

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, June 18, 2018-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Robert Brice, Borough Administrator
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 Emil Lenart who lived on Trenton Avenue and the Ocean Front. He was a longtime resident and very active in town for many years.

PLEDGE OF ALLEGIANCE: Councilwoman Filippone led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting. He stated that there was an article in Shore Beat on Friday regarding our shared services with Seaside Park and he was not really happy about. We are appointing our Administrator as the Alternate Zoning/Code Officer to help alleviate some of the issues that we seem to be having.

Councilwoman Filippone stated that we have always had our Administrator, such as Chris Parlow and John Bennett as well be our Alternate Zoning/Code as a backup to help with the overflow, if they were short staffed or to cover vacations.

Mayor LaCicero 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)

Dr. Ann Vitale, 8 Virginia Avenue stated that this is her second time here about zoning issues regarding the construction of her home. We are still stuck and are at a standstill right now. We have only been issued a partial zoning permit as of right now and we have since submitted our 4th plot plan and topography and this one is not approved also. She welcomes the addition of Mr. Brice as the Alternate Zoning/Code Enforcement Officer because she has dealt with before as the Administrator and has always received prompt feedback. The current zoning officer consistently argues with my architect and engineer and nothing gets resolved because she does not return **phone**

calls. She feels that the tax payers of Lavallette are not getting the proper services with the zoning officer.

Mayor LaCicero stated that these are the reasons why we have appointed Mr. Brice as the alternate zoning/code enforcement officer. Things should start to move along smoother and calmer from now on.

Mr. Brice stated to Dr. Vitale that the partial zoning permit issue has been worked out but unfortunately, the other issues are still pending. We should be able to get some of those rectified this week, hopefully. He stated that he will give her a call tomorrow and discuss with her.

Pat Marrone, 11 Elizabeth Avenue, President Beautification Committee read a thank you letter to Public Works and Donnelly for all their help with getting the memorial garden all taken care with everything that was needed to complete it. Everyone did such a great job in getting all that we needed in a timely fashion. She just wanted to thank them all on record.

Councilwoman Filippone stated that the Beautification Committee are a group of amazing women who care about the beauty of the town and do so much research on bringing in the best products for Lavallette and put the extra effort in always. This memorial garden is a place for people to escape to for some peace and to think about the loved ones who have passed. They were also responsible for our streetscape plan to beautify our business district and took much time in making sure it was done perfectly.

Clem Boyers, 20 Kerr Avenue questioned if the Yacht Club received their liquor license.

Mayor LaCicero stated that the resolution was done at the last meeting.

APPROVAL OF MINUTES:

Minutes of Caucus/Regular Meeting of June 4, 2018

Minutes of Executive Session Meeting of June 4, 2018

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

2018-193 approving the renewal of the liquor license for year 2018-2019 held by White Whale, Inc. doing business as Lavallette Liquors-Councilman Borowski stated that he has no issues with the license itself but does want to go on the record regarding the continuous issue with them on street advertising even though they do it on the Toms River Township side.

- 2018-194 requesting approval of items of revenue and appropriation per N.J.S.A. 40A:4-87
- 2018-195 approving a stipend in the amount of \$8,000 to Christine Sierfeld, CFO/Tax Collector for her title of Qualified Purchasing Agent (QPA) effective January 1, 2018
- 2018-196 approving the renewal of the liquor license for the year 2018-2019 held by Lenny's Pizzeria-Mr. Bernstein stated that this needs to be pulled off of consent agenda with no discussion
- 2018-197 appointing Steve Materia as a temporary part-time Building Inspector at an hourly rate of \$35.00 effective June 18, 2018
- 2018-198 appointing Joseph Piccoli as a part-time dispatcher at an hourly rate of \$10.00 effective June 12, 2018
- 2018-199 authorizing the refund of a construction permit fee in the amount of \$364.00 to Gwendolyn Miller
- 2018-200 appointing Kim Reece as the Administrative Secretary OEM and the FEMA Financial Processor due to the retirement of Diana Lahullier-Mr. Bernstein stated that this needs to be pulled off of consent agenda and discussed before the next meeting.
- 2018-201 approving a facilities use application to Michael Leone from USABL to hold baseball games on Chandler Field Sundays, July 1st through July 22nd 2018 from 9am to 1pm
- 2018-202 urging the Legislature to amend S-716, S-477, and S-1766
- 2018-203 approving a stipend in the amount of \$2,500 to Tom Brihn, Construction Official for for his position of Zoning/Code Enforcement Coordinator
- 2018-204 appointing lifeguards for the 2018 summer season
- 2018-205 authorizing the Borough Administrator to act as the Alternate Zoning/Code Enforcement Officer on an as needed basis
- 2018-206 appointing Rosemarie McGlew as the Assistant Supervisor for the beach badge office at an hourly rate of \$12.00 effective immediately-Mr. Bernstein stated that this needs to be pulled off of consent agenda with no discussion.
- 2018-207 appointing 3 summer seasonal workers for the Department of Public Works effective June 18, 2018

- 2018-208 approving a raffle license for Donations of Love, Inc. to hold an off premise gift raffle to be drawn on July 16, 2018 at 1pm
- 2018-209 refunding the unused balance of planning board escrow in the amount of \$407.00 to Robert & Tina Hansen
- 2018-210 appointing Doug Erb as the Alternate Floodplain Manager at an hourly rate of \$25.00-Mr. Bernstein stated that this needs to be pulled off of consent agenda without discussion.

A Motion to approve the consent agenda minus Resolutions 2018-196, 2018-200, 2018-206, and 2018-210 was made by Councilman Lamb. 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 minus the resolutions that were pulled.

Al Jones, 113 Reese Avenue, questioned if the public was going to be told what the three bills were that they were opposing regarding Resolution 2018-202.

Mayor LaCicero stated that there is always a public packet with all the documentation backup and they will state what they are for.

Mr. Bernstein stated that he will tell him what they are for right now. S-716 is opposing the firefighters' presumption and to amend it to include the controls adopted by other states to prevent the costs from becoming unaffordable. S-477 is opposing statute of limitations in sexual abuse claims amending the area of what type of sexual abuse claims this refers to and then S-1766 is opposing wrongful death liability to amend so it is not applicable to Title 59 entities.

Councilman Borowski stated that these amendments to these bills is so our insurance premiums don't increase.

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

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

RESOLUTIONS - OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2018-211 Bills List in the amount of \$546,044.41

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

ORDINANCES ON FOR PUBLIC HEARING AND FINAL ADOPTION:

Bond Ordinance No. 2018-04 (1187) Bond Ordinance of the Borough of Lavallette providing for improvements to Borough Roads including portions of Bryn Mawr Avenue in and for the Borough, appropriating \$240,000 Therefor, and Authorizing the Issuance of \$240,000 in general Improvement Bonds or Notes of the Borough to Finance the Same.

Mayor LaCicero stated that this is a bond ordinance for the road improvements to Bryn Mawr and Sterling Avenue.

A Motion to adopt this bond ordinance was made by Councilman Stogdill. The Motion was Seconded by Councilwoman Filippone.

The Mayor opened the public hearing and asked if anyone wished to comment on this bond ordinance.

No one wished to comment. The Mayor closed the public hearing and asked Council for a vote on this Bond Ordinance.

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

UNFINISHED BUSINESS:

Council President Zalom stated that she spoke to John Ernst, the County Engineer regarding the West Point Island and Bay Blvd. area for some crosswalks and/or sidewalks and he said that he was going to look into it and send someone over to check it out and they may paint some crosswalks or do something over there. She is dealing with the bus company issue, as well, and has been in touch with the homeowner that questioned it.

Mayor LaCicero stated that the Administrator has been looking into the grant for the improvement of water quality for the Barnegat bay for some dredging issues under the WPI Bridge. It needs to be dredged really bad and the restriction impacts the quality of water in that cove. Hopefully, we can get this rectified sooner than later.

Mr. Brice stated that he has been in contact with our Engineer and he is going to look into it and see what can be done.

Council President Zalom stated that she is going to put a work order in for the trimming of the bushes on Bay Blvd. and President Avenue because it is becoming a safety hazard.

Councilman Lamb stated that the sand was delivered to the volleyball courts and raked out. It is a type of masonry sand and it cost us roughly \$2,000, but we need to get the fence started soon because the sand is already blowing again.

Councilwoman Filippone stated that the bench on the boardwalk at Newark Avenue seems to be broken and should be removed so no one sits on it and gets hurt.

Councilman Lamb stated that they sifted the sand on the bay beach for any glass and did not find any.

Councilman Borowski questioned if the schedule for the basketball lights for shutting off was determined?

Mayor LaCicero stated that he thought we agreed on 10pm but Councilman Lamb will verify with Public Works.

Mayor LaCicero stated that the 2 antennas were completed with installation on the water tower and he was advised that the coverage of the radio transmission and coverage is fantastic so we are happy about that.

NEW BUSINESS:

Council President Zalom stated that Katie Wallace, a Lavallette School student is also a girl scout and needs to do a project so she has chosen to collect any kind of eyeglasses including sunglasses and readers to do a project with. Just wanted to let everyone know that if they have any glasses to dispose of they can drop them at the Administration Office downstairs and we will hold them for her.

COMMENTS FROM THE PUBLIC:

Bernard Brady, 51 Pershing Blvd. stated that the bocce ball courts are in desperate need of repair. Is there any thoughts of repairing them any time soon? He knows that pickleball is in high demand but a lot of residents are interested in the bocce but the court is not really in good shape to play.

Councilman Borowski stated that we already have been discussing this and received a quote for \$6,600 but we need to get another quote because of the quote threshold. According to the company if we can get our PW to take care of the installation they can give us an ez drop bag of the materials and then it would only cost us \$6,000.

Mr. Bernstein stated that this needs to be discussed with the QPA who should include the Administrator so we are in compliance.

Mr. Brady stated that if the court is repaired it will increase revenue for the town if we charge for it.

Councilwoman Filippone stated that there were different options for the surface of the bocce courts that was discussed. One of them being oyster shells. The main objective is that the substance, whatever it is, needs to be stable level along with the sides and forms.

Joe Palinsky, 122 Washington Avenue stated that we should be asking for a 4 way stop sign on Bay Blvd. and Washington Avenue for the crossing there when applying for that safe routes grant. Also, what is the update on the broken pole in front of the firehouse? Is it going to be repaired soon?

Councilman Borowski stated that he believes it is a locked pole and the electric utility was transferred.

Councilman Finter stated that he thinks it is a Verizon issue but he will check with the Electric Supervisor.

Mark Speaker, 111 Brown Avenue, stated that Bay Blvd. looks great since the lawn was cut on the bay front. Is there any way we can put it on a schedule to mow it occasionally because it makes it look so much cleaner?

Jon Corney, 1 Newark Avenue stated that he would like to know when the bocce ball courts are going to be repaired because he would like to see it done for the summer.

Mayor LaCicero stated that we are working on it and hope to have it taken care of soon.

Mr. Corney questioned the status of the reval?

Mayor LaCicero stated that our Tax Assessor just recently resigned so we had to advertise for a new one and have received some applications. Once we hire a new Tax Assessor we will have to take it from there. We will keep everyone updated as we find out.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

There were no comments from Mayor and Council.

EXECUTIVE SESSION:

There was no executive session.


ADJOURNMENT:

A Motion to adjourn the regular meeting was made by Councilwoman Filippone. The Motion was seconded by Councilman Stogdill. Vote: All of Council was in favor. The Motion Passes.

The Regular Meeting was adjourned at 8:01pm.

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 18th day of **June 2018**


Donnelly Amico
Municipal Clerk