

**BOROUGH OF LAVALLETE (minutes)**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE FIRST AID BUILDING**  
**Monday, June 23, 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  
Dominic Diyanni, 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 10, 2014. Notice was also posted on our municipal website.

**MOMENT OF SILENCE:**

**PLEDGE OF ALLEGIANCE:**

**PRESENTATION:** Pat Marrone, Friends of Lavallette Beautification, presenting the Joseph Baginski Plaque

Pat Marrone stated that Joe Baginski represented the Planning Board when he was on the Beautification Committee and he played a big part of many of the Committee's accomplishments for Lavallette. He did so much work for this town. He was a big advocate for our street scape plan and our commemorative benches. He was always the cheerleader for us. The Committee approached the Council right after he passed to see if they would approve a plaque for Joe on one of the benches on Trenton Avenue for all the wonderful things he has done and for all his volunteering on the Beautification Committee, the Church, Island Baseball and a member of the Planning Board. He was very active in this town and loved it so much. The bench is on the left side of the boardwalk on Trenton facing the ocean and Maryann will be able to see it from her window. We also put a planter right next to it.

Maryann Baginski thanked the Mayor and each and every Council Member, Mr. Parlow and Ms. Amico for all their kindness they gave her husband all these years and for always getting the job done when he needed something. He loved this town and everything about it. After the storm, you made sure that we all got back to our homes as quickly as possible and just so you know you gave him a good life for that.

**MAYOR'S WELCOMING STATEMENT:** The Mayor thanked everyone for coming out to tonight's meeting. He thanked Anita for covering for him at Joy Grosko's memorial service. He had some personal matters that he had to take care of.

Council President Zalom stated that it was a heartfelt service and everything went well. We had the sound system and our Borough guys stayed in case we needed them. She will be missed by all.

**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 speak now.

Nancy Daily, 11 Reese Avenue questioned the beach access and when it would be back to normal.

Mayor LaCicero stated that once the Army Corps comes in September and starts their project we are hoping that next summer we will resume our 26 openings.

Mrs. Daily questioned if we will be able to walk through the pavilions to get to the beach like before.

Mayor LaCicero stated that with the Army Corps project we cannot have the access through the pavilions. We will have walkovers at every access point up and over the dunes.

Mrs. Daily stated that she thinks we need lids on all the garbage receptacles on the boardwalk and the beach. The sea gulls are constantly taking food out of them and dropping it everywhere. She is constantly picking up garbage every day.

Mayor LaCicero stated that since the receptacles are always being over stuffed with garbage putting the lids on them would limit how much you could put in and we are trying to accommodate the garbage as best we know how.

Councilman Stogdill stated that when they see that the cans are over stuffed and full alert the badge checkers and they will help get them emptied.

Mayor LaCicero questioned why we cannot get the clean communities crew up there at end of day to empty the cans.

Councilman Lamb stated that he will look into that.

Betty Ludwig Bashin, a longtime summer resident thanked Mayor and Council for this beautiful town and how quick it came back after Sandy. She lived four doors from the boardwalk for 25 years and stated that the most dangerous time for bicycles up on the boardwalk is between 5am and 10am. The slowest time on the boardwalk is from 11am to 6pm. She stated that for the safety of the kids from the roadwork and highway they should reconsider the bikes on the boardwalk during the slow time.

Richard Murray, 76 Grand Central Avenue stated that he would like there to be something done about allowing the bicycles on the boardwalk during the day. The highway is just too unsafe with the road work and the traffic. Even the trucks carrying equipment drop stuff off of their trucks while driving and there are numerous pot holes that cars swerve to miss and the speeding of cars. This is all about the safety of our children and residents.

Greg Peterson, 6 New Brunswick Avenue stated that after 10 am on the boardwalk there is a significant amount of cross walking from the beach to the streets so that is not a good idea either. He stated that while he was on the beach the other day two lifeguards left their post to adjust and take care of their boat around 4:45 pm. He stated that he questioned them on the safety of the swimmers while they were gone and he was told that is their daily policy and procedure. He stated that he went over to lifeguard headquarters and talked to the Captain in charge and he also told me that it has been that policy and procedure for 20 years and it was not going to change anytime soon. If this is the procedure and policy then maybe we need to look into changing it because it is a safety hazard for our swimmers.

Mayor LaCicero stated that this is the first complaint we have ever received about our lifeguards so he will have to look into it.

Sherri Forst, 122 Brooklyn Avenue stated that she would like Mayor and Council to consider trying the bikes on the boardwalk for this year as a trial period considering the horrible conditions of the highways right now. It should be safety first. Also, since we received federal funds for our boardwalk from FEMA can the Borough even deny or restrict the bicycles up there.

Mayor LaCicero stated that we did receive FEMA funds covering 90% of the building of the new boardwalk; however, the Borough owns the property so we have jurisdiction.

Dominic Diyanni, Borough Attorney stated that the Borough has the right to regulate the laws on the beach and boardwalk.

Pat Marrone, stated that she too saw the other day that there is very few utilizing the boardwalk after 10 am.

Clem Boyers, 20 Kerr Avenue stated that the only reason the boardwalk is quiet and free during those hours is because everyone is on the beach and the problem is the cross traffic especially with the children so bicycles is still a dangerous situation up there at that time.

Jill Peterson, 6 New Brunswick Avenue stated that she is concerned about the quality of life on our beach. The amount of vehicles that patrol on the beach is horrible between the lifeguards and the police. You go to the beach for peace and quiet and relaxation and when you have a vehicle running for 10 minutes while you talk with someone is not so peaceful.

Mayor LaCicero stated that he will talk to the lifeguard Captain.

#### **APPROVAL OF CLERK'S MINUTES:**

Caucus/Regular Meeting of June 9, 2014

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

**RESOLUTIONS-ON CONSENT:**

- 2014-180 designating the hours bicycles are permitted on the boardwalk during the 2014 “bathing season” and determining the hours, dates and times when the bathing beaches shall be open and closed-Mr. Parlow stated that this is an annual resolution and there are no changes from the prior year. Council President Zalom stated that it is a hazard up on that boardwalk from 5 am to 10 am and with the angle parking on the highway as well as all the road work it is a safety hazard also. Next year we will have bicycle lanes on the highway designated for the bikers.
- 2014-181 appointing badge checkers for the 2014 summer season
- 2014-182 appointing lifeguards for the 2014 summer season
- 2014-183 authorizing the Mayor to sign and execute a (HIPAA) agreement between the Borough of Lavallette and Benefits Express Services, LLC
- 2014-184 supporting A-2930 and S-1987 which would eliminate School Superintendents salary caps-Councilman Horan requested that this resolution be put off consent
- 2014-185 authorizing the use of a 2014 Hyundai Sante Fe free of charge donated by Lester Glenn Hyundai for the Lavallette Police Department-Council President thanked Lester Glenn for their generosity.
- 2014-186 providing a pay increase for a seasonal employee for 2014-Mr. Parlow stated that one employee was left off the list from the last meeting
- 2014-187 reaffirming the authorization to execute an agreement on behalf of the Borough to effectuate a leasehold agreement with the United States Postal Office-Mayor LaCicero stated that our Bond Counsel requested that additional language be added to the resolution for tax purposes.
- 2014-188 amending and supplementing the contract with Witt/O’Brien’s Associates for emergency response and disaster recovery consulting services (state contract)
- 2014-189 authorizing an amendment to the contract with American Power Net to provide load forecasting services-Mr. Parlow stated that this is so they can inform us of the peak demand days during the summer so we can let our residents know to try and conserve energy on those days.

- 2014-190 accepting the resignation of Anthony Amalfa and authorizing payment of unused vacation time
- 2014-191 authorizing the Mayor to sign an application for a special permit for social affairs to Lavallette Business Association for the sale of alcoholic beverages at their Christmas is July Barbecue at Chandler Field on July 26, 2014 from 6 pm to 9 pm-Councilman Horan questioned if it was going to be a problem for games the next day. Councilman Stogdill stated that there should be no issues. Council President Zalom stated that it is going to be a great day and she is looking forward to it.
- 2014-192 approving two raffle licenses to Lavallette Heritage Committee to hold a 50/50 raffle and a gift raffle on July 26, 2014 at the Lavallette Business Association's Christmas in July Barbeque from 6pm to 9pm at Chandler Field
- 2014-192A appointing Mary Sullivan as beach badge office staff for the 2014 summer season- Councilman Lamb requested that this resolution be put off consent

A Motion was made by Councilwoman Filippone to approve the consent agenda minus Resolution 2014-184 and Resolution 2014-192A. The Motion was seconded by Councilman Horan. The Mayor opened the floor to public comment and asked if anyone wished to comment on the consent agenda.

Al Jones, 113 Reese Avenue stated that the ball field is designated as a place of resort in our Ordinance of places of resort and part of the ordinance states that there is no consuming food or drink on our places of resort. Therefore, in order to allow this barbeque and permit you must modify the ordinance with a resolution allowing that event and permit.

Mayor LaCicero stated that we will have to table the resolution until the next meeting and have the attorney research this.

Mr. Parlow stated that the social affairs permit submission has a time limit and it will be too late waiting until the next meeting.

Mayor LaCicero stated that for now we can approve the resolution and research it more because we are only approving the sale of alcoholic beverages not the consumption.

Joseph Palinsky, 122 Washington Avenue stated that pedestrian safety is the most important issue in this town.

There were no other comments.

Mayor LaCicero closed the floor to the public and asked Council for a vote on the consent agenda minus Resolution 2014-184 and 2014-192A.

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

### **RESOLUTIONS-OFF CONSENT:**

2014-184 supporting A-2930 and S-1987 which would eliminate School Superintendents salary caps

A Motion to support this resolution was made by Councilman Borowski. The Motion was seconded by Council President Zalom.

The Mayor opened the floor to public comment and asked if any one wished to comment on this Resolution.

Councilman Borowski stated that he has spoken with Dr. Morris about this and his logic is that Superintendent's do a lot for schools. A lot of Superintendents in New Jersey are leaving the state for jobs in different states because of the salary cap. Also, it does not eliminate the budget cap at all.

Councilman Horan stated that government service people only get 1% pay raises and teachers get lower raises. He stated he is not in favor of this bill.

Ernie Stefanelli, 122 Camden Avenue stated that the teachers are the ones who should not have a salary cap and get paid more money. They are the ones who teach and help the children learn. Math and Science teachers are the most important in the schools. This would affect our taxes.

Mayor LaCicero stated that the 2% budget cap would remain in effect but you are correct somewhere or someone it will be pulled away from.

Joseph Palinsky, 122 Washington Avenue stated that Dr. Morris does a fantastic job with our school system and he is important because he negotiates with other districts for Lavallette.

Councilman Borowski stated that if Dr. Morris maxes out on his salary due to the cap he will go elsewhere and who knows what we will get.

Councilwoman Filippone stated that the hard cap is based on the number of pupils you have in a district. If we get more kids we will have to pay for those kids.

Margaret Astorino, 2 Elizabeth Avenue stated that if we had 100 more kids move into Lavallette we will have to pay for those 100 extra kids so somewhere it will affect our taxes.

Councilman Lamb stated that this is a State bill and the State does not care what we have to say. If they want to pass it, it will pass.

Mrs. Astorino questioned since he is the Superintendent and the Principal does he get 2% for each position.

Mayor LaCicero stated that it was only one line item so he only gets the 2% once.

Jim Marinaro, 1603 Bay Boulevard stated that not so much here but up north the Superintendents do not only get raises they get cars, credit cards for gas and \$5,000 bonuses. They get a lot benefits than just raises.

No one else wished to comment.

The Mayor closed the floor to the public and asked Council for a vote on Resolution 2014-184.

Vote: Council Members Borowski and Zalom voted Yes. Council Members Filippone, Stogdill, Horan and Lamb voted No. The Motion Failed.

2014-192A     appointing Mary Sullivan as beach badge office staff for the 2014 summer  
                  Season

Councilman Lamb stated that he was not notified ahead of time about this and he was not aware that there were any more employees needed. He also stated that Councilman Stogdill was not notified either. He would like to table this resolution until he talks to Gerri.

Mr. Parlow stated that there was an employee who quit last week and Gerri needs to hire someone right away because they are busy.

Councilwoman Filippone stated that she is tired of the department heads not discussing these situations first with their Council liaison before the resolution.

Mr. Parlow stated that from now on he is not going to sign the temporary forms and he is going to tell the Department Heads to have their Council Liaisons sign them. It will just make the hiring of people take longer but if that is the way they want it that is fine with him.

Council President Zalom stated that she thought way back that Council gave Mr. Parlow the authority to approve these hiring of employees and for him to sign the temporary hire forms so the process runs smoothly and quickly.

Councilman Lamb questioned if we can just hire this woman on a temporary basis until the next meeting so I have a chance to talk with Gerri.

A Motion was made by Councilman Lamb to approve Resolution 2014-192A temporarily until July 7, 2014. The Motion was seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

**APPROVAL OF VOUCHERS:**

2014-193                   Bills List in the amount of \$472,952.96

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

**PUBLIC HEARING ON THE 2014 AMENDMENT TO THE 2014 MUNICIPAL BUDGET (RESOLUTION 2014-179)**

Mayor LaCicero asked Mr. Parlow if he would summarize the budget amendment.

Mr. Parlow stated that the Borough received a number of grants between the introduction and adoption of the budget. We did not receive the essential services grant so we had to increase that line item by \$42,000.

A Motion to approve the 2014 Amendment to the 2014 Municipal Budget was made by Council President Zalom. The Motion was seconded by Councilwoman Filippone.

The Mayor opened the public hearing and asked if anyone wished to comment on this budget amendment.

No one wished to comment.

The Mayor closed the public hearing.

**ADOPTION OF THE 2014 BUDGET: (Clerk to read Budget Resolution 2014-194)**

Mayor LaCicero asked Mr. Parlow to read the 2014 Budget Resolution.

Mr. Parlow read aloud the 2014 budget resolution in full.

A Motion was made by Councilman Horan to approve the 2014 municipal budget. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Mayor LaCicero stated that we had the public hearing already so we did not need to have another hearing on the budget.

**UNFINISHED BUSINESS:**

Council President Zalom stated that she spoke to the State about Vance Avenue and they were able to give us \$160,890 towards our road improvement. She stated that she told them the last time they gave us \$225,000 so they are slacking.

Councilman Horan stated that he has spoken with the Ocean County Utilities Authority and there will be no rate increases for 2015.

Mr. Parlow stated that he has been corresponding with the State DCA in regards to the demolition of houses that have not been touched since Sandy. They are now unsafe structures and have become safety hazards. The first list we sent them was roughly 100 properties; the second list they sent back of the most necessary ones was 37 properties. The Mayor, Zoning Officer and myself went street to street and physically inspected these houses and made some modifications to the list. We have narrowed it down to only 13 properties. He stated that he needs Council to authorize him to sign the declaration with the State to allow them to move forward with the process.

Council President questioned if we have notified these homeowners of the situation.

Mr. Parlow stated that numerous letters have been sent by the Code Enforcement Officer but he has received no responses. Keep in mind, this process with the State could take years to complete.

Councilwoman Filippone questioned when the state demolishes the property do they put some kind of lien on it to get the money back that they put out.

Mr. Parlow stated that he was advised there will be no cost to the homeowner or the town.

A Motion was made by Council President Zalom to authorize Mr. Parlow to sign the declaration with the State DCA. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

#### **NEW BUSINESS:**

Councilwoman Filippone stated that she would like to compliment Anita on all her events. Mrs. Grosko's memorial service was well attended and Anita spoke so lovely of her. We would like to do some type of dedication in honor of Joy and Tom Grosko and present it at Founder's Day. We would like to rededicate the Gazebo with a small plaque.

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

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

Andrea Brozinski, Bryn Mawr Avenue questioned when the July meetings were.

Mr. Parlow stated that the July Meetings will be July 7<sup>th</sup> and July 28<sup>th</sup>.

Clem Boyers, 20 Kerr Avenue stated that the Friends of the Library will also be dedicating something in honor of Joy Grosko.

Al Jones, 113 Reese Avenue questioned if the road project is definitely being halted as of next Thursday.

Mayor LaCicero stated that as far as he was told the highways will come to a screeching halt as of next Thursday but they will continue work on the side streets.

Mr. Jones questioned if the sidewalks are going to remain as is and will there be no more new sidewalks.

Mayor LaCicero stated that the sidewalks are what they are right now. They will not change.

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

Councilman Lamb stated that the snow fence is up by the dunes from Dover to Princeton. Unfortunately, we ran out of snow fence and the estimate we received is saying it will cost us \$11,000 for more. We have decided to put up posts and rope with signage for the remaining streets. He stated that we will be putting hydroseed on the bay front in the springtime because Harms has informed us that it will not take in hot weather. The cost is \$3,500. Also, we checked on when the last time the water tower was painted and it was painted nine years ago. We have twelve to fourteen years that it will hold so we have a couple more years to plan for it. Our beach rake has broken down but we have borrowed a smaller one for now so we will see how it goes.

Councilman Stogdill read a badge report for the weekend sales and stated that we are up 12% from last year's first weekend in badge sales. He also stated that the weekend before the season opened some off duty lifeguards doing training and three police officers saved three swimmers in the water that got stuck in the undertow. Their names were Lifeguard Darby, Condit, St. John and Sgt. Justin Lamb, Special Officers Lamb and Ringoe.

Council President Zalom stated that she will call the County about getting some dune fence for us. She stated that Councilman Horan and her attended the Kick Off meeting for the Hazard Mitigation Grants and when they asked for Officials from the town to stand up we were the only ones there. No other government officials showed up. She spoke to the League of Municipalities about their magazine and asked them about putting our picture in there from the groundbreaking of the Municipal Building and he was thrilled to put it in there. The 8<sup>th</sup> grade graduation was beautiful at the gazebo. The dog walk was on June 14<sup>th</sup> and it was a big hit and the Healthy Aging lunch and movie will be on June 25<sup>th</sup> at the Union Church.

Mr. Parlow stated that the Council had approved at one of the previous meetings the LBA's list of events for the 2014 summer season and the Barbeque on July 26<sup>th</sup> was one of those events. We approve facility use applications all the time so his opinion is that nothing else needs to be done regarding that event.

Mayor LaCicero stated that regarding the pavilions, the old ones use to have ceilings to keep the pigeons out and he does not think that the new ones have those. We will have to see if Public Works can figure something out for us. The benches are being constructed and these pavilions are scheduled to be completed by June 30<sup>th</sup> so we will look forward to that.

**EXECUTIVE SESSION:**

There was no executive session.

**ADJOURNMENT:**

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

The regular meeting was adjourned at 8:51pm.

**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 **23<sup>rd</sup>** day of **June 2014**

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

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