

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, October 3, 2016-7:00 pm**

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

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

Also present:           John Bennett, Borough Administrator  
                          Donnelly Amico, Municipal Clerk  
                          Phil George, Borough Attorney

**READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT:** Notice of this meeting was published in the Ocean Star on January 8, 2016. Notice was also posted on our municipal bulletin board and municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for long time resident John Frayman. Mr. Frayman was a former Councilman for 15 years and a member of the Lavallette Fire Department for 50 years. He lived in Lavallette since he was a child and even attended Lavallette Elementary School.

**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 the process of the dune project has officially started. They had a kickoff meeting last week and the bid specs went out Monday. You figure at least 30 days for the specs and then the bids to come in and then 30 to 60 days for them to review and award the bid so roughly a total of 90 days for all of that. Unfortunately, they have no information on where they are going to start but hopefully it will be in the middle.

Council President Zalom stated that she spoke with Congressman MacArthur and he is thrilled that this project is starting to move forward.

The Mayor stated that 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)**

Dave Daly, 11 Reese Avenue stated that he and his wife have submitted a proposal for new basketball courts and volleyball courts with full detail of the scope of the project and this will be at no cost to the Borough. They will be donating the money for this project fully. We submitted our first plan and were asked to make some changes in many ways. We have already discussed this project with Halecon, a contractor who will be doing the project. The biggest issue seems to be the sign and we have also been flexible with that as well but we are anxious for this to move forward in

order for it to be completed before Memorial Day 2017. We are asking Mayor and Council to make a decision on this project tonight to get it finalized.

Genevieve Daly, 11 Reese Avenue stated that she is the daughter of Dave and Nancy Daly. When we lost George we were all very distraught. This project will fully honor my brother's life while also making Lavallette a better place. We would like this project to move forward as soon as possible.

Ron Fulop, 8 Reese Avenue stated that he has owned property here for 30 years. His family has always played basketball on these courts. The courts in Lavallette are just not in good shape and haven't been for quite some time. When you have someone who is willing to foot the entire cost of an improvement this big at no cost to the taxpayer should pretty much a no brainer.

Charlie Cerami, 4 Reese Avenue stated that he has lived in Lavallette for 45 years and has been a builder for 35. He looked at the plan and thinks its great and the price is great.

Robin Allen, 1 Reese Avenue stated that the plan is beautiful and its very well thought out. It will beautify the bay front and the expense will not be on Lavallette. She encourages Council to move forward with this project.

Vincent Porcelli, 125 Brooklyn Avenue stated that he knows the Daly's and they are very kind people. This is a tremendous generous offer and they should move forward as quickly as they can.

Barbara Peraino, 12 Reese Avenue stated that she is in favor of this project and the town should accept the plan and move forward quickly.

Ed Conley, 104 Magee Avenue stated that his has been friends with the Daly's for awhile and he also knew George very well. When you live in a town, you are always thrilled to see improvements being done because it just adds value to the town and the homes. Adding value to the town at no cost to the town or the taxpayers and adding to the recreation facilities for the visitors is just a remarkable idea. George was an absolute amazing kid. He helped everyone out after the storm and was just a sweet kid. He encourages Council to move forward with this project.

Wayne Howell, 301 Bay Blvd. stated that he rode past the bay front where this project is supposed to go and all he sees right now is a big hockey rink taking up a lot of space, not being used and also not looking nice at all. This plan is great for the town and a great remembrance of a great kid. What is the problem?

Pat Marrone, Beautification Committee stated that she saw the plan last week and it is a wonderful plan. There are just a few things that they felt needed some adjustments. Lavallette's founding fathers wanted that area down on the bay front to be open space with no overflow of recreation facilities. The project just seems too large for that one area. We want to leave some open space as well and it just seems like in that area it will be too crammed with courts.

Council President Zalom questioned if Councilman Lamb has been working on this project moving forward with the Daly's?

Councilman Lamb stated that they did have a meeting already and there were some issues with blocking of views, light poles. The Daly's have been accommodating as far as changing some things and even scaling the sign down a bit. He is also anxious to move forward with this plan.

Mayor LaCicero questioned Mr. George on if the project was voted on tonight and it was voted down, when could it be brought up again and voted on?

Mr. George stated that if it was voted down tonight with a resolution, they would have to wait at least 30 to 60 days before it could be voted on again. Even if it was voted on tonight, there are still financial issues that need to be addressed as well as the legalities and the specifics before an agreement could be finalized.

Councilman Lamb questioned if it could be voted on tonight with a legal contingent?

Councilwoman Filippone stated that the intention is not to vote it down but it can not be voted on seriously without having some of the issues worked out. There is already a sand blowing issue on the bay front blowing onto properties and we will now have a volleyball court there with sand that will also blow around.

Councilman Lamb stated that the Daly's have also brought up the idea of benches and other ideas with their plan but he was against that because we have enough benches around the bay front.

Councilwoman Filippone stated that on the plan there is no place in between, existing or new, for any benches or shrubbery or even a walkway as it stands right now. You can't take every inch of the bay front.

Councilman Lamb stated that the basketball courts use to be where the library is now. When it was approved that the library was going to be built in that area we picked up those courts and just dropped them on the bay front. We didn't plan where they should go, we just dumped them wherever.

Council President Zalom stated that there is no doubt that the courts need to be upgraded. This is a donation, which will be no cost to the taxpayers. We cannot just say we don't want your donation. Maybe we can figure out what other type of ground can be put in a volleyball court besides sand. There has to be some kind of middle ground that we can all agree on. This is for the town, residents, children and visitors to come and enjoy our facilities and still making Lavallette beautiful.

Councilman Stogdill stated that the project is great and both sides have great ideas. We need to sit down and come to some type of agreement but Beautification should be included.

Councilman Borowski stated that he watched the 30 minute tribute to the Daly's son and it was very moving. He thinks that the Daly's and Beautification both have good points. This project hasn't been fully vetted yet. We have just been piecing it together. We need to have a full collaboration of the minds and also take into consideration Beautification's ideas.

Councilwoman Filippone stated that the Beautification Committee had a good suggestion as well. Take a space where the current basketball court and tennis courts are now and put a memorial garden with shrubbery and benches. These are the ideas that we need to discuss at length. We need to come to some type of compromise. Some residents who have been here for 100 years have concerns about too much in one place. We need to have another meeting.

Councilman Finter stated that he is in favor of the project but thinks that it needs another sit down to iron out a few issues and have it on for the next meeting for a vote.

Councilman Lamb stated that he is not in favor of a big meeting with all this input coming from all different areas because it will never get rectified. It gets too crazy when you have too much input with a million different ideas being thrown every which way. They came up with this plan and we already sat down with them once with some officials and they scaled the plan down a few times already. The volleyball courts are already environmentally friendly. If we have another meeting with the Daly's, Beautification, and Council and each of their ideas are put forth, it is never going to move forward. This one doesn't like this plan and this one doesn't like this idea and he just doesn't see any of us coming to a final agreement on a final plan. He would like to make a motion to have legal take a look at it and if any tweaks need to be done somewhat then we look at just those areas.

Councilman Borowski stated that there is not even any plan here to vote on. We can't vote on what we saw at the last meeting because there were changes done and we have nothing to look at tonight because it was not on the agenda so how can we vote on it before reviewing the new plan.

Mayor LaCicero stated that he thinks that it needs to be discussed further before a vote can be done. We can put it on for the next meeting for a vote.

Mr. Bennett stated that Beautification suggested only one volleyball court instead of two and the other issues they had were minimal, really so we need to set up a meeting with the Daly's and the Beautification and let them both see what there ideas are and go from there.

Mayor LaCicero stated that we will have a finalized plan the Friday before the meeting on the agenda.

Mr. Bennett stated that Halecon had some questions about prevailing wage and he advised them to reach out to the Borough Attorney.

Patricia Doles, 14 Bryn Mawr Avenue stated that there are a lot of benches already at the Bocci Ball courts and the gazebo. As far as cramming, the whole south side is open space so maybe spread it out a little more. If this was my money that I was donating and it's a lot of money I would not be in favor of anyone else telling me what I should be doing with it.

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

Minutes of Regular Meeting of September 19, 2016  
Executive Session Minutes of September 19, 2016

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, Finter and Lamb. The Motion Passed.

## **REPORTS:**

- a) Construction Report for September 2016-Councilwoman Filippone-read report
- b) Zoning Report for September 2016-Councilwoman Filippone-read report
- c) Municipal Court Report for September 2016-Councilwoman Filippone-read report
- d) Police Overtime Report for September 2016-Councilwoman Filippone-no report
- e) Public Works Report for September 2016-Councilman Lamb-read report-Councilman Lamb stated that Gary from Public Works thinks the gazebo that the homeowner is looking to donate to the town from Newark Avenue can maybe go in the area on Bay Blvd. in front of the Newark Ave Treatment Plan where those trailers are right now. It might make it look nice over there once the trailers are gone and if we have to move it, we won't have to move it too far. Councilman Borowski stated that might be a good idea but the area would have to be cleaned up to make it look nice. Councilman Lamb stated that our gardener did a very nice landscape design for that area awhile ago so let's see if he still has it and take a look at it. Mayor LaCicero stated that is a good idea to put it there. Can we just drop it there for now even before the trailers are gone? Councilman Borowski stated that it is going to need a concrete slab to put it on. Councilwoman Filippone stated that another place is where the Sabarese gazebo was on Jersey City Avenue on the ocean.
- f) Public Affairs Report-Council President Zalom-There is fall/winter flyers of all the events going on in town downstairs and on our website. The food truck festival is October 16<sup>th</sup>, Halloween Hoedown on October 29<sup>th</sup>, Beach Sweeps on October 23<sup>rd</sup>, NYC bus trips on December 7<sup>th</sup> and 10<sup>th</sup> and the ski trip to Wyndham on January 21<sup>st</sup>.
- g) Tax Account Report for September 2016-Tax Collector
- h) Revenue Transaction Report for August 2016-Chief Financial Officer

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

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

### **RESOLUTIONS – ON CONSENT**

- 2016-262      authorizing the transfer of a 2013, 2014 and 2015 state tax appeal credit to 2016 taxes receivable
  
- 2016-263      amending the 2016 capital budget to include road improvements to Elizabeth and Dover Avenues and the Water Tank repainting project
  
- 2016-264      appointing Douglas Erb as the temporary Construction Official for the next 45 days at an hourly rate of \$40.00-Mayor LaCicero stated that we had a candidate and he

backed out and then we had another candidate and he too backed out so until we hire an individual Mr. Erb will temporarily take on the role.

- 2016-265 supporting Assembly Bill A-1178 and Senate Bill S-925 authorizing municipal dredging of lagoon community waterways
- 2016-266 proclaiming the October 23<sup>rd</sup> through October 31<sup>st</sup> as Red Ribbon Week in the Borough of Lavallette and encourages residents to educate themselves on substance abuse prevention
- 2016-267 proclaiming October 2016 as National Breast Cancer Awareness Month in the Borough of Lavallette
- 2016-268 proclaiming October 2016 as National Domestic Violence Awareness Month in the Borough of Lavallette
- 2016-269 accepting the retirement of Robert Kadeg and authorizing payment of unused sick and vacation time
- 2016-270 awarding a contract to Diamond M Lumber for the purchase of lumber for repairs to the boardwalk in the amount of \$38,840
- 2016-271 approving a 50/50 off premise raffle to be drawn on December 9, 2016 at the Lavallette Elementary School during their Christmas Show

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

The Mayor opened the floor to the public and asked if anyone wished to comment on the consent agenda.

Jon Corney, 1 Newark Avenue questioned what Resolution 2016-262 was about?

Mayor LaCicero stated that it was tax appeals for that individual taxpayer that were finally approved for those years and we are just transferring the credits to 2016

Clem Boyers, 20 Kerr Avenue questioned which blocks of boardwalk will be repaired?

Mayor LaCicero stated the blocks were from Reese to Ortley.

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.

**RESOLUTION - OFF CONSENT:**

2016-272 authorizing a social affairs permit to the Lavallette Fire Department to serve alcoholic beverages during the Lavallette Business Association's Food Truck Festival on October 16, 2016 from 11am to 5pm to be held on the Firehouse grounds located at 125 Washington Avenue

Mayor LaCicero stated he has a little bit of an issue with this. Are they serving the beer in the firehouse parking lot or the parking lot on Bay Blvd. by the gazebo and are they paying for the police or are we. We should not be paying for our cops to secure this beer tent because it is not a Borough event.

Councilman Borowski stated that paying for the security can get very expensive.

Mr. Bennett stated that he has spoken with the Chief and was told that the Borough would not be paying for the police at this event.

Mayor LaCicero also stated that he doesn't even know how selling beer came into this picture because we were not made aware of it until now.

Mr. George stated that they could still approve the resolution contingent upon the Fire Co. being advised they will pay the cost of the police officers and that the beer will be sold in the Bay Blvd. parking lot next to the gazebo.

A Motion was made to approve this Resolution contingent upon the fire company paying the cost of the police officers and the beer being sold in the Bay Blvd. parking by Council President Zalom. The Motion was Seconded by Councilwoman Filippone.

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

No one wished to comment.

The Mayor closed the floor to the public and asked Council for a vote on this resolution.

Vote: Council Members Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. Councilman Borowski abstained.

2016-273 approving a special event/facilities use application to Brian Seemann of the Philadelphia Hand Bell Ensemble to shoot a music video on the ocean beach at President Avenue on November 12<sup>th</sup> and November 13<sup>th</sup> from 11am to 5pm

The Mayor stated that this is not during our busy season and seems like it will be contained.

A Motion to approve this Resolution was made by Councilwoman Filippone. The Motion was Seconded by Councilman Borowski.

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

No one wished to comment.

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

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

2016-273A     proclaiming the week of October 9 through 15, 2016 as Fire Prevention Week in the Borough of Lavallette

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

**APPROVAL OF VOUCHERS:**

2016-274           Bills List in the amount of \$570,036.49

A Motion to approve the bills list was made by Councilman Lamb. The Motion was Seconded by Councilwoman Filippone.

The Mayor opened the floor to the public and asked if anyone wished to comment on the bills list.

No one wished to comment.

The Mayor closed the floor to the public and asked Council for a vote on the bills list.

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

**ORDINANCES ON FOR INTRODUCTION:**

BOND ORDINANCE 2016-06 (1150) BOND ORDINANCE PROVIDING FOR ROAD IMPROVEMENTS TO ELIZABETH AVENUE AND DOVER AVENUE, AND APPROPRIATING \$270,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$270,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF LAVALLETTE IN THE COUNTY OF OCEAN, NEW JERSEY

Mayor LaCicero stated that this is for our yearly road project.

Mr. Bennett stated that he has spoken to the Administrator for Toms River Twp and they have agreed to pay for half of the project for Dover Avenue.

A Motion to introduce this Bond Ordinance was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for October 17, 2016

**BOND ORDINANCE 2016-07 (1151) BOND ORDINANCE PROVIDING FOR THE PAINTING AND REPAIR OF THE WATER TOWER, AND APPROPRIATING \$1,352,250 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,352,250 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY**

Mayor LaCicero stated that this is for the water tank repainting project and we have also applied for a grant to help offset the costs.

Mr. Bennett stated that we will not be spending any money at all until we know how much of the grant we will be getting but we had to do this Bond Ordinance before we can approve a proposal from O'Donnell, Stanton for this project.

A Motion to introduce this Bond Ordinance was made by Councilman Finter. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for October 17, 2016

**ORDINANCE 2016-08 (1152) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, REGULATING THE STATUTORY AUTHORITY OF VERIZON NEW JERSEY, INC., ITS SUCCESSORS AND ASSIGNS TO USE THE VARIOUS PUBLIC STREETS, ROADS, AVENUES, HIGHWAYS AND OTHER PUBLIC WAYS IN THE BOROUGH OF LAVALLETTE FOR ITS LOCAL AND THROUGH LINES AND OTHER COMMUNICATIONS FACILITIES AND PRESCRIBING THE CONDITIONS THEREOF**

Mayor LaCicero stated that we have a lease agreement with Verizon regarding the use of our poles and it was a 50 year lease that is now up and needs to be done again for another 50 years.

Mr. Bennett stated that was some verbiage in this ordinance sent over from Verizon regarding antennas and he wanted to make sure some of that wording was changed before we introduced it.

A Motion to introduce this Ordinance was made by Councilman Stogdill. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for October 17, 2016

**ORDINANCE NO. 2016-09 (1153) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING**

CHAPTER 90, ENTITLED "ZONING" OF THE CODE OF THE BOROUGH OF LAVALLETTE  
AMENDING ZONING PERMIT FEES

Mayor LaCicero stated that this ordinance is for increasing our zoning fees which will be in alignment with Seaside Park fees to make an easier transition when we do the shared services for Construction Services.

Councilman Borowski stated that he was confused with this whole situation since we reduced the construction/zoning hours but now are raising fees and we are adding a town.

A Motion to introduce this Ordinance was made by Councilman Stogdill. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for November 14, 2016

ORDINANCE NO. 2016-10 (1154) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING  
CHAPTER 55 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED "SOLID  
WASTE" AMENDING SECTION 55-11 ENTITLED "BULK TRASH REGULATIONS"

Mr. Bennett stated that e-waste has become too expensive for the Borough to bring over by truckloads so we will not accept anymore e waste at our Recycling Center. Residents can either pay a fee for the Borough to pick it up at their residence or they can take it over to the County Recycling Center on their own.

Councilman Borowski stated that he was told that we bring over four trailers a year of these types of goods which costs us about \$1,600 a year. To him it is really a small amount to pay for this service to help out our residents so he doesn't know why this had to change.

A Motion to introduce this Ordinance was made by Councilman Stogdill. The Motion was Seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for October 17, 2016

ORDINANCE 2016-11 (1155) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE,  
COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING  
CHAPTER 7, OF THE BOROUGH CODE ENTITLED, "BATHING AND BEACH CONTROL"  
AMENDING SECTION 7-9 BEACH BADGE FEES

Mayor LaCicero stated that this is increasing all our badge fees.

A Motion to introduce this Ordinance was made by Council President Zalom. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for October 17, 2016

Councilman Borowski stated that he would like to make a Motion that the Ordinance 2016-02 (1146) regarding the Public Power Authority be carried until the next meeting for Adoption. It isn't on the agenda because it was not able to be adopted as of yet but he would just like a vote to carry to next meeting for the record. The Motion was Seconded by Councilman Finter. Vote: All of Council was in favor. The Motion Passed.

Ordinance 2016-02 (1146) will be carried until the meeting of October 17, 2016.

### **COMMUNICATIONS:**

Legal:

- a) Eric M. Bernstein & Associates/Dominic DiYanni, Esq./James & Diana Amato v. Borough of Lavallette/Received September 20, 2016

New Jersey League of Municipalities:

- a) Weekly Policy Update/Received September 2, 2016
- b) Weekly Policy Update/Received September 9, 2016
- c) Daily Update/Received September 12, 2016
- d) 19<sup>th</sup> Annual Elected Officials Hall of Fame/Received September 16, 2016
- e) Weekly Policy Update/Received September 16, 2016
- f) Homeland Security/Received September 19, 2016
- g) Innovation in Governance Awards/Received September 21, 2016
- h) Weekly Policy Update/Received September 23, 2016

General With No Action:

- a) Ocean County Health Department/Daniel Regenye, Coordinator/Hepatitis B Inoculations/Received September 7, 2016
- b) JoAnn and Vincent Marino/1501 Bay Blvd./thank you letter for the plastic walkway, bench and ramp on access point between New York and Pennsylvania Avenues/Received September 12, 2016-Council President Zalom stated that we were able to purchase this with CDBG money from 2015. We also used this money to make the Municipal Building front entrance door more handicap accessible as well as forming the sidewalks up to the boardwalk on the ocean side streets that were all broken up and not accessible to wheel chairs and baby strollers. We managed to use all the money to the penny because if any money was left over the County takes it back.
- c) Northern Ocean Habitat for Humanity/Zach Hynoski/letter of thanks for participating in their first Annual Walk to Build and allowing use of their Lavallette Boardwalk/Received September 16, 2016
- d) Ocean County Health Department/Mary Gibson, Alliance Coordinator/Upcoming Deadlines regarding current Municipal Alliance cycles/Received September 20, 2016

- e) Ocean County/Department of Solid Waste Management/Gerry Little, Freeholder/Ocean County Recycling Revenue Sharing Program/Received September 29, 2016
- f) Advocates for Children of New Jersey/Cecelia Zalkind, President/Policy Brief/Received September 29, 2016

General With Action:

- a) Tom Luciano/13 Washington Avenue/Kathy Grandstrand/23 Brown Avenue/letter requesting to expand Pickle Ball Facility/Received September 23, 2016-Mayor LaCicero stated that he spoke to these people and advised them that we were not going to decide anything on this until we made a decision on the new basketball courts. Once that is finalized then we can take a look at maybe the old basketball courts for renovation.

**UNFINISHED BUSINESS:**

Lavallette Beautification Committee-Streetscape Plan

Mr. Bennett stated that he met with Pat Marrone and some of the members and discussed the new potential streetscape plan and ran through which blocks that the Engineer and I decided to go with. We will be applying for a grant for this project. We had a lot of discussion on which blocks and where the light poles should go as well as where pavers should be.

Pat Marrone was in the audience and she came up and read aloud the Beautification's minutes of that meeting and also their suggestions on the plan.

Mayor LaCicero questioned why we are only doing three blocks?

Mr. Bennett stated that we will only be getting a certain amount of money but if there is the ability to get more money we will continue the blocks.

Mrs. Marrone stated that last time we applied for the grant, we had requested four blocks but they only gave us three blocks.

Mayor LaCicero stated that we will have to see what they give us when we apply.

Councilman Borowski stated that he remembers a few meetings ago there was discussion regarding the sanitary sewer and a manhole leaking. Does anyone have any information on this?

Mr. Bennett stated that they did some checking and found that a manhole was leaking.

Councilman Borowski questioned if they went out checking because of the OCUA bill being so high?

Mr. Bennett stated that he doesn't think that was the reason. The water department goes out every so often and does routine maintenance.

Councilman Borowski stated that there is hydrant flushing starting this month and his suggestion is to have them also check out all the sewers and manholes at that time while they are already opening anyway.

Mr. Bennett stated that he would pass it along to the Supt.

**NEW BUSINESS:**

Councilman Borowski stated that he just wants to remind everyone to always call for mark outs before you dig on your property for any reason because it is very important.

Councilman Borowski stated that it is Fire Prevention Week and on September 28<sup>th</sup> there was a house fire in town. It was a team effort with Lavallette, Seaside Heights and Ocean Beach Fire Departments responding. He wants to remind everyone to always check their batteries in their smoke detectors.

Mr. Bennett stated that he spoke to NJ American Water and they will be flushing the water lines in Westmont Shores due to some complaints about the water being discolored.

Mr. Bennett stated that there are some streets in town that need some corrections to some areas and the Engineer will be taking care of that. The issue with the new paving in front of 106 Guyer Avenue being damaged will be taken care of by Buterick Bulkheading who has taken responsibility for the damage.

He stated that the shared services agreement with Seaside Park is still under way and we are still looking for a Construction Official.

**COMMENTS FROM THE PUBLIC:**

Joe Palinsky, 122 Washington Avenue stated that with Ordinance 2016-08 Section 8 regarding Verizon, is giving them a lot of permission to do certain things that he doesn't think they should have. This ordinance needs to be examined carefully before adopted.

Mayor LaCicero stated that he will take a look at it.

Pat Marrone, Beautification Committee stated that the Committee had their meeting last week and they voted to donate three new wreaths for the light poles along the highway.

Mayor LaCicero thanked her for that donation.

Mark Speaker, 111 Brown Avenue stated that regarding 101 Brown Avenue that Mr. Bennett commented on before, he was under the impression that the State project was responsible for that area.

Mr. Bennett stated that the Engineer has looked at it and it apparently is an issue that was there before the State project and has just become worse.

Mr. Speaker questioned when they are repairing the boardwalk are the boards that people purchased through the “Buy a Board” going to be affected?

Mayor LaCicero stated that they are going to try and work around them as best they can but nothing is guaranteed.

Mr. Speaker questioned once the dune replenishment project is in place what will homeowners do when that sand blows onto their properties and they need to remove it?

Mayor LaCicero stated that he is hoping it will be under federal guidelines after this project. We might have to get a new individual permit after the project is complete. We should know more once it gets under way.

Mr. Speaker stated that he was not happy with the way this basketball court issue took over this meeting without prior notice. The public hasn't even seen the plans and he doesn't know why \$160,000 should entitle them to a 3 x 5 sign. Just because they are donating the money, doesn't entitle them to not follow the rules.

Mary Logios, 4 Sterling Avenue stated that regarding the plastic receptacles and the silver liners, she is afraid that hot coffee will put holes in them.

Mrs. Marrone stated that the ones we ordered last time had no liners in them and the bottoms fell out so the company suggested these liners for more protection to prevent the bottom from falling out.

#### **COMMENTS FROM THE MAYOR AND COUNCIL:**

Council President Zalom thanked everyone who came to donate blood in memory of Barbara Florimont. It was a great honor and she is very thankful.

#### **EXECUTIVE SESSION:**

There was no executive session.

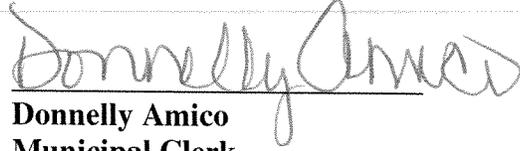
#### **ADJOURNMENT:**

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

The Caucus/Regular Meeting was adjourned at 9:13 pm.

**CERTIFICATION**

I, Donnelly Amico, 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 3<sup>rd</sup> day of **October 2016**



Donnelly Amico

**Donnelly Amico  
Municipal Clerk**