

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE FIRST AID BUILDING
Monday, September 16, 2013-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Eric Bernstein, 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 May 31, 2013. Notice was also posted on our municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Malcolm Stogdill, a long time resident of Lavallette and Councilman Stogdill's grandfather, Ben Keiser, a resident of Lavallette who was not yet back in his home and for Mark Willis, a former Councilwoman's grandson who died tragically over the weekend. Also, for the victims of the Navy Yard shooting this morning.

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

MAYOR'S WELCOMING STATEMENT: The Mayor thanked everyone for coming to tonight's meeting. He thanked the Founder's Day Committee for all they did to make that day so fantastic. He stated that at Founder's Day the committee gave out some plaques to some employees. One was for Bob Tormollan our lifeguard captain for 50 years of employment on the beach and one was for Mr. Parlow. We were the first town to get our paperwork into FEMA after the storm and that credit is owed to Chris for doing such a fantastic job with the paperwork. The Administration staff does not get enough credit for all they do. We were the first town to receive our reimbursements back thanks to Chris. We can not thank him enough for all he has done. He has gone above and beyond for this town and we truly appreciate it.

Mr. Parlow thanked everyone for the plaque but stated that this plaque should go to all the volunteers and employees in town who did an outstanding job during and after the storm. To all the police who did not leave their command post until the water came rushing into their building, to all the public works who stayed during the storm to make sure everything was ok. To all the volunteers who stepped up immediately and helped out any way they could. To the electric department for being able to get our electricity up within weeks after the storm. He also thanked the entire Administration staff for all their hard work and for putting up with him.

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.

Nora Shepherd, Safe Routes to School National Partnership stated that their goal is getting kids to school safely. They strive to make sure all streets are designed for all users. With the NJDOT Route 35 Reconstruction Project, the State was given emergency funding to repair the highways and they are in the final stages of design. They are strongly considering adding bicycle paths on both highways for the safety of all pedestrians.

Mayor LaCicero stated that he met with the DOT the end of last week and we are in the process of approving a bike plan for the north and south highways.

Council President Zalom thanked Nora for getting involved in this progress.

Pete Frampton, 103 Camden Avenue stated that at the public hearing with the DOT a couple of weeks ago they stated that sidewalks and bike ways are required.

Mayor LaCicero stated that the Borough supports sidewalks and bike paths and we asked for a sidewalk on Route 35 South.

Councilwoman Filippone stated that when she spoke to the DOT they told her that it was impossible to put a sidewalk on Route 35 South because there was not enough space for it.

Mr. Frampton stated that he wrote a letter to the commissioner and the letter he received back from the commissioner stated that Lavallette did not want the sidewalks and bike paths.

Mayor LaCicero stated that was definitely untrue. He asked Mr. Frampton for a copy of both letters. He stated that the Borough of Lavallette will continue to fight for sidewalks and bike paths.

APPROVAL OF CLERK'S MINUTES:

Caucus/Regular Meeting of September 3, 2013

Executive Session of September 3, 2013

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

RESOLUTIONS-ON CONSENT:

2013-300 approving the submission of a grant application and execution of a grant agreement with the New Jersey Department of Transportation for the Vance Avenue Road Improvement Project-Mayor LaCicero stated that these are the two streets that will be next after Virginia Avenue

- 2013-301 authorizing the refund of an overpayment of 3rd quarter taxes in the amount of \$917.68 for Block 1115 Lot 2 Qual C02

- 2013-302 amending and supplementing the contract with Witt/O'Brien's Associates for emergency response and disaster recovery consulting services (State Contract)- Mr. Parlow stated that we are at a critical junction with the processing of FEMA claims. The system that FEMA requires for the submission of claims is a web based system that allow for the processing of the project worksheets so we are going to need the expertise of this consulting firm again to make sure we get a 100% of our reimbursement. Mayor LaCicero stated that we were warned from the beginning that we would see the reimbursements flow in the beginning and but they would start getting tight at the end so we need all the help we can get. Mr. Parlow stated that the costs incurred with the consulting firm will also be reimbursed from FEMA. Councilman Lamb questioned if we were happy with Witt. Mr. Parlow stated that we were the first to hire them in the State of New Jersey and they were a tremendous help. Mayor LaCicero stated that the State also hired them after us.

- 2013-303 approving the submission of a grant application and execution of a grant agreement with the New Jersey Department of Transportation for the Guyer Avenue Road Improvement Project

- 2013-304 approving a special event/facilities use application to Corey Jones to hold fall ball games in September and October at our baseball field

- 2013-305 authorizing police jurisdiction over the premises of Gabriella's Restaurant and its ABC licensed premises

- 2013-306 authorizing Mayor LaCicero to sign and execute an interlocal service agreement between the Borough of Lavallette and the Ocean County Prosecutor's Office to participate in the Ocean County Prosecutor's Program for the year 2014

- 2013-307 authorizing the electric collector to remove one electric account at 121 Virginia Avenue due to a two family dwelling becoming a one family dwelling

- 2013-308 authorizing the electric collector to adjust an electric bill to the correct amount of \$2,021.30 for 1205 Grand Central Avenue

A Motion to approve the consent agenda was made by Councilman Horan. 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.

Joe Palinsky, 122 Washington Avenue questioned if the police will be patrolling the ball field when this is going on to make sure there will be no tail gating and drinking.

Mayor LaCicero stated that they would be patrolling as they always do.

There were no additional comments from the public.

The Mayor closed the floor 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.

RESOLUTIONS-OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2013-309 Bills list in the amount of \$3,929,959.48

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

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Council President Zalom stated that she would like a resolution drawn up accepting the DOT'S plan for the bike ways on Route 35 North and South.

A Motion was made by Council President Zalom to approve the plans for the bike path along Rt. 35. The Motion was seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Requesting the use of the First Aid Building October 25, 2013 to hold our Halloween Harvest Hoedown and also to request the First Aid Building for our Tai Chi and Yoga every Tuesday at 10am and 7:30 pm until June.

Council President Zalom stated that there are not many buildings for us to request the use of since the storm for our recreation programs. We would like to use this building on October 25th for our Halloween Harvest Hoedown as we do every year and also for our exercise programs such as tai chi and yoga on Tuesdays through June. So she would like to send this letter to the First Aid from Mayor and Council with this request.

All of Council was in favor of sending the letter.

Councilman Borowski stated that he was asked if the town required an erosion prevention device regarding demolitions and if not could we recommend it or do it by resolution. With all the demolitions being done around town some people say that watering down the house before demo would prevent toxins from filling the air such as asbestos.

Mayor LaCicero stated that he did not know if we required a silk vent with a demolition but he would look into and find out.

Mr. Parlow stated that he would check with the construction department on that. It might already be required but we will have to check on it.

Mr. Parlow stated that Public Works has started the process of rebuilding the dune. They will be using heavy equipment to do this. In the meantime, the DEP has approved the use of the sand that was dredged out of the bay and there is 20,000 cubic yards that is available to the Borough and they are looking to start moving that sand as quick as tomorrow.

Council President Zalom stated that she has asked Mr. Parlow to see if we could get double the allotment of dune grass from the County this year.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue questioned if the political clubs could start using the First Aid also for their meetings. It has been difficult for the Republican Club to conduct our monthly meetings because we have no where to hold them.

Mayor LaCicero stated that he would see what he can do. He will speak to the Fire Department and the First Aid and see what they say.

Mark Speaker, 111 Brown Avenue, President of Lavallette Business Association stated that Founder's Day was so awesome and it was an honor to be the chair of that committee that made it such a fantastic day. He thanked all the departments that helped out and hopes we can do it again next year.

Mayor LaCicero thanked the committee, also.

Susan Koch, 119 Camden Avenue stated that she hopes when they are moving the sand up to the beach with that heavy equipment that they do not damage the boards that people paid for.

Mr. Parlow stated that he will make sure that they are handled with care.

Joe Palinsky, 122 Washington Avenue stated that if they need help with moving sand they can use that big green military truck outside. He also stated that the First Aid Squad cannot be political in any way and that is why they can not hold their Republican Club meetings there.

Al Jones, 113 Reese Avenue stated that the traffic disruption was not good for Founder's Day and the music was extremely loud. However, it was an incredible event and he appreciates the

businesses in town and what they provide. We need to start doing something legal about the people walking on the dunes. There was a gap in the snow fence on Vance Avenue and people were walking on our dunes. Also, with the large amounts of concrete and pavement leaving this town every day maybe we can use it as a base for our dunes.

Mayor LaCicero stated that he is not in favor of rubble and debris being put on our beaches and besides we are still unsure where the new dunes will be for the project.

Gary Hunsinger, 8 Philadelphia Avenue stated that putting concrete up there was not a good idea because if we have a bad storm all of that rubble will make its way into peoples properties and houses. He stated that it was not a good idea.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Mayor LaCicero stated that there are lots of road closures and detours all over town. We are trying to alleviate the problems as quick and painless as possible. We already requested they make the path a little larger with driving down the highway and that is what we are waiting on. We appreciate all the patience that you have.

Councilwoman Filippone stated that she would like to congratulate the Fire Department on helping fight the Seaside Park fire. They even came back from Wildwood to help out. Also, Patrolman Adam LaCicero was called to a house fire on Bay Beach Way and was able to put the fire out before the Fire Department got there. He used a fire extinguisher and then got the garden hose. The fire started from a deck light that apparently had some faulty electrical problems. It is very important to make sure all the electric in your house is either all checked or replaced since Sandy. Fire Chief Art Reece states that the damage done to your electric from Sandy does not show up right away so make sure everything is checked and replaced if needed.

Councilman Stogdill thanked Mayor and Council for the flowers for his grandfather. He stated that this town brought great joy to his grandfather as well as his grandmother.

Council President Zalom stated thanked Mayor and Council for allowing the Sabarese Family to repair the gazebo that was donated by their parents many years ago. We will have our last beach sweeps of the year on October 19th. The Mayor and her were at the grand opening of the library on the 7th. She stated not to forget about our tree lighting at the school on December 7th.

EXECUTIVE SESSION:

Mr. Bernstein stated that there is a need to go into executive session to discuss two issues regarding personnel matters regarding the Police Chief and an Administration employee. 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 Councilman Stogdill. Vote: All of Council was in favor. The Motion Passed.

The regular meeting was adjourned at 8:25 pm to go into executive session.

A Motion was made by Councilman Horan to come out of executive session and reconvene the regular meeting. The Motion was seconded by Councilman Stogdill. Vote: All of Council was in favor. The Motion Passed.

Mr. Bernstein stated that while in executive session there were some personnel discussions to give Mr. Parlow some direction regarding the Chief of Police's status and to give him some direction regarding Lauren Grogan's move to a full time position. There was no action taken at this time.

ADJOURNMENT:

A Motion was made by Councilman Stogdill to adjourn the regular meeting. The Motion was seconded by Councilman Lamb. Vote: All of Council was in favor. The Motion Passed.

The Regular Meeting was adjourned at 8:57pm.

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 16th day of **September 2013**

A handwritten signature in black ink, appearing to read 'Christopher F. Parlow', written over a horizontal line.

Christopher F. Parlow
Municipal Clerk