

**BOROUGH OF LAVALLETTE(minutes)**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, December 18, 2017-7:00 pm**

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

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

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

**READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT:** Notice of this meeting complies with the Open Public Meetings Act. Public Notice was published in the Ocean Star on January 6, 2017. Notice was also posted on our municipal website and municipal bulletin board.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for longtime resident John Sweeney who recently passed away. Mr. Sweeney was in charge of the St. Patrick's Day Parade in Seaside Heights.

**PLEDGE OF ALLEGIANCE:** Council President Zalom led us in the Salute to the Flag.

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed every one to tonight's meeting. He stated that this will be the last meeting of 2017 which is just unreal. This year just flew by. He 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)**

Erik Karsh, Pt. Pleasant, NJ stated that he is a medical marijuana patient. He was in a really bad car accident and broke several bones. Due to the accident he also developed seizures. The doctor had him on all kinds of opiate pain meds but since he was approved for the medical marijuana he is off all pain medications. There is a need by many for marijuana. It definitely helps me and he knows it helps a lot of people. Please think hard about allowing dispensaries to operate in Lavallette.

Gail, Lawrenceville, NJ, stated that people don't really know the facts of cannabis and its effects on illnesses, sicknesses and pain. There is such an epidemic regarding heroin and opiates and people are overdosing every day. Marijuana helps people medically with pain, anxiety, and so on. Please discuss this issue further amongst yourselves and do some research on the positive effects before making a decision. Dispensaries are very low key manner compared to the noisy bars that are always a problem with the alcohol.

Lefty Grimes, East Hanover, NJ, stated that he is aware of homebound people in this town who use the medical marijuana and are afraid to speak up. He was on oxycontin and roxicodone for chronic pain and now only uses the medical marijuana. It helps tremendously and that is all I need. People are not educated enough and they don't know the real facts of the positive side. Please discuss further before you act.

Evan Camano, Activist, Seaside Heights, NJ, stated that there are no dispensaries in Ocean County. I do not drive so it makes it much more difficult for me to get my medical marijuana. Having a dispensary close to me would help me tremendously. Just discuss the issue further before taking any action.

**PRESENTATION:** Bill Lavin from "Where Angels Play" Foundation

Council President Zalom introduced Mr. Lavin and gave a synopsis of what his foundation is all about.

Mr. Lavin stated thanked Mayor and Council for agreeing to this presentation. He is a retired Fire Captain from Elizabeth, NJ. He started this organization right after the 911 disaster in NYC. Building playgrounds in communities in honor of angels taken too soon brings him such satisfaction and hope. He stated he is here today in honor of his dear friend, Tom Tevlin, a resident of Lavallette, who lost his grandson, Brendan, tragically.

Mr. Lavin showed slides of all the playgrounds they have built in different towns and states and even in Rwanda in honor of different angels. With each slide he explained who it was built in honor of.

After his presentation, he thanked everyone for taking the time to sit and listen. He stated that he was here primarily to offer the town their services as far as building a playground in Lavallette at no cost to the Borough in honor of his friend, Tom Tevlin's grandson, Brendan, who was tragically killed.

Mayor LaCicero thanked him for his presentation tonight. We would love to accept this donation, we are just limited with space. We have discussed it and we are contemplating the area on the bay front in the north end of town. It needs to be cleaned up a bit first but that is what we are throwing around. We will have Anita get back to you in the beginning of the new year to discuss it further.

Council President Zalom stated that she also spoke to Bill about the issue with the bocce ball courts and he said he was going to discuss that with his partners about replacing those courts for us as well.

Tom Tevlin, 13 President Avenue stated that he was thankful that Mayor and Council agreed to Bill's presentation tonight. He has been a resident of Lavallette since 1993. He loves this town and always will. His grandson was tragically murdered on June 25, 2014 and it has been very difficult for his family since then. The Borough already did a memorial for Brendan up at the

Reese Avenue pavilion and his family appreciates all that the Borough does. He hopes that they will agree to this gift as well.

Marlene Chamberlain, 26B Bond Avenue stated that she was a part of the Chase Kowalski dedication in Normandy Beach , the little boy who was one of the tragic deaths in Sandy Hook, CT. It was a very emotional day but the dedication was absolutely wonderful and endearing.

**APPROVAL OF CLERK’S MINUTES:**

- Caucus/Regular Meeting of December 4, 2017
- Executive Session Meeting of December 4, 2017
- RFP Minutes for Borough Attorney of December 1, 2017
- RFP Minutes for Borough Auditor of December 1, 2017
- RFP Minutes for Borough Prosecutor of December 1, 2017
- RFP Minutes for Consulting Engineer of December 1, 2017

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

**RESOLUTIONS-ON CONSENT:**

- 2017-325 authorizing the refund of a construction permit fee in the amount of \$441.00
- 2017-326 approving a facilities use application from the Lavallette Republican Club to hold their monthly meetings for 2018 in our Council Chambers.
- 2017-327 authorizing the purchase of 6 air pacs for the Lavallette Fire Department under state contract #A80961 from Firefighter One in the amount of \$53,154.60-Mayor stated that this was already bonded for.
- 2017-328 appointing a seasonal laborer for the Department of Public Works at an hourly rate of \$10.20 commencing December 18, 2017 through May 18, 2018
- 2017-329 authorizing the cancellation of prior year federal and state grants receivable and reserves
- 2017-330 authorizing the transfer of funds within the current fund in the amount of \$19,000 and in the electric fund in the amount of \$30,000-Mayor stated that these are transfers that we will need to use in 2018.
- 2017-331 authorizing the cancellation of 2017 current fund appropriation balances
- 2017-332 authorizing the cancellation of 2017 sewer operating fund appropriation balances

- 2017-333 appointing Kristen Rocco to a part-time clerical position in the Construction Department at an hourly rate of \$14.00 effective immediately-Councilwoman Filippone stated that the two girls in the SSP Construction Office were full time and will be retiring January 31<sup>st</sup>. We are going to be hiring another person as well as this appointment and these will be part-time hourly positions.
- 2017-334 approving two Class I Special Officers to attend the Ocean County Police Academy SLEO II training commencing December 29, 2017 through May 2018-Mayor LaCicero stated that we had some Class II's move on somewhere else so we will be needing some training.
- 2017-335 authorizing the cancellation of current fund accounts payable in the amount of \$46,600.00
- 2017-336 authorizing the CFO to remove items from the fixed asset inventory list that no longer exist
- 2017-337 affirming the maximum hours for all part-time employees of the Borough of Lavallette at a maximum of 29 hours per week not to exceed 1,560 hours per year-Councilwoman Filippone stated that an issue has come about regarding our special officers exceeding the 1,560 hours per year. We have to be careful with the part time hours because if they exceed those hours they will be entitled to health benefits unless they waive their right to them. To make sure this doesn't happen we have to make sure that no part time employee exceeds this limit.
- 2017-337A authorizing the Mayor and the Municipal Clerk to sign and execute the 2018 Local Arts Grant Agreement with the Ocean County Cultural & Heritage Commission in the amount of \$750.00-Council President Zalom stated that she is so grateful for this grant to help us with our summer concerts.
- 2017-337B authorizing the Mayor and Municipal Clerk to sign and execute the 2018 Local History Grant Agreement with the Ocean County Cultural & Heritage Commission in the amount of \$1,000.00-Councilwoman Filippone stated that for 2017 we received \$500 for the grant and that was the first year we applied. This year when we applied they actually came here and she spent an 1 ½ hours with them showing them all that was done in the lobby and upstairs and also told them about the paintings from artists in town that were donated and will be displayed on the Council Chambers walls.

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

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

Al Jones, 113 Reese Avenue questioned what the items were that were being removed from the fixed asset list.

Mayor LaCicero stated that it was some equipment and vehicles that were damaged in the storm that just weren't removed from the list. The resolution with all the items on it is included in the public packet of the agenda that is on the back table.

The Mayor closed the floor to the public and asked Council for a vote on the consent agenda.

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

**RESOLUTIONS OFF CONSENT:**

2017-338 approving the annual certifications submitted by the Lavallette First Aid Squad of all volunteer members who qualify for LOSAP

Mayor LaCicero stated that this is a great program for our volunteer firefighters and first aiders.

A Motion to approve this resolution was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill.

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 and Lamb voted Yes. Council Members Borowski and Finter abstained. The Motion Passed.

**APPROVAL OF VOUCHERS:**

2017-339 Bills List in the amount of \$409,211.83

A Motion to approve the bills list 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.

**UNFINISHED BUSINESS:**

Mayor LaCicero stated that he has received some calls regarding the pickleball nets.

Councilman Lamb stated that they will get done as soon as they can. The guys have been really busy but it will get done.

Mayor LaCicero stated that the approval we did for the nets is still valid and will get done.

**NEW BUSINESS:**

Councilman Borowski stated that he had a conversation with the Tax Assessor and the County is recommended a State ordered evaluation for Lavallette.

Mayor LaCicero stated that the Borough will benefit from it of course, but it is a huge expense to us. He would like to try and push this off for a few more years. We still have some homes that are not back 100% as of yet.

Councilman Borowski stated that he thinks they can recommend it to us but can't force us to do it.

Mr. George stated that it is not mandatory that we accept their recommendation but if they really want it done they can get a court order forcing us. He has seen it done in other towns.

Council President Zalom stated that some are still rebuilding, it's still too soon.

Councilman Finter stated that he spoke to the Mayor in Bay Head and he gave him some information regarding programs for Veterans. One being a discount of \$3,000 on your income taxes. He also stated that he will be attending a meeting in Seaside Heights regarding Cablevision.

**COMMENTS FROM THE PUBLIC:**

Marlene Chamberlain, 26B Bond Avenue stated that she is not in favor of any marijuana dispensaries in Lavallette. Anyone who says that marijuana doesn't lead to other drugs is crazy. Most of the kids start out with just marijuana and then they are overdosing on heroin.

Clem Boyers, 20 Kerr Avenue questioned if we could do something about the Verizon phone books being dropped at everyone's house. This is not good for people who are not living there year round. It lets so called people know that these homes are empty which is not good.

Mr. George stated that he is unsure but he will check into and get back to us.

Joe Palinsky, 122 Washington Avenue stated that it sounds like a really good thing regarding this playground but we have to keep in mind of the height and blocking views from the homeowners who live on the bay.

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

Council President Zalom stated that she visited Drumthwacket in Princeton today and it was just beautiful. She was there to represent Lavallette as always. Don't forget about the ski trip in January and the Lavallette Birthday party on Thursday night. Have a wonderful holiday!

**EXECUTIVE SESSION:**

Personnel Matters

Mr. George stated that there is a need for an executive session to discuss certain personnel matters and some contract negotiations. There may be action taken.

A Motion to adjourn the Regular Meeting to go into executive session was made by Councilman Lamb. The Motion was Seconded by Councilman Stogdill. Vote: All of Council was in favor.

The Regular Meeting was adjourned at 8:15 pm.

A Motion to reconvene the Regular Meeting was made by Councilman Borowski. The Motion was Seconded by Councilman Stogdill. Vote: All of Council was in favor.

The Regular Meeting was reconvened at 8:34 pm.

Mr. George stated that while in executive session there was discussion on an employee and the family leave act and some discussion regarding the Teamsters 469 contract regarding a counter offer. There was no action taken.

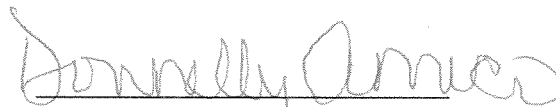
**ADJOURNMENT:**

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

The Regular Meeting was adjourned at 8:34 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 18<sup>th</sup> day of December 2017

  
**Donnelly Amico**  
**Municipal Clerk**