

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE FIRST AID BUILDING
May 5, 2014-7:00 pm

CALL TO ORDER: Mayor Walter LaCicero, presiding

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

Mayor LaCicero stated that Councilman Stogdill was not feeling well so we need a motion to excuse him.

A Motion was made by Councilman Horan to excuse Councilman Stogdill. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

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 was published in the Ocean Star on January 10, 2014. Notice was also posted on our municipal bulletin board and municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for Jerry Boylan, a long time resident, who recently passed.

PLEDGE OF ALLEGIANCE: Councilman Lamb 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 was informed by Councilwoman Filippone that we are allowed to have prayer now so if anyone would like to say a prayer that would be fine. He also stated that it looks like the contractor has striped some lanes on the highway so he thinks we will be in good shape by Memorial Day.

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

The Mayor 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 comment at this time.

The Mayor closed the floor to public comment.

APPROVAL OF MINUTES:

Regular Meeting of April 21, 2014

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

REPORTS:

- a) Construction Report for April 2014-Councilwoman Filippone-read report
- b) Zoning Report for April 2014-Councilwoman Filippone-read report
- c) Revenue Transaction Report for March-Chief Financial Officer
- d) Tax Account Report for April 2014-Tax Collector
- e) Public Affairs for April-Council President Zalom- She reported that there was a great beach sweeps last weekend. There were so many people that helped it was amazing. Gina Cavallo from Paying-It-Forward came and brought so many volunteers and then paid for all of us to have lunch at Lenny’s. Also, she attended a fundraiser given by Waves of Water and she was explaining to Catherine Murphy who is in charge of the charity about the Firehouse and the next day she sent over four gift cards for Home Depot totaling \$8,000 that the Firehouse can use. Mayor stated that they were also the group that came last year and cleaned up the bay front. They power washed the gazebo and the benches and cleaned up the bay front. Council President Zalom stated that she has two great speakers for Memorial Day, an ex-marine and a military historian so it is going to be great. Some of the businesses that are just going to open up for Memorial Day want ribbon cuttings from the Mayor and myself so we will be very busy that weekend. Also, we have our shovels ready for our ground breaking of our Municipal Building. We are just waiting on the permits right now so we do not have an exact date just yet.

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2014-137 authorizing the Borough Administrator to execute the renewal application for membership with the PJM Interconnection
- 2014-138 appointing a certifying officer to the PJM Interconnection and adopting the required risk management plan
- 2014-139 approving renumbering application of 2300A Grand Central Avenue to 98 Newark Avenue

- 2014-140 appointing Ashley Alvino as part time temporary office help for the Department of Public Works
- 2014-141 appointing Taylor Gargaloni to the Beach Badge Office Staff for the 2014 summer season - Councilman Lamb requested that this resolution be tabled until the next meeting being that Councilman Stogdill is not present.
- 2014-142 petitioning the State Legislature to adopt Legislation banning the subdivision of undersized lots by the creation of a condominium form of ownership of the same- Mayor LaCicero stated that this resolution is in support of the similar Planning Board resolution. The condominium form of owners, where two dwellings are on one lot, is creating huge problems for the Board and the owners of the separate dwellings. It puts the Board in a very bad position because the dwellings are non-conforming.
- 2014-143 recognizing the week of May 4th through May 10th 2014 as Municipal Clerk's Week in the Borough of Lavallette
- 2014-144 authorizing the Treasurer to issue a check in the amount of \$82,028.10 payable to Tower Cust Ebury Fund I NJLLC for a redemption of Tax Sale Certificate
- 2014-145 appointing lifeguard officers/supervisors for the 2014 summer beach season
- 2014-146 appointing Pam Caucino as the Beach Badge Checker Supervisor for the 2014 summer season
- 2014-147 permanently appointing Christian LaCicero to the position of Police Sergeant for the Lavallette Police Department-Councilwoman Filippone asked that this resolution be placed off consent.
- 2014-148 appointing William Kosh as a part time telecommunicator for the Lavallette Police Department
- 2014-148A approving Class I applicants to attend the Satellite Training Course commencing May 19, 2014 and ending June 13, 2014
- 2014-148B authorizing the Treasurer to issue a check in the amount of \$34,363.74 to Tower Cust Ebury Fund NJ LLC for the redemption of a tax sale certificate
- 2014-148C approving the 2014 Multi-Jurisdictional All-Hazard Mitigation Plan

A Motion was made by Councilwoman Filippone to approve the consent agenda with the exception of 2014-141 which was tabled and 2014-147 which was moved to off-consent. The Motion was seconded by Councilman Horan. 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

floor to the public and asked Council for a vote on the consent agenda minus Resolutions 2014-141 and 2014-147.

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

RESOLUTION - OFF CONSENT:

2014-147 permanently appointing Christian LaCicero to the position of Police Sergeant for the Lavallette Police Department-Councilwoman Filippone asked that this be pulled and put off consent.

Councilwoman Filippone stated that Christian has been working for the Police Department for over six years and has an exemplary record. He was number one on the Sergeant's appointment list and was the Chief's right hand man during the storm helping him with Emergency Management. He has proven himself a great Sergeant since he was hired as an interim Sergeant sixty days ago so we are happy to hire him as a permanent Sergeant for the Borough of Lavallette.

A Motion was made by Councilwoman Filippone to approve Resolution 2014-147. The Motion was seconded by Councilman Lamb. Vote: Councilman Borowski, Filippone, Zalom, Horan and Lamb voted Yes. The Motion Passed.

Mayor LaCicero administered the oath of office to Sergeant LaCicero. His fiancé, Ashley, held the bible. Also present were a number of his co-workers.

APPROVAL OF VOUCHERS:

2014-149 Bills List in the amount of \$3,471,540.12

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, Horan and Lamb voted Yes. The Motion Passed.

COMMUNICATIONS:

Engineering:

- a) O'Donnell, Stanton & Associates/Charles Applegate, Project Manager/Municipal Building Sidewalk Beautification Construction/NJDOT Highway Occupancy Permit Application/Received April 22, 2014
- b) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Reconstruction of Boardwalk Pavilions/Received April 23, 2014-Council President Zalom stated that the Beautification Committee would like to put planters across from every pavilion on the boardwalk. Councilwoman Filippone questioned if we would be allowed with the project starting? Mayor LaCicero stated that they will be across from the pavilions not in them so it should be fine.

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

New Jersey League of Municipalities:

- a) Urgent Legislative Alert/Need Action on Interest Arbitration Cap/Received April 3, 2014
- b) DCA Commissioner Constable Answers Assembly Budget Committee Questions on the Budget/Received April 7, 2014
- c) Status Quo on Interest Arbitration Cap Extension/Received April 10, 2014
- d) Countering Violent Extremism and Countering Violent Extremism Grants/Received April 11, 2014
- e) Important Press Conference Regarding the 2% Interest Arbitration Award Cap/Received April 11, 2014
- f) Less Than 30 Days Left for Public Input on the Hazard Mitigation Grant Program/Program Administration by States/Received April 14, 2014
- g) Update on Interest Arbitration Cap/Received April 14, 2014
- h) Update on Interest Arbitration Cap/Received April 16, 2014
- i) DEP Grant Program Announced/Public Access Plans for Beaches and Other Tidal Waters/Received April 17, 2014
- j) Recent Court Decision on Nomination Petitions/Empower Our Neighborhood, et al. v. Guadagno, et al/Received April 21, 2014
- k) Update on Interest Arbitration Cap/Received April 24, 2014
- l) New Legal Tools for Redevelopment/Received April 24, 2014
- m) New Procedure for Financial Disclosure Statements/Division Issues Guidance to Municipal Clerks/Received April 25, 2014
- n) Affordable Housing, COAH to meet April 30/Received April 28, 2014
- o) State Revenue Shortfall Grows/Received April 29, 2014
- p) Verizon v. Hopewell-Status Update Ask Your Legislators to Support A-366/S-1713/Received April 30, 2014
- q) BPU Approves Verizon Stipulation Agreement/Received April 30, 2014
- r) Affordable Housing, COAH Proposes New Regulations/Received April 30, 2014
- s) Update on Interest Arbitration Cap/Received May 1, 2014

General With No Action:

- a) FEMA/Homeowner Flood Insurance Affordability Act/Received April 7, 2014
- b) Ocean County Planning Board/David McKeon, Planning Director/2014 Dune Fencing Program/Received April 8, 2014
- c) New Jersey Economic Development Authority/Michele Brown, CEO/Bernard Printz, Island Floor Covering/Approved NJ Stronger Business Grant/Received April 11, 2014
- d) State of New Jersey/Department of Human Services/Erica Larsen, Program Manager/Ramp Rebuild, Replacement and Installation Program/Division of Disability Services/Received April 15, 2014-Councilwoman Filippone stated that this program

looks great for homeowners who need ramps built on their homes for the disabled. There are pamphlets in Borough Hall.

- e) Frank Quattrone/145 Jersey City Avenue/damage to curb cut and sidewalks and dog fence due to Road Construction/Harms Construction/Received April 16, 2014
- f) New Jersey Economic Development Authority/Michele Brown, CEO/Lavallette Personal Fitness/Steven DeMaria/Approved NJ Stronger Business Grant/Received April 17, 2014-Mayor stated congratulated this business for their grant.
- g) New Jersey/Department of Environmental Protection/Bob Martin, Commissioner/Earth Day Message/Received April 22, 2014
- h) State of New Jersey/Department of Community Affairs/Richard Constable, III, Commissioner/Approved to Receive Zoning Code Enforcement Grant in the amount of \$50,895.66/Received April 23, 2014-Mayor LaCicero stated that with this grant money we can hire additional help in the Zoning/Code Enforcement Officer.
- i) Zurich American Insurance Company/Hurricane Sandy Flood Claim Payment in the amount of \$1,816,306.00/Received April 25, 2014
- j) Ocean County Utilities Authority/Michael Willis, Planning Engineer/1st Quarter 2014 Metered Flow Data/Received May 1, 2014
- k) Zurich American Insurance Company/Hurricane Sandy Wind Claim Payment in the Amount of \$18,796.00/Received May 1, 2014-Mayor questioned Mr. Parlow on what building had the wind damage. Mr. Parlow stated that the lifeguard headquarters and the Municipal Building received wind damage.
- l) State of New Jersey/Hazard Mitigation Grant Program/Kickoff Meeting for three homeowners from Lavallette who have been approved to receive the \$30,000 grant/Received May 2, 2014

Councilman Horan stated that items h, i, j, k, and l are all wonderful assets for the Borough of Lavallette.

General With Action:

- a) Rosanna Hernandez/student at St. Peter's University in Jersey City/requesting the Borough join the United Nations Disaster Risk Reduction Program/Received April 11, 2014-Mayor stated he will read this over.
- b) New Jersey State League of Municipalities/Mayors Committee on Life Sciences/Mayor Joseph Pannullo, Chair/requesting the Borough promote this exciting new program/Received April 14, 2014-Mayor stated that he will read this over.
- c) Matt Doherty/Mayor of Belmar/requesting the Mayor join him in meeting with State Officials on May 23rd 2014 to discuss the RREM Program/Received April 24, 2014-Mayor stated that he will check his schedule.
- d) Project Graduation 2014/Point Pleasant Beach High School/Marie Kurtzke, Coordinator/requesting Sponsorships/Received April 25, 2014-Mayor stated that Council President Zalom usually collects for this.
- e) Dorothy Farrell/9 Philadelphia Avenue/requesting an answer on her water/sewer bill overcharge/Received April 29, 2014-Mayor LaCicero stated that there were a lot of questions with the newest water bills that were sent out. The remotes that collect the data from the water meter readings was broken. The meters themselves were not broken

- just the remotes and because of that previous bills were under read or just billed the minimum charge. With this new billing we are catching up with the other billings.
- f) Herb and Catherine Hascher/1301 Bay Blvd./requesting assistance with sand issues on his property/Received May 1, 2014-Mayor LaCicero stated that if Herb thinks that board by his house will resolve his issues we will put it back for him. Mr. Hascher was in the audience and thanked him.

UNFINISHED BUSINESS:

NJ DEP - Beachfill Plan – Modification to dune crossovers

Mayor LaCicero stated that we received the modifications to our dune crossovers and it appears that the Army Corp will incorporate a ten foot by ten foot seating/observation area on the top of each crossover. The Borough would place some benches in the seating area so people can sit and relax and enjoy the view.

Councilwoman Filippone stated that the way it looks from the drawing the area is 10 feet off the walking path jutting out of the pathway.

Council President Zalom stated that it sounds like it is going to look somewhat like the walkovers we had on Brown and Jersey City Avenues.

Mayor LaCicero questioned if anyone has seen the curbing being put in on the Southbound Highway. He stated that he is not very fond of these curbs.

Mr. Parlow stated that he will check into it and get back to him.

NEW BUSINESS:

Councilwoman Filippone stated that Beautification would like to do a fundraising project at Founder's Day. They are going to have a table with the big picture of the Municipal Complex at Founder's Day and are hoping to receive donations to help with the purchase of a new Christmas Tree and landscaping for our new Municipal Building.

COMMENTS FROM THE PUBLIC:

Herb Hascher, 1301 Bay Blvd. stated that on Friday a group of people were cleaning up the bay front by the gazebo and when he approached them to thank them they stated that they were from the DEP. He also stated that in front of his house the water is not draining properly into the catch basin. He stated that he had a swimming pool in front of his house and it has never been that way before.

Mayor LaCicero questioned if they need to grade the street one more time.

Mr. Parlow stated that that the final pavement was performed but the roadway is under County jurisdiction. He will give contact that County concerning the issue.

Mr. Hascher questioned if the medians on Bay Boulevard were going to get the topsoil.

Mayor LaCicero stated that they were along with grass.

Jack Sauer, 405 Bay Blvd. stated that he lives on Bay Boulevard and understands that it is a County Road and all repairs are supposed to be done by Memorial Day; however, Vance Ave and Bay Boulevard is a mess with debris blocking the sidewalks. This has been like this for a long time and needs to be taken care of. Everyone walking and riding bikes has to go in the street to get around it. It's definitely a safety issue.

Council President Zalom stated that she will call the County tomorrow and get on top of it.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that there are four individuals in the Fire Department that have received exempt status due to the number of calls they have taken in the course of seven years. Those individuals are Michael Phillips, Peter Scott and Arthur Reece.

Mr. Parlow stated that Councilman Borowski was also one of those four individuals.

Council President Zalom stated that she would call the County tomorrow about Bay Boulevard and she will also be collecting \$5.00 from Mayor and Council for Project Graduation.

Mr. Parlow stated that the calendars are out in the mail if you haven't received them already.

EXECUTIVE SESSION:

There is no executive session.

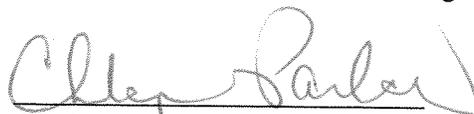
ADJOURNMENT:

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

The Caucus/Regular Meeting was adjourned at 7:45pm.

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 **May 2014**



**Christopher F. Parlow
Municipal Clerk**