

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, March 2, 2020-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Phil George, Borough Attorney
Robert Brice, Borough Administrator

Mayor LaCicero stated that Donnelly Amico, the Municipal Clerk had to leave due to her not feeling well so Mr. George will be calling the roll for voting.

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 bulletin board and municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for retired long time Public Works employee, Al Scheller. He was an employee for at least 35 years. He will be missed.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting. The end of last week he and Mr. Brice had their annual meeting with the County. The bulk head project will be starting very soon. The window will be between June 1st through July 1st to get that project started and finished. The County will give us a price through our Schedule C agreement for the dredging under the WPI Bridge. They will also start the President Ave outfall pipe project within 30 days and the issue at the end of Dickman Drive and they have already installed two flaps to fix that but a contractor working in that area decided to mess with it. We have advised this contractor to keep their hands off so it should be working as of now. JCP & L will be putting in the new substation next week and we will be out of power on April 5th from during the day. 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)

Chris Angulo, former resident questioned if Sgt. Schierer was working now after rehab?

Mayor LaCicero stated that as far as he knows he is not working.

Mr. Angulo questioned if he would be coming back to work at all?

Mayor LaCicero stated that he could not comment on any Sgt. Schierer issues due to privacy issues as well as legal.

Mr. Angulo stated that he would like to video this meeting but did not request ahead of time.

The Mayor stated that he cannot video the meeting until he requested to film ahead of time.

APPROVAL OF MINUTES:

Caucus/Regular Meeting Minutes of February 3, 2020
Executive Session Minutes of February 3, 2020
Regular Meeting Minutes of February 18, 2020

A Motion to approve the minutes was made by Councilman Lamb. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Stogdill and Finter voted Yes. Councilman Lamb abstained from February 18, 2020 minutes but voted yes to all others. The Motion Passed.

REPORTS:

- a) Construction Report for February 2020-Councilwoman Filippone-read report
- b) Zoning Report for February 2020-Councilwoman Filippone-no report
- c) Municipal Court Report for January & February 2020-Councilwoman Filippone-read January report but no February report.
- d) Police Overtime Report for January & February 2020-Councilwoman Filippone-read report
- e) Public Works Report for February 2020-Councilman Lamb-read report
- f) Tax Account Report for January 2020-Tax Collector

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2020-95 refunding unused balance of planning board escrow in the amount of \$500.00
- 2020-96 approving a facilities use application to Breathe Life Yoga to hold yoga classes on the ocean beach starting June 1st through September 30th 2020, Wednesdays through Sundays 7am to 8:30am including Memorial Day Weekend and Labor Day
- 2020-97 approving a facilities use application to Yakkity Yak Kayaks to utilize the bay beach near Vance Avenue daily starting May 15th through September 30th 2020 at various times between 10am to 4pm for only drop-offs and pickups of kayaks and paddleboards

- 2020-98 approving an application for the Junior Firefighters' Program through the Lavallette Fire Department
- 2020-99 approving 7 applicants to attend the Ocean County Police Academy Class I Training commencing March 21, 2020-The Mayor requested that this be put off consent.
- 2020-100 approving two facility use applications submitted by the LBA to hold two food truck festivals in the Washington Avenue parking lot on Saturday, June 27, 2020 from 3pm to 8pm and on Sunday, October 18, 2020 from 12noon to 5pm
- 2020-101 approving a facilities use application submitted by the LBA to hold a patriotic bicycle parade on the boardwalk between President and New York Avenues on Saturday, July 4, 2020 from 9am to 10am
- 2020-102 approving a facilities use application submitted by the LBA to hold a 5K Race starting in the Lavallette First Aid/Fire Department parking lot with the run route around WPI on Saturday, June 27, 2020 between 8am to 11am

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

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, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

RESOLUTIONS - OFF CONSENT:

- 2020-99 approving 7 applicants to attend the Ocean County Police Academy Class I Training commencing March 21, 2020

APPROVAL OF VOUCHERS:

- 2020-103 Bills List in the amount of \$1,029,636.34

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

ORDINANCES ON FOR FINAL ADOPTION/PUBLIC HEARING:

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 there should be no issues with this ordinance. We have sufficient funds in the budget to cover the engineering and legal if needed.

A Motion to open the public hearing on this ordinance was by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill.

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

No one wished to comment. The Mayor closed the public hearing and asked Council for a motion to adopt this ordinance.

A Motion to adopt this ordinance was made by Councilman Stogdill. The Motion was Seconded by Councilman Lamb.

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

RESOLUTION 2020-104

Awarding a contract to A.C. Schultes, Inc. for the rehabilitation of water supply well #4

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

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

COMMUNICATIONS:

New Jersey League of Municipalities:

- a) State & Federal Issues/Received February 7, 2020
- b) State & Federal Issues/ Received February 14, 2020

- c) State Issues/Received February 21, 2020

General with No Action:

- a) Ocean County Utilities Authority/Keith Marcoon, Exec. Director/Deficiency Notification for 2019 Calendar Year/Received February 3, 2020-Councilman Finter stated that the Engineer recommends we get inspections done on our sewers
- b) DEP News Release/New Jersey Begins Reform of Environmental Regulations in Response to Climate Change/Received February 7, 2020
- c) Robert Wood Johnson University Hospital/Anthony Raffino/Cease of MONOC Paramedic Operations on April 1, 2020 and Begin RWJBarnabas EMS/Received February 18, 2020-Councilman Borowski stated that he attended the meeting on this issue and they are splitting up the service areas and RWJ will be the paramedics for Lavallette. There should be no interruptions with care.
- d) NJDEP/Kerry Pflugh, Director/DEP Updates/Received February 21, 2020

General with Action:

- a) Clean Ocean Action/Alison Jones, Coordinator/requesting to hold beach cleanups on our ocean beach on Saturday, April 25th and Saturday, October 24th 2020 from 9am to 12:30pm-Mayor stated that these are annual cleanups and are all good.
- b) Remax Real Estate/Melissa Fogler, Supervisor/requesting to hold their 4th Annual Memorial Day Weekend Celebration on Saturday, May 23rd from 12noon to 4pm in front of their business located at 406 Grand Central Avenue-Mayor stated that this is an annual request and has not been a problem.
- c) Brenda Sabarese Mani/former owner of 500 Guyer Avenue/requesting to place an arbor with a bench in memory of her parents in the space where the old gazebo that her parents donated at the top of Guyer Avenue that was taken down/Received February 18, 2020-

Councilman Borowski stated that he is concerned about this being suitable for our boardwalk. Can we have Public Works evaluate the plan and make sure it will work in that area and not be a problem. Councilman Finter stated that he is not in favor of it at all. Councilwoman Filippone stated that when we took down the gazebo that the family donated because it was in disrepair there was an agreement with them that they would be able to replace it with something else in that space. She is having a contractor install and she is paying for all of it. Councilman Lamb stated that we are concerned about the equipment holding up there. Mayor LaCicero stated that she should submit all the aesthetics and installation information to Donnelly and she will have Teddy review it.

- d) West Point Island Civic Association/Doris Gallo & Nancy Dews, Chairpersons/requesting the presence of Police or CERT members to manage traffic and crowd for their house tour on West Point Island on Wednesday, July 8, 2020 from 10am to 3pm/Received February 18, 2020-The Mayor stated that he has discussed this with the

Chief and the Emergency Management and they have no issues with it. Councilwoman Filippone stated that the last time WPI had a house tour in the literature they sent out there was a recommendation for the cars to pull up onto the roll top curbs as much as possible.

UNFINISHED BUSINESS:

Proposal from O'Donnell, Stanton & Associates for New York Avenue Road Improvements

Councilman Borowski stated that Mr. Brice reviewed the last three road improvement projects costs and stated that this proposal was in alignment with those.

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

NEW BUSINESS:

Discussion on beach salaries, beach season 2020 schedule and badge fees for daily and weekly badge

Councilman Stogdill stated that Council was given the schedule of badge rates and beach season in their packets. Pre-season badge sale price will be \$50.00 and the office hours will start May 10, 2020 through June 19, 2020, M-F 8am to 4pm and Saturday and Sunday from 9am to 2pm with seasonal staff. Season badge sale price will be \$60.00 and will start sales on June 20, 2020 through Labor Day, September 7, 2020, M-F, 8am to 4pm and on Saturday from 9am to 4pm and Sunday 9am-2pm. The official beach season opens Saturday, June 20th through Labor Day, September 7th 2020. Lifeguards will be on duty 10am to 5pm and till 6pm on weekends and holidays and badge checkers will on duty every day from 10am to 4pm.

The beach badge prices will be \$50.00 for pre-season until June 10, 2020, season price starts on June 20, 2020 at \$60.00, senior badges are \$20.00, disabled persons meeting the criteria are \$15.00, and for disabled veterans and active military they are free.

He stated that he would like to propose an increase in the weekly badge from \$30.00 to \$35.00 and daily badges from \$10.00 to \$12.00 and have the ordinance put on the next agenda.

He stated that Council also received in their packets proposed hourly rates increases for lifeguards and badge checkers. All badge checkers have to be brought up to the new minimum wage rate increase of \$11.00, For the lifeguards their hourly rates are according to the steps of guard they are. There are three guard steps of 1,2 and 3 being the highest. For these he proposes \$12.50 for guard 1 and an increase of \$1.00 for 2 and then 3, which will be \$12.50 and then \$13.50. Sergeants will start at \$16.50 and Lieutenants at \$21.00. The first aid person we have on staff will start at \$15.00.

Councilman Lamb stated that the badge checker hours can be adjusted if the influx of beach goers adjusts by the Supervisor.

Councilman Stogdill that the total of rates equal \$183,280.00.

Mayor LaCicero stated that years ago we saved money with not having runners. Let's bring up the Beach Captain, Jack Caucino up to discuss.

Jack Caucino, Beach Captain stated that with the \$50,000 increase in salaries for the checkers should be taken care of by the increase in badge sales and should break even.

Councilwoman Filippone stated that it is hard to tell until we try it.

Councilman Lamb questioned how many Lieutenants?

Councilman Stogdill stated we have 2 right now. We have been short on guards for a couple of years due to increase in rates so this should help us.

Mr. Caucino stated that the daily badge increase should offset the increase in salaries.

A Motion to open the official beach season on Saturday, June 20, 2020 through Labor Day, Monday, September 7, 2020 was made by Councilman Stogdill. The Motion was Seconded by Councilman Finter. Vote: Council Members Borowski, Filippone, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

A Motion to approve the increases in hourly rates of badge checkers and lifeguards 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 the increases of hourly rates for badge checkers and lifeguards.

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

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

Councilman Borowski stated that the Public Power Assoc. did go out and secure some more power for the electric utility. We are 75% bought out now through June 2029. There is some uncertainty built in the price because it is so far out that uncertainty has a little bit of cost but we will have the stability.

Councilwoman Filippone stated that we have the proposals for the ordinance revisions and Mr. Brice feels that we need an opportunity to discuss these at workshop meetings instead of just discussing at regular meetings. Council's position should be already confirmed when they need to vote. Some ordinances are more critical than others.

The Mayor stated that Mr. Brice can set something up but should it be open to the public.

Mr. George stated that if all of Council was meeting, the public has to be offered to attend. You could notice the workshop meeting to discuss those ordinances and then have your Council meeting.

Councilman Finter stated that the OC Historical Society having a grand opening on Saturday, March 7th. The Census is here and everyone will get a post card to fill out online so make sure everyone does this because it is very important.

COMMENTS FROM THE PUBLIC:

Marlene Chamberlain, 26 Bond Avenue stated that she was reviewing the Ocean Start and was curious with Lavallette's position on the AirBNB ordinance?

The Mayor stated that the Borough does not have an ordinance.

Mrs. Chamberlain questioned if Assemblyman O'Scanlon gets a percentage of our cell tower agreements.

The Mayor stated that we did use him for all of our cell tower lease agreements and did have a contract with him but was not aware of the percentage that he received. The Municipal Clerk would have the contracts downstairs if she wanted to find out.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that the OC Parks has a spring program out and you would be amazed of all the programs they have throughout the County. Everyone should check it out.

EXECUTIVE SESSION:

There was no executive session.

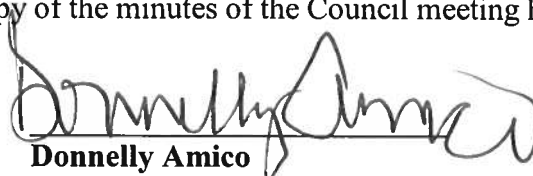
ADJOURNMENT:

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

The Council Meeting was adjourned at 8:03pm.

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**