

**BOROUGH OF LAVALLETTE(MINUTES)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE FIRST AID BUILDING
Monday, April 20, 2015-7:00 pm**

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Filippone, Lamb, Finter 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 9, 2015. Notice was also posted on our municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for three West Point Island residents; Jim Fertakos, Dave Lynch and Gerri Lascari who have passed away recently.

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

MAYOR'S WELCOMING STATEMENT: The Mayor thanked everyone for coming to tonight's meeting. He stated that he has been told that the highway project will be done by May 25th. He stated that the pace has definitely increased which is a good sign things are picking up. We will continue to provide updates to you as we get that information.

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 CLERK'S MINUTES:

Caucus/Regular Meeting of April 6, 2015
Executive Session Minutes of April 6, 2015

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

RESOLUTIONS-ON CONSENT:

- 2015-135 authorizing the execution of a change order to the contract with Earle Asphalt Company for the repair of damaged roadways-phase II decreasing the amount by \$7,244.90-Mayor LaCicero stated that it is nice to see a decrease once in a while. Councilman Lamb questioned if this was due to a mistake on their part. Mr. Parlow stated that this is a final quantities change order. The project was for Phase II of the road repairs associated with Sandy so they did their final quantities and there was a decrease in the contract when they were done with the project.
- 2015-136 recognizing the week of May 3rd through May 9th 2015 as Municipal Clerk's Week in the Borough of Lavallette-
- 2015-137 recognizing the month of May 2015 as Older Americans Month in the Borough of Lavallette
- 2015-138 recognizing the month of May 2015 as Paint the Town Pink in the Borough of Lavallette
- 2015-139 authorizing promotionally appointing Jacob Franzoso to the position of equipment operator on a provisional basis for the Department of Public Works Department effective immediately-Mayor LaCicero stated that he has been operating all the heavy equipment solely for many years now.
- 2015-140 authorizing the Treasurer to issue a check in the amount of \$6,425.48 to US Bank for the redemption of a tax sale certificate
- 2015-141 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 in addition to helping with FEMA reimbursements they will be handling some of our insurance issues as well as doing the appeal for our Municipal Building
- 2015-142 amending the 2015 temporary budget-Mr. Parlow stated that until the budget is adopted we need to make amendments from time to time to keep operating. This is the fourth amendment this year.
- 2015-143 refunding planning board escrow fees in the amount of \$700 to Zarilli Homes, LLC for 135 Princeton Avenue
- 2015-144 approving a facilities use application to the Lavallette School to hold tennis lessons in April and May on Saturdays from 8:30am to 11:30 am on our tennis courts

A Motion was made by Councilwoman Filippone 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.

No one wished to comment at this time. 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, Finter and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-OFF CONSENT:

APPROVAL OF VOUCHERS:

2015-145 Bills List in the amount of \$788,537.43

A Motion was made by Councilwoman Borowski 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.

No one wished to comment at this time. 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, Finter and Lamb voted Yes. The Motion Passed.

UNFINISHED BUSINESS:

Donna Cobianchi, 2307 Grand Central Avenue, Unit 9 - Requesting a Handicap Space in Front of Her Building

Mayor LaCicero stated that this is on the ocean block on Trenton Avenue with no off street parking.

Council President Zalom stated that you hate to say no to a handicapped person. We have some handicap spaces up at the beach end.

Councilman Finter stated that once the highway project is done there will be a handicap space on the highway at that intersection.

Mayor LaCicero stated that one will be across the highway from her but it will be a lot closer than the top of the ocean one. This is the second time we have this on the agenda so we will have to make some decision on it tonight. There are painted spaces on the highway in the front of the building now.

Councilwoman Filippone stated that we would all love to accommodate her as well as other handicap people but we already have a major parking problem. We are getting around 20 handicap spaces on the highway after this project is complete which is still more than we had last year. Even if we did try to give it to her we could not solely dedicate it to her as her own handicap space. Other handicap people would have access to it.

Councilman Borowski stated that this would cause a problem if we gave her a space and there was another handicap person in the complex.

Mr. Parlow stated that because of the ADA requirements we would have to lose two regular spaces to accommodate a handicap space at that location.

Council President Zalom questioned if we made it the first space on the street would we still have to lose two spaces.

Mr. Parlow stated that because handicap vans open on the right we still would lose two spaces on that side.

Council President stated that if we put it across the street then the right side would open to the highway. That might work better.

Mayor asked for a motion to authorize the creation of a handicap space. No one on Council made a motion to approve.

Mr. Parlow stated that he received an estimate from Cooper Power Systems to repair the generator that is going over to the Municipal Building. It has some corrosion and needs to be refurbished some. The estimate was for \$7,257.00

Councilman Borowski questioned how much the new generator cost for the Public Works Department.

Mr. Parlow stated that just the purchase of the generator was \$88,000.

A Motion was made by Councilman Finter to authorize the CFO to do the purchase order for the repair to the generator. The Motion was seconded by Council President Zalom. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Council President Zalom stated that the plaque for the Tevlin's grandson who was tragically killed is ready. They are going to send it down so Public Works can put it in the pavilion and they will let us know the date they will have a little dedication memorial service in the pavilion.

NEW BUSINESS:

Lavallette Beachside Condo Association-903 Grand Central Avenue, Block 10 Lot 30 Qualifier C03 and C04 Requesting the Renumbering of these two Units become 25 Brown Avenue, Unit C and Unit D

Mayor LaCicero stated that the property in question does not face Brown Avenue and is not even close to Brown Avenue.

Councilman Stogdill stated that he would be worried about emergency vehicles not being able to find it.

Mr. Parlow stated that he provided a copy of the tax map showing where the property is located.

Councilwoman Filippone stated that it does not make any sense as to why he would want that address. He states in the letter that it has become a big problem with the post office so maybe he needs to find a solution with the post office. We can not approve this.

Requesting approval for Founder's Day to be held on September 12, 2015 and to re-appoint the Founder's Day Committee

A Motion was made by Council President Zalom to approve the date of September 12, 2015 as Founder's Day and to reappoint the Founder's Day Committee. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Finter and Lamb voted Yes. Councilman Stogdill abstained. The Motion Passed.

Council President Zalom stated that she received a request from a resident to dedicate a tennis court for "pickleball". The court would have to be painted with specific lines for this. The equipment is not that expensive and she spoke to Public Works about painting the lines. They would still have to pay to use the court.

A Motion was made by Councilwoman Filippone to approve the painting of the lines for "pickleball" on the tennis courts. The Motion was seconded by Councilman Finter. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Council President Zalom stated that she has had residents question her as to why the benches on the dock were not put back there. They really help with them putting there belongings on while crabbing.

She also stated that the Ladies Fire Auxiliary is having their flower sale so do not forget to order. Order forms are on the table. She also congratulated Mayor LaCicero, who is now a grandfather for a second time.

COMMENTS FROM THE PUBLIC:

Marlene Chamberlain, 401D Grand Central Avenue questioned the claim that was denied by FEMA.

Mayor LaCicero stated that we received only \$19,000 from FEMA for our Municipal Building but all the other towns that are building new buildings due to Sandy received millions. We are in the process of an appeal.

Mrs. Chamberlain stated that she can help the town with this also. She question who the adjuster is.

Mr. Parlow stated that we are part of the Ocean County JIF but this was a FEMA denial. He stated that we use the Witt / O'Brien's group to assist in the claim submission.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Council President Zalom stated that we will be collecting 2% on credit card purchases for beach badges. The 8th grade spaghetti dinner is on April 24th and so is the fundraiser for the Firehouse. The Beach Sweeps is on Saturday, June 25th. She is assisted by Clem Boyers and Dave Finter.

Councilman Lamb stated that the order forms for the flowers are on the table if any one is interested. The summer garbage collection schedule will start May 18th. The electric repairs in the firehouse have now been completed so we are moving on nicely. Public Works purchased the dune grass we talked about at the last meeting and has already planted it on the Vance Avenue side. Also, the lifeguard stands are freshly painted and ready to go.

Council President Zalom thanked Mr. Parlow for the calendars. They are beautiful and we even have a picture of the Lavallette School for being 100 years old this year.

Mr. Parlow stated that we do have extra calendars but they will not be released until the beach badge office opens.

Councilman Finter stated that the NYC bus trip was awesome and the weather was beautiful.

Councilman Stogdill stated that the Beach Badge Office preseason will start at May 8th and the hours will be Fridays 3 to 7 pm and Saturdays, Sundays and Mondays 9am to 3pm. Also, June 15th is the last day to get the preseason price. The beach season opens June 20th and the badge office will be open 7 days a week from 9am to 3pm. Parking stickers will begin on June 20th instead of Memorial Day Weekend.

Councilman Borowski stated that we talked about allowing people to purchase beach badges as Christmas presents this year. We should start thinking about it now rather than later.

Councilwoman Filippone stated that she took a tour inside the new Municipal Building and it is very impressive. There are a number of walls within the building that can provide space for Lavallette memorabilia. We also have the Lavallette Quilt, the SS Lavallette boat and the 911 Drawing that will go back in the Council Chambers. We will be putting a committee together to

start putting all this together. Denise Wirth will be helping her get starting on this. If you are interested in serving on this committee you can submit your name to her or to the Mayor. There are also two old doors with fancy glass at someone's home that came from the original doors of the Lavallette Post Office when it was located where the old movie theater was. That person said that he would donate the door for the building. She does not know exactly where they will be going but we will figure it out.

Council President Zalom stated that the color guard from Lakehurst Naval Base will be at our Memorial Day Services and we will Mr. Fahey again as our speaker.

EXECUTIVE SESSION:

Mr. Bernstein stated that there is a need to go into executive session to discuss some updates on litigation issues. There is a possibility that some formal action may be taken.

Litigation -

Lenny's Pizzeria vs. The Borough of Lavallette

Superstorm Sandy Claims – Demand for Arbitration

A Motion was made by Councilman Finter 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 7:54 pm.

A Motion was made by Council President Zalom to reconvene the Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

The Regular Meeting reconvened at 8:35pm.

Mr. Bernstein stated that while in executive session the Borough Administrator gave updates to Mayor and Council on super storm sandy claims with no formal action being taken and Mr. Bernstein gave an update on the Lenny's Pizzeria ABC case with no formal action taken. There will be further discussion on this in the future.

ADJOURNMENT:

A Motion was made by Councilman Lamb to adjourn the Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

The Regular Meeting was adjourned at 8:36pm.

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 **20th** day of **April 2015**

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

Christopher F. Parlow
Municipal Clerk