

**BOROUGH OF LAVALLETTE(minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, February 22, 2021-7:00 pm**

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Robert Brice, Borough Administrator
Phil George, Borough Attorney
Donnelly Amico, Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Due to the coronavirus pandemic, this meeting has been closed to the public physically and is being livestreamed via Zoom. Any comments from the public that are received via email no later than 4pm by the Municipal Clerk will be read and discussed by Mayor and Council at the Council Meeting during public comment period. Notice of this remote meeting was posted on our website with instructions on how the public can connect to livestream this Council Meeting.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for all loved ones who have passed away this past year.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone who is attending our meeting remotely via Zoom. Hopefully, we will get back to normal soon.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT

2021-76 approving a raffle license to the Lavallette PTO for a 50/50 off premise raffle on May 7, 2021

2021-77 authorizing and consenting to amending raffle license (RL-511) approved by Council on December 21, 2021 to change the raffle draw date to March 5, 2021 and changing the ticket price to \$10.00

2021-78 amending the 2021 temporary budget in the amount in the amount of \$3,670,000.00- Mr. Brice stated that this is to cover payroll operating services, debt services and pension bills. Councilwoman Filippone stated that this will be the 2nd amendment to our temporary budget.

- 2021-79 approving a facilities use application to Kevin Kolans to use the ballfield to hold baseball practices starting March 1st through November 8th 2021, Mondays and Wednesdays starting at 4:30pm and one weekend in August, September and October from 8am to 8pm for baseball tournaments-Councilwoman Filippone requested this be put off consent.
- 2021-80 approving a facilities use application to Chris Olvesen from Barnegat Bay Cruises to utilize our dock on the bay at Magee Avenue to pick up at 7pm and return at 9pm 6 people, whatever nights requested, starting Friday, May 12th through Sunday September 12th 2021-Councilman Borowski requested this be put off consent.
- 2021-81 authorizing the CFO to submit a check to DesChamps Mat Systems in the amount of \$6,441.39 as a refundable deposit to secure the purchase of a beach mat to go on the President Avenue ADA handicap accessible beach ramp/walkover
- 2021-82 supporting H.R. 946- The “Stop The Attack On Local Taxpayers Act”

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

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

No one wished to comment. The Mayor closed the floor and asked Council for a vote on the consent agenda.

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

RESOLUTIONS - OFF CONSENT:

- 2021-79 approving a facilities use application to Kevin Kolans to use the ballfield to hold baseball practices starting March 1st through November 8th 2021, Mondays and Wednesdays starting at 4:30pm and one weekend in August, September and October from 8am to 8pm for baseball tournaments

Mr. Brice stated that some of these dates present a conflict with our beach badge sales down at the building on the field.

Mayor LaCicero stated that we will carry this over to the next meeting and request that Mr. Kolans modify his application.

- 2021-80 approving a facilities use application to Chris Olvesen from Barnegat Bay Cruises to utilize our dock on the bay at Magee Avenue to pick up at 7pm and return at 9pm 6 people, whatever nights requested, starting Friday, May 12th through Sunday September 12th 2021

Councilman Borowski stated that he is not in favor of allowing this type of service. We already have discussed the fact that we don't want to commercialize our bayfront and this is clearly allowing this.

Councilman Finter stated that he is concerned with the liability if these people are drinking and get hurt on our property.

A Motion to deny this resolution was made by Councilman Borowski. The Motion was Seconded by Councilman Finter. Council Members Borowski, Filippone, and Finter voted Yes. The Motion Passed.

APPROVAL OF VOUCHERS:

2021-83 Bills List in the amount of \$1,209,729.05

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

ORDINANCES ON FOR FIRST READING/INTRODUCTION:

Ordinance No. 2021-02 (1209) Ordinance of the Borough of Lavallette Amending, Revising and Supplementing, Chapter VII of the Borough Code, Entitled, "Bathing and Beach Control", More Specifically, Article 7-9, Entitled "Fees for Use of Beaches and Facilities"

Mayor LaCicero stated that this ordinance is so Council can change the price of badge fees without having to open the ordinance every time and wait for the two readings. We will now be able to do this by resolution a few times a year if needed.

A Motion to introduce this ordinance was made by Councilman Finter. The Motion was Seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone and Finter voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for March 8, 2021.

ORDINANCES ON FOR PUBLIC HEARING/FINAL ADOPTION:

Bond Ordinance 2021-01 (1208) Refunding Bond Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Providing for the Refunding Of All or a Portion of the Borough's General Improvement Refunding Bonds, Series 2012, Appropriating An Amount Not Exceeding \$4,100,000, Therefore and Authorizing the Issuance of Not To Exceed \$4,100,000 General Improvement Refunding Bonds of the Borough of Lavallette or Financing Cost Thereof

Mayor LaCicero stated that due to this ordinance needing 2/3 vote of the full governing body, it will not be adopted tonight. We will go ahead with the public hearing tonight and schedule to adoption for the next meeting of March 8, 2021.

The Mayor asked for a motion to open the public hearing.

A Motion to open the public hearing on this ordinance was made by Councilman Borowski. The Motion was Seconded by Councilman Finter. Vote: Council Members Borowski, Filippone and Finter voted Yes. The Motion Passed.

The Mayor stated that this ordinance is to pay off some bonds that we did in 2012 which is saving us approximately \$175,000.

No one wished to comment. The Mayor asked Council for a motion to close the public hearing.

A Motion to close the public hearing was made by Councilwoman Filippone. The Motion was Seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone and Finter voted Yes. The Motion Passed.

The adoption of this ordinance is scheduled for March 8, 2021.

UNFINISHED BUSINESS:

Councilman Borowski stated that Dr. Farrell will be submitting the application soon for our living reef down by the WPI Bridge.

Mayor LaCicero stated that the pickleball group have received some proposals from vendors for repairs to the courts. The problem with this is that we will have to go out to bid for projects that are over our threshold and these quotes look like they are all over.

Councilman Borowski stated that he also received two quotes for the courts and they are roughly around the same price.

Councilwoman Filippone stated that she thinks it would still be better to do extensive repairs on the courts one time to prevent from having these problems every few years.

Mayor LaCicero stated that the problem that will always occur no matter what is the cracking which will happen all time due to the excessive use of the courts.

Mr. Brice stated that the proposals received provide different options with different costs. What we need to discuss first is what we really want to happen down there and whether we want to go ahead with a full on repair or just fix the most necessary areas for now to make them safe for use.

Mayor LaCicero stated that we will review these proposals more and make a decision on what we think would be the best to do right now.

Mr. Brice stated that he received a call from the County regarding the President Avenue outfall pipes. It seems that the flapper valves that were installed seem to be defective so they are trying to fix the problem. Our pre-order badge sales started last week. The form is on our website. We will

need to update our outside dining resolution to permit the temporary expanded seating permits since the most recent one we have now only extends until March 31, 2021.

NEW BUSINESS:

There was no new business.

COMMENTS FROM THE PUBLIC:

Kathy Grandstrand, 100 Brown Avenue, thanked Mayor and Council for taking the time to discuss the proposals for the pickleball courts and trying to come up with a plan. Those proposals give a lot of different options and prices so hopefully you can come up with the best fit.

George Coss, 108 Bond Avenue stated that the restaurants in town are not following the 35% only capacity. The police should be monitoring these restaurants.

Mayor LaCicero stated that enforcement for this is governed under the State of NJ not local municipalities. If you see this, you should be calling the Governor's office and advising them.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

There were no comments from Council.

EXECUTIVE SESSION:

There was no executive session.

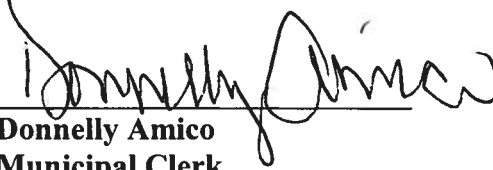
ADJOURNMENT:

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

The Council Meeting was adjourned at 7:51pm.

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 Council meeting held on the 22nd day of February 2021.



Donnelly Amico
Municipal Clerk