

**BOROUGH OF LAVALLETTE(minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Tuesday, February 18, 2020-7:00 pm**

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Council Members Lamb and Finter were absent.

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 10, 2020. Notice was also posted on our municipal website and bulletin board.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for all our loved ones that have passed.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting. 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)

Bob Mikalouskas, 121 Trenton Avenue questioned when we would be getting other cable providers in Lavallette.

Mayor LaCicero stated that Cablevision is the only provider that would come over here. We have a franchise agreement with them and have for decades. This new agreement is for a period of 10 years and that is up in 2024. Let's see then, if other providers are willing.

Mike Mazzola, 1924A Bay Blvd., Ortleigh Beach, stated that at the last meeting there was discussion regarding valet service and food deliveries to the beach during the summer. He stated that he is the person who provides this service to beachgoers and was wondering what he has to do to continue this.

Mr. Bernstein stated that Section 47 of the Borough Code might not allow this type of service in Lavallette. We will have to look more into this before we can discuss it further.

Mayor LaCicero stated that Mr. Mazzola should come and see him at his office during his hours and they can discuss this further.

Councilwoman Filippone stated that just to go on record, the ordinance committee is not in favor of commercialization of our beaches.

Amy Fitzgerald, Phil Mylod's Law Firm stated that 83 Pershing Blvd. has applied for a CAFRA permit to install a dock and there has been a number of hearings at the State DEP due to objections to this project. She wants to let more people know that there will be another hearing on this issue, on March 4, 2020 at 10am in Trenton if anyone is interested to voice their concerns.

Rob Bocchino, 4 Lavallette Avenue questioned what the updates were regarding the dredging project under the WPI Bridge.

Mayor LaCicero stated that the dredging in the channel was supposed to be done by the end of January but we can see that was not done yet. We have reached out to the DEP to find out what the story is.

Mr. Brice stated that our dredge permit is good for the next 2 years. We have been trying to work with the DEP as well as the County to try and work some type of agreement out with both of them to see if they could take care of the dredging for us. As of right now, according to the rules, dredging cannot be done again until June 1st and only to July 1st so it leaves a very small window now for everyone.

Mayor LaCicero stated that the good thing now is that we have our permit so once we figure it out we can get it done as soon as possible as long as it is during the allowable time frame according to the State. We will continue to stay on top of this until we find the solution.

Mr. Bocchino stated that he had to pay the State \$500 to dock his boat on his dock because they own a portion of that area but I feel like asking them for a refund because it doesn't look like I will be using it much.

2020 PLANNING BOARD APPOINTMENT BY THE MAYOR: (not requiring Council approval)

1 Year Class I Member-Mayor's Designee George Shenewolf

APPROVAL OF MINUTES:

Minutes of Caucus/Regular Meeting of January 21, 2020

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT

- 2020-80 approving the Ocean County Parks & Recreation to utilize our tennis and Pickleball courts from July 27th through July 30th from 10am to 12 noon
- 2020-81 authorizing the refund of unused ski trip payment in the amount of \$84.00
- 2020-82 approving the annual certifications by the Lavallette Volunteer Fire Department of all volunteer members who have qualified for credit under the LOSAP program for year 2019
- 2020-83 authorizing the refund of a road opening permit fee to New Jersey American Water in the amount of \$475.00
- 2020-84 authorizing the transfer of an electric overpayment in the amount of \$2,521.41 to be transferred to their property tax account for 6 Reese Avenue
- 2020-85 approving four facility use applications from the Lavallette Business Association to hold a 5K Race on June 27th from 8am to 11am, two food truck festivals on June 27th from 3pm to 8pm and October 18th from 12noon to 5pm and the patriotic bike parade on July 4th at 10am-Councilwoman Filippone requested this be put off consent for discussion.
- 2020-86 approving two 50/50 raffle licenses to the Lavallette School PTO to be held on April 24, 2020 from 4pm to 7pm at St. Pio Parish Center
- 2020-87 authorizing the Mayor to sign and execute the Jurisdictional Agreements for Highway Maintenance and Control between the NJDOT and the Borough of Lavallette
- 2020-88 approving a facilities use application to Hammer Surf Camp to hold their annual surf camp on June 22nd through August 29th 2020, Monday through Saturday from 9am to 12 noon or 1pm to 4pm
- 2020-89 approving a facilities use application to Kevin Kolans from USSSA Baseball to hold a baseball tournament on June 27th and June 28th, Saturday and Sunday from 8:30am to 4:30pm
- 2020-90 amending the 2020 temporary budget in the amount of \$3,339,100.00
- 2020-91 awarding a contract to Gramco Business Communications in the amount of \$17,088.50 for the purchase of a new recording system for Council Chambers through the Cooperative Pricing Agreement with Educational Services Commission of New Jersey

- 2020-92 awarding a contract to Belson Outdoors for the purchase of 55 benches for the seating areas connecting to the pedestrian walkovers in the amount of \$30,114.00
- 2020-93 authorizing the credit to a water/sewer account in the amount of \$934.77 to the property at 5 Camden due to being billed for the incorrect amount of units on the property
- 2020-93A awarding a contract to Martin A. Ackley Associates, Inc. for sampling and testing of bituminous concrete core used on the Philadelphia Avenue road improvement project in the amount not to exceed \$1,100.00
- 2020-93B approving the 2020 Temporary Capital Budget for the insertion of the project known as Improvements to Borough Water System and Repairs to Well #4

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

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

RESOLUTIONS - OFF CONSENT:

- 2020-85 approving four facility use applications from the Lavallette Business Association to hold a 5K Race on June 27th from 8am to 11am, two food truck festivals on June 27th from 3pm to 8pm and October 18th from 12noon to 5pm and the patriotic bike parade on July 4th at 10am

Councilwoman Filippone stated that the application states that the bicycle parade on 4th of July starts at 10am. It has always started at 9am in previous years because the beach opens at 10am and we never wanted it to become chaotic.

Also, this 5 K race on June 27th before the Food Truck Festival is utilizing our parking are on Washington Avenue between the hours of 8am and 11am. She thinks it is an issue regarding parking stickers and once 10am hits the beachgoers will be coming and utilizing those parking lots.

Mr. Bernstein stated that we can pull this until we resolve the issue. We can put it on for the next meeting if resolved.

APPROVAL OF VOUCHERS:

2020-94 Bills List in the amount of \$640,945.18

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

ORDINANCES ON FOR FIRST READING/INTRODUCTION:

BOND ORDINANCE 2020-02 (1202)-Bond Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Providing for the Improvements to Borough Water System Including Repairs to Well #4 In and For The Borough, Appropriating \$150,000 Therefor, And Authorizing The Issuance of \$142,500 In General Improvement Bonds Or Notes Of The Borough To Finance The Same.

Mayor LaCicero stated that this is to fund the Well repairs project.

A Motion to introduce this ordinance was made by Councilwoman Filippone. The Motion was seconded by Council President Zalom. Vote: Council Members Borowski, Filippone, Zalom and Stogdill voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for March 2, 2020.

UNFINISHED BUSINESS:

Councilwoman Filippone stated that we reviewed the table and chairs ordinance from Mr. Bernstein's office and had some revisions. The wording should be locations instead of numbers and the word mandatory should be included for the site plan. The drawings should also include dimensions. We also found that the grading and pool ordinance is reflective in 2 chapters of that ordinances so one of them should be deleted. The recommendation of the Ordinance Committee is not to propose an ordinance on the plastic bag ban at this current time. Since the State will be doing a state wide ban, we prefer to wait for them and then do something. In the meantime, what we recommend is maybe doing a resolution encouraging residents and businesses in town to switch to canvas bags and not use plastic bags.

Councilman Borowski stated that when the ordinance is done regarding the vacant properties please make sure that vacant lots with no structures are not included in this. It should just be for vacant structures.

Council President Zalom stated that CDBG has approved the additional funds for the Matrax for handicap accessible people to get down to the water.

NEW BUSINESS:

No new business.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue questioned if we have any codes for maintaining your property as far as grass being too high and debris on the property.

Mayor LaCicero stated that we have a property maintenance code but it is limited. You have to talk to the Construction office and they will go and check it out.

Al Jones, 113 Reese Avenue stated that when they start to do the new mooring slots and create more of the moorings are they going to make sure that the residents who have the moorings already keep the same number and same location of where it is now.

Mr. Brice stated that current mooring holders will get first choice on where they want to be located.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilwoman Filippone stated that the Sabarese family donated the gazebo that was at the top of Guyer Avenue many years ago but it has since be taken down due to disrepair. The family has approached me requesting to put an arbor along with a bench in memory of their parents and put it in the same spot that the gazebo was.

Mayor LaCicero stated that we will put it on for discussion on the next agenda.

Mr. Brice stated that he has contacted the County regarding the graffiti that is on the WPI Bridge and they are going to see what they could do about cleaning it up.

EXECUTIVE SESSION:

There was no executive session.

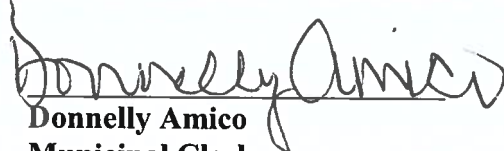
ADJOURNMENT:

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

The Council Meeting was adjourned at 8:05pm.

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 2nd day of **March 2020**.


Donnelly Amico
Municipal Clerk