

**BOROUGH OF LAVALLETTE (minutes)**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE FIRST AID BUILDING**  
**Monday, February 24, 2014-7:00 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 January 24, 2014. Notice was also posted on our municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Faustino Rubino of 22 Reese Avenue, a long time resident who passed away last week; Carmen Hart, who is the sister of Council President Anita Zalom also passed and for all the troops overseas.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor thanked everyone for coming out to tonight's meeting. He stated that he sees a lot more faces at tonight's meeting that he has seen at most other nights. He stated that he thinks it has to do with the situation that happened over the weekend with the traffic gridlock between the nice weather and the road construction. He stated that he has had numerous meetings with the NJ DOT and they have reassured him that most of this will be cleaned up by Memorial Day. He stated that according to the NJ DOT, Route 35 North in the B2 district will have two highway lanes open and no shoulder disruption and the B1 district will have two lanes open with only one shoulder disrupted from Memorial Day to Labor Day. He stated that he does not foresee there being any problems on Route 35 North; he believes that the side streets will be impacted the most. He stated that today he spoke with the NJ DOT and told them that the contractor needs to start cleaning up all the equipment that is being stored on Borough properties, as well as, on some private properties. The NJ DOT asked us to give them a week to start cleaning the side streets and removing their equipment and materials. He stated that he and the Chief went around today to survey the construction and in their opinion they just need to take care of two areas in order to alleviate the traffic pattern and flow. There are two lanes leaving Seaside Heights that if they would pave that lane would help and the causeway by the TD Bank can be paved it will increase the flow off of the island. Just those two areas will alleviate the island's problems. The Governor's Office is one hundred percent behind our suggestions we will stay on top of this.

Councilman Lamb questioned the one lane in Mantoloking and how they promised that was going to be two lanes for the summer. He asked if that was still going to happen.

Mayor LaCicero stated that he is unsure about that and was not told anything about Mantoloking. We need to just focus on Lavallette and the easiest way to get in and out.

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

Mayor LaCicero asked if any one 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.

John Scarcella - 106 Coleman Lane. He questioned if we have heard anything on the preliminary maps for Ocean County. He stated that the preliminary maps are online for Monmouth County.

Mayor LaCicero stated that he knows there is supposed to be a public hearing on the maps but we only have those couple of houses in the V zone so he is not sure we are going to be involved as much as other towns. He stated that Mr. Scarcella should speak to them on a personal level.

Mr. Scarcella stated that if he brings back any data will the Borough support him.

Mayor LaCicero stated that they will absolutely support him.

Brian Pantano, 1400 Ocean Front. He questioned how the beach openings are going to be this year. He stated that the amount of traffic on the open street ends is just unbelievable and he was just wondering if they were going to alternate them this year.

Mayor LaCicero stated that right now we are working on putting the pavilions back up there. We leave the streets that are going to be open to our beach captain. We also have the Army Corps project starting in the Fall. The Army Corp plan includes an assessway at each street end.

Mr. Pantano also questioned how long an ice cream vendor can ring his bell. He stated that he has had a lot of problems with them this year due to the decrease of street openings and the increase in the dunes.

Mr. Bernstein stated that the problem is noise versus free speech and has always been an issue. We are trying to find a happy medium. We are looking at trying to find some type of restriction with length and duration.

Mr. Pantano stated that on Long Beach Island the vendors have a hand held bell. Maybe we could try and implement something like that. Also, is there anyway to enforce the emissions on these trucks. One of them last year was so bad it was making us sick.

Mayor LaCicero stated that the emissions are state mandated and that has to do with vehicle inspections. We can look into enforcing some type of safety inspections with us.

Marty Morales, 103 Grand Central Avenue stated that as a business owner he appreciates all the work that Mayor and Council does for the residents and business owners. He questioned why the B2 district was the only district where the streets would be mostly clear.

Mayor LaCicero stated that he thinks it's because it is a business district and that is where most of the people will be but he is unsure of that. The problem is going to be the side streets and we need to focus on them.

**APPROVAL OF CLERK'S MINUTES:**

Caucus/Regular Meeting of February 10, 2014  
Executive Session Minutes of February 10, 2014

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

**RESOLUTIONS-ON CONSENT:**

- 2014-72 approving the use of our Borough facilities for Founder's Day 2014 festivities to be held on September 6, 2014-Mr. Parlow asked that we include September 7, 2014 as the rain date also.
- 2014-73 authorizing Mayor LaCicero to sign and execute the State of New Jersey, Department of Transportation Utility Agreement Modifications and to execute the Buy America Commitment Letter.
- 2014-74 authorizing the Mayor and Municipal Clerk to execute the grant agreement with the Ocean County Cultural and Heritage Commission-Mayor LaCicero stated that Council President Zalom would be proud to talk about this grant for the concerts.
- 2014-75 approving a facilities use application to National MS Society to allow the bikers to ride through Lavallette and also use the Centennial Gardens parking lot as a rest stop on May 17, 2014 between 8am and 4pm-Mayor LaCicero stated that this is an annual request.
- 2014-76 authorizing an application to obtain a zoning code enforcement grant from the NJ Department of Community Affairs.
- 2014-77 authorizing the Mayor and Municipal Clerk to execute an agreement with CodeRed (Global Connect) for the renewal of the emergency notification service contract for 2014-Mayor LaCicero stated that this is our renewal for our emergency notification system which has helped us out a lot.
- 2014-78 authorizing the approval of a social affairs permit application to the Lavallette Fire Department for the sale of alcoholic beverages in conjunction with Lavallette Founder's Day 2014 festivities to be held on September 6, 2014.

A Motion was made by Councilman Borowski to approve the consent agenda. The Motion was seconded by Councilman Stogdill. The Mayor opened the floor to public comment and asked if anyone wished to comment on the consent agenda. No one wished to comment. The Mayor closed the floor and asked Council for a vote on the consent agenda.

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

**RESOLUTIONS-OFF CONSENT:**

There were no resolutions off consent.

**APPROVAL OF VOUCHERS:**

2014-79 Bills list in the amount of \$926,932.46

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

**ORDINANCES ON FOR ADOPTION:**

ORDINANCE NO. 2014-04 (1129) AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE BOROUGH OF LAVALLETTE, NEW JERSEY TO CABLEVISION OF MONMOUTH, LLC.

Mayor LaCicero stated that this is the contract renewal of the cable franchise and there is a representative from Cablevision in the audience if anyone has any questions for him.

A Motion was made by Councilwoman Filippone to adopt Ordinance 2014-04 (1129). The Motion was seconded by Councilman Horan.

The Mayor opened the public hearing and asked if anyone wished to comment on this Ordinance or had any questions for Mr. Viapree. No one wished to comment on this ordinance. The Mayor closed the public hearing and asked Council for a vote on this ordinance.

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

**UNFINISHED BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:**

Donations of Love, Inc. requesting to hold a Free Rabies Clinic Wednesday, November 5<sup>th</sup> or Wednesday, November 12<sup>th</sup> 2014 between 6pm and 7pm.

Mayor LaCicero stated that the Donations of Love organization would like to hold a free rabies clinic on November 12, 2014 between 6pm and 7pm at the First Aid or Fire House whichever is available at the time. Coastal Veterinary will be administering the vaccines. The organization needs approval from Council because the forms to receive the vaccines from the Health Department need to be filled out by the Borough.

A Motion was made by Councilman Stogdill to approve the Free Rabies Clinic on November 12, 2014 between 6pm and 7pm. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Councilman Horan stated that winter garbage collection is still in effect and we would like to advise residents to try and take their garbage receptacles in as soon as possible. Some of the cans are blowing away and with the road construction around town it is becoming quite dangerous. The DPW has constructed five new lifeguard stands and swept the sand off of the boardwalk. The T-Dock on the bay was damaged from ice. It is taped off so please do not go anywhere near it because it is very dangerous. All of our managers and supervisors have attended training workshops through our insurance company to keep our insurance rates low.

#### **COMMENTS FROM THE PUBLIC:**

Mary Logios, 4 Sterling Avenue stated that there are big holes on Magee and Vance Avenues between the highways that need to be filled because it is a very dangerous situation.

Mayor LaCicero stated that they are most certainly from all this road construction but he will have public works take a look at them and see what they could do.

Mrs. Logios stated that the pole in front of the Dunkin Donuts is also very slanted and should be looked at. She also questioned if they knew anything about the Post Office telling homeowners who are building new houses that they cannot have their mailboxes on their house they have to be at the street.

Mayor LaCicero stated that was the first he has heard that but he will look into that as well.

Dave Finter, 236 Bay Beach Way and member of the First Aid Squad, stated that on Saturday their was a first aid call and the medics could not get to us because they were stuck in the horrendous traffic. Something needs to be done about getting an emergency lane on that bridge so this doesn't happen again.

Mayor LaCicero stated that he agreed with him and he suggested that Mr. Finter call the State outreach phone number and put in the complaint. The Mayor advised all residents to keep calling and putting their complaints in because that is the only way they will listen.

## **COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:**

Mayor LaCicero stated that the bids packets have gone out for the reconstruction of the municipal complex. So far we have had seventeen contractors pick them up at the engineer's office. The bid opening is scheduled for March 20, 2014 at 10am. We have also received two renderings on our lifeguard headquarters which will try and put on our website for review.

Mr. Parlow stated requested permission from Council to move forward with the introduction of the budget for the next meeting. He stated he and the Borough Auditor had a meeting this morning in Trenton in regards to applying for the Essential Services Grant. In order to be considered for the grant we will need to have the budget introduced by March 14, 2014. If we have anything additional to add to our budget we can always do some budget amendments before the adoption. Mr. Parlow stated that he has discussed the budget with the department heads and their operating budgets are being submitted with no increase.

Mayor LaCicero questioned our surplus and where we were at with that.

Mr. Parlow stated that the Annual Financial Statement will be completed by the end of next week and he should have a better idea on the operating surpluses at that point. He stated that most revenues were right on their projected amounts.

Mayor LaCicero stated that having that operating surplus on hand when we were hit with the storm enable us to continue to operate and continue to pay vendors. We had that surplus available so that we were able to start the cleanup process immediately.

Mr. Parlow stated that officials in Trenton continue to push towns into shared service agreements. He stated that even through he is not opposed to the idea he saw just how beneficial it was to have our own staffed departments during the storm. The response to the storm and the clean up started immediately. He stated that he is not sure that would have been the case if we had a shared service agreement with one of our adjacent towns. We were able to get our town cleaned up immediately thanks to our own staff being on hand as soon as the storm hit. He stated that shared service agreements are okay for certain services but not for some of the larger departments like police and public works.

Mayor LaCicero stated that is why Lavallette is so unique because we have low taxes and double the services.

Mr. Parlow stated that the water replacement project will continue when the weather warms up probable around the beginning of April.

Mayor LaCicero stated that there is a senate bill floating around that is forcing consolidation so get your emails out and voice your opinion on social medias that the Borough of Lavallette does not want consolidation.

**EXECUTIVE SESSION:**

There was no executive session.

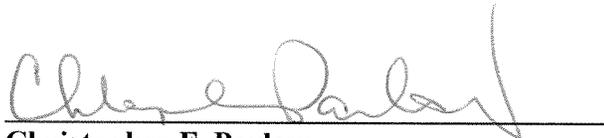
**ADJOURNMENT:**

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 7:45 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 24<sup>th</sup> day of **February 2014**

A handwritten signature in cursive script, appearing to read "Christopher Parlow", is written over a horizontal line.

**Christopher F. Parlow**  
**Municipal Clerk**