

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE FIRST AID BUILDING**  
**May 4, 2015-7:00 pm**

**CALL TO ORDER:** Mayor Walter LaCicero, presiding

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

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 9, 2015. Notice was also posted on our municipal bulletin board and municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Sandy Bolanowski a long time WPI resident who passed away recently and for all the troops overseas.

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

**PRESENTATION:** Presenting the Memorial Plaque for Brendan Tevlin.

Andrew Ullman, a family friend of the Tevlins presented Council with the two plaques that were purchased by his family to be put in the Reese Avenue Pavilion. On May 16<sup>th</sup> the family will have a Memorial Gathering in the pavilion to show the plaque.

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. He stated that spring has sprung and the weather hopefully will just keep getting better. He 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.

**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.

Tom Cullen, 605 Bay Boulevard - stated that he was here tonight to discuss the ordinance keeping Lenny's from being able to use their liquor license. He stated that he loves Lavallette and Mayor and Council. He said he read an article about seven or eight years ago in the paper when Lenny's first wanted to use their liquor license and it was very positive as far as Council and most Lavallette residents stating they had no problems with changing the ordinance. At one time, there was talk about eliminating it altogether. Even the Planning Board was on board with the elimination. Unfortunately, there was a lot of opposition from other Lavallette residents and the special meeting

was so big it had to be held at the school. Sadly, it was turned down due to spot zoning. He stated that he took a look at the ABC Handbook and they have strict rules for license holders and being that they are the State why not let them govern the license. He stated that this has to stop tonight and we need to change the ordinance so the right thing is done.

Mayor LaCicero stated that he would love to debate this with him however this is under two separate litigations and we cannot speak about it.

Marlene Chamberlain, 401D Grand Central Avenue - stated that she lives twelve feet from Lenny's and spot zoning is real. Also, there is no statute that supports Mr. Cullen's opinion about the license.

George Carlin, 118 Vance Avenue - thanked Mayor and Council for taking care of the sand issues along the bayfront. He questioned if more plantings were going to be put in.

Mayor LaCicero stated that Councilman Lamb is not present tonight but he will reach out and tell him to give him a call.

Council President Zalom thanked Council for allowing the Tevlin family to have this plaque and the memorial dedication will be on May 16<sup>th</sup>.

#### **APPROVAL OF MINUTES:**

Minutes of Regular Meeting of April 20, 2015

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

No one else wished to comment at this time.

The Mayor closed the floor to public comment.

#### **REPORTS:**

- a) Construction Report for April-Councilwoman Filippone-read report
- b) Zoning Report for April-Councilwoman Filippone-read report
- c) Municipal Court Report for February, March & April-Councilwoman Filippone-read report
- d) Police Overtime Report for March-Councilwoman Filippone - read report. Councilwoman Filippone stated that there were three letters of accommodations for some of our police officers. One letter was from Barbara Florimont thanking Sergeant Christian LaCicero, Ryan Greenhalgh and Tony Amalfa helped a homeowner with her break in, the second was Ryan Greenhalgh helping a renter who was locked out of the house and the last one was Gerry Capron being considerate with a motorist who was in a motor vehicle accident. This just shows how great our Police Officers are. We will make sure that these letters go into their personnel files. Also, the Chief has decided that he will be putting the barrels and

cones on both north and south highways by Bryn Mawr Avenue for the traffic problems on the weekends and see how that goes.

- e) Public Affairs Report for April-Council President Zalom- She stated that she is so proud of our Police Department. They are always truly helpful with everyone. We had a wonderful beach sweeps and we had a big turnout. Thanks to Clem and Dave for all their help they give. There was a fundraiser for the Fire Department called Taste of the Barrier Island and there were so many people and so much food it was wonderful. Also, the 8<sup>th</sup> grade spaghetti dinner was a big hit. All of our summer events are all ready to start. The calendars are out and hopefully we will have senior lunch and movie again soon.
- f) Tax Account Report for April-Tax Collector
- g) Revenue Transaction Report for March-Chief Financial Officer

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

#### **ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:**

#### **RESOLUTIONS – ON CONSENT:**

- 2015-146      refunding unused planning board escrow fees to Gregg & Clarissa Sakowicz at 219 Newark Avenue in the amount of \$938.00
- 2015-147      appointing Justin Ottmer as a provisional full time dispatcher for the Lavallette Police Department at an annual salary of \$28,264.00 effective immediately
- 2015-148      appointing Steven Muller as a Sergeant for the Lavallette Beach Patrol at an hourly rate of \$15.92
- 2015-149      approving a facilities use application to the Island Junior Baseball League to hold their practices and games from June to August on various dates-Councilman Stogdill requested this be put off consent
- 2015-150      authorizing the budget to be read by title only
- 2015-151      appointing Al DeBenedictis as CERT Coordinator for the 2015 Emergency Management Team-Mayor LaCicero stated that Kevin Dey resigned this position and recommended Al for the position.
- 2015-152      authorizing the execution of a deed of dedication and perpetual road easement associated with the US Army Corp of Engineer Beachfill Project-Councilman Borowski requested this be put off consent
- 2015-153      authorizing the state contract purchase through Contract No. A-81381 for the purchase and installation of various video surveillance, audio and alarm equipment

for the new municipal building from Dynamic Security, Inc. in the amount of \$42,135.00

- 2015-154 authorizing the Municipal Clerk to sign an application for special permit for social affairs to Big Brothers, Big Sisters of Ocean County for the sale of alcoholic beverages at their wine tasting event at Ohana Grill on May 31, 2015
- 2015-155 approving seasonal workers for the Department of Public Works for the 2015 summer season
- 2015-156 authorizing the execution of a Change Order for Rio Supply Company for the replacement of water meters increasing the contract price by \$142,194.83-Mayor LaCicero stated that this project is reimbursed by FEMA and our Insurance. Mr. Parlow stated that with all the work being done in town and new houses being built the meters are being put in daily.
- 2015-156A approving Kevin Landmesser to attend the Ocean County Police Academy Class I training course at an hourly rate of \$7.25
- 2015-156B appointing Richard O'Hagan as a part-time Class II Officer at an hourly rate of \$9.00 for the 2015 summer season effective immediately

A Motion was made by Councilman Finter to approve the consent agenda with the exception of Resolution 2015-149 and 2015-152. 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.

Joe Palinsky, 122 Washington Avenue questioned if we had enough stock for all these new meters.

Mr. Parlow stated that the meter shop has enough room to store the meters.

Mr. Palinsky questioned when there is a problem with the water meter is it the town's responsibility to come and look at it or is it the homeowner's responsibility to have their plumber bring it to the yard.

Mr. Parlow stated that the per the ordinance it is the homeowner's responsibility to protect the meter from damage.

Mayor LaCicero stated that he had a client that had a major water leak and we were going back and forth on who was responsible for the leak and Public Works was able to provide documentation of the time and a day that leak occurred. There record keeping and computer system is so high tech now.

Mr. Parlow stated that he believes that if there is an issue with the meter you need to get your own plumber and he would have to bring it to us for service.

## **RESOLUTIONS - OFF CONSENT:**

2015-149 approving a facilities use application to the Island Junior Baseball League to hold their practices and games from June to August on various dates-Councilman Stogdill requested this be put off consent

A Motion was made by Councilman Borowski to approve Resolution 2015-149. The Motion was seconded by Council President Zalom.

The Mayor opened the floor and asked if anyone wished to comment on this resolution. 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, Zalom and Finter voted Yes. Councilman Stogdill abstained. The Motion Passed.

2015-152 authorizing the execution of a deed of dedication and perpetual road easement associated with the US Army Corp of Engineer Beachfill Project

Councilman Borowski stated that he has been reading through this and he knows its in preparation for this project and for them to be allowed to access from the street ends but are we sure we are not signing our life away with this.

Mayor LaCicero stated that this is just for access for the Army Corps to start the work once the project is on its way.

Councilman Borowski questioned if east of the easement is accessible.

Mr. Parlow stated that we have already granted them access east of the easement.

Councilman Borowski questioned if this project never gets off the ground what happens to our easements. Will we get them back without question.

Mr. Bernstein stated that if the project does not happen we will recover our easements with no issue.

A Motion was made by Councilman Stogdill to approve Resolution 2015-152. The Motion was seconded by Council President Zalom.

The Mayor opened the floor and asked if anyone wished to comment on this resolution.

Joe Palinsky, 122 Washington Avenue questioned if the easement is for the entire length of street and if so, what if they rip out the dunes when going through with equipment will we be in violation of our permit.

Mayor LaCicero stated that this is a federal project and the feds supersede the State so we should be fine.

Mr. Palinsky stated that they will still be going up and over not through the openings correct.

Mr. Bernstein stated that it is too soon to speculate on any of this. It is a federal project and we should wait and see what happens.

Mr. Parlow stated that this easement is strictly for the asphalt portion of the street end and does not cover any of the boardwalk.

Councilman Borowski questioned our utilities in that easement.

Mr. Bernstein stated that would be between the Federal Government and the Borough of Lavallette if there became an issue and it would be handled.

Mr. Parlow stated that this easement is strictly to provide them access to get to the beach so they can prepare for the project.

Mayor LaCicero stated that this needs to be done so we can move forward with this project when it starts.

Councilwoman Filippone stated that this access is strictly so they Army Corps can bring there equipment in to do the project.

Mayor LaCicero stated that was correct.

Jon Corney, 1 Newark Avenue questioned if this access they were giving the Federal Government is forever.

Mr. Bernstein stated that it was for 40 years.

A Motion was made by Councilman Stogdill to approve Resolution 2015-152. The Motion was seconded by Council President Zalom. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Finter voted Yes. The Motion Passed.

#### **APPROVAL OF VOUCHERS:**

2015-157 Bills List in the amount of \$3,455,744.96

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.

#### **PUBLIC HEARING OF THE 2015 BUDGET (Clerk to read Budget Resolution 2015-158)**

Mayor LaCicero stated that we are going to have the Public Hearing on the budget for tonight. There will be no adoption tonight because we are waiting to hear on our Essential Services Grant. Once we hear on that we will adopt.

Mr. Parlow stated that we can adopt as soon as we hear about the grant as long as we have no other amendments. If we have an amendment we will have to have another public hearing and then we can adopt.

Mayor LaCicero stated that he would like to recognize our Auditor, Robert Oliwa who is present.

Mr. Parlow read aloud the budget resolution (2015-158).

A Motion was made by Councilman Stogdill to open the Public Hearing. The Motion was seconded by Councilwoman Filippone.

Mr. Oliwa stated that the total appropriations were \$9,154,165 which is up by 2.17% from prior year. The largest increase would be the special emergency which was 4.7 million dollars. We are raising \$154,000 in taxes to balance the budget for the special emergency. We have to wait to hear about the essential services grant which if received will give us \$853,856. The tax rate is 28.06 which is an increase of about 1.4 cents. We are not where we were before Sandy with the ratables yet but we are getting there.

Jon Corney, 1 Newark Avenue there still is some room to shave a penny.

Mayor LaCicero stated that just to be safe especially not knowing if we are getting the grant we need it to be this way.

Mr. Parlow stated that he would not recommend shaving anything off either.

Clem Boyers, 20 Kerr Avenue questioned if the ratables are not good yet but they will be getting better after October 1<sup>st</sup>.

Mayor LaCicero stated that once the Assessor gets the certificate of occupancy he adjusts the assessment and they get an added assessment bill.

Mr. Boyers stated that if we are down twenty four million dollars in ratables since October 1, 2014 we should be less than then a third by October 1, 2015.

Mayor LaCicero stated that we are hoping for that but we will not know until after October 1<sup>st</sup>.

Mr. Parlow stated that it sounds so simple but in reality it is not.

Councilwoman Filippone questioned if we did get the essential services grant how would it impact the budget.

Mr. Oliwa stated that it would be basically a wash.

Mr. Bernstein stated that Council cannot adopt the budget tonight because it is not approved by the DCA yet. Once we here from the DCA we will schedule the adoption unless there are amendments

that need to be done. If so, we will schedule another public hearing for those amendments. No further action will be taken tonight.

No one else wished to comment at this time.

The Mayor closed the floor to public comment.

#### **COMMUNICATIONS:**

##### **Legal:**

- a) Eric M. Bernstein & Associates/Eric Bernstein, Esq/Lenny's Pizzeria Restaurant v. Borough of Lavallette/Received April 14, 2015
- b) Eric M. Bernstein & Associates/Eric Bernstein, Esq/Performance Bond/Wallace Brothers, Inc./Received April 15, 2015

##### **Engineering:**

- a) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Repair of Damaged Roadways Phase II/Pay Estimate No. 2/Received April 13, 2015
- b) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Construction of New Municipal Building/Pay Estimate No. 11/Received April 14, 2015
- c) O'Donnell, Stanton & Associates/Michael O'Donnell, Engineer/Virginia Avenue Road Improvements/Received/Received April 21, 2015

##### **New Jersey League of Municipalities:**

- a) Weekly Policy Update/Received April 2, 2015
- b) New Jersey Public Employment Conference/Received April 2, 2015
- c) Notice of Cops In Shops Grant Program/Received April 7, 2015
- d) Review of Anti-Panhandling Ordinances Recommended/Received April 8, 2015
- e) In Re Failure of the Council on Affordable Housing Trust Fund Committee Regulations/Received April 9, 2015
- f) Weekly Policy Update/Received April 10, 2015
- g) User Friendly Budget Forms and Instructions Available On-Line/Received April 14, 2015
- h) Weekly Policy Update/Received April 17, 2015
- i) Weekly Policy Update/Received April 24, 2015

##### **General With No Action:**

- a) Ocean County Health Department/John Protonentis, Health Coordinator/Fiscal Year 2016 Solid Waste Control Program/Received April 6, 2015
- b) MBI-GluckShaw/Paul Maticera, Partner/Best Practices/Received April 8, 2015
- c) Barbara Florimont/7 Sturgis Road/commending the Lavallette Police Department for helping her with a recent break in/Received April 10, 2015

- d) Robert Van Dorpe/2208 1<sup>st</sup> Avenue/Toms River, NJ/resignation letter effective August 1, 2015 from the Public Works Department/Received April 28, 2015
- e) Roosevelt & Cross, Inc./\$2,785,000 General Obligation Refunding Bonds, Series 2015/Received April 15, 2015-Mr. Parlow stated that the CFO will have a report for us on this for the June meeting.
- f) Environmental Management Associates, Inc./Nathan Thompson, Site Remediation Professional/Response Action Outcome/Remediation Completed/Received April 15, 2015
- g) State of New Jersey/Department of Transportation/Jamie Fox, Commissioner/Approved Funding for the Guyer Avenue Road Improvements in the amount of \$147,000
- h) Najarian Associates/Robert Bucco, Jr., Senior Municipal Engineer/FEMA Flood Mapping Appeals/Received April 10, 2015
- i) Zurich American Insurance Co./Peter Hanrahan/Undisputed Hurricane Sandy Flood Payment in the amount of \$81,974.00-Mayor LaCicero stated that this is another wonderful payment from our insurance.
- j) DEP News Release/Commissioner Martin, Army Corps of Engineers to Kick Off Major Post-Sandy Beach Construction Projects/Received April 17, 2015
- k) Barnegat Bay Partnership/L. Stanton Hales, Jr., Director/Support for Development of Stronger Stormwater Standards/Received April 17, 2015
- l) NJ Bankers/Michael Affuso, Vice President/Foreclosures/Property Maintenance Issues/Received April 22, 2015
- m) NJ Department of Environmental Protection/Two Major Beach Construction Projects Are Launched/Received April 22, 2015
- n) Environmental & Technical Services, LLC/Jack Lynch, President/Right To Know Survey Reports/Received April 23, 2015
- o) Ocean County Municipal Utilities Authority/Keith Marcoon, Director/First Quarter-2015 Metered Flow Data/Received April 27, 2015
- p) Board of Chosen Freeholders/John Kelly, Freeholder/Upgrade to their 500 MHZ Public Safety Communication Network/Received April 27, 2015
- q) New Jersey Builder's Association/George Vallone, President/New Jersey Supreme Court Decision Returning Mt. Laurel Matters to the Trial Courts/Received April 27, 2015

General With Action:

- a) Lavallette Board of Education/Patricia Christopher, Business Administrator/inviting the Mayor and Council to attend the next Board of Education Meeting on Wednesday, August 29, 2015 at 7pm to listen to the proposed School District Budget/Received April 6, 2015-Mayor LaCicero stated that this was April 29<sup>th</sup> not August. The letter they sent was incorrect.
- b) Tom Luciano, 13 Washington Avenue/requesting Lavallette paint additional lines for pickleball on two of the tennis courts for residents to play/Received April 10, 2015-Council President Zalom stated that this is all taken care of. Councilman Borowski questioned who was painting the lines. Council President Zalom stated that Public Works is doing it.
- c) Russ Behnam/2304 Ocean Front/requesting the town change the beach opening from the front of his parents home due to trespassing on his property/Received April 13, 2015-

Mayor LaCicero stated that we haven't made a decision on which streets will be opened yet for this year.

- d) Faith Lutheran Church/Edythe Jansen, Administrative Assistant/requesting the closure of New York Avenue on the ocean block on June 28, 2015 from 8:30 am to 2pm for their 60<sup>th</sup> Anniversary Celebration/Received April 15, 2015-Councilwoman Filippone stated that this is during our beach season and New York Avenue is a busy beach street. We cannot block of this whole street all day. Councilman Stogdill stated that he believes it is only from the highway to the church property. Mayor LaCicero that we will give them that much of the street but they will also need Police presence. Councilman Stogdill stated that he will advise them of same.
- e) State of New Jersey/Department of Transportation/Debbie Kingsland, Section Chief/Monmouth and Ocean Counties Complete Streets Workshops/requesting attendance at two workshops they will be offering to help with starting to build safer streets and stronger communities/Received April 22, 2015-Mayor LaCicero stated that he will look into this.

### **UNFINISHED BUSINESS:**

#### Mayor's Update on Route 35 Reconstruction Project

The Mayor reported that he and Mr. Parlow met with the DOT for an update on the work schedule. They are saying that they will have the left shoulder on Route 35 North completed within two weeks. The B2 District from Brown to Guyer Avenues will have right shoulder parking and the left will be done. They do not anticipate as of right now that in front of Meg's Grill will be completed by Memorial Day. There is a map on the table with all the dates on all the sections of the highway and when they will all be done.

Mr. Parlow stated that some of the dates have changed with some sections but the result is still very good.

Mayor LaCicero stated that regarding the south bound lanes there will be one shoulder open and two lanes of travel. After Labor Day when they come back they will start the repaving and are confident they will be 100% done in Lavallette by Thanksgiving.

Councilman Borowski questioned Elizabeth Avenue and Northbound and what was going to happen with that.

Mayor LaCicero stated that it will be paved and done by Memorial Day.

### **NEW BUSINESS:**

NJDOT Needs Lavallette to Choose the design, location and Borough Logo for the Welcome to Lavallette Signs on Route 35 North and South they will be purchasing and installing.

Councilwoman Filippone stated that there is a bench over by the Newark Avenue Treatment Facility and it is in need of a garbage receptacle over there. Also, she would like the Mayor to

appoint for her a Memorabilia Committee with her, Denise Wirth, Pat Marrone, Mary Jo Austin and Mark Speaker so they can meet and discuss the memorabilia that will be going on the walls in the new municipal building.

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

Councilwoman Filippone stated that the State will be purchasing our Welcome Signs on both highways for us. They have a criteria that we have to follow as far as the colors and the size. Matt Burk put together some logos for us and the one that really looks the best is the gazebo.

Pat Marrone, Beautification Committee stated that the gazebo is not the official logo of Lavallette and our colors are blue and white so those are what should be used.

Councilwoman Filippone stated that we don't have much time to make a decision so we need to move on this right away.

Councilman Borowski questioned if we can give it two weeks for Pat and Joanne to sit down and figure this out.

Mr. Parlow stated that he does not think it can wait that long. The State is looking for a decision this week.

A Motion was made by Councilman Stogdill to designate Council President Zalom and Councilwoman Filippone to meet and make a decision by May 8<sup>th</sup>. The Motion was seconded by Councilman Finter. Vote: All of Council was in favor. The Motion Passed.

Councilman Borowski stated that at one of our meetings we discussed the former overlooks we had on Jersey City and Brown and whether or not we should erect them again since we do not know when the Army Corps project will be starting again. He stated he has done some research and knowing that FEMA will reimburse us at least 90% of the project which will leave us roughly \$10,000 out of pocket and since we have had a lot of requests for them he believes that we should really start considering it now.

Mayor LaCicero stated that we could maybe the Engineer to give us a cost analysis and then we would have to go out to bid.

Council President Zalom stated that a lot of the residents miss them and we definitely need them back especially if we do not know when this project will get started. She stated she could check to see if we could use the CDBG money that we were going to use for Trenton Avenue accessibility.

Councilman Stogdill stated that he knows we have been getting a lot of requests for them but we know that even though the project is not started yet we know it is going to happen eventually so would it be worth the money to spend for us to do this. The project might not start for 4 or 5 years but what if it starts in the fall.

Mayor LaCicero questioned Mr. Parlow on whether he thought that FEMA would pay 90% of the Engineer costs as well.

Mr. Parlow stated that he was unsure but would check on it.

Mayor LaCicero stated that either way they would not be done for this summer anyway so let's find out about the Engineer costs and go from there.

Council President Zalom stated that she would check on the \$30,000 grant also.

Mr. Parlow stated that he was not comfortable with using federal grant money to use as the Borough's ten percent share. He does not believe that would be approved by FEMA.

Councilman Borowski stated that he did not think it was favorable that the Engineer costs would be covered anyway.

Council President Zalom stated that she would like to thank Pat Marrone of the Beautification Committee for all she does with her committee for Lavallette. They have purchased knock-out rose bushes for Hankins Park, Memorial Day flowers at the gazebo, containers with flowers at all our pavilions and will also be taking care of watering those flowers. They also were concerned about the medians on Bay Boulevard and wanted to know if they could do some planting there also. The County took care of the medians in Ortley Beach so she contacted them and asked about hours. They advised me that they will be taking care of that area so we should be good. We are all set for Memorial Day and the Skinner Family has asked if they could plant a tree in honor of Donald Skinner at the Memorial Gardens so they will be doing that. Also, the Heritage Committee will be paying for the clock in front of Borough Hall to be repaired and restored.

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

Joe Palinsky, 122 Washington Avenue, stated that in the packet there was a letter from the Board of Freeholders about them upgrading their communications are we going to take advantage of that for the new municipal building.

Mayor LaCicero stated that we have already been ahead of that curve so we do not need to. We will be discussing with the Chief about our new communication system so he will still run that by him.

Pat Marrone, Beautification Committee stated that years ago we purchased Pear Trees in front of Borough Hall. With the new construction being done there and the Route 35 project they are now all gone. Will they be replacing with new Pear Trees or no.

Mayor LaCicero stated that there is a landscaping plan in place but he will have to check on what trees will be going there.

Mrs. Marrone also questioned putting pavers in that area and will that be done. If not, the Beautification would be more than happy to purchase the trees and the pavers for that area.

Mayor LaCicero stated that he will check and let her know.

Jon Corney, 1 Newark Avenue requested to have a Public Works Report on the agenda every month along with all the other reports for the departments.

Mayor LaCicero stated that he will let Councilman Lamb know that.

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

Councilman Stogdill stated that the Badge Office opens this Friday, May 8th. The hours are Friday, 3 to 7 pm and Saturday through Monday, 9am to 3pm. Once the beach season starts they will be open every day 9am to 3pm.

Councilman Borowski stated that he just wanted to wish Bob Van Dorpe the best in retirement.

Council President Zalom stated that Tom MacArthur's Office was able to block the closure of the Joint Bases.

**EXECUTIVE SESSION:**

Litigation -  
Lenny's Pizzeria vs. The Borough of Lavallette

Mr. Bernstein stated there is a need to go into Executive Session to discuss some litigation updates regarding Lenny's Pizzeria and also some updates on the Affordable Housing rules. No action will be taken.

A Motion was made Councilwoman Filippone to adjourn the Caucus/Regular Meeting to go into Executive Session. The Motion was seconded by Councilman Stogdill. Vote: All of Council was in favor.

The Caucus/Regular Meeting was adjourned at 9:05pm to go into executive session.

A Motion was made by Councilman Stogdill to reconvene the Caucus/Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

The Caucus/Regular Meeting reconvened at 9:24 pm.

Mr. Bernstein stated that while in executive session he updated Council on the Lenny's Pizzeria litigation and he gave updates on the Affordable Housing rules. There was no action taken.

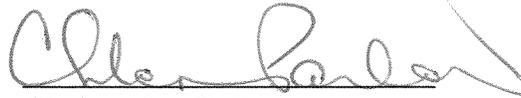
**ADJOURNMENT:**

A Motion was made by Councilman Stogdill to adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilman Finter. Vote: All of Council agreed. The Motion Passed.

The Caucus/Regular Meeting was adjourned at 9:25pm.

**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 4<sup>th</sup> day of **May 2015**

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

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