

BOROUGH OF LAVALLETTE (minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE FIRST AID BUILDING
Tuesday, December 22, 2015-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Mayor LaCicero stated that Councilman Lamb is running late but will be here.

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 October 23, 2015. Notice was also posted on our municipal website and municipal bulletin board.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Michael Sherlock, Jr. whose parents live on WPI and for the six Air Force officers killed in Afghanistan.

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

MAYOR'S WELCOMING STATEMENT: The Mayor thanked everyone for coming to tonight's meeting. This will be the last meeting held in the First Aid Building. We had our open house yesterday and there were tours of the building provided, as well as, the Bishop blessing our fantastic new building.

Council President Zalom thanked the Mayor and Councilwoman Filippone for a job well done at the dedication.

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

The Mayor stated 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.

The Mayor closed the floor to public comment.

REPORTS:

- a) Bond Anticipation Note Report by Dilworth, Paxson-Chief Financial Officer

b) Certification of Determination and Reward Report-Chief Financial Officer

Mr. Parlow stated that these are the reports from Bond Counsel regarding the latest bond sale and need to be officially accepted.

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

APPROVAL OF CLERK’S MINUTES:

- Caucus/Regular Meeting of December 7, 2015
- Executive Session Meeting of December 7, 2015
- RFP Minutes for Borough Attorney of December 16, 2015
- RFP Minutes for Borough Auditor of December 16, 2015
- RFP Minutes for Borough Prosecutor of December 16, 2015
- RFP Minutes for Borough Engineer of December 16, 2015

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

RESOLUTIONS-ON CONSENT:

- 2015-326 authorizing the cancellation of certain balances of the Capital Fund Appropriations
- 2015-327 authorizing the cancellation of certain balances in the current fund and crediting to surplus
- 2015-328 authorizing the Treasurer to transfer 2014 credit balances in the amount of \$1,075.75 to 2015 taxes receivables
- 2015-329 authorizing the cancellation of certain balances in the water operating fund and crediting to surplus
- 2015-330 authorizing the cancellation of certain balances in the sewer operating fund and crediting to surplus
- 2015-331 authorizing the cancellation of certain balances in the electric operating fund and crediting to surplus

The Mayor asked Mr. Parlow for a total on all the cancellation resolution.

Mr. Parlow stated that \$453,275 was cancelled from the current fund, \$16,400 from the water utility operating fund, \$14,000 from the sewer utility operating fund and \$176,500 from the electric utility operating fund for a total cancellation of appropriations of roughly \$657,000.

Mayor LaCicero stated that means over 600,000 went to surplus which is fantastic for us.

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

Mr. Corney stated that they have done a good job. A lot of money was cancelled in the current fund. We need to do a tighter analysis next year and maybe give the taxpayers a gift of lower taxes for next year.

Mayor LaCicero stated that he was not sure if that could be done. We are also losing \$600,000 in grants from the Essential Services Program.

Mr. Corney questioned if the salary & wages were coming out of the general fund.

Mr. Parlow stated that they were.

Mr. Corney stated that with the \$600,000 going to surplus it should all be a wash as long as we keep it the way it is and do not go beyond.

No one else wished to comment.

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 and Finter voted Yes. The Motion Passed.

RESOLUTIONS OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2015-332 Bills List in the amount of \$375,857.38

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

UNFINISHED BUSINESS:

Council Meeting Schedule for 2016

Mr. Parlow stated that the packet contained the proposed meeting schedule for 2016 and we just wanted to make sure Council was fine with the dates before it gets adopted at reorganization.

All of Council was fine with the 2016 meeting schedule.

NEW BUSINESS:

Sherman Hospitality, LLC, Application for Change in Corporate Structure for Liquor License No. 1515-33-004-012-No action required

Mayor LaCicero stated that there is no action needed on this. It is just for informational purposes only. It looks like Mr. Pascarella is putting the majority ownership of the Sherman Hospitality Corporation into his son's name.

Councilwoman Filippone stated that it is also changing the name of Pete's Poolside Bar to Capriccio's By The Sea.

Shared Services Agreement with Mantoloking Municipal Court for Court Room Services

Mayor LaCicero stated that it seems that Mantoloking is looking to use our Court room facilities in our new municipal building. They will be paying us for the use so we will have to be doing a shared service agreement. We will be doing a test court run in January to see how it works out.

Mr. Parlow stated that the test court will be on Thursday, January 21st at 3pm.

A Motion to approve the test court date for Mantoloking was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Finter voted Yes. The Motion Passed.

Discussion on 2016 Beach Season

Mr. Parlow stated that we also put this on for the reorganization meeting so we just want to be sure. Next year will be another eleven-week beach season with the season opening on June 18th.

All of Council was fine with the scheduled date of the 2016 beach season.

COMMENTS FROM THE PUBLIC:

Mr. Corney questioned how much was in the surplus fund currently?

Mayor LaCicero stated that there is roughly \$750,000 in surplus right now.

Mr. Parlow stated that we try to always maintain a balance of roughly \$300,000 at all times.

Mr. Corney questioned if any of that surplus is going to be used for 2016 salary and wages.

Mr. Parlow stated that we cannot use surplus to pay salaries and wages.

Mr. Corney stated that roughly they have \$450,000 to play with as long as all the appropriations are encumbered and there will be no new contracts or employees. We should be able to have a flat budget for 2016.

Mayor LaCicero stated that we always try to aim for a flat budget every year. We cannot say that is a definite until we see all the figures on paper.

Councilwoman Filippone stated that Public Works has been short staffed by three full time employees for a good year so we will be hiring employees soon. We were very fortunate when the storm hit that we had that surplus to help us out.

Clem Boyers, 20 Kerr Avenue stated that last year's budget was a nice balanced budget until the State declared that we had to start paying the percentage on the grant money. He stated that everyone did a great job last year with the budget.

Mr. Corney stated that he was not insinuating anything. The other years are in the past. He is looking at the future with 2016. He commends all up there for all they have done in the past but it is now the future and we need to try and keep the budget flat.

Mark Speaker, 111 Brown Avenue stated that 2015 was a great year. He thanked the Mayor and Council and Staff for all they do for us.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that we had a beautiful day yesterday up at the new building. He stated that when he opened his tax bill it was the same number as the previous year and to him that is a gift. He applauds the effort. Happy Holidays!

Councilwoman Filippone wished everyone a Merry Christmas and Happy New Year!

Councilman Finter stated that it was a great day at the new building and many were impressed. Happy Holidays!

Councilman Stogdill wished everyone Happy Holidays! He stated that our new building is a testament to how great our town and staff are as a whole and how we all come together.

Council President Zalom stated that we all did a great job. Our building is beautiful and our staff is great. It was great that our building was blessed by the Bishop. President Avenue was so flooded again but she called the County again and they will be taking care of it right away. The

NYC spring bus trip will be April 16th next year and the ski trip is January 23rd. Happy Holidays!

Mr. Parlow stated that the Administrative Offices should be operational in the new building by January 19th. He stated that January 18th is a holiday but he might be bringing the workers in to get finish up the moving in.

Council President Zalom stated that the Post Office is opening that day also.

Mr. Parlow stated that to all the residents please wipe your feet before you enter our beautiful building.

Mayor LaCicero stated that we had a great year. Merry Christmas to all! He stated that he had a meeting with the DOT regarding the parking and unfortunately it did not go as well as he expected. They are blaming the Engineer for the State which is RBA. After we showed them the mishap they said pretty much said oops, sorry, but it is what it is. There was supposed to be a handicap spot on each block with no negative impact but they reduced the parking spaces that were originally provided to the Borough in March by fifty spaces. Lavallette seems to be the only town that effected. Then they have these safety zones on the corners that are a big problem. Even the crosswalks are a problem. We are going to go to the Commissioner and see what can be done. We are also asking all of you to send your emails and phone calls their way as well.

Council President Zalom stated that we have twenty more handicap spaces but we have less regular spaces. It is a big mess.

EXECUTIVE SESSION:

State of New Jersey-Draft Administrative Consent Order

Mr. Bernstein stated that there is a need to go into executive session to discuss some pending litigation regarding the State of NJ Department of Environmental as well as some contractual matters regarding Teamsters Local 469. There may be some action taken.

A Motion was made by Councilwoman Filippone 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 to go into executive session at 7:41 pm.

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

The Regular Meeting was reconvened at 8:05pm.

Mr. Bernstein stated that while in executive session there was discussion on the possible resolution of the State v the Borough of Lavallette penalty. Mr. Parlow was given direction by Council. Also discussed was the contractual matter with Teamsters Local 469 and Mr. Parlow was also given direction by Council. There was no action taken.

ADJOURNMENT:

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

The regular meeting was adjourned at 8:05 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 22nd day of **December 2015**



Christopher F. Parlow
Municipal Clerk