

BOROUGH OF LAVALLETTE(minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, July 20, 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
Eric Bernstein, 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 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 livestream this Council Meeting.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Sam Petranella of Bay Beach Way who passed away recently.

PLEDGE OF ALLEGIANCE: Council President led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed all who are following our Council Meeting on YouTube tonight. The weather has been incredibly hot and our beaches have been very crowded. We have had to shut down our beaches to the public twice so far due to overcrowding.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT

2020-186 appointing three badge checkers at an hourly rate of \$11.00 and one lifeguard at an hourly rate of \$12.50

2020-187 awarding a contract as a proprietary purchase to Rumsey Electric for the purchase of electric meters in an amount not to exceed \$30,000 to complete the last phase of replacing all the old electric meters-The Mayor stated that this purchase has been funded by our Bond Ordinance and this is the last phase of replacement so we are happy about another project being close to complete.

2020-188 appointing two clean communities' workers at an hourly rate of \$10.30 for the Department of Public Works

2020-189 awarding a contract to Cherry Hill Winner Ford under state contract #A88215 for the purchase of a 2019 Ford F450 Cab & Chassis Crew Cab 4x4 dump truck for the

Public Works Department in the amount of \$54,010-The Mayor stated that this purchase also was funded by our Bond Ordinance and it has been

- 2020-190 urging Governor Murphy to reinstate the Homestead Benefit Program
- 2020-191 approving a 50/50 off premise raffle license to the Lavallette School PTO to be drawn on October 18, 2020 at 5pm
- 2020-191A adopting the Risk Management Policy related to Wholesale Power Supply Procurement in conjunction with PJM and the Public Power Association of New Jersey

A Motion to approve the consent agenda 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.

RESOLUTIONS - OFF CONSENT:

- 2020-192 approving the annual certifications submitted to the Borough by the Lavallette First Aid Squad under the LOSAP program for 2019

Councilman Lamb stated that he would like to commend the First Aid members for doing a great job these last few months. They are out on calls constantly and it seems that there are no breaks at all.

Councilman Borowski stated that we have had a lot of heat related calls and our usual calls as well. Luckily we have some college students that have been certified helping us out.

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

- 2020-193 approving a facilities use application from Beach Butler, LLC to utilize our ocean beach to deliver chairs and umbrellas to our beach goers and schedule pickup at various times from July 16, 2020 to September 7, 2020

Councilwoman Filippone stated that the Ordinance Committee has discussed this issue in the past and they were all adamant about not wanting this form of commercialization on our beaches. If we approve this one, how many others will be requesting the same just like with the yoga. We get a substantial amount of proceeds from a few our facility use applicants but not much.

Councilman Borowski questioned where he setups the chairs and umbrellas for the people?

Mr. Brice stated that there was a problem with him setting them up in the area where the lifeguard stands go once they come on duty but he did have a discussion with him about this and he agreed to discuss with lifeguards and make sure it doesn't interfere.

The Mayor stated that we won't approve it tonight but will have Mr. Brice work with him.

Motion: Second: Discussion: Vote:

APPROVAL OF VOUCHERS:

2020-194 Bills List in the amount of \$562,328.94

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:

Ordinance No. 2020-06 (1206) Ordinance of the Borough of Lavallette Amending, Revising and Supplementing Chapter 53A of the Borough Code, Entitled, "Subdivision", and More Specifically Chapter 53A, Entitled "Subdivision", and Chapter 57 of the Borough Code Entitled, "Definitions", and More Specifically That Portion of Chapter 57-4, Entitled, "Street"

The Mayor stated that the Planning Board has not reviewed this ordinance yet. Their meeting is not until this Wednesday so we will have to put this public hearing and adoption off until the next meeting. The Municipal Clerk will re-advertise with the corrected dates for the public hearing and adoption for the meeting on August 6, 2020.

Motion: Second: Public Hearing: Vote:

UNFINISHED BUSINESS:

Council President Zalom stated that the Matrax has been put down on President Avenue beach to help with accessibility of the handicap to get down to the water. There was also a mobi mat that we were trying out as a demo that was put on the walkover and on the beach on President Avenue but it has become a tripping hazard so we are having it removed.

Councilman Finter stated that everyone should be going on line to fill out their forms for the Census 2020. Also, our metered flow data received from the OCUA is 6million less from last year so that is a plus.

Councilman Stogdill stated that we are having a lot of problems with people leaving the beach without their badge and then trying to get back on. Please, if you are going to leave the beach at any time and leave your chair and umbrella you must still take your badge with you to present when you want to get back on the beach.

NEW BUSINESS:

Councilwoman Filippone stated that she has received a lot of complaints about the use of fire pits on properties. Last week there was a house that filled with smoke from the fire pit on the neighboring property. We have no restrictions or guidelines for them at all but we should start thinking about putting some guidelines on them because they are a fire hazard.

Public Power Association of NJ Rate Comparison for June 2020

Councilman Borowski stated that this is the rate comparison for June 2020 for the PPANJ. As you can see we are still doing better than JCP & L.

Mayor LaCicero stated that he is happy that Lavallette is still under what JCP & L customers pay.

Councilman Borowski stated that tomorrow, Tuesday, is a peak advisory day and we ask that you try and limit the use of all your power as best you can between 3pm and 7pm.

Mayor LaCicero stated that he and Councilman Borowski visited Villanova University to take a look at their stand-alone electric generator. This generator ran on 2kw of natural gas and it was extremely quiet. The diesel ones are very noisy.

Councilman Borowski stated that the fuel source for the generator is natural gas which will cost money as well but PPANJ is trying to see how it can buy the capacity from a wind farm off shore to compensate.

Mayor LaCicero stated that there have been many issues with crowds of teenagers causing havoc and damage in the northern beaches from us which has forced Toms River Township to put a curfew in place for kids under 18 years of age from 9pm to 5am unless accompanied by a parent or legal guardian. Now that the curfew is in place there, it seems that the parents are now dropping the kids off in Lavallette so they can cause problems here. We had an incident over the weekend with a 16-year-old causing big problems and when his mother came to pick him up he pushed her away from her car and proceeded to get in the car and hit one of our officers with the car. Due to this, we have now decided that it would be best if we also put the same curfew in place in Lavallette to prevent any more of these problems from occurring.

The Mayor read a letter from the Founder's Day Committee explaining why they have decided to cancel Founder's Day for this year due to all the Covid guidelines and restrictions.

Mr. Brice stated that the County has sent us the OCCARES Grant Agreement. The federal government has given stimulus monies to each County and they will be distributing to all the municipalities in that County. The process is to apply to FEMA first which will give us the first 75% of reimbursement and the CARES agreement either pays the additional 25% or 100% whichever is greater. We will need to do a resolution of approval.

Resolution 2020-191B approval of the OCCARES Grant between the County of Ocean and the
Borough of Lavallette

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

COMMENTS FROM THE PUBLIC:

Liz Poccia, 1307 B Grand Central Avenue stated that the beach is filled with litter and garbage and no one is wearing masks are social distancing. People are waiting till after the checkers leave to go on the beach and they drink alcohol and order pizza and leave all their garbage on the beach. It has become a disgrace! Why are we not keeping the checkers to the same time as the lifeguards and also lowering the capacity percentage on the beach. Why is nothing being enforced regarding the alcohol and food on the beach?

The Mayor stated that all of this has been discussed but would not be cost effective. If anyone sees something that should not be happening they should call the police department right away.

Mike, 109 Camden Avenue stated that there should be warning signs or stickers put up by the boat ramp to let people know that they should be checking first to see if their boat or jet ski will be able to use the ramp without a problem due to the dredging issue. When are the plans of improvements happening for the ramp?

Mr. Brice stated that we are waiting to receive the permits from the State for the bulkhead project and as far as the dredging is concerned, the State did hire a contractor who dredged most of the bay already but there are still some serious deficiencies of the dredging done by the ramp and under the WPI bridge. We have been told that these will be corrected with dredging over the winter.

Russell Burns, 12 Brooklyn Avenue, questioned when something is going to be done about the late night drinking on the beach? The checkers should stay until the lifeguards leave.

Mr. Brice stated that there are special police officers that have been assigned up there that have been checking for alcohol at the beach.

Mayor LaCicero stated that there is a Borough Ordinance that does not allow alcohol or food on the beach so if you see it call the police.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Council President Zalom stated that the Lavallette School had their 8th grade graduation last week. They will be doing in house schooling in September.

Mr. George stated that there is a need to go into executive session to discuss some pending litigation matters. There will be no action taken at this time.

A Motion to adjourn the Council Meeting to go into executive session 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 8:21 pm to go into executive session.

EXECUTIVE SESSION:

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

The Council Meeting was reconvened at 8:49pm.

Mr. George stated that during executive session there was some current pending litigation matters that were discussed but no action was taken at this time.

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 8:50pm.

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 20th day of July 2020.


Donnelly Amico
Municipal Clerk