

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Tuesday, February 20, 2018-7:00 pm

CALL TO ORDER: Councilman Robert Lamb, presiding

ROLL CALL: Council Members Borowski, Lamb, Stogdill, Finter and Filippone
Council President Zalom was absent.

Also present: Robert Brice, Borough Administrator
Donnelly Amico, Municipal Clerk
Dominic DiYanni, Borough Attorney

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting was published in the Ocean Star on January 12, 2018. Notice was also posted on our municipal website and bulletin board.

MOMENT OF SILENCE: Councilman Lamb asked for a moment of silence for Josephine Mazzarella, wife of long time resident Joseph Mazzarella and for all the victims and families of the Florida School shooting

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

MAYOR'S WELCOMING STATEMENT: Councilman Lamb stated that if anyone in the audience wished to comment on any items that are 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)

No one wished to speak at this time.

APPROVAL OF MINUTES:

Minutes of Caucus/Regular Meeting of February 5, 2018
Minutes of Executive Session Meeting of February 5, 2018
Bid Opening Minutes of February 9, 2018

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2018-85 appointing Robert Brice to the position of part-time Borough Administrator at an annual salary of \$65,000

- 2018-86 authorizing the electric refund in the amount of \$99.80 due to a transfer of ownership at 12 Magee Avenue

- 2018-87 accepting the resignation of Kaitlyn Smith and authorizing payment of unused vacation time

- 2018-88 accepting the retirement of Susan Butler and authorizing payment of unused vacation time

- 2018-89 accepting the retirement of Carol Wroblewski and authorizing payment of unused vacation time

- 2018-90 authorizing the refund of a water service repair at 6 Guyer Avenue in the amount of \$760.00 that the homeowner paid to Ocean Plumbing due to the water issue being the Borough's responsibility and not the homeowners

- 2018-91 appointing Robert Baker to the permanent position of Electric Line Worker effective immediately as per the NJ Civil Service Commission

- 2018-92 appointing James T. Moore to the permanent position of Fire Official/Fire Protection Subcode Official effective immediately as per the NJ Civil Service Commission

- 2018-93 approving a facilities use application to Sherri Paris to hold her annual marine science camp starting the last week in June through August 17, 2018, Monday through Friday from 9am to 2pm

- 2018-94 opposing the enactment of legislation to legalize the recreational use and sale of marijuana in the State of New Jersey

- 2018-95 determining the form and other details of not exceeding \$1,352,250 general obligation bonds, series 2018, and providing for their sale to the NJEIT and the State of New Jersey pursuant to the 2018 NJ Water Bank Financing Program in conjunction with our Repainting and Rehabilitation of our Water Tank

- 2018-96 authorizing the execution and delivery of loan agreements to be executed by the Borough of Lavallette, each NJ Infrastructure Banks and the State of New Jersey and the execution of an escrow agreement, pursuant to the 2018 NJ Water Bank Financing Program regarding our NJEIT loan for our Water Tank Repainting & Rehabilitation Project

- 2018-97 requesting Governor Phil Murphy to strongly consider the reappointment of OC Prosecutor Joseph Coronato for a second term of office

- 2018-98 appointing Barbara Allen Woolley-Dillon as the Alternate flood plain manager for the Borough of Lavallette
- 2018-99 certifying the submission of expenditure for recycling taxes paid in the year 2017 in the amount of \$6,217.42
- 2018-100 amending the 2018 temporary budget
- 2018-100A appointing Robert Tormollan as the lifeguard captain for the 2018 season at an annual salary of \$14,912.00

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

Councilman Lamb opened the floor to the public and asked if anyone wished to comment on the consent agenda.

Jon Corney, 1 Newark Avenue questioned what is being amended on the budget?

Donnelly Amico stated that on the back table is the public packet with the resolution to amend the budget and that has the line items that are being amended. There are too many different wants to explain so it is better if you look at the resolution.

Councilman Lamb closed the floor to the public and asked Council for a vote on the consent agenda.

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

RESOLUTIONS - OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2018-101 Bills List in the amount of \$559,736.15

A Motion to approve the bills list was made by Councilman Stogdill. The Motion was Seconded by Councilman Finter. Vote: Council Members Borowski, Stogdill, Finter and Lamb voted Yes. Councilwoman Filippone abstained on PO#18-00190 and yes to all others.

UNFINISHED BUSINESS:

Discussion on O'Donnell, Stanton & Associates requesting an increase in their Construction Service Proposal regarding Water Storage Tank Repainting Construction

Councilman Lamb stated that he would like to get more information as far as exactly what the extra costs are for.

Councilman Borowski stated that he knows that the police antennae turned out to be more entailed then realized and cost more than anticipated. Also, there was the issue with the properties having the damage that had to be dealt with and an issue with the cell antennae. All of these issues I believe became bigger than expected and had to be dealt with.

Councilman Finter stated that he too believes the issues that Jim just spoke of were on top of all the other issues that he was already trying to deal with.

Councilwoman Filippone stated that her concern is that when a professional Engineer gives a proposal they should know what the job entails and that there might be some additional issues that may have to be dealt with so I am sure that they up their proposal a bit for those extra issues before submitting it. I can't imagine that these extra issues could cost this much more of an increase.

Councilman Stogdill stated that this proposal was already approved so if they want an increase in the proposal we should get some kind of itemized list of what the increase is for so we know each item and what the extra cost was.

Councilman Borowski stated that the biggest issue was the cell antennae and the police antennae using this one company called Glotell for the installation of this monopole and supposedly Verizon had an issue with using this specific company which created a big issue.

Councilwoman Filippone stated that if Verizon caused all of this mess and refused to agree with the contract then maybe they should be charged some of this new proposal.

Mr. DiYanni stated that if there was an agreement between all the carriers for this specific project and the Borough was involved then all involved should be abiding by the contract terms. If one carrier had an issue then they were in violation of the agreement.

Councilman Finter stated that obviously we are going to need more specifics and more details of what the increase is directly connected to.

NEW BUSINESS:

Friends of Lavallette Beautification requesting approval of their donation of \$1,500 for the purchase of pear trees on Baltimore Avenue in front of the ballfield and to allow Public Works to prepare the soil and to plant 7 to 9 pear trees

Councilwoman Filippone stated that we talked about this a few meetings back and Pat Marrone was approved to go ahead with this. They just need Public Works to clean it up a bit with soil and get ready for the trees to be planted.

A Motion to approve Public Works to help with the cleanup and new soil for this project was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Friends of Lavallette Beautification requesting approval for Public Works to rake up area by the shed by the tennis courts, provide top soil and planting mulch after we do some planting there for our new Friendship Garden

Councilwoman Filippone stated that this is going to be called a Friendship Garden and it is located by the tennis courts next to the shed. They need Public Works to clean it up first with new soil and then after the plantings done by residents maybe put some mulch there. It is going to be a garden for all residents to plant something as a memorial of a loved one.

A Motion to approve Public Works to help with the cleanup and new soil and then some mulch after the plantings are done was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue questioned exactly the Engineer was responsible for that could cost that much more?

Councilwoman Filippone stated that they have to oversee the project and do the inspections and scheduling of different issues but we received a grant for this project so there is no cost to the taxpayer.

Councilman Borowski stated that it technically is a loan and we will get 50% of the loan forgiven so we will be responsible for paying half of the loan.

Mr. Boyers questioned when the hedges that are missing on Route 35 South by the library are going to be replaced?

Councilman Lamb stated that he thought that was already taken care of. He will have to check with Public Works and get back to him.

Mark Speaker, 111 Brown Avenue stated that the sand blowing from the volleyball court is really becoming a problem. There is so much of it, it is starting to cover the storm drains and it will soon be clogging them.

Councilman Lamb stated that he agrees that it has become a bigger problem than anticipated. The Supt. spoke to AC Hesse to see if we could put some type of rubber material over it as a temporary fix but they were not confident that it will hold. We might have to just remove all the sand and plant sod there if we can't come to some type of fix.

Mr. Speaker questioned what is going on with the 105 or 107 Magee Avenue as far as completing construction.

Councilwoman Filippone stated that there was a stop work issued and they have to go to the Planning Board. I am thinking that the time frame for completion will be at least another year for everything to be approved or denied and for them to finish what needs to be done.

Jon Corney, 1 Newark Avenue questioned if there were any updates with the beach replenishment project?

Councilman Borowski stated that they right now Weeks Marine is doing some type of seismic work. The last he heard Lavallette is scheduled for June right now but it keeps changing.

Mr. Corney stated that the Borough should consider lowering the revenue for the beach this year in the budget.

Councilwoman Filippone stated that Lavallette is the last time on this island to get done so it could be as long as September before they start us. Everything is up in the air right now and to determine the revenue now is just too early. The beach is a separate line item in our budget and all revenue is used for that purpose.

Mr. Corney stated that the beach should become a commission.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that there are devices on Bay Blvd. that are called containment devices. He decided to see who takes care of the maintenance of these devices and found out the County takes care of doing this once a year. The Public Power Association went out for quotes for the bulk energy and the prices were favorable. We had six or seven suppliers and the quotes were through 2022. The transmission and the capacity costs will be higher but we have managed to keep our electric rate stable for 9 years now.

Councilman Lamb stated that Public Works has come up with a new policy regarding the deenergizing to prevent freeze ups during the winter months. The policy will prevent contractors from de energizing in January and February and also in July and August. This should help with a lot of issues.

Councilwoman questioned how the homeowners will be notified of this.

Councilman Finter stated that he questioned that as well and was assured that the contractors will be sending out the letters certified mail. He stated that there is a scam out there regarding Western Union and scammers trying to get you to send money. He put paperwork about it at the back table for anyone who is interested.

EXECUTIVE SESSION:

Mr. DiYanni stated that there is a need to go into executive session to discuss two items regarding personnel. There will be no formal action taken.

A Motion to adjourn the regular meeting to go into executive session was made by Councilman Finter. The Motion was Seconded by Councilman Stogdill. Vote: All of Council was in favor. The Motion Passed.

The Regular Meeting was adjourned to go into executive session at 7:50 pm.

A Motion to reconvene the regular meeting was made by Councilman Finter. The Motion was Seconded by Councilwoman Filippone. Vote: All of Council was in favor.

Mr. DiYanni stated that while in executive session there was discussion on two personnel matters and no formal action was taken at this time.


ADJOURNMENT:

A Motion to adjourn the 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 Regular Meeting was adjourned at 8:25 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 20th day of February 2018


Donnelly Amico
Municipal Clerk