

**BOROUGH OF LAVALLETT(minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, May 18, 2020-7:00 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
Phil George, Borough Attorney
Donnelly Amico, Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Due to the coronavirus pandemic, this meeting was closed to the public physically and is being livestreamed via YouTube with comment period for the public. Notice of this remote meeting was posted on our website with instructions on how the public can connect to this livestreamed Council Meeting.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Kathy Ferrara who passed away. Kathy was the long time lunch aid at the Lavallette School and worked at the Cozy Nook. Her sister Aileen Gulino lives in town and works at the Crab's Claw and her mother also lived here before she passed away a few years back.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed every to tonight's 3rd remote meeting. The weather hasn't been that great but it hasn't kept the people from coming. So far we have been doing okay with the cooperation from the public. Our season opens on June 20th so we hope to keep up with the cooperation. He stated that he received some feedback about the last meeting and how nothing can be heard and understood when all of us are talking at once because of the mics. Let's try muting our mics tonight while someone else is talking and then when you want to be heard raise your hand and we will see it and then turn on your mic. We are trying to make it more convenient for everyone to hear what's going on.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2020-137 authorizing the refund of a gazebo rental permit in the amount of \$200.00
- 2020-138 requesting approval of items of revenue and appropriations per N.J.S.A. 40A:4-87-Mr. Brice stated that this was to insert the arts grant we received for this year of \$500.00
- 2020-139 authorizing the refund of an electric bill credit in the amount of \$77.73 due to the sale of the home

- 2020-140 authorizing the refund of a gazebo rental permit in the amount of \$200.00
- 2020-141 authorizing the refund of a gazebo rental permit in the amount of \$200.00
- 2020-142 approving a facilities use application to Vibe Sessions with Kate, LLC to hold meditation classes at the Virginia Avenue ocean beach on Thursdays in July and August 2020 from 8am to 9am-Councilwoman Filippone stated that we need to advise this person about maintaining social distancing and there is a limit to how many can attend the class. Right now I think it is a maximum of 10.
- 2020-143 awarding a contract to Cherry Hill Winner Ford for the purchase of a 2020 Ford F-150 pickup truck under state contract #88728 in the amount of \$40,801.80 for the Lavallette Police Department
- 2020-144 appointing 11 Class I Special Police Officers at an hourly rate of \$11.00 for the summer season commencing May 22, 2020 through September 12, 2020
- 2020-145 authorizing a credit towards a water bill in the amount of \$137.86 due to due to the house being vandalized and water left running inside the home.

A Motion to approve the consent agenda was made by Councilwoman Filippone. The Motion was Seconded by Council President Zalom. 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:

- 2020-146 Bills List in the amount of \$647,868.99

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

UNFINISHED BUSINESS:

Discussion on matters relating to the Borough's operations during this Covid-19 Pandemic, including short term property rentals, scheduled events, beach operations and sidewalk table and chairs

Mr. Brice stated that there have been a lot of calls regarding if we are allowing rentals for the summer. It seems that we need to give more clarification on the difference between airbnb's and long term rentals. He stated that when we did the resolution banning the airbnb's, it was the

beginning of April, at the height of the pandemic to prevent out of state residents trying to come to Lavallette to get away from their state's pandemic issues. Now we should give some clarification on what we are going to allow and what we are going to not allow.

Mr. George stated that airbnb's are most common for people who want to just get away for a few days or a weekend at any time during the year as where house rentals in Lavallette during the summer are usually booked for a week or more with families to come for the enjoyment of the summer. These long term rentals during the summer are usually booked through a realtor and are usually for 7 days or more.

Mayor LaCicero stated that a full week is 7 days from Saturday to Saturday. This is how we do our weekly badges so we should consider and define a long term rental in town as 7 days or more. For right now, any rental that does not rent for 7 days or more will not be allowed. Once we get more information each week from the State on what is opening up, we can always rescind or modify the resolution. This will exclude hotels and motels.

2020-147 temporarily limiting summer and seasonal rental of homes within the Borough during the COVID-19 crisis

A Motion was made by Councilman Lamb to allow long-term rentals that rent for 7 days or more only. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Councilman Lamb stated that he thinks for this year that we should maybe not sell any daily badges and just sell weekly and season.

Mr. George stated that, unfortunately, we are not legally allowed to do that. We cannot, legally, tell a person that they have to pay for a weekly badge if they only want to come for one day.

Mr. Brice stated that right now, the beach season opens June 20th. The beach is open but our boardwalk is not. Our lifeguards will not be on our beaches till June 20th and badges and parking stickers will not be required until then as well. We have an abundance of mail orders for pre-season badges and parking stickers sitting and waiting to be processed because we were unsure of what was going to be for the summer season. Now that we have some idea, we are now going to have to start processing the mail orders for pickup. Since we are not open to the public, we will have to either figure out where they can pick up their orders or make phone calls as they are processed and make appointments for pickup. One idea we had is to set it up in the court and the court room and have them go in one door and out through the other, wearing masks and social distancing. Right now, we will just be doing this for pickup only, no sales as of yet. After June 20th they can start to purchase with check or credit card only, no cash. Some ideas for purchasing weekly badges instead of the badge checkers handling cash is to do this all through an app with a scan code to pay with credit card and show the checker their digital receipt and code. Another option would be to have access to online apps at designated locations.

Mayor LaCicero stated that we already have information to start getting all of this implemented but for now, we should start right away at filling the mail orders for season badges and parking stickers.

Councilwoman Filippone stated that she thinks this will all be very complicated for a lot of people. Not everyone has access to cell phones and computers or even know how to do online ordering with apps. Having people go upstairs to pick up their mail orders and all the lines is just overkill and not a good idea. This all needs to be simplified for everyone's convenience.

Mr. Brice stated that he is trying to prevent the abundance of people on lines which will be hard to control the social distancing.

Councilman Lamb stated that he would have a problem with the app and ordering online. He is not good with any of that and chooses to always deal with cash. It might cause more of an issue especially with the amount of time.

Mr. Brice stated that the problem is that there are also a lot of people who don't want to deal with cash. He stated that using the app for the daily badges seems like the best idea for everyone. There will be a service charge of on top of the \$12 badge.

Councilwoman Filippone stated that she objects to an additional charge for the daily badges when we already increased the daily badge price and have never given any warning that they will have to pay an additional charge. How can we do that.

Mayor LaCicero stated that we have some time before the daily badges will come into play so for right now, let's focus on processing the mail in orders and scheduling pickup.

Mr. Brice stated that according to Executive Order 143, every town is responsible for managing the social distancing on the beach which is going to limit access. We could maybe close some beach openings and restrict daily badge sales to a minimum and have the daily badges only be purchased at one location to keep track of the number.

Mayor LaCicero stated that he doesn't even know how we would even figure out how big of an area for each group of people on the beach would need to maintain the distancing when you have to include the body, towels, chairs. It is going to be impossible. We will have to discuss further on how we are going to do this. Hopefully, as the weeks go on, the Governor will start to open more.

Mr. Brice stated that with Executive Orders 107 and 142 there are no large gatherings allowed and no big events that will require large gatherings which includes fireworks and movies on the bay for us. He spoke to Brian from Fireworks Extravaganza and he stated that 90% of towns have cancelled their fireworks altogether instead of waiting to see if they will be allowed. He also stated that he mentioned changing the dates to September or October and didn't get any positive responses. My recommendation is to cancel fireworks in July and if we still want can reschedule for Labor Day or Founder's Day. We will also have to cancel movies on the bay and the concerts as of right now.

Councilman Lamb stated that he thinks we should just cancel the fireworks altogether for this year.

Council President Zalom stated that she would like to take it month by month regarding the movies and concerts and see what the Governor opens up for July. She stated that a lot of other towns are doing drive-in movies instead but we don't have enough room in town for this.

Mayor LaCicero stated that he agrees with Council President Zalom. Let's postpone some of the events for now and see what happens with the Governor each week.

Donnelly Amico, Municipal Clerk stated that there is a process with regard to the fireworks and the movies on the bay. Once she does the award of contract resolution, she has to start getting approval letters for the fireworks from the Coast Guard, Marine State Police and Aviation in order to get a State fire permit. These letters sometime take a month or so to get to me. There is a lot of paperwork that is needed in order to get a State fire permit and I also have to apply for it at least 15 days prior to the event. Movies on the bay also is a process. We have to pick the movies for all the weeks ahead of time and then the company tells us whether they are available for those weeks. Once we confirm all the movies and weeks, we then have to pay for all the movies ahead of time before they will send us the first movie. Just want to make everyone aware that we can't just say let's schedule the fireworks and movies to start next week.

A Motion to cancel the fireworks for this summer season was made by Councilman Lamb. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. Council Members Borowski and Finter voted No. The Motion Passed.

Mayor Lacicero stated for all the other events such as the movies, concerts, flea markets and food trucks we will have to postpone for now and discuss again at the next meeting. We should also discuss with the LBA their events and what there thought process was.

Mr. Brice stated that the Governor has stated that they are trying to come up with a plan for outdoor seating only requirements for restaurants to be able to open so hopefully we will hear something soon about that.

Mayor LaCicero stated that unfortunately, the restaurants and businesses are governed by the State so we cannot say whether they can open or not.

Councilwoman Filippone stated that Pat Marrone and her volunteers would like to do their plantings on the boardwalk in the planters.

Mayor LaCicero stated that at his Mayor's meeting last week there were some towns that were putting a line down the middle of the boardwalk to have separate directions of traffic. He spoke to the Supt. and he advised that they might be able to do that here.

Councilman Borowski stated that we could also ask the County to this for us through Schedule C.

Councilwoman Filippone stated she doesn't know how that is going to work with people and bicycles up there at the same time unless we ban bicycles up there for now.

Councilman Lamb stated that he thinks we should just open up the boardwalk tomorrow and have traffic go different directions with the line and put social distancing signs up there and no bicycles at all for now.

Councilman Stogdill stated that he agreed with Councilman Lamb.

Mr. Brice stated that he will need a few days to get the signs made and put up there so can we open on Friday and not tomorrow.

A Motion to open the boardwalk on Friday, May 22, 2020 maintaining social distancing and no bicycles on the boardwalk for this summer season. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Filippone, Stogdill, Finter and Lamb voted Yes. Council Members Borowski and Zalom voted No. The Motion Passed.

NEW BUSINESS:

Council President Zalom stated that we won't be having our normal Memorial Day Services this year but we will be doing a small ceremony with just Mayor, Council and the speaker remotely and put it on youtube for everyone's enjoyment.

Councilman Borowski stated that he was part of a conference call with the Public Power Association regarding meter generation setup to lower costs. It was a really favorable presentation. He would like the Mayor and Bob to give him some dates they are available in July for a site visit to the Philadelphia site to get more information.

COMMENTS FROM THE PUBLIC:

Marie Vitale, is not in favor of bicycles on the boardwalk.

Eric Birchler, Birchler Realtors thanked Mayor and Council for the clarification on the rentals.

Mark Speaker, 111 Brown Avenue questioned if the food truck festival at the end of June is cancelled?

Mayor LaCicero stated that we did not cancel it as of yet but need to have a conversation with the LBA if large gatherings remain at only 25 people at that time.

Donna Cunningham, 20 Bond Avenue, stated that another option for payment of badges could be VENMO.

Laura Cohen, Guyer Avenue questioned why the badges could not be mailed?

Mr. Brice stated that there was a problem with the postage and also the envelopes ripping through the mail process and badges getting lost.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Stogdill stated that badges are not needed until June 20th and are remaining the preseason price for the entire summer season so no one needs to worry about getting their badges before the season opens.

Council President Zalom stated that she was not happy about the ban on bicycles on the boardwalk.

Councilman Borowski questioned status on the triathlon supposed to take place on May 31st.

Mr. Brice stated that has been cancelled by them

Mr. Brice stated that our website is updated hourly and daily.

Mayor LaCicero stated that all of these event issues are subject to change on short notice depending on what the Governor updates daily. We are all worried about our economic health with our businesses, homeowners and visitors. We will continue to monitor the Governor's press conferences and update our website daily.

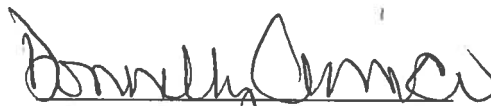
ADJOURNMENT:

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

The Council Meeting was adjourned at 9:15pm.

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 18th day of May 2020.


Donnelly Amico
Municipal Clerk