

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, February 5, 2018-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Council Members Zalom and Lamb were absent.

Also present: Eric Bernstein, Borough Attorney
Donnelly Amico, Municipal Clerk

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: The Mayor asked for a moment of silence for Lucille Hill and Joan Cirilli, two long-time residents who passed away recently and for the all the military who have been facing some tough issues overseas.

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

Councilwoman Filippone stated that due to some health issues within the Police Department there is a need to hire an interim Sergeant to help with the flow of the Department. The Chief of Police has recommended the promotion of Patrolman Frank White to the position. Patrolman White was second on the list of the Sergeant test right behind Patrolman Adam LaCicero who we promoted to Sergeant at the last meeting so he is most definitely qualified. It is her recommendation as well that Patrolman White is promoted tonight as the interim Sergeant for the Lavallette Police Department.

Mayor LaCicero stated that Frank's wife Kelly and his two sons are present tonight as well as members of the police department. His wife Kelly will hold the bible for him along with his sons and I will be swearing him in.

2018-73 appointing Patrolman Frank White as a temporary interim Police Sergeant effective immediately

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

The Mayor swore Frank in with his family by his side.

MAYOR'S WELCOMING STATEMENT:

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)

No one wished to comment at this time.

APPROVAL OF MINUTES:

Minutes of Caucus/Regular Meeting of January 23, 2018
Minutes of Executive Session Meeting of January 23, 2018

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

REPORTS:

- a) Lavallette Construction Report for January 2018-Councilwoman Filippone-read report
- b) Seaside Park Construction Report for January 2018-Councilwoman Filippone-read report
- c) Lavallette Zoning Report for January 2018-Councilwoman Filippone-no report
- d) Seaside Park Zoning Report for December 2017 & January 2018-Councilwoman Filippone-read report
- e) Municipal Court Report for January 2018-Councilwoman Filippone-read report
- f) Police Overtime Report for January 2018-Councilwoman Filippone-read report
- g) Animal Control Report for January 2018-Councilwoman Filippone-no report
- h) Public Works Report for January 2018-Councilman Lamb-acknowledged report received
- I) Tax Account Report for January 2018-Tax Collector
- k) Revenue Transaction Report for December 2017-Chief Financial Officer
- l) 2017 Tax Collector's Annual Statement of Receipts-Tax Collector

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

**ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:
RESOLUTIONS – ON CONSENT:**

2018-72 appointing Jenn Zazzara as a part-time Clerk 1 for the Construction Department at an hourly rate of \$14.00 not to exceed 29 hours per week-Councilwoman Filippone stated that we recently hired someone at the last meeting for this position and she has since decided that she cannot coordinate the hours so this appointment is to replace her.

- 2018-73 appointing Patrolman Frank White as a temporary interim Police Sergeant effective immediately-this resolution was done already in beginning of meeting.
- 2018-74 refunding the unused balance of planning board escrow in the amount of \$472.00 to be refunded to Sherry & Augustine Vivenzio
- 2018-75 authorizing the refund of unused ski trip payments in the amount of \$186.00 due to the ski resort not being able to provide the ski equipment and the lift tickets due to the large volume of visitors
- 2018-76 appointing Capehart Scatchard, Attorneys at Law to the position of Bond Counsel which provides as a professional service to the Borough for the year 2018-Mayor LaCicero stated that a member of this firm, Billy Burns, is also a resident of West Point Island. He is here tonight and we would like to acknowledge him and welcome him as our new Bond Counsel.
- 2018-77 decreasing the contributions for health benefits made by the full time non contractual employees from Tier 4 percentage rate to Tier 3 percentage rate
- 2018-78 approving a facilities use application to the National MS Society to have their annual bike ride through town and to use our Centennial Gardens as a rest stop on May 19th and May 20th 2018 from 10am to 4pm
- 2018-79 appointing Mark Speaker as a new member of the Ordinance Committee and creating a new Committee named Business & Tourism Committee with Mark Speaker as the Chairman
- 2018-80 establishing the allocation of salaries of certain employees of the Borough
- 2018-81 establishing annual salaries for non-contractual employees for the year 2018

A Motion to approve the consent agenda 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 the consent agenda.

No one wished to comment at this time.

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

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

RESOLUTIONS - OFF CONSENT:

2018-82 approving a facilities use application to DQ Events to hold a triathlon on Bay Blvd. utilizing the parking lot by tennis courts on June 2, 2018 from 6am to 11am and June 1, 2018 at 4pm for setup

Mayor LaCicero stated that this is an annual request.

Councilman Borowski stated that it usually is in the Washington Avenue parking lot but this time it will be in the parking lot by the tennis courts which she thinks it better.

John from DQ Events was in the audience and he stated that they will be using the Washington Avenue beach for the swim but not the parking lot area.

A Motion to approve this resolution was made by Councilman Finter. 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 at this time.

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

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

2018-83 approving a facilities use application to DQ Events to hold a triathlon on Bay Blvd. utilizing the parking lot by tennis courts on June 28, 2018 at 4:30pm for setup and 6:30pm for race

Mayor LaCicero stated that this is not an annual event so we will need some information.

John from DQ Events stated that this triathlon is a super sprint which is much shorter than our annual triathlon. It really takes about an hour and then it's done.

Councilwoman Filippone stated that this is after our season starts so everyone will need parking stickers and beach badges.

Mayor LaCicero stated that the Municipal Clerk just reminded him that we have denied events that wanted their event after the summer season because we were trying to eliminate these during our season.

Councilwoman Filippone stated that she was going to mention that as well. She asked John if they could push this event up a week to June 21st which would be right before the season starts and then the parking stickers and beach badges wouldn't be needed at all.

John stated that he would have to check with the coordinator and make sure that is good with him.

Mayor LaCicero stated that they would vote on the resolution tonight with the amended date of June 21st and if they can't do it that day we just need you to reach out to our Municipal Clerk either way.

A Motion to approve this resolution with the amended date of June 21, 2018 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 at this time.

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

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

APPROVAL OF VOUCHERS:

2018-84 Bills List in the amount of \$596,029.82

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

COMMUNICATIONS:

New Jersey League of Municipalities:

- a) Daily Update/January 10, 2018
- b) Weekly Update/January 12, 2018
- c) New Governor and Lieutenant Governor Take the Reins in Trenton/Received January 16, 2018
- d) Weekly Update/Received January 19, 2018
- e) Weekly Update/Received January 26, 2018

General with No Action:

- a) American Red Cross/Gus Penaranda, Chief Relations Officer/thank you for your visit to our booth at the NJ League Conference/Received January 22, 2018
- b) Ron & Cathy Fulop/8 Reese Avenue/sump pump issue at 13 Reese Avenue/Received January 22, 2018-Mayor LaCicero stated that this has been a continuing issue and we have received letters from the whole block requesting that something be done. The gas mains are being done on that street and he thinks maybe we could see if the Engineer could reach out to the gas company and see if the contractor could maybe put a dry well close to that sump pump to help with the drainage. The Municipal Clerk stated that she will contact the Engineer and see if he could reach out to New Jersey Natural Gas.

- c) Board of Chosen Freeholders/John Kelly and Gerry Little, Freeholder Liaisons/2018 County Road Improvement Program/Received January 22, 2018-Councilwoman Filippone would like to put Pershing and Dickman curbs and paving on for this year's wish list. The Mayor stated he would advise them of that.
- d) Altice for Cablevision of Monmouth/Maria Bruzzese, Senior VP/franchise fee payment in the amount of \$30,112/Received January 23, 2018
- e) James & Frances Craig/106A Princeton Avenue/commending Public Works employees for their help with our broken pipes and for the employees on the garbage truck who first noticed the problem/Received January 24, 2018
- f) Ocean County Utilities Authority/Keith Marcoon, Exec. Director/Certificate of 2018 Annual Charge/Received January 29, 2018-Councilman Finter stated that this is advising us that we are getting a credit to our 2018 bill.
- g) Ocean County Utilities Authority/Keith Marcoon, Exec. Director/Deficiency Notification for 2017 Calendar Year/Received February 1, 2018-Councilman Borowski stated that the deficiency is because they estimated a higher flow for us than we actually did for this year. The rates also went up.
- h) Letter to the 10th Legislative District from Councilman Finter on behalf of the Governing Body regarding Verizon FIOS/Received February 2, 2018-Councilman Finter stated that he and the Municipal Clerk put together a letter to our Legislative District for support. The residents also should get together a petition or send letters to get FIOS here. The more requests for it, the more they will want to install here.
- i) DEP News Release/DEP Launches Project to Repair Beaches on Long Beach Island Using Materials Dredged to Make Little Egg Inlet Channel Safe/Received February 2, 2018

General with Action:

- a) Community Services, Inc. of Ocean County/James Sigurdson, Exec. Director/requesting a donation of \$1,000 to support our meal programs for Lavallette Borough Seniors for 2018/Received January 25, 2018-Mayor LaCicero stated that this has always been an Anita issue but she is not here. He thinks we gave them money last year. The Municipal Clerk stated that last year they requested \$500. Councilman Finter stated that it is a great program for our seniors. The Mayor stated that we could always approve \$500 again this year and have them request another \$500 if they need to.

A Motion to approve the donation of \$500 towards the Meals on Wheels program was made by Councilman Finter. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Stogdill and Finter voted Yes. The Motion Passed.

- b) Clean Ocean Action/Alison McCarthy/Program Coordinator/requesting to hold their Annual Beach Sweeps on Saturday, April 21st 2018 and October 20th 2018 from 9am to 12:30pm/Received January 29, 2018-Mayor LaCicero stated that this is an annual request and is always fine with us.
- c) Ocean County College/Jennifer Barnes Professor/inviting the Mayor to attend the OC College's 2nd Annual Substance Abuse Summit on April 23, 2018 from 9am to

3:30pm/Received January 31, 2018-Councilman Finter stated that he would like to go to this meeting. Mayor stated that was fine with him

- d) Catholic Charities/Mary Pettrow, Assoc. Director/Requesting funds of \$70.00 towards 4th quarter services in 2017 to cover the cost for services provided for residents in town/Received February 1, 2018-Mayor stated that he thinks we do every year.

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

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Brilliant Environmental Services, LLC/Kelly's Sea Bay Sunoco requesting approval to discharge treated ground water to the Lavallette Sanitary Sewer System during an upcoming construction project at Sunoco.

Councilman Finter stated that he talked to Paul Kelly about this and he stated that his tanks need to be replaced because they are way too old. The dewatering company would be taking care of getting the meter because the meter will have to be able to do 60 gallons a minute and then we would bill Paul Kelly for the usage.

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

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

Joe Palinsky, 122 Washington Avenue questioned why they would be discharging in the sanitary sewer?

Councilman Finter stated that the DEP makes it mandatory for these types of discharges to go through the sanitary sewer.

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

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

COMMENTS FROM THE PUBLIC:

Al DeBenedictis, 70 Pershing Blvd. stated that he supports Councilwoman's request for paving and curbs on Pershing and Dickman. There are also back flow issues, so the sewer drains should be cleaned out as well.

Joe Palinsky, 122 Washington Avenue thanked Councilman Finter for the letter regarding FIOS. Verizon has use of our poles anyway so it should be easy for them to come through with it.

Councilman Finter stated that they would have to connect fiber cables to copper cables which is somewhat of a task.

Mr. Bernstein stated that what needs to be done is to advise Verizon that there is an interest in Lavallette to bring FIOS in for the residents. Maybe the residents can write letters in support of getting FIOS. The more they see there is a big interest the more it entices them to look into it.

Councilwoman Filippone stated that we could put a form letter on our website for residents to download and send.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Mayor LaCicero stated that the interviews for Administrator are completed. We interviewed about 5 applicants who were all qualified. We met a second time to discuss the two candidates that we chose out of the five. It was between two applicants, one a woman and one a man. We are going to discuss the hiring of one of them in Executive Session and hopefully make a decision.

EXECUTIVE SESSION:

Mr. Bernstein stated that there is a need to go into executive session to discuss some personnel matters. There may some action taken.

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

The Caucus/Regular Meeting was adjourned to go into Executive Session at 7:52pm.

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

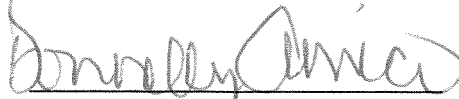
Mr. Bernstein stated that while in executive session there was discussion regarding the potential part-time Administrator and there was direction given. There was no action taken. There was also discussion regarding a personnel issue that requires some action to be taken tonight.

A Motion to approve Resolution 2018-84 was made by Councilwoman Filippone. The Motion was Seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone and Finter voted Yes. Councilman Stogdill abstained. The Motion Passed.

ADJOURNMENT:

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 5th day of **February 2018**

A handwritten signature in black ink that reads "Donnelly Amico". The signature is written in a cursive style and is positioned above a horizontal line.

Donnelly Amico
Municipal Clerk