

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, June 8, 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: Phil George, Borough Attorney
Donnelly Amico, Municipal Clerk
Robert Brice, Borough Administrator

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 asked for a moment of silence for George Kadeg, a long time Lavallette employee who passed away. George started working for the Borough down at Public Works in 1974. He remained as the Borough's maintenance person for all the Borough buildings as well as being the Janitor for the school for approximately 30 years. George retired in 2006 and moved to Toms River.

Councilman Stogdill stated that he was told of Jeanne Wenzel's passing this morning in Florida.

The Mayor stated that Jeanne Wenzel owned Salty's for over 30 years in Lavallette with her husband Bob. Her son Brick still lives in town. Bob passed away years ago.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's remote meeting. Everyone is still maintaining social distancing and anxious to get back to normal. Our businesses need to get back to work as well. The beach season opens June 20th.

APPROVAL OF MINUTES:

Caucus/Regular Meeting Minutes of May 4, 2020
Regular Meeting Minutes of May 18, 2020

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

REPORTS:

- a) Construction Report for May 2020-Councilwoman Filippone-read report
- b) Zoning Report for May 2020-Councilwoman Filippone-no report
- c) Municipal Court Report for May 2020-Councilwoman Filippone-read report
- d) Police Overtime Report for April & May 2020-Councilwoman Filippone-read report
- e) Public Works Report for May 2020-Councilman Lamb-read report
- f) Beach Badge Report for May 2020-Councilman Stogdill-read report
- g) Tax Account Report for May 2020-Tax Collector
- h) Revenue Transaction Report for April 2020-Chief Financial Officer

A Motion to approve the reports 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.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2020-148 reappointing with tenure Christine Sierfeld to the position of Tax Collector effective July 1, 2020 through July 1, 2024
- 2020-149 employing 5 temporary seasonal laborers for the Department of Public Works
- 2020-150 appointing Pam Caucino as the Badge Checker Supervisor and Jack Caucino as the Lifeguard Captain for the 2020 summer season
- 2020-151 appointing lifeguards and lifeguard officers for the 2020 summer season
- 2020-152 recognizing June 15, 2020 as “World Elder Abuse Awareness Day”
- 2020-153 appointing badge office staff for the 2020 summer season-Councilman Stogdill requested this be put off consent.
- 2020-154 authorizing the refund of a duplicate electric utility payment in the amount of \$24.02
- 2020-155 authorizing the refund of an erroneous electric utility payment in the amount of \$125.59
- 2020-156 accepting the donation of two American Flags from Nicholas Simzak from Bond Avenue
- 2020-157 appointing badge checkers for the 2020 summer season-Council President Zalom requested this be put off consent.
- 2020-157A amending the 2020 capital budget-Mr. Brice stated that when the budget was adopted we estimated the figures for the NY Ave road improvements. Now they we received the grant and went over the costs, we were able to amend with the correct figure.

A Motion to approve the consent agenda minus Resolutions 2020-153 and 2020-157 was made by Councilman Stogdill. The Motion was Seconded by Councilman Borowski.: Second: Public Discussion: Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

RESOLUTIONS - OFF CONSENT:

2020-153 appointing badge office staff for the 2020 summer season

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

2020-157 appointing badge checkers for the 2020 summer season

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

APPROVAL OF VOUCHERS:

2020-158 Bills List in the amount of \$710,233.02

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

ORDINANCES ON FOR INTRODUCTION/FIRST READING:

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

Mayor LaCicero stated that one of the items in this ordinance is a dump truck for Public Works that they have needed for quite some time. They have been trying to find a used one but haven't been lucky with that so we have no choice but to order a new one.

Councilman Lamb stated that it is definitely a well needed piece of equipment.

The Mayor stated that repairs to the PW buildings is also included in this ordinance which has become a necessity as of now.

Councilman Lamb stated that our Public Works buildings have been neglected for quite some time and now it has become a necessity to some repairs such as the siding and some structure issues. We took care of the roof last year.

The Mayor stated that the 3rd phase of replacing the remainder of the electric meters needed. This has been a 3 phase process for the last few years to switch out every electric meter with new.

A Motion to introduce this Bond Ordinance 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.

Public Hearing and Final Adoption is scheduled for June 22, 2020.

UNFINISHED BUSINESS:

Mr. Brice stated that the Governor's new Executive Order #150 allows outdoor dining for restaurants as of June 15, 2020. Any restaurants that serve alcohol can also apply for a temporary permit for the outdoor seating as well. They apply through the ABC. The order allows the restaurants to expand beyond their current foot print to allow more tables and chairs. Our current outdoor seating permit is \$75.00 so we can also decide whether or not we want to waive that fee. Each restaurant must provide a sketch of where they want the tables and chairs to be. Towns under this order can also allow for tables and chairs to be on side streets and sidewalks. We will have to create a checklist for this with specific safety guidelines that still will need to be followed such as requiring a walkway that is ADA accessible and making sure that safety is the main priority for everyone. Regardless of whether we waive the fee or not, they will still have to apply for the permit with their sketch of where they want their tables and then it will be reviewed. If changes are needed, they will have to make the changes.

Mayor LaCicero stated that waiving the fee might be a good idea since they have not been allowed to open for all these months.

Mr. George stated that the fee can be waived and creative planning will need to be done in allowing use of other areas for their tables and chairs.

Mr. Brice stated that he thinks that the Construction Official and the Chief of Police should be in charge of reviewing the applications and approving them.

Councilwoman Filippone stated that she spoke to the Chief and he agrees it will be beneficial to us to have guidelines in place. He said that we need to provide walking space for people to use our sidewalks, the tables and chairs should be secure with on and off hours, provide a site triangle in order to have a parking space for people to pick up orders so it is safe for everyone,

Councilman Borowski questioned if we were allowing the restaurants to apply with tables and chairs in the street. He is concerned about the safety of this.

Mayor LaCicero stated that we can allow it on the side streets close to the curb and use barricades to block off.

Councilman Borowski stated that Lavallette has enough problems with not having enough parking and yet we are still going to allow the tables and chairs to take up parking spaces. This is helping the restaurants but not the shops that depend on people having adequate parking so they can shop.

Mayor LaCicero stated that we have been very flexible and adaptable to all situations during this time. Right now, this is the only option at this time. Since they can open on June 15th, this is the last meeting before that date so we need to put the guidelines in place tonight. Everything we do is always subject to constant review and change.

Councilwoman Filippone stated we should also include in these guidelines that once the restaurants get the approval to open indoors, this approval of more tables and chairs becomes null and void and everyone goes back to the normal procedures. We also should put in there that no person is allowed to walk around our streets with alcohol in containers.

Mayor LaCicero stated that we already have an ordinance against that and we are not waiving it at all.

Councilman Borowski stated that once these approvals are done will Council be notified?

Mr. George stated that the implementation should be done tonight by resolution authorizing the waiver of the fee, Chief of Police and Zoning Officer to review and approve applications and the approvals are subject to the guidelines established, including being ADA compliant, allowing some occupying of side streets, leave an area parking space for pickup and responsibility of garbage disposal and cleanup.

A Motion to approve the implementation of the new guidelines for the tables and chairs and authorizing the Chief of Police and Zoning Officer to review and approve the applications was made by Councilman Finter. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Councilman Stogdill stated that for the safety of all the employees during this time, he would like only credit cards or checks to be accepted for any badge sales for this year and no cash at all. Instead of the daily badges being available at the entrances of each beach by the badge checker he would like them to be available at Borough Hall or some other way.

Councilwoman Filippone stated that we are going to get a lot of complaints about not being able to purchase at beach and not being able to use cash. I hope whatever we decide we give them advance notice. We are going to have to put signs up at the beach right away stating where the daily badges can be purchased.

Mr. Brice stated that we will post it on our website and put signs up coming in to town on both highways. He stated that we also need to allow the lifeguard captain to monitor each beach and if necessary have police and lifeguards close off the beach if necessary to prevent further crowding.

Councilman Stogdill stated we have additional lifeguard stands ready to go if we need extra lifeguards up there to help with the social distancing.

Council President Zalom stated that we received the additional funds to purchase the Matrix composite mat for the beach from CDBG and Beach Days For All will be donating monies toward the purchase as well. We just need to figure out what street to put it on so we can order it and get it installed.

Councilwoman Filippone questioned if we should even be thinking about putting it on the beach right now since we already are trying to social distance.

Council President Zalom stated that we have the money to buy it now.

A Motion was made by Councilwoman Filippone to put the Matrax composite mat on the President Avenue ocean beach. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

NEW BUSINESS

Letters from The Parlor, Lenny's Pizzeria (new location) and Salted Gems requesting 2-hour parking signs in front of their establishments.

Mayor LaCicero stated that last year we decided that we weren't going to open the ordinance unless we had a substantial amount of requests. Let's have the LBA notify again all the businesses and find out which businesses want more two-hour parking before we start opening up the ordinance.

Mr. Brice stated that we received a call from the US Fish, Game and Wildlife stating that they have found an endangered plant on our beach by the dunes on Trenton and Elizabeth Avenues. They have put a small fence around the areas and a sign to prevent the area from being disturbed. Right now they say there is nothing else we have to do. Donnelly put a call into them to make sure that if the plants are destroyed or damaged that we will not be held liable.

Mr. Brice stated that since we are not collecting cash at all this year, we need to decide if we are even going to have a tennis court attendant down there at all. Last year, having a paid attendant even with the monies coming in from tennis and pickleball we had a \$3,457.00 loss. We can put the shuffleboard equipment down at the Recycling Center for anyone who wants to use it and they can come and sign it out there with our recycling attendant.

Councilman Lamb stated that he doesn't have a problem with it but he has seen in the past a lot of fights over court time.

Mayor LaCicero stated that we can monitor it for now and see how it goes. We can always put someone down there to monitor only.

Council President Zalom stated that she has had a lot of calls regarding the bikes on the boardwalk. We really need to re think this through. Let's just go back to the way it was and see how it plays out.

Councilman Borowski stated that he used to be against the bikes on the beach before the Army Corps project was done due to safety concerns but the new dune took care of that safety issue so he too feels that the bikes should be allowed on the boardwalk. During the morning hours, it is way too busy up there with pedestrians but once the beach opens around 10am there are less people on the boardwalk so let's allow them to go on during that time.

Council President Zalom stated that we should try to allow them up there from 10am to 3pm as a trial period and see how it goes.

Councilman Borowski stated that we could do a trial run for two weeks allowing them up there after 10am.

The Mayor asked if Council President Zalom was making a motion for this.

Council President Zalom stated that she was.

The Mayor asked for a Second Motion. No second motion was given. The Motion Failed.

COMMENTS FROM THE PUBLIC:

Mayor LaCicero stated for everyone to give their names and addresses when they comment.

Mark Speaker, 111 Brown Avenue thanked Council for accommodating the restaurants.

Susan Kotch, 119 Camden Avenue questioned when the playgrounds would be opened again.

Mr. Brice stated that as of right now, they are not allowed.

Councilman Lamb stated that he thinks we need to just get rid of the snow fence around the playgrounds because the kids are going on the playgrounds anyway and they are stepping on the fences and breaking them.

Councilman Finter stated that we can just put a sign on the equipment saying keep off to protect ourselves.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that a long time resident, Teddy Esposito also has passed away so let's keep her family in our prayers.

Mr. George stated that the State ABC Enforcement Bureau is most likely going to revoke the liquor license that is held by Sherman Hospitality but the business was Capriccio's indefinitely. They

have stated that if they revoke it indefinitely, due to the population of the town decreasing they will not give it back to the town as well.

Mayor LaCicero stated that our next meeting is June 22nd and we will see if the public will be able to start attending again.

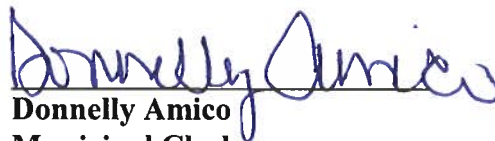
ADJOURNMENT:

A Motion to adjourn the Council Meeting 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 at 8:45pm.

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 8th day of **June 2020**.


Donnelly Amico
Municipal Clerk