

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE ELEMENTARY SCHOOL
January 7, 2013-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Lamb, Stogdill, Horan and Filippone
Councilman Lamb was absent.

The Mayor stated that Councilman Lamb was sick with the flu and asked if Council could excuse his absence.

A Motion was made by Councilwoman Filippone to excuse Councilman Lamb. The Motion was Seconded by Councilman Horan. Vote: All of Council was in favor. The Motion Passed.

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Philip George, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting was published in the Asbury Park Press on December 28, 2012. Notice was also posted on the municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Brian Cram, a resident who passed away and for all our troops overseas.

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

MAYOR'S WELCOMING STATEMENT: The Mayor stated that since the storm, we have been saving any comments until the end of the meeting under Public Comment. He would like to keep it going that way since there are so many residents in the audience.

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

REPORTS:

- a) Revenue Transaction Report for October 2012-Chief Financial Officer
- b) Tax Account Report for December 2012-Tax Collector

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2013-53 opposing S-2368 which is an act concerning requirements for accepting governmental assistance to replenish storm damaged beaches and amending P.L. 1955, c.49 and making your beaches free if the town receives the governmental assistance-The Mayor stated that this bill has been recommended by Senator Sweeney who might be running against Governor Christie this year. They already want to take money from us without considering that we need to pay our lifeguards, badge checkers and maintain the beach on a daily basis.
- 2013-54 urging Governor Christie to encourage FEMA to consider immediate advanced funding for the Borough of Lavallette and other shore communities to help offset the cost of the significant cleanup that has faced our town-Mayor LaCicero stated that this resolution is pretty much self explanatory.
- 2013-55 authorizing the electric collector to correct an electric bill at 120 Philadelphia Avenue in the amount of \$42.09 due to an over read meter
- 2013-56 authorizing the electric collector to remove an electric account due to the two family dwelling being demolished and a one family home was reconstructed
- 2013-57 appointing Council President Anita Zalom as the Community Development Block Grant Representative through December 31, 2013-Council President Zalom stated that this is the year the Borough can get more funding and she will be asking for at least \$60,000 to \$65,000 this year.
- 2013-58 authorizing the submission of an application to the Local Finance Board pursuant to NJSA 40A:2-11(c)-Mayor LaCicero stated that this goes hand in hand with the Bond Ordinance on for introduction. There is a requirement for a 5% down payment with the Bond Ordinance. This is a resolution to the Local Finance Board requesting a waiver of that down payment requirement.
- 2013-59 reaffirming the award of contract to H & H Power, Inc. for electrical services not to exceed \$300,000
- 2013-60 approving 2013 capital budget amendment-Mr. Parlow stated that we need to adopt a temporary capital budget in order to be able to go ahead with the Bond Ordinance. The Borough Engineer performed a damage assessment and we did a single ordinance to address all the infrastructure damage throughout the Borough which was needed in order to get the approval for no down payment. We did a bond ordinance for the worse case spending scenario but that does not mean we will spend it all.

A Motion was made by Councilwoman Filippone to adopt the consent agenda. The Motion was seconded by Councilman Horan. The Mayor opened the floor to public comment and asked if

anyone wished to comment on the consent agenda. No one wished to comment on the consent agenda. The Mayor closed the floor to public comment and asked Council for a vote on the consent agenda. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Horan voted Yes. The Motion Passed.

RESOLUTION - OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2013-61 Bills List in the amount of \$1,646,918.35

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

INTRODUCTION OF ORDINANCES:

Bond Ordinance No. 2013-01 (1116) - Bond Ordinance Providing For Various Capital Improvements and Capital Acquisitions, and Appropriating \$10,000,000 Therefor and Authorizing The Issuance Of \$10,000,000 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 might sound a little confusing. We have to have the money ready in order to get refunded the 75%. We have so many items on our damage assessment such as our Police Department building that was destroyed, our boardwalk, the fire house, some areas of public works, lifeguard headquarters and the tower, the municipal building and all of our roadway reconstruction. These are all the items that we need to repair, replace and rebuild and we are going to need the funds in order to do so. The \$4,000,000 we needed during the storm is pretty much all gone so we need this bond ordinance in order to rebuild. This \$10,000,000 is again the worse case scenario. We will not use the bond funds if funds are not needed.

Councilwoman Filippone questioned if we still are still entitled to the 75 % refund.

Mr. Parlow stated that 75% is the federal share. The State has the power to put up a percentage portion but that depends on them.

A Motion was made by Councilman Stogdill to introduce Bond Ordinance 2013-01 (1116). The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Horan voted Yes. The Motion Passed.

Public Hearing and Final Adoption Scheduled For January 22, 2013

Ordinance No. 2013-02 (1117) – Ordinance Of The Borough Of Lavallette, County Of Ocean, State of New Jersey, Amending And Supplementing Chapter 31, Entitled “FLOOD HAZARD AREAS”, Of The Revised General Ordinances Of The Borough Of Lavallette.

Mayor LaCicero stated that this ordinance has to do with the most recent flood maps that came out. We have decided to go ahead with the adoption of these flood maps. He stated that he did send a letter to the Governor requesting some help from him with FEMA with regards to these maps.

Councilwoman Filippone stated that these maps are clearly advisory elevation maps and will become a requirement for new construction and only if you want to raise an existing home. If you just want to do repairs on your home and are not changing anything you do not have to follow the new maps.

Mayor LaCicero stated that they were thinking about not acting upon the adoption of the maps and just waiting it out but we did not think that was feasible for the residents regarding the costs they would have to pay for flood insurances.

Councilman Borowski questioned if it was possible to adopt the zoning ordinance without the flood ordinance. He stated that some people need to raise their homes but they still will not be in compliance with the recent flood maps. Eventually, they are going to have to be self-insured.

Mayor LaCicero stated that he had the same feelings but then realized it was just not feasible for the residents.

Mr. Parlow stated that unfortunately, the maps are flip-flopped regarding the bay and the ocean. The Borough did not have the structural damage in what is now classified as the V zone. Understand, the V zone only kicks in if you have substantial damage. You can raise your house and do repairs with less than 50% of damage without adhering to the V zone requirements. We, as well as, Toms River Township have sent letters to the Governor requesting him to review the maps because there are errors. He suggested that anyone in the V zone is to sit tight because things can change. In his opinion the standards with the V zone are going to change.

Councilwoman Filippone stated that the justification of the adoption of the maps is so you can bring your structure to the 32 foot height. That was the only way that we could accommodate that.

Councilman Borowski stated that he truthfully understands the methodology but still thinks that one ordinance can be adopted without adopting the other.

Mayor LaCicero stated that there are lots of reasons to adopt and not adopt. His suggestion is to introduce both ordinances tonight and then discuss the situation before we need to adopt.

Mr. George stated that these two ordinances need to go hand in hand. It is to the best interest of the Borough that both ordinances are adopted.

Mr. Parlow stated that he wanted everyone to be clear that the model ordinance recommended by the State required that the V zone standard for construction, which requires the house to be raised

on pilings, was modified and this ordinance does not propose this requirement. He stated that he removed those provisions and did not put forth the same requirements for the A zone. Also, a lot of residents are looking at the elevation 8 and thinking they have to raise their house 8 feet, that is not the case. What EL 8 means is 8 feet above sea level which makes a big difference. He suggested that if you don't have one already that everyone go out and get a flood elevation certificate. If you have done any major improvements to your home within the last 10 or 12 years the Borough may have a copy in the office.

A Motion was made by Councilwoman Filippone to introduce Ordinance 2013-02 (1117). The Motion was seconded by Councilman Stogdill. Vote: Council Members Filippone, Zalom, Stogdill and Horan voted Yes. Councilman Borowski voted No. The Motion Passed.

Ordinance No. 2013-03 (1118) Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Amending and Supplementing Chapter 90 of the Borough Code, Entitled "Zoning," Regarding Certain Provisions for Bulk Requirements for Height and Lot Coverage in Flood Hazard Zones

Mayor LaCicero stated that this ordinance changes height from a measurement taking from the curb to the height of the building to the actual height of the livable space. He thought that the agreed upon height was 28 feet.

Councilwoman Filippone stated that she was in the construction office today and they stated that it is from the plate with a mandatory 1 foot freeboard from the plate which would be 27 feet. The way it works out is 3 feet for 3 floors, two 9 foot ceilings to floors and 6 foot roof would bring it to 27 feet.

Mayor LaCicero stated that he thought the measurements were taken from the finished floors not taking into consideration of under the finished floors.

Mr. George stated that this ordinance can still be introduced regardless if we decide to change the feet because that is not a big change. The free board can be given to the A zone because they are a little bit higher but not for the V zone. With the 28 feet the first foot of free board is mandatory.

Mr. Parlow stated that from the lowest horizontal structure it is 28 feet with 1 or 2 additional freeboard. The V zone has no additional freeboard but the A zone has an additional 2 feet of freeboard.

Councilwoman Filippone stated that the intent is to keep them all equal, with this way the A zone has the advantage over the V zone. We need to make sure it is all equalized. If we are going to go from 27 to 28 feet than we should reduce the freeboard.

Mr. George stated that these are not significant changes so you can still go ahead and introduce and then modify if needed.

Mayor LaCicero stated that if we are going with the 28 feet than we can do only 1 foot additional freeboard.

Mr. George stated that it has to go to Planning Board for their review as well.

Councilman Borowski questioned why we are not allowing any freeboard in the V zone.

Mayor LaCicero stated that the 2 foot is already built in with the V zone.

Councilwoman Filippone stated that she understands that it is all very confusing. We will make sure the draft ordinances are on our website starting tomorrow for the residents to review. Keep in mind that the height is raised at the bottom up.

Mr. Parlow stated that we are going to increase the lot coverage as well in order to consider the steps for new construction and substantial improvements. The lot coverage will be increased from 37% to 38% with no extension of steps in side yard setbacks.

Councilman Borowski questioned if a property does not fall into substantial damage category but still wants to raise the home do they still get the extra lot coverage.

Mayor LaCicero stated yes they do. We will try to make every effort to accommodate all residents to the best of our ability.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Associates/Philip George, Esq/Water Main Easements with Borough of Lavallette/306 Ocean Front/Received December 17, 2012

Engineering:

- a) O'Donnell, Stanton & Associates/Michael O'Donnell/Camden Avenue Road Improvements/Received December 18, 2012
- b) O'Donnell, Stanton & Associates/Michael O'Donnell/Service Lateral Cleanout Repairs/Received December 20, 2012-Councilman Borowski stated that on the old laterals there were anti backflow preventing devices and he asked Mike O'Donnell to take a look at that and make sure we still provide those.
- c) O'Donnell, Stanton & Associates/Michael O'Donnell/Preconstruction Conference Minutes/Service Lateral Cleanout Repairs/Received January 2, 2013
- d) O'Donnell, Stanton & Associates/Michael O'Donnell/Service Lateral Cleanout Repairs/Bid Review/Recommendation/Received January 2, 2013
- e) O'Donnell, Stanton & Associates/Michael O'Donnell/Preconstruction Conference Minutes/Water Distribution System Repairs/Ocean Side Streets/Received January 2, 2013
- f) O'Donnell, Stanton & Associates/Michael O'Donnell/Water Distribution System Repairs/Ocean Side Streets/Bid Review/Recommendations/Received January 2, 2013

- g) O'Donnell, Stanton & Associates/Michael O'Donnell/Preconstruction Minutes/Repair and Reconstruction of Damaged Roadways/Received January 2, 2013
- h) O'Donnell, Stanton & Associates/Michael O'Donnell/Repair and Reconstruction of Damaged Roadways/Bid Review/Recommendation/Received January 2, 2013
- i) O'Donnell, Stanton & Associates/Michael O'Donnell/Newark Avenue Aluminum Sheet Pile Repair/RFQ Review/Recommendation/Received January 2, 2013
- j) O'Donnell, Stanton & Associates/Michael O'Donnell/Preconstruction Conference Minutes/Timber Bulkhead Reconstruction at Ocean side Streets/Newark Avenue Aluminum Bulkhead Repair/Received January 2, 2013
- k) O'Donnell, Stanton & Associates/Michael O'Donnell/Timber Bulkhead Reconstruction at Ocean side Streets/Bid Review/Recommendation/Received January 2, 2013

New Jersey League of Municipalities:

- a) Senate Budget Committee Meeting in East Rutherford on Monday, December 3, 2012/Hurricane Damage Assessments, Environmental Protection and Public Education Updates/Received November 30, 2012
- b) Update on Cancellation of 97th Annual League Conference/Received December 3, 2012
- c) A-3317 & S-2114, Prohibits Municipal Registration of Multi-Family Dwellings (3 or more)/Received December 4, 2012
- d) A-2753-Would Direct Payment of Energy Taxes Directly to Municipal Government Assembly Committee Releases Bill to End State Diversion of Energy Tax Receipts/Received December 6, 2012
- e) Mayors Hurricane Sandy Survey (Reminder)/Received December 7, 2012
- f) League Approves 17 Resolutions/Received December 11, 2012
- g) A Fiscal Cliff "Solution" That Could Threaten Property Taxpayers Oppose Elimination of Federal Income Tax Exemption for Municipal Bonds/Received December 13, 2012
- h) Save the Date-21st Annual Mayor's Legislative Day-February 6, 2013/Received December 18, 2013
- i) Sample Resolution Supporting Direct Payment of Energy Taxes to Municipal Governments Available/Received December 18, 2012
- j) Register for Disaster Assistances Extended to January 30, 2013/Received December 18, 2012
- k) Senate to Vote on Amended OPRA and OPMA Bills on Thursday/Received December 19, 2012
- l) 2013 Campaign Contribution Notice/Received January 2, 2013
- m) "Fiscal Cliff" Deal Postpones Funding Cut Decisions, Preserves Tax Exemption for Municipal Bonds, Extends Unemployment Benefits and Most Bush-Era Tax Cuts/House Adjournment Threatens "Sandy" Relief Funding/Received January 2, 2013

General With No Action:

- a) Judith & James Josephs/114 New York Avenue/thanking Mayor, Council, Volunteers and Staff for a job well done with regards to super storm sandy/Received December 3, 2012-Councilman Borowski read a loud some statements in the letter.

- b) Clayton Concrete/J. Gordon Milnes, Director/Clayton Sand Company/supply of sand for beaches and any other areas/Received December 3, 2012
- c) New Jersey Conference of Mayors/Mayor Gary Giberson, Port Republic/John Morrissey, NJCM Executive Director/thanking the Mayor for his continued membership and dues/Received December 3, 2012
- d) Jersey Professional Management/Dan Mason, President/assistance with services that are needed/Received December 7, 2012
- e) Cablevision/R. Thurman Barnes, Area Director/Launch of Disney Family Movies On Demand and Funimation On Demand/Received December 8, 2012
- f) Jersey Central Power & Light/Don Lynch/thanking the Borough for working with them during the largest service restoration effort/Received December 10, 2012
- g) Plymouth Rock Assurance/Marc Buro, President/Sandy Forgiveness Program/Received December 20, 2013
- h) New Jersey Legislature/Assemblywoman Sheila Oliver/Assemblyman Jon Bramnick/thanking the Borough for their efforts during the General Assembly's recent tour along the Shore to look at the damages/Received December 20, 2013
- i) Swiftreach/Michael Ward/Community Notification Services/Received December 24, 2012
- j) McNees Wallace & Nurick/Stephen Kern, Esq/Gerdau Ameristeel Sayreville Inc. Motion to Intervene regarding JCP & L rate increases/Received December 24, 2012
- k) Melillo Architecture/Kim Maguire/information in drafting of the "building envelope" language for the new borough ordinance/Received December 26, 2012
- l) Sandy Feranda/3 1/2 Princeton Avenue/requesting Governor Christie acknowledge and congratulate Mayor and Council on an excellent job trying to quickly restore Lavallette and New Jersey for us all/Received December 31, 2012-Mayor LaCicero stated that these residents were the ones who had the boardwalk on top of their home. The Public Works Department assisted them in removing the boardwalk debris
- m) Township of Toms River/Thomas Kelaher, Mayor/letter to Commission Martin of NJ Department of Environmental Protection/requesting the newest engineer's report on the Barnegat Bay due to the substantial flooding recently/Received January 2, 2013
- n) State of New Jersey/Department of Environmental Protection/Central Bureau of Water Compliance and Enforcement/James Herzog, Principal Environmental Specialist/Compliance Evaluation and Assistance Inspection on May 11, 2012 of the Lavallette Borough Sanitary Collection System/Received January 2, 2013
- o) Township of Toms River/Thomas Kelaher, Mayor/FEMA Base Flood Elevation Map/requesting the Governor's immediate intervention into this matter/Received January 4, 2013
- p) Borough of Lavallette/Walter G. LaCicero, Mayor/Advisory Base Flood Elevation Maps/letter requesting the Governor's immediate intervention into this matter/Received January 4, 2013-Mayor LaCicero stated that all the coastal towns should be sending these letters to the Governor for some help. Even the State is not giving any Cafra Permits until after the Governor's address this month

General With Action:

- a) DQ Events/Chuck Sellers/requesting to hold their Triathlon in June and donate all profits to the Borough of Lavallette due to the damages sustained from Super Storm Sandy/Received November 28, 2012-Mayor LaCicero stated that he did not think that any events in town should be approved for this year. We still don't know where we will be in a couple of months. Even in regards to the flea markets we might still have trailers there at that time. Councilwoman Filippone stated that we should not even consider any events right now. Maybe in a few months we can see where we are but right now we just don't know.

A Motion was made by Councilwoman Filippone to suspend all consideration regarding all outside activities for 2013. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Horan voted Yes. The Motion Passed.

- b) Ocean County Planning Board/Michael D. Georgalas, CDBG Program Monitor/2013 CDBG Funding Application/application submittal due by February 15, 2013-Mayor LaCicero stated that Council President Zalom will be taking care of this.
- c) Joan Bausch/4 President Avenue/requesting an answer as to whether they will be responsible for replacing their curb and sidewalks/Received December 21, 2012-Mr. Parlow stated that he spoke to the Engineer and he stated that any street who had curbs and/or sidewalks in our right of ways they will be replaced by the Borough. All of this work will be reimbursed by FEMA. There will be three phases of the road repairs including the sidewalks and curbs.

A Motion was made by Councilwoman Filippone to contact the County and advise them that they should start repairing their County roads in the Borough of Lavallette. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Horan voted Yes. The Motion Passed.

- d) Township of Marlboro/Jonathan Hornik, Mayor/requesting the Mayor and Council intervene as they are to stop the rate increases that JCP & L are petitioning the BPU for/Received December 21, 2012-Mayor LaCicero requested that Mr. Parlow send a resolution or letter to intervene.
- e) Office of the Ocean County Administrator/Carl Block, County Administrator/requesting the Borough of Lavallette advise the County if they are interested in participating in the shared services for Private Property Debris Removal and Commercial Debris Removal and Demolition of Inhabitable Homes/Received December 24, 2013-Mayor LaCicero stated that he does not think we need the Debris Removal part but is concerned about residents that are just going to abandon their homes. We definitely need to think about that aspect of it. Maybe we need to go with the County shared services for the demolition of uninhabitable homes just in case we run into the problem in six months. Councilwoman Filippone questioned what the standards are for the Borough taking down the home and do we have the right to take it down. Why use the County if we do it ourselves can not we place a lien on the property. If we enter into an agreement with the County it becomes part of those lien costs.

A Motion was made by Councilman Horan to enter into an agreement with the County of Ocean for their services of Demolition of Uninhabitable Homes. The Motion was seconded by Councilwoman

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

- f) Jennifer Schweighardt/resident of Ocean Beach Unit 1/requesting that the Mayor and Council consider adding/annexing Ocean Beach 1 into the Borough of Lavallette/Received December 24, 2012-Mayor LaCicero stated that we have enough problems right now, we do not need anymore
- g) John Lagrosa/Whiting, NJ/requesting a reimbursement of his Beach Buggy Permit in the amount of \$35.00 due to not being able to access our beaches/Received December 31, 2013-Mayor LaCicero stated that we have a no refund policy.
- h) Martin Morales/Big Ed's Produce/requesting to exhibit merchandise outside of their store during the period of May 1, 2013 through October 1, 2013 in accordance with the ordinance-Mayor LaCicero stated that the letter has been accepted in the correct time frame and he is in compliance at this time but we are not going to do any resolutions right now.
- i) St. Barnabas Health/Institute for Prevention/New Jersey Hope and Healing/Connie Greene, Vice President/requesting assistance from the Borough in communicating the availability of important resources to those in need in our town/Received January 3, 2013-Mayor LaCicero stated that we can put the information on the website.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Councilwoman Filippone stated that she was at the Construction Office today talking with Ken Kiseli and Gary Royer and there seems to be a lot of questions about rebuilding with non-conforming properties. Residents need to get a criteria list together and if the property meets certain conditions they will send it to Planning Board as soon as possible. There are some legal and specific questions that need to be addressed before any cases can be fast tracked to Planning Board. We are looking into charging a flat fee for the Planning Board application to cover attorney review, engineer review and zoning review that will be non-refundable. Mr. Royer the Zoning Officer will screen all the applications to see if all the criteria is met. If you do not meet the criteria you will not fast tract to the Planning Board. There are some issues that still need to be discussed like can this be done under the Land Use Law and how much can be done and can we bypass the 200 foot list that is required.

Mayor LaCicero stated that the Borough waived the fees for construction for six months.

Councilwoman Filippone stated that we waived the fees for construction permits not Planning Board fees. She does believe that to ask these residents to pay full price to fast track is definitely unfair. We should propose a fee that is reasonable and to notice their neighbors within 200 feet is very costly also.

Mr. George stated that we can do just escrow fees to expedite but the notice issues can not be waived. Keep in mind you will only need to notice your neighbors if you require a variance.

Councilwoman Filippone stated that the flat fee that we were throwing around was \$500 or \$750 because we are looking to cover our costs also.

Mayor LaCicero stated that we have two weeks to discuss all of this before we have to adopt the zoning ordinance on February 19, 2013.

Councilman Borowski stated that the lights on the bridge going over to Toms River are still not on; maybe Council President Zalom can give her friends a call at the DOT and see what she can do.

Council President Zalom stated that she will get right on that and call them tomorrow.

PUBLIC HEARING: 2013 Community Development Block Grant Program-1st Hearing

Council President Zalom stated that she needs some ideas from the residents and Council so we can submit a plan with the application.

Mayor LaCicero opened the public hearing and asked if anyone wished to comment about the CDBG Program.

Clem Boyers, 20 Kerr Avenue stated that he thinks we should still keep the continuous dunes and go with stairs or ramps both north and south. We do not need pavilions or gazebos either just the walkovers that are handicaps.

Janice Barrett, 133 Elizabeth Avenue stated that she is not in favor of the ramps because they are too long and the stairs are hard to walk down. She thinks it is too early to make a decision on access right now.

Mayor LaCicero stated that maybe we should just apply for two handicap access ramps one north and one south for the time being.

Mary Logios, 4 Sterling Avenue stated that in Mantoloking they put boulders down before the dunes and those houses were saved.

Councilwoman Filippone stated that is there any need for any handicap ramps on the bayside.

Council President Zalom stated that it is pretty flat in that area but she will do her best to get enough money for what we need right now.

There were no additional comments from the public.

The Mayor closed the public hearing on the Community Development Block Grant Program.

COMMENTS FROM THE PUBLIC:

Betty Santoro, 144 Pershing Boulevard questioned if the debris removal end date could be extended longer than the January 31st date.

Mayor LaCicero stated that we have already extended two weeks more than other towns. We can not extend any longer.

Mrs. Santoro stated that what if we ca not get it out by that date. She stated that the Mayor told us not to worry about getting dumpsters in earlier months before and now we have to get all our debris out before January 31st. It is not fair to us.

Mayor LaCicero stated that he is sorry for her problem but we can not extend it any longer.

Mrs. Santoro stated that the storm drain by her house is filled with garbage could the Borough maybe call the County to come and clean it out for us.

Mayor LaCicero stated that he will call the County and tell them to get someone out there.

Sam Giampietro, 112 Guyer Avenue stated that this Borough has a very proactive Mayor and he thanks him for the buses and all the help he has given his residents. He is our hero! Saying that could he be our hero again and do something to get the post office back in town.

Mayor LaCicero stated that he and his wife have been working on that. His wife has already made calls to get Fedex and UPS to start delivering again. He stated that he will make sure he reaches out to someone again.

Mr. Giampietro also wanted to thank the Public Works employees for doing a fantastic job of getting our streets cleaned and our electric and water ready for the residents to come back so quickly. Also, thanks to the Board of Education for getting our school children back so quickly, too.

Kathy Serra, 117 Pershing Blvd. questioned if Mayor and Council have some information on what residents should do regarding the level of the bay being higher since Sandy and why it keeps flooding us since Sandy.

Mayor LaCicero stated that he thinks it has to be the amounts of sediment and matter of discharge due to the damages from Sandy. The inlets are even obstructed. The Mayor's have joined together as well as the Army Corps of Engineers to see what can be done. The inlets are federal waterways so FEMA needs to figure it out also.

Susan Kotch, 119 Camden Avenue questioned what we can do about buying a board program.

Councilwoman Filippone stated that she has already put the word out to the Beautification Committee to give her a call and see what can be done. The Borough can not accept donations directly but we can have it go through a non profit organization and then they can donate it back to

the Borough. There are some issues that will need to be worked out before we can finalize anything.

Mayor LaCicero questioned if the community is ready to take this on.

Mrs. Kotch questioned the time frame on the boardwalk.

Mr. Parlow stated that the two projects do not have to run simultaneously. They can be two separate projects.

Arlene Maglionico, 117 Camden Avenue requested that the truck route be re routed to Brown Avenue. They have been coming down our road for two months and our road was already repaved recently and our whole street is repopulated. We are starting to get cracks in our houses and we all have animals and are afraid with the big trucks.

Mayor LaCicero stated that he would look into it for her.

Mrs. Maglionico stated that everyone in the town is doing a fantastic job and she appreciates it but her street is also full of nails so she was wondering if the street could be cleaned.

James Barrett, 133 Elizabeth Avenue stated that they have been in touch with an Engineer on raising our home which we will probably be doing. Would it be better for us to exceed the recommendations and go higher than what is expected.

Mayor LaCicero stated that the minimum elevation should be fine because you will have that two foot of freeboard and the finished floor to the plate is already one foot. If we modify the ordinance it will give you another foot.

Mr. Barrett stated that the town looks fantastic and the employees did a wonderful job so thank you.

Maria Batrnichak, Independent Bookkeeping stated that she owns the business next to Quick-Stop in the same building and the parking jobs that are going on are becoming ridiculous. The trucks are parking on the sidewalks. She asked if the police can do something about it.

Mayor LaCicero stated that he will make sure it is taken care of.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Council President Zalom stated that she and Councilwoman Filippone went to the school this morning to greet the school children on their first day back since the storm. The kids were just so happy to be back. Congratulations to all the businesses that are back in business.

Mr. Parlow stated that the debris removal is getting closer to ending and rightly so because we need to start moving on. We need to start raking and taking care of the front of our properties as best we can. Public Works is continuing with the dune sand sifting so any properties that need to get rid of their sand get it to the street and we will pick it up from there. Also, all the sand that was under the

ocean front properties if they had pilings we will not be refilling that sand. That is the homeowners responsibility not the Borough's.

Mayor LaCicero stated that Rite-Aid is now back in business as of today, Lenny's Pizza is opening on Wednesday and supposedly the Crab's Claw will open on February 1st so we are making amazing progress. Also, the draft ordinances that were introduced tonight will be on our website for your review.

EXECUTIVE SESSION:

There was no executive session

ADJOURNMENT:

A Motion was made by Councilman Borowski to adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilman Horan. Vote: All of Council was in favor. The Motion Passed.

The Caucus/Regular Meeting was adjourned at 8:52 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 Caucus/Regular Meeting held on the 7th day of **January 2013**

Christopher F. Parlow
Municipal Clerk