

**BOROUGH OF LAVALLETTE(minutes)**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, June 22, 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 has been closed to the public physically and will be 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 livestream Council Meeting.

**MOMENT OF SILENCE:** The Mayor stated that no one has passed away in Lavallette these past two weeks, which is great, so let's all keep all of our loved ones in our thoughts.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone via remote you tube to the Council Meeting. It looks like the restaurants are doing well with their outside dining so far. In a few more weeks, there will be inside dining at 25% capacity allowed and casinos will be open again. We are slowly getting back to a new kind of normal.

**APPROVAL OF MINUTES:**

Caucus/Regular Meeting Minutes of June 8, 2020

A Motion to approve the minutes was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill. 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**

2020-160 authorizing the purchase of a Matrax 4x4 HD Composite Mat for the President Avenue ocean beach through Sourcewell Cooperative Purchasing agreement in the amount of \$10,000-Council President Zalom stated that CDBG fund paid for this as well as the non-profit organization Beach Days For All.

- 2020-161 authorizing the refund of a zoning permit in the amount of \$50.00 due to a permit not being needed after further review
- 2020-162 approving a facilities use application to This Is Yoga NJ to hold yoga classes on the Kerr Avenue ocean beach on starting Wednesday, June 24, 2020 through Monday, August 31, 2020 from 8:30am to 9:30am and Tuesdays & Thursdays 6:30pm to 7:30pm
- 2020-163 appointing Krista Waters as a Class I Special Officer and Police Dispatcher effective June 9, 2020 at an hourly rate of \$11.00
- 2020-164 approving a facilities use application to the Center for Health & Healing to hold yoga classes on the New York Avenue ocean beach on Thursdays, starting June 25<sup>th</sup> through September 30<sup>th</sup> 2020 8am to 9am and in front of the gazebo, Fridays through Sundays, 8am to 9am
- 2020-165 appointing 2 badge checkers and 1 tennis/pickleball attendant effective June 20, 2020 at an hourly rate of \$11.00-Councilman Lamb questioned if the tennis/pickleball attendant is just for the weekends. Mr. Brice stated that was correct. Councilwoman Filippone stated that the pickleball people are not following the social distancing at all. Those courts were filled with people all weekend and they were not 6 feet apart.
- 2020-166 approving a facilities use application to Lavallette Fitness to hold yoga classes on the Guyer Avenue ocean beach on Saturdays, starting June 27<sup>th</sup> through August 1<sup>st</sup>, 8:30am to 9:30am
- 2020-167 appointing Lexi Sierfeld to work in the beach badge office at an hourly rate of \$11.00 effective June 22, 2020
- 2020-168 approving the renewal the Lavallette Yacht Club's liquor license for year 2020-2021-Councilman Finter requested that this be put off consent.
- 2020-169 requesting approval of items of revenue and appropriation per N.J.S.A. 40A:4-87 for the Clean Communities Grant in the amount of \$12,161.41
- 2020-170 authorizing the refund of a zoning permit in the amount of \$75.00 due to the waiving of the fee for the outdoor tables and chairs permit for restaurants
- 2020-171 authorizing the refund of escrow to New Jersey Natural Gas for inspection fees for a road opening permit in the amount of \$7,091.99
- 2020-172 awarding a contract to Ocean County PowerSports for the purchase of a 2020 Honda All-Terrain Vehicle for the Lavallette Police in the amount of \$7,200.00-Councilman Stogdill stated that the Police had a loaner pickup truck from Lester Glenn that they

gave to the Beach Patrol for their use because they definitely needed it so they needed something to patrol the beach with for easy access.

2020-173 calling upon the federal government to bring a new Veterans Administration Clinic to Ocean County

2020-174 supporting road closures in accordance with Executive Order 150 and N.J.S.A. 39:4-197.3

2020-174A authorizing the refund of badges purchased erroneously in the amount of \$100.00

A Motion to approve the consent agenda 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.: Second: Discussion: Vote:

#### **RESOLUTIONS - OFF CONSENT:**

2020-168 approving the renewal the Lavallette Yacht Club's liquor license for year 2020-2021

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

#### **APPROVAL OF VOUCHERS:**

2020-175 Bills List in the amount of \$359,778.60

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

#### **ORDINANCES ON FOR FINAL ADOPTION/PUBLIC HEARING:**

**BOND ORDINANCE 2020-005 (1205)** Bond Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Providing for Various Capital Improvements and to Improvements to Borough Roads Including Portions of New York Avenue In and For the Borough, Appropriating \$465,000 Therefor, And Authorizing the Issuance of \$148,500 In General Improvement Bonds or Notes of The Borough To Finance Same

Mr. Brice stated that this Bond Ordinance is for the last phase of new electric meters installed, DPW building repairs, which will be a two year project, a dump truck for DPW and for the road improvements to New York Avenue.

A Motion to open the public hearing for this Bond Ordinance was made by Councilman Stogdill. The Motion was Seconded by Councilman Finter. Vote: All of Council was in favor. The Motion Passed.

The Mayor asked if anyone wished to comment on this ordinance.

No one wished to comment.

The Mayor asked for a motion to close the public hearing and vote on the Bond Ordinance.

A Motion to close the public hearing was made by Councilwoman Filippone. The Motion was Seconded by Councilman Borowski. Vote: All of Council was in favor. The Motion Passed.

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

### **UNFINISHED BUSINESS:**

Council President Zalom stated that we will be doing Movies on the Bay starting July 14, 2020 and will run every Tuesday through August 11, 2020 and the concerts will also start on Sunday, July 12, 2020 through Labor Day Weekend.

The Mayor stated that, unfortunately, we will not be having fireworks this year. There will be a food truck festival this Saturday down at the Bay.

Council President Zalom stated that she would like to discuss bringing the bikes back on the boardwalk again. She has spoken to a number of people in town and they feel that they should be able to ride their bike on the boardwalk again. Since the mornings are the busiest time up there, let's try to have the bicycles be allowed on the boardwalk from 5pm to 8pm after the beach closes and the rush is over. We can at least do a trial run and discuss it again at the next meeting to see how it went.

Mayor LaCicero stated that we already did a resolution banning them from the boardwalk so we need to have Mr. George let us know what we need to do to allow this.

Mr. George stated that since a resolution was already done banning the bikes on the boardwalk, Council would have to vote to rescind that resolution and then they can do a new resolution with allowing them again at a certain time.

A Motion to rescind Resolution 2020-146A Banning Bicycles from the boardwalk was made by Council President Zalom. The Motion was Seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Finter voted Yes. Councilman Lamb voted No. The Motion Passed.

Councilwoman Filippone stated that in the beginning when we closed the boardwalk and then when we were discussing opening it and trying to figure out how everyone up there was going to maintain the social distancing, it was at that time that banning the bicycles from the boardwalk was needed in order to maintain the social distancing. Now that more is starting to open, she thinks that we have

to at least try putting them back up there to see how it all goes. She agrees that the mornings are still too busy for both bicycles and pedestrians but after 5pm is less trafficked.

Councilman Lamb stated that he still thinks the bicycles should remain off the boardwalk. There is no reason the bicyclists cannot utilize Bay Blvd. and Baltimore to get around town. How is this going to be enforced and monitored to see if it is working. The Police would have to be up there during those hours every day.

Councilman Borowski stated that there have been so many challenges for people with this pandemic. They have had to drastically change their lives these past few months. Now it's summer time and the state is slowly opening up more and more. They should be able to ride their bikes with their families and feel safe.

A Motion was made by Council President Zalom to allow bicycles on the boardwalk between the hours of 5pm and 8pm and to maintain social distancing at all times. The Motion was Seconded by Councilman Borowski. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Finter voted Yes. Councilman Lamb voted No. The Motion Passed.

Councilman Finter stated that the New York City bus trip in December has been cancelled because all the theaters will be closed.

Councilman Borowski stated that the Waves of Impact will not be doing their surf camp for the disabled kids this year. Since most of the kids that come have underlying issues, Keith feels it would not be a good idea.

#### **NEW BUSINESS:**

Council President Zalom stated that she received a call from the West Point Island Civic Association about the West Point Island Bridge area needing to be cleaned up of garbage and debris. She reached out to the County and someone was there that day to take care of cleaning it up.

Councilman Borowski stated that he received a call from a resident stating that the lights at the tennis courts don't go in once it gets dark.

Councilman Lamb stated that he will mention it to DPW.

Councilman Borowski stated that he will have a resolution on for the next meeting to approve utility engineers/consultants for some electric utility generator work.

Mr. Brice stated that the resolution will be to award an engineering firm to consult on some generator work for electric utility purposes.

#### **COMMENTS FROM THE PUBLIC:**

Mary Chyb, 1106 Ocean Front stated that she is in favor of the bikes on the boardwalk after 5pm.

Marlene Chamberlin, 26B Bond Avenue questioned why the badge checkers are checking badges at the beginning of the walkover this year?

Councilwoman Filippone questioned why they aren't sitting at the end of the walkover as well?

Councilman Stogdill stated that there were some issues last year, so we tried something new for this year but we can discuss it again and make another decision.

**COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:**

Councilman Finter stated that he is waiting for the report from the OCUA to see what the numbers are because we might have to put more money in the budget.

Councilman Borowski stated that he will be having a Public Power Meeting in Council Chambers on July 16, 2020.

Councilman Stogdill stated that the badge report through today shows us at \$734,750 and last year in June 2019 we were only at \$688,275 so we are way ahead of the game this year. We have been putting some extra stands and lifeguards in between the regular stands on weekends only to help with the social distancing.

Councilman Borowski stated that the DPW did a fantastic job preparing the snack stand for badge sales.

Mr. Brice stated that the 1<sup>st</sup> week of June the water usage was 2.4 gallons which is a 33% increase from last year.

**EXECUTIVE SESSION:**

Mr. George stated that there is a need to go into executive session to discuss a potential litigation matter. There may be some action taken.

A Motion to adjourn the Council Meeting to go into executive session was made by Councilman Finter. The Motion was Seconded by Councilman Lamb. Vote: All of Council was in favor. The Motion Passed.

The Council Meeting was adjourned to go into executive session at 8:06pm.

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

The Council Meeting reconvened at 8:16pm.

Mr. George stated that while in executive session there was a matter discussed that could become a potential litigation matter. Council was advised on how to proceed with matter and no action was taken.

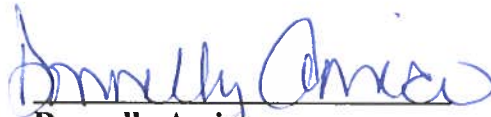
**ADJOURNMENT:**

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 8:17pm.

**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 22<sup>nd</sup> day of **June 2020**.



**Donnelly Amico  
Municipal Clerk**