central Power & Light/Sally Cheong, Manager/Annual Universal Service Fund Compliance Filing/Received July 25, 2013
- z) State of New Jersey/Department of Transportation/Route 35 Reconstruction Project/property owners inadvertently encroaching on the State's right of way over time/removal of anything of value within the State's right of way/Received July 25, 2013-Mayor stated that if anyone in the right of way has anything of value remove it right away. On the southbound highway the right of way is 15 feet in from the curb. The good thing is all the site obstructions will be removed for drivers.
- aa) Bathgate, Wegener & Wolf/Lawrence Bathgate/Proposed Deadlines, Claim Procedures and the Problem with Sub-limits within Zurich Insurance/Received July 26, 2013-Mr. Parlow stated that there is a couple of letters on correspondence from this firm and they have proposed to assist the Borough with insurance claims from Sandy. In addition to a retainer, they would receive 10% of the proceeds received from the Borough's insurance carrier. He felt that the Borough could submit our own claims. We have a very good handle on our claims and policies and are not looking to move forward with this

proposal. Mayor LaCicero stated that the Borough has no strong need for this proposal thanks to Mr. Parlow.

- bb) Ocean County Department of Solid Waste Management/Ernest Kuhlwein, Jr., Director/Tonnage during the period January 1, 2013 through June 30, 2013/Received July 29, 2013
- cc) Lavallette Heritage Committee/Pam Maguire, Treasurer/donation of \$3,500 thanking the Borough for the work that has been done putting the town back together/Received July 29, 2013-Mayor thanked the Heritage Committee for the generous donation.
- dd) Route 35 Rebuilding Project Must Include Bike Lanes/John Boyle, Bicycle Coalition/Received July 29, 2013
- ee) Denise Wirth/1606 Grand Central Avenue/design feedback and suggestions for the proposed Borough Hall/Received July 31, 2013-Mayor LaCicero stated that most of these recommendations and suggestions have been incorporated in the building design.
- ff) State of New Jersey/Department of Environmental Protection/Fawn McGee, Chief/Green Acres Program/Joanne Andreach/2500 Ocean Front/Received July 31, 2013
- gg) Phoenix Advisors, LLC/David Thompson, CEO/Debt Management Plan/Received July 31, 2013
- hh) State of New Jersey/Department of Environmental Protection/ Cindy Randazzo/USDA-NRCS Offers Easement Program in Sandy-Ravaged Areas/Received July 31, 2013
- ii) Bathgate, Wegener & Wolf/Lawrence Bathgate, Esq/Responder Turnout Gear/Insurance paying for first responder gear primarily for firefighters/Received August 1, 2013
- jj) Bathgate, Wegener & Wolf/Lawrence Bathgate, II/Binding Claims Process/Received August 2, 2013
- kk) State of New Jersey/Department of Community Affairs/New Federal Guidance on Sandy Recovery Reimbursements/Received August 2, 2013

General With Action:

- a) Bob & Peggy Rehm/118 New York Avenue/requesting that the Borough replace the pavilion on New York Avenue ocean side/Received June 12, 2013-Mayor LaCicero stated that at some point it will all be rectified.
- b) Clean Ocean Action/Macailagh McCue, Coordinator/requesting permission to set up a COAST table on the boardwalk for four hours each on August 17th and August 18th/Received June 12, 2013-Mayor LaCicero stated that this is an annual request and is OK'd.
- c) Monmouth University Polling Institute/Timothy Tracey, Research Associate/requesting assistance on tracking displaced homeowners in Lavallette/Received June 18, 2013-Mayor LaCicero stated that there is no such list that we have and he does not quite know how we could find this information
- d) Robert & Theresa Mikalouskas/121 Trenton Avenue/requesting Lavallette advise him how he can get his black top and curbs repaired/Received July 19, 2013-Mr. Parlow stated that there will be another review by the Engineer relating to storm damaged roadways and curbs and determining which roads need to some spot repairs.

- e) Raymond Bober/1600 Grand Central Avenue/requesting to know who is responsible for the curbing and sidewalks in the Borough/Received July 23, 2013-Mr. Parlow stated that the State's Route 35 Project will be addressing the sidewalks along the highway.
- f) Ann Marie O'Neill/1 Liggett Road/requesting their water bill be limited to the month of May instead of June due to the disconnect and the demolition of the home/Received July 25, 2013-Mayor stated that the bill will be adjusted accordingly. Mayor LaCicero stated that the Borough will be replacing all the water meters very soon. Mr. Parlow stated that it is very important to send a letter along with a \$250 check to the Public Works if you want your water shut off at the curb. That is the only way you will not get charged the minimum charge. Mayor LaCicero stated that every homeowner is still responsible for the capital infiltration charge which is per lot.
- g) International Brotherhood of Electrical Workers/Robert Lenox, Exec. Board Member/requesting a meeting with the Mayor/Received July 26, 2013-Mayor LaCicero stated that he would take care of this.
- h) Kazem Behnam/2304 Ocean Front/requesting a response on whether the Borough is going to maintain the beach access between Trenton and Newark Avenues or if they are going to return to the access plan pre storm locations/Received July 31, 2013-Mayor LaCicero stated that it will remain like this for this year. We will have to see what happens next year. We are hoping to have our normal accesses by next year.

UNFINISHED BUSINESS:

James Peeney, 235 Westmont Avenue requesting to hold a block party at the cul de sac on Westmont Avenue on August 24, 2013 from 3pm to 8pm

Councilwoman Filippone stated that it seems that they are not going to be blocking the driveways and access to emergency vehicles. Just advise them to keep the fire hydrants clear also.

A Motion was made by Councilwoman Filippone to approve the block party on August 24th. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Councilman Borowski questioned if Council would discuss action regarding the grandfather clause regarding the flood insurance program.

Mr. Parlow stated that he has that resolution ready it just did not make it on the agenda. He stated that he could retrieve the resolution from his office if the Council wished to move it forward.

Mayor LaCicero stated that while he is doing that Councilwoman Filippone would show the municipal building to the audience and get some ideas on the design.

Councilwoman Filippone laid out the four designs of the front of the municipal building and asked the audience what designs they liked the best. The audience liked the curved roof, the arched windows, fewer pillars and no garage doors.

The Mayor asked if anyone in the audience wished to comment or give some ideas.

Gary Hunsinger, 8 Philadelphia Avenue questioned if the new building was going to be built with the correct flood elevation.

Mayor LaCicero stated that it would be built to the correct elevation.

Clem Boyers, 20 Kerr Avenue questioned if there was still talk about a bank going in there also.

Mayor LaCicero stated that there would be no bank due to not being able to accommodate a drive thru area.

Barbara Susinno, 1 Pennsylvania Avenue questioned if there were going to be windows on the sides and the back of the building.

Mayor LaCicero stated that there would be windows on the sides and the back of the building.

Mr. Bernstein stated that for the record these are just preliminary plans of the building. They are not finalized as of yet.

Joan Brackman, 10 Pennsylvania Avenue stated that she hopes it does not look like the Rite-Aid Building. She would like to see some more rounding of the edges.

Mayor LaCicero stated that there will some cement cornices to round off the roof.

Sue Crowley, 2206 Baltimore Avenue stated that the squared off top was to make the building look more historic. It is called federal architecture with the columns, the peak roof and the dental molding. She stated that you will lose the effect if you go wider than taller.

Councilwoman Filippone thanked Mrs. Crowley for her help with the drawings that she did.

NEW BUSINESS:

Marine Science Camp-Sherri Paris requesting to hold a Marine Science Camp mostly on the bay front from July 29th through August 16th 2013

Mayor LaCicero stated that he spoke to Mrs. Paris and she was concerned about the fees that she would have to give to us. She is in the process of becoming non profit but it will not happen this year. She was wondering because it is for educational purposes if we could make an exception.

Councilwoman Filippone stated that it is an ordinance and there can be no exceptions. Once she gets her non profit status she will not have to pay the fees.

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

Suburban Camp, LLC, Robert Hoffman requesting to use our basketball courts down at the bay front for a basketball camp from August 19, 2013 through August 23, 2013 and August 26, 2013 through August 29, 2013 from 9am to 12noon.

Mayor LaCicero stated that he had a camp in July already and it seemed to run smoothly.

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

US Strong requesting to put an information table on White Avenue on August 10, 11, 17, 18, 24, 25, and 31st and September 1, 7, 8, 14 and 15th 2013 to talk to citizens about their experience with Hurricane Sandy

Councilwoman Filippone stated that some of the dates are Labor Day Weekend and why White Avenue.

A Motion was made by Council President Zalom to approve US Strong. There was no Second Motion on this. The Motion Failed.

COMMENTS OF THE PUBLIC:

Susan Koch, 119 Camden Avenue stated that some balusters are loose and nails are exposed on the gazebo at the top of Bond Avenue. She stated that for Founder's Day they are doing some commemorative programs with ads and boosters. Kohr's, the new ice cream place in town gave them a generous donation of \$2,000 to put towards the amusements for the kids. She also stated that they are ceasing the "Buy a Board" program as of September 7th. To date, they have sold 1,342 boards. She stated that some people have been filling in the letters on the boards with a black sharpie. She stated that they would appreciate it if people did not do that. These boards are the Borough's property and nobody should be touching them.

Margaret Astorino, 2 Newark Avenue stated that she has a board up on the boardwalk and you can not even see what it says and yet the one above her you can read perfectly. She said that she was going to use a marker tomorrow and fill it in.

Councilwoman Filippone stated that these boards are Borough property and it is vandalism if they use a marker to fill in the letters.

Mrs. Astorino stated that it is unfair to the people who purchased the boards that can barely be seen or read.

Jack Sauer, 405 Bay Blvd. thanked Council for the resolution on the grandfather clause. He questioned the three vehicle access points to the beach and how people will be able to access once the army project is complete.

Mayor LaCicero stated that they are talking about going up and over the dune with gravel.

Mr. Sauer stated that on Guyer Avenue at the Liccardi properties there are waste management bags that have been sitting there for weeks. He stated that there are boards on the boardwalk in front of 1206 Ocean Front that are not nailed down. He also questioned if we have a cap on paying back sick and vacation time to employees that retire.

Mr. Parlow stated that we have a cap on 30 sick days and one year on vacation time.

Mr. Sauer stated that there is no sign that says Dover Avenue just 1st Avenue for Ortleigh Beach. Some of the street is Dover Avenue in Lavallette and people should know that.

Councilman Lamb stated that he took all his information down and would advise public works.

2013-271B urging Congress to repeal those portions of the Biggert Waters Flood Insurance Reform Act of 2012 deleting grandfathering of residences which meet prior flood insurance standards

A Motion was made by Councilman Borowski to approve Resolution 2013-271B. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

There were no additional comments from the public.

Mayor LaCicero closed the floor to public comment.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilwoman Filippone stated that the amount of receptacles on the beach and the street ends is still not sufficient enough. There are no covers for the cans and the garbage is still overflowing onto the boardwalk and the beach and the seagulls are going crazy. We still did not get an answer on whether or not the lifeguards were going to change the garbage bags mid day like they did previous years. She thinks that we should take the cans off the beach and add more on the street ends so the people can take their garbage with them off the beach.

Mr. Parlow stated that if we buy more receptacles for the beach or boardwalk they will not be reimbursable by FEMA and these receptacles took six weeks to get to us.

Councilman Lamb stated that he spoke to the lifeguard captain and he said that they would change the bags so he does not know why it is not being done yet. He will talk to the captain again.

Councilman Borowski questioned if maybe the DPW guys could make one final sweep at the end of each day.

Councilman Lamb stated that probably would be fine but the lifeguards are here until 6 so he does not see why they can't do it.

Mr. Parlow stated that the hard part is that no one can drive the beach during the day because there is not enough room, they would have to drive the boardwalk and that also creates a problem.

The Mayor questioned if maybe the clean communities kids could go up and do before they leave everyday.

Councilman Lamb stated that he would check on it.

Councilman Horan stated that the issue at 206 Haddonfield regarding the pole has been rectified. J C P & L has enhanced power call centers for people to call with problems. He has some hand outs for everyone if they would like some after the meeting. He stated that there are people who seem be cutting the dune fencing up at the beach to make a walk way for themselves. That is illegal and if caught they will be arrested and prosecuted. All the pad transformers have been replaced.

Councilman Borowski stated that he wanted to give the lifeguard captain Bob Tormollan and the lifeguards credit with their mile swim and how professional it was handled. They did a marvelous job.

Council President Zalom stated that she has spoken to some contractors who would like to give some donations towards Founder's Day. She also stated that some residents were complaining to her about these damaged homes that are just sitting there and not being touched. She asked if there is anything we can do to get them to do something.

Mr. Bernstein stated that he will talk to Mr. Parlow about different options that the Borough can take.

Councilwoman Filippone stated that there are street signs on West Point Island that are missing. She asked if it is the County's or Lavallette's responsibility to replace missing street signs.

Councilman Lamb stated that he believed we take care of that and he will put it on his list for Gary at Public Works.

Mr. Parlow stated that the State has come up with a process sheet regarding the REEM grant program with a step by step approach. He will make sure it gets on our website for the residents. Also, the special election primary is August 13, 2013, which is next Tuesday for the vacant US Senate seat.

Mayor LaCicero welcomed Mr. Bernstein to the meeting.

Councilman Horan stated that we will be receiving FEMA money for at least 2.3 million dollars for electrical services.

EXECUTIVE SESSION:

There was no executive session.

ADJOURNMENT:

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

The Caucus/Regular Meeting was adjourned at 9:06 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 **5th** day of **August 2013**

Christopher F. Parlow
Municipal Clerk