

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, April 5, 2021-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Lamb, Zalom, Stogdill, Finter and Filippone
Council President Zalom was absent.

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 is being livestreamed via Zoom. Any comments from the public that are received via email no later than 4pm by the Municipal Clerk will be read and discussed by Mayor and Council at the Council Meeting during public comment period. 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 longtime resident Ruth DeLayo of NJ Avenue who passed away recently.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone who was watching the meeting via Zoom. Slowly it seems more restrictions are being lifted and lessened in New Jersey so hopefully it will be a great summer season for everyone.

APPROVAL OF MINUTES:

Caucus/Regular Meeting of March 8, 2021
Regular Meeting of March 22, 2021

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

REPORTS ACCEPTED AS SUBMITTED:

- a) Construction Report for March 2021-Councilwoman Filippone-read report
- b) Zoning Report for March 2021-Councilwoman Filippone-no report
- c) Municipal Court Report for March 2021-Councilwoman Filippone-read report
- d) Police Overtime Report for February & March 2021-Councilwoman Filippone-read reports
- e) Public Works Report for March 2021-Councilman Lamb-read reports

- f) Public Affairs Report for March 2021-Council President Zalom
- g) Tax Account Report for March 2021-Tax Collector
- h) Revenue Transaction Report for February 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, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2021-107 approving a facilities use application to Yakkity Yak Kayaks to utilize the bay beach near Vance Avenue daily from May 15th through September 30th 2021 at various times between 10am to 4pm for drop-offs and pick-ups of kayaks and paddleboards from the bay after use
- 2021-108 amending the 2021 temporary budget in the amount of \$40,000-Mr. Brice stated that this was for the pickleball courts and some salaries
- 2021-109 approving a facilities use application to Noelle Dwyer to hold meditation/yoga classes on the President Avenue ocean beach every other Sunday, starting June 13th through August 15th 2021 from 7:30am to 8:30am
- 2021-110 approving the hiring of a part-time temporary fill-in Electrical Inspector on an as needed basis at an hourly rate of \$35.00 effective April 5, 2021
- 2021-111 approving a facilities use application to Lavallette School PTO to hold a dance & silent auction at Chandler Field on Friday, June 4, 2021 from 6pm to 10pm with a rain date of Saturday, June 5, 2021
- 2021-112 proclaiming April 6th 2021 as “National Service Recognition Day” and the week of April 18th through April 24th 2021 as “National Volunteer Week”
- 2021-113 approving a facilities use application to Team Hill Foundation to hold basketball hoop instruction at the basketball courts, Mondays through Thursdays in May, June, September & October 2021 from 3pm to 6pm and in July & August 9am to 12noon- Councilman Borowski stated that he just doesn’t think that it’s fair to our residents and tourists for these courts to be utilized this many hours and days for in profit associations to give lessons or have games. Councilwoman Filippone stated that even giving us the 10% proceeds doesn’t seem to be enough either. We should really look into raising this fee or revamping the whole facilities use application system. Councilman Lamb stated that he agrees that it is unfair to our kids. Councilwoman Filippone stated that the amount of days and hours should be reduced. Let’s pull it off tonight and have him reduce the hours and days before we approve. All of Council agreed.

2021-114 approving a facilities use application to KRock Fitness to hold fitness circuit training classes on the basketball courts on Tuesdays & Saturdays, 8am to 9am, starting June 12th through September 4th 2021 from 8am to 9am-Councilwoman Filippone stated that this will conflict with our own Recreation aerobics unless we allow this to be done on our old courts. Mayor LaCicero stated that it will be approved for the older courts instead. All of Council agreed.

A Motion to approve the consent agenda minus Resolution 2021-113 was made by Councilman Finter. The Motion was Seconded by Councilman Lamb. Vote: Council Members Borowski, Filippone, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

RESOLUTIONS - OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2021-115 Bills List in the amount of \$1,395,725.42

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

ORDINANCES ON FOR INTRODUCTION/FIRST READING:

Ordinance No. 2021-06 (1213) Ordinance to Exceed the Municipal Budget Appropriations Limits and to Establish a Cap Bank

Mayor LaCicero stated that this ordinance goes hand in hand with the budget every year. We have never had to use this bank but it is mandatory along with the budget.

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

Public Hearing and Final Adoption is scheduled for April 19, 2021.

ORDINANCES ON FOR PUBLIC HEARING AND FINAL ADOPTION:

Ordinance No. 2021-04 (1211) Ordinance of the Borough of Lavallette Amending, Revising and Supplement Chapter 55B of the Lavallette Borough Code, Entitled, "Storm Water Management" In Its Entirety and Replacing Said Chapter 55B with a New Chapter 55B, Entitled, "Storm Water Management"

Mayor LaCicero stated that with the DEP changes to the storm water management rules we needed to revamp and update our entire storm water management chapter.

The Mayor opened the public hearing and asked if anyone wished to comment on this ordinance.

No one wished to comment. The Mayor closed the public hearing and asked Council for a vote on this ordinance.

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

INTRODUCTION OF THE 2021 BUDGET:

Mr. Brice read the 2021 budget aloud.

Mayor LaCicero stated that Lavallette is in very good fiscal condition. The increase is only 1/10 of a cent.

Councilwoman Filippone stated that she would like to see the budget come in flat. The amount of 1/10 cent is \$25,000 and I think we can find it somewhere.

Councilman Borowski stated that we still have \$83,000 with the CARES ACT coming to us also.

Mr. Brice stated that we haven't received any guidelines as to where we can use that money as of yet.

Mr. George stated that the federal aid package can't be used specific for cap reduction plus we also have to keep it under a certain percentage to not amend.

Councilwoman Filippone stated that we can introduce it tonight but I also want to require a reduction of \$25,000 to keep it flat before the adoption.

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

Public Hearing and Final Adoption scheduled for May 3, 2021.

OLD BUSINESS:

Mr. Brice stated that at the last meeting the fireworks date was changed from July 4th to July 3rd due to most firework companies not being available on that day. Well we have run into the problem again with them not being available on July 3rd unless the budget starts at \$15,000. Garden State Fireworks did send us a proposal for July 4th for the \$10,000 but that was a few months ago and they no longer have the date available for either dates. The Municipal Clerk and I have spoke to a few companies and they have suggested that we do it for the next weekend if we are going to keep the budget at \$10,000. We spoke to Fireworks Extravaganza and they have sent us a proposal for the \$10,000 and can do it either July 10th or July 11th, which is the following weekend.

Resolution No. 2021-116 awarding a contract to Fireworks Extravaganza to do our fireworks display on Sunday, July 11, 2021 with a rain date of Sunday, July 18, 2021 in the amount of \$10,000.

A Motion was made by Councilman Lamb to approve the date for the fireworks to Sunday, July 11th and award the contract to Fireworks Extravaganza. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Stogdill, Finter and Lamb voted Yes. The Motion passed.

NEW BUSINESS:

There was no new business

COMMENTS FROM THE PUBLIC:

There were no comments from the public.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski thanked Public Works for some housekeeping items that they took care of.

Councilwoman Filippone stated that the COVID vaccines are now available for kids 16 and older.

Councilman Stogdill stated that as of today we have sold \$231,000 in pre-season and senior badge pre-orders. We are doing quite well so far with sales. The calendars will be our out in the mail.

Councilwoman Filippone stated that pre-season sales end May 31, 2021 so just a reminder.

Mr. George stated that there is a need to go into executive session to discuss some potential legal matters and may be a personnel matter discussed as well. There may be action taken.

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

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

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 Motion Passed.

The Council Meeting reconvened at 8:52pm.

Mr. George stated that while in executive session there was discussion regarding some potential litigation regarding Verizon. 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 8:54pm.

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 5th day of April 2021.

A handwritten signature in black ink that reads "Donnelly Amico". The signature is written in a cursive style and is positioned above a horizontal line.

**Donnelly Amico
Municipal Clerk**