

**BOROUGH OF LAVALLETTE (minutes)**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTTE FIRST AID BUILDING**  
**Monday, August 19, 2013-7:00 pm**

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

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

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

**READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT:** Notice of this meeting complies with the Open Public Meetings Act. Public Notice was published in the Ocean Star on May 31, 2013. Notice was also posted on our municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Patricia Paoella, Helen Heitman and Virginia Weakly, longtime residents who recently passed away and for all the troops overseas.

**PLEDGE OF ALLEGIANCE:** Councilman Stogdill 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 NJ Channel 12 News was in Lavallette all day on Friday and he was interviewed. They ran it on Saturday night and also this morning and it was done very well.

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

Mayor LaCicero asked if anyone in the audience wished to comment on any items that were not on the agenda or if they could not stay for the remainder of the meeting could do so now.

Patricia Cerami, 4 Reese Avenue questioned if the newest plans of the municipal building were the final ones.

Mayor LaCicero stated that they are not quite finalized as of yet. There is a committee that is handling it and there will be a final decision very soon.

Mrs. Cerami stated that a lot of residents are concerned that we are going to have another Rite-Aid Building that does not fit into Lavallette.

Council President Zalom questioned if anyone has seen the newest drawings of the building. We need to get it out there so people can see how beautiful it is. Maybe we can put it on our website.

Mayor LaCicero stated that he thinks that is a good idea.

Mayor LaCicero also wanted to welcome Patricia Melia from our attorney's office. We do not know how long she is will be attending but we do welcome her.

### **APPROVAL OF CLERK'S MINUTES:**

Caucus/Regular Meeting of August 5, 2013

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

### **RESOLUTIONS-ON CONSENT:**

- 2013-273      appointing three individuals as badge checkers for the remainder of the 2013 summer season at an hourly rate of \$8.00
- 2013-274      appointing William Solan as a lifeguard for the remainder of the 2013 summer season at an hourly rate of \$9.44
- 2013-275      authorizing the purchase of a 2002 Chevy Silverado from Ocean County Surplus Vehicles in the amount of \$1.00
- 2013-276      approving a special event/facilities use application to Sherri Paris to hold a marine science camp on various dates in August
- 2013-277      approving a special event/facilities use application to Robert Hoffman of Suburban Camps to hold basketball clinics two weeks in August
- 2013-278      denying a special event/facilities use application to US Strong to put a table on the boardwalk on various dates in August and September
- 2013-279      authorizing the increase of the hourly rate of \$16.50 for Class II Officer Anthony Amalfa to be retroactive back to January 1, 2013
- 2013-280      approving a bingo license to the Rosary Altar Society of St. Pio of Pietrelcina to hold bingo games on November 1, 2013 from 11:30 am to 3pm

A Motion was made by Councilman Lamb to approve the consent agenda. The Motion was seconded by Councilman Stogdill. The Mayor opened the floor to the public and asked if anyone wished to comment on the consent agenda. No one wished to comment at this time. The Mayor closed the floor and asked Council for a vote on the consent agenda.

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

**RESOLUTIONS-OFF CONSENT:**

**APPROVAL OF VOUCHERS:**

2013-281 Bills list in the amount of \$639,731.21

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

**ORDINANCES ON FOR INTRODUCTION**

ORDINANCE NO. 2013-09 (1124) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 90 OF THE BOROUGH CODE, ENTITLED "ZONING," TO REMOVE THE AMOUNT OF STORIES PERMITTED ABOVE AN ATTACHED GARAGE

Mayor LaCicero stated that with the changes in the maps and many people raising their homes it seems only fair to remove the existing code that we have on our books right now with only being able to go up 1 ½ stories above a garage. In order to do this, we need to modify the existing ordinance.

Councilwoman Filippone stated that the height requirement of 28 feet will remain the same.

Mayor LaCicero stated that we are also looking to hire a planner to review our code book so we may have some more modifications on ordinances coming soon.

A Motion was made by Councilwoman Filippone to introduce Ordinance 2013-09(1124). The Motion was seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for October 7, 2013.

**UNFINISHED BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:**

Jennifer Coyle-Verizon Wireless proposing a new generator at their cell site on water tower

Mr. Parlow stated that Verizon Wireless is the holder of one of the antennae on our water tower right now and they are requesting to be allowed to put a backup generator in the public works yard. Also, there is space on top of the water tower now that the radio station has moved to add some other cell providers. He stated that he would like to hold off on approval of this generator until a consultant can find us some more cell providers interested in renting space and see if one generator can be purchased for all of these cell antennae to hook up to. It does not make sense to allow a generator for one cell provider and not have any for the other ones.

#### FSD Enterprises, LLC-Declan O'Scanlon-Proposal for Consultant for Wireless Communications Antennae Placement Project

Mr. Parlow stated that since there is space available he would like to be able to have the consultant assist with the bid process acquiring cell providers that are interested in renting space for their antennae and he will also coordinate the backup generator situation.

Councilman Lamb stated that we could maybe increase the rentals also.

Mayor LaCicero questioned if any of the cell carriers on our tower had any backup generators at all.

Mr. Parlow stated that from what he is being told none of them have any backup generators.

#### Manuel & Daisy Colon, 99 Bond Avenue requesting a residential parking permit

Mayor LaCicero stated that this was not an undersized lot and they also have a driveway which does not fit the criteria for approval. A resolution of denial will be on the next meeting agenda.

#### Lavallette Founder's Day 2013 Committee requesting to sell fundraising items in the Borough to benefit our event for September 7, 2013

A Motion was made by Councilman Lamb to allow the Founder's Day Committee to sell fundraising items in town to benefit Founder's Day on September 7, 2013. The Motion was seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

#### Public Hearing on the Proposed Financing by the Lavallette Volunteer Fire Company No. 1

Mayor LaCicero stated that in order to receive a good rate the Fire Department needs the financing to go through the Borough.

Mr. Parlow stated that this is to satisfy the IRS, also.

Councilman Borowski stated that it is three payments over three years.

Mayor LaCicero opened the floor to public comment.

There were no comments from the public.

Mayor LaCicero closed the floor to public and asked for a motion.

A Motion was made by Councilman Lamb to approve the financing for the Lavallette Fire Company vehicle. The Motion was seconded by Council President Zalom. The Mayor asked Council for a vote on the financing.

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

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

Clem Boyers, 20 Kerr Avenue stated that the displays of the Municipal Complex were great but he thinks that maybe we need to get them on our website so everyone can see them.

Mr. Parlow stated that with Council's permission he will do that.

Councilman Borowski stated that he would like an email to go with that for the public's comments.

Michael Aiello, 232 Bryn Mawr Avenue stated that he is all set up with plans and a builder to start building his new home. He wanted to thank the Mayor and Council for the Ordinance on tonight and hopes that it will be adopted with new problems on October 7, 2013.

Susan Kotch, 119 Camden Avenue stated that on Founder's Day the rides and games for the kids will be free since we received so many donations. Most of our vendors are local businesses, also.

Bill Kinney, 23 Philadelphia Avenue stated that he was disturbed to read that the Army Corps of Engineers Project is not looking to start until at least next summer and they only mentioned starting then with Point Pleasant Beach, Bay Head and Mantoloking. He asked what does that mean for Lavallette.

Mayor LaCicero stated that the Borough does have a backup plan. He stated he has spoken to a contractor and have come up with some ideas regarding substantial excavating with lots of sand that will be available. In the meantime, we will have our bulldozers after the beach season is over pushing the sand again. It will happen we just do not know when but the Borough of Lavallette will take the necessary steps to keep the town safe until then. We will also have the dune grass planting again this year.

Council President Zalom stated that we received 20,000 plants in the beginning of the year but were only able to plant that on certain dunes due to some areas not being safe.

Mr. Parlow stated that he is confident that we will have dozens of volunteers helping us plant dune grass this year.

Mary Logios, 4 Sterling Avenue questioned if the town will be having the October cleanup this year and if no it should be put on the website or something because people are putting a ton of stuff out again.

Mayor LaCicero stated that he believed there was no cleanup this year and they will put it on the website and also send it out through the emergency notification system.

Marlene Chamberlain, 401D Grand Central Avenue stated that she is friends with the reporter that did the story on Lavallette last week and she will make sure it gets aired more.

Al Jones, 113 Reese Avenue stated that the sea gulls have now resorted to attacking the black garbage bags as well as the white ones. The problem with that now is that the renters put their garbage out on Saturday or Sunday night and leave and it sits there until there garbage day. Maybe the town should just make sure the pickup of garbage is picked up as soon as possible and pickup the recycling later in the week. Just a thought. He stated that he has been looking into solar electric and most of the contractors that do it refuse to do it in Lavallette because they say with our dual rating policy and our dual metering system the product will never pay for itself.

Mr. Parlow stated that allowing solar installation to use net metering could bankrupt the electric utility. If the solar users sold back their excess power at retail rates then that would put a substantial burden on the other ratepayers.

Mr. Jones stated that the whole state is doing it and making money and yet we can not do it like them.

Chris Chamberlain, 401D Grand Central Avenue stated that the Borough should be subsidizing people to generate solar to help diminish the carbon load on our community. He stated he flies to China three times a month and he sees areas that use to be glaciers now very green. These people are trying to be proactive and we should be fully supporting them.

Al Jones, 113 Reese Avenue stated that he just wanted to let us know that the badge checkers and beach staff are very polite and cheerful this year.

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

Councilman Borowski stated that he had the pleasure of attending the surf camp for the disabled children and he was so touched by the entire atmosphere. He stated that he had some letters from the parents which were on the boards in front thanking the town for allowing this fantastic event. He read aloud a letter from a parent thanking the Borough for allowing the program and how touched they were.

Council President Zalom stated that she received a call a couple days before the event stating that they were going to need a port o potty up there because some children needed to be carried to the bathroom. She contacted public works and within a couple of hours we were able to accommodate them. She thanked Michael Stogdill for honoring Joseph Baginski at their game

this weekend for all his work with the Island Junior Baseball League. Also, she read some literature about towns with the lowest electric rates and Lavallette is rated #3 in the State of New Jersey with the lowest electric rates.

Mr. Parlow stated that the first three towns are part of the Public Power Association.

Council President Zalom stated that Wilbur Witteman who does our band concerts has been working with Joy Grosko for so long that he went to visit her in Mechanicsville, PA where she is in a nursing home. There is a bench at the gazebo that Joy always sat at for the concerts and she would like a plaque for her put on that bench. The DOT will be putting decorative stone instead of sidewalks on Rt 35 South.

**EXECUTIVE SESSION:**

There was no executive session.

**ADJOURNMENT:**

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

**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 19<sup>th</sup> day of August 2013

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