

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, December 6, 2021-7:00 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:** Notice of this meeting was published in the Ocean Star on January 8, 2021 Notice was also posted on our municipal bulletin board and municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for long-time residents Lucille Chiesa from NY Avenue, Florence Tynski from Princeton Avenue and was the owner of the Bayberry Motel, and Arlene Grudus from Brooklyn Avenue.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. He 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)**

Debbie Lane, 805 Bay Blvd. stated that she has some concerns regarding the proposal that was submitted by the Pickleball group for some type of shade structure.

Mayor LaCicero stated that there was some discussion at the last meeting regarding some improvements that they wanted to do with benches and some pavers and there was also some type of shade structure discussed but no further discussions or decisions have been made.

Mrs. Lane stated that she hopes that before any decisions are made on any of the improvements, especially this shade structure, that the residents who reside close to the courts will be able to voice their concerns. It has become quite noisy with the music they have streaming through the large speakers and with a structure now being proposed we hope it doesn't start interfering with our views. It just seems that this has all become too much too soon and she is not quite sure why it has to be so much.

Councilwoman Filippone stated that this proposal will be reviewed and discussed with our Beautification Committee and there will be no discussions on this until the beginning of next year anyway.

Councilman Lamb stated that he agrees that this seems to be constant requests for more and more. It is too much too soon. We have other areas in town that also need some improvements including the tennis courts which need repairs now.

**REPORTS:**

- a) Construction Report for November 2021-Councilwoman Filippone-read report
- b) Zoning Report for November 2021-Councilwoman Filippone-no report
- c) Municipal Court Report for October & November 2021-Councilwoman Filippone-read report
- d) Police Overtime Report for November 2021-Councilwoman Filippone-read report
- e) Public Works Report for November 2021-Councilman Lamb-read report
- f) Public Affairs Report for November 2021-Council President Zalom-the tree lighting was on Friday night and it was the biggest turnout in years. The tree looked beautiful. The Birthday Party/Christmas Party will be on December 21<sup>st</sup> at St. Pio Parish Hall.
- g) Tax Account Report for November 2021-Tax Collector
- h) Tax Sale Report of November 2021-Tax Collector
- i) Revenue Account Status for October 2021-Chief Financial Officer

A Motion to approve the reports 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.

**ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:**

**RESOLUTIONS – ON CONSENT:**

- 2021-256 authorizing the transfer of funds between budget appropriations in the amount of \$5,000
- 2021-257 authorizing the Mayor to sign and execute a shared services agreement with the County of Ocean for use of their large truck wash facilities
- 2021-258 authorizing the Mayor to sign and execute a shared services agreement with the OC Prosecutors Office to participate in their Driving While Intoxicated Enforcement Program
- 2021-259 authorizing the disposal of surplus property through GovDeals
- 2021-260 supporting AJR 170 regarding the formation of the NJ Commission on 5G health effects pending before the NJ State Legislature-Mr. George stated that this bill is to form a committee to study the 5G health effects and render reports to the DEP

experts and to eliminate all of the municipalities control of approving the applications for the nodes.

2021-261 opposing S3953 and A5560 regarding uniform regulation of small wireless facilities pending before NJ State Legislature

A Motion to approve the consent agenda was made by Councilman Stogdill. The Motion was Seconded by Councilman Finter.

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

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

Mr. George stated that these resolutions include restrictions and conditions regarding FAA and FCC rules and Verizon has agreed to these.

Mayor LaCicero stated that we have tried to hold off on this issue as long as we could but unfortunately, we have no choice but to approve these with the strictest restrictions and conditions that we are allowed.

Councilwoman Filippone stated that the federal government has given these companies carte blanche to allow it. We are faced with threats of lawsuits from Verizon with the federal government backing them and not us. We have delayed as long as we can and have succeeded with some minor issues but have no choice but to approve these locations with these restrictions and conditions.

2021-262 amended resolution conditionally approving an application or Verizon/Tilson Technology for a right of way permit at 1103 Ocean Front

A Motion to approve this resolution was made by Council President Zalom. The Motion was Seconded by Councilman Stogdill.

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, Zalom, Stogdill and Lamb voted yes. Councilman Finter abstained. The Motion Passed.

2021-263 amended resolution conditionally approving an application or Verizon/Tilson Technology for a right of way permit at 110 White Avenue

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 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, Zalom, Stogdill and Lamb voted Yes. Councilman Finter Abstained. The Motion Passed.

2021-264 amended resolution conditionally approving an application or Verizon/Tilson Technology for a right of way permit at 598 Ocean Front

A Motion to approve this resolution was made by Council President Zalom. The Motion was Seconded by Councilman Stogdill. Councilman Finter Abstained. The Motion Passed.

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, Zalom, Stogdill and Lamb voted Yes. Councilman Finter abstained. The Motion Passed.

2021-265 amended resolution conditionally approving an application or Verizon/Tilson Technology for a right of way permit at 1406 Ocean Front

A Motion to approve this resolution was made by Council President Zalom. The Motion was Seconded by Councilman Stogdill.

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, Zalom, Stogdill and Lamb voted Yes. Councilman Finter abstained. The Motion Passed.

2021-266 amended resolution conditionally approving an application or Verizon/Tilson Technology for a right of way permit at 1608 Bay Blvd.

A Motion to approve this resolution was made by Council President Zalom. The Motion was Seconded by Councilman Stogdill.

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, Zalom, Stogdill and Lamb voted yes. Councilman Finter Abstained. The Motion Passed.

2021-267 amended resolution conditionally approving an application or Verizon/Tilson Technology for a right of way permit at 76 Grand Central Avenue

A Motion to approve this resolution was made by Councilman Stogdill. 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, Zalom, Stogdill and Lamb voted Yes. Councilman Finter Abstained. The Motion Passed.

2021-268 amended resolution conditionally approving an application or Verizon/Tilson Technology for a right of way permit at 110 Pennsylvania Avenue

A Motion to approve this resolution was made by Councilman Stogdill. The Motion was Seconded by Council President Zalom.

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, Zalom, Stogdill and Lamb voted Yes. Councilman Finter abstained. The Motion Passed.

**APPROVAL OF VOUCHERS:**

2021-269 Bills List in the amount of \$981,773.73

A Motion to approve the bills list 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.

**UNFINISHED BUSINESS:**

There was no unfinished business.

**NEW BUSINESS:**

Mr. Brice stated that the 5G unit that was approved back in January at 122 Washington Avenue is operational.

**COMMENTS FROM THE PUBLIC:**

Vickie Guy, 16 Sterling Avenue stated that the Lavallette Birthday Party is on Tuesday, December 21<sup>st</sup> and will be at St. Pio Parish Hall this year. Tickets are \$40.00 for a buffet done by Ohana Grill. It is BYOB and there will also be a DJ, dancing and a 50/50 raffle.

Mark Speaker, 111 Brown Avenue, stated that he thinks that the facilities use application needs to be revamped and the fees and costs need to be revisited.

Councilwoman Filippone stated that the Ordinance Committee will be meeting sometime in the January or February and that is one of the first items we will be discussing.

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

There were no comments.

**EXECUTIVE SESSION:**

There was no executive session.

**ADJOURNMENT:**

A Motion to adjourn 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 was adjourned at 7:51pm.

**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 6<sup>th</sup> day of **December 2021**.

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**Donnelly Amico**  
**Municipal Clerk**