

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, June 7, 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
Joyce Deutsch, Planning Board Secretary
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 website and bulletin board.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Gosta Lovgren, a longtime resident of Lavallette at 12 Trenton Ave.

PLEDGE OF ALLEGIANCE: Councilperson Filippone led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: The Mayor state that it was a good Memorial Day Weekend and he also attended the 8th grad awards dinner last week.

Council President Zalom welcomed Zach of the Ocean Star as the new reporter who was in attendance. She stated that the new Lavallette Environmental Clean-Up Committee who is doing their cleanup twice a month during the summer months.

REPORTS ACCEPTED AS SUBMITTED:

- a) Construction Report for May 2021-Councilwoman Filippone-read report
- b) Zoning Report for May 2021-Councilwoman Filippone-no report
- c) Municipal Court Report for May 2021-Councilwoman Filippone-read report
- d) Police Overtime Report for May 2021-Councilwoman Filippone-no report
- e) Public Works Report for May 2021-Councilman Lamb-read report
- f) Beach Badge Report for May 2021-Councilman Stogdill-read report
- g) Public Affairs Report for April 2021-Council President Zalom –the Movies on the Bay will begin on Tuesdays starting in July and the Sunday concerts will also start in July. The fireworks will be on Sunday, July 11, 2021
- h) Tax Account Report for May 2021-Tax Collector
- i) Revenue Transaction Report for April 2021-Chief Financial Officer

A Motion to approve the reports was made by Councilman Stogdill. The Motion was Seconded by Councilman Lamb. 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:

- 2021-148 approving a facilities use application to Vincent Emiliani of 16 White Avenue to hold ½ court adult basketball games on two courts on Saturdays, June through September 2021 from 9am to 10:30am
- 2021-149 authorizing the refund of a 2021 tax overpayment in the amount of \$1,585.56
- 2021-150 requesting approval of an item of revenue and appropriation to be inserted in our 2021 budget in the amount of \$12,949.33 for our Clean Communities Grant
- 2021-151 approving a facilities use application to LaxKids to hold youth lacrosse instruction on Chandler Field, Wednesdays July 7th through August 4th 2021 from 5pm to 7pm
- 2021-152 hiring seasonal laborers for the Dept. of PW at an hourly rate of \$12.00 starting May 24, 2021
- 2021-153 approving a facilities use application to Clutch Lavallette Baseball to hold 1 baseball game a week (Tuesday through Thursday) starting June 20th through July 30th 2021 at 5:45pm
- 2021-154 hiring 3 individuals for the Beach Badge Office-Councilman Stogdill requested this be put off consent.
- 2021-155 approving a facilities use application to Soccer Shots to hold children’s soccer program on Chandler Field on Mondays starting July 5th through August 16th 2021 from 5pm to 7pm
- 2021-156 approving the liquor license renewal for license year 2021-2022 held by Saulwil, Inc. (Crab’s Claw Inn)
- 2021-157 designating the hours that bicycles are allowed on the boardwalk during the 2021 bathing season
- 2021-158 approving the liquor license renewal for license year 2021-2022 held by Lenny’s Pizzeria Restaurant, Inc.
- 2021-159 awarding a contract to Cherry Hill Winner Ford for the purchase of two 2021 Ford Interceptor Utility Vehicles for the Police Department totaling \$82,066.66- Councilwoman Filippone thanked Ptl. Adam LaCicero for all his work on getting these vehicles at a good price

- 2021-160 approving the liquor license renewal for license year 2021-2022 held by White Whale, LLC (Lavallette Liquors)
- 2021-161 appointing 10 Class I Officers and one Class II Officer for the Lavallette Police Department for the 2021 summer season at an hourly rate of \$12.00-Council President Zalom applauded the Police Department for all their hard work. Councilman Lamb stated that it has been hard to find Class I & II Officers since the pandemic due to the unemployment issues.
- 2021-162 appointing Connor Cavanaugh as two full time laborers for the Dept. of Public Works at an annual salary of \$32,473.00
- 2021-163 approving a facilities use application to Waves of Impact to hold a free surf camp for special needs children on Thursday, July 29, 2021 from 10am to 4pm on the Trenton Ave ocean beach
- 2021-164 appointing lifeguards for the 2021 summer season
- 2021-164A appointing badge checkers for the 2021 summer season

The Mayor opened the floor to the public and asked if anyone wished to comment on the consent agenda.

Joe Palinsky, Ocean Front requested some clarification on the times bicycles can be on the boardwalk.

The Mayor stated that last year at this time we implemented this due to the boardwalk being so congested during the mornings. So now bicycles are allowed on the boardwalk from 5pm to 8pm only during the summer season.

The Mayor closed the floor to the public and asked Council for a vote on the consent agenda minus Resolution 2021-154 which was put off consent.

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:

- 2021-154 hiring 3 individuals for the Beach Badge Office

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

APPROVAL OF VOUCHERS:

2021-165 Bills List in the amount of \$779,643.14

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 PUBLIC HEARING/FINAL ADOPTION:

Ordinance No. 2021-07 (1214) Ordinance of the Borough of Lavallette Amending, Revising & Supplementing Chapter 7 of the Borough Code, Entitled, "Bathing and Beach Control," More Specifically Article 7-11X, Entitled, "Prohibiting Smoking on the Beach During Bathing Season" to Include Cannabis Use As a Form of Prohibited Smoking

The Mayor stated that this ordinance is already on the books but we are revising it to include cannabis.

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

Ordinance No. 2021-08 (1215) Ordinance of the Borough of Lavallette, Amending, Revising & Supplementing Chapter 53B, of the Borough Code, Entitled, "Smoking Restrictions," More Specifically Article I, Entitled, "Recreation Areas" To Include Cannabis Use As a Form of Prohibited Smoking

The Mayor stated that this ordinance is also already on the books and we are just revising it to include cannabis.

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

Bond Ordinance 2021-09 (1216) Bond Ordinance Providing for Capital Improvements and the Acquisition of Various Capital Equipment, Appropriating \$457,000 Therefor and Authorizing the Issuance of \$194,950 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized In and by the Borough of Lavallette

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

No one wished to comment.

The Mayor closed the Public Hearing and asked Council for a vote on this Bond Ordinance.

A Motion to adopt this Bond Ordinance 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.

Bond Ordinance 2021-10 (1217) Bond Ordinance Providing for the Acquisition of a Bucket Truck for the Electric Utility, Appropriating \$142,500 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized In and By the Borough of Lavallette

Mr. Brice explained that this Bond Ordinance is to purchase a new bucket truck since the one we have right now is a 1999 model and the hydraulic system had to be rebuilt due to Sandy and now it's just not running properly.

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

No one wished to comment.

The Mayor closed the Public Hearing and asked Council for a vote on this Bond Ordinance

A Motion to adopt 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.

OLD BUSINESS:

Mr. Brice stated that our current outside seating resolution that was due to the pandemic is still valid through December 31, 2021 but he just wants to make sure that Council doesn't want to change the date to a closer one or rescind it altogether since the COVID restrictions have been lifted.

A Motion was made by Councilwoman Filippone to keep the resolution in place until the December 31, 2021. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

Mr. Brice said that some residents have complained about our fireworks in the past (prior to 2019), and that these complaints are filed directly with the State. We have since changed our fireworks vendor. He stated that he received a call again this year from the Fire Marshall who requested a copy of the proposal from our vendor to check the details of the shells and fallout zones, etc. and he did go out and do some measuring as well. He did not state that there were any issues regarding this.

Councilwoman Filippone stated that the State Law will cover the guidelines for personal fireworks and fire pits as well.

Mr. Brice commented that he is working with the Police Department in preparing an information card regarding personal fireworks use along with fire pits that will be put on our website, published in the Ocean Star and also be available at the Badge Office and Borough Hall.

Councilman Borowski stated that he thinks it is a good idea for us to adopt the same law as the State regarding these issues.

NEW BUSINESS:

Councilman Borowski stated that he thinks Council should start thinking about doing repairs to the old basketball courts soon.

Mr. Brice stated that he received a call regarding the old basketball courts from someone who is willing to donate funds to have them repaired. He will get in contact with them again and discuss it with them.

Mr. Brice stated that he received an inquiry from an entertainment company regarding our cell tower and if we were going to allow any more companies to do this.

Mayor LaCicero stated that before we do anything, we should get more information as well as literature on the company and what their intentions are.

COMMENTS FROM THE PUBLIC:

Mayor LaCicero opened the floor to the public and asked if anyone wished to comment.

Marlene Chamberlain, 26 Bond Ave. stated that she was in support of screens over fire pits. She further stated that she has seen people barbecuing on their second-floor decks and doesn't think that is allowed.

Councilwoman Filippone stated that if she sees this being done she needs to contact the police department and they will shut them down.

Joann Marino, 1501 Bay Blvd. stated that our street signs are not readable and wondered if they were going to be replaced or fixed.

Councilman Lamb stated that the new ones were going to be put up shortly.

John Corney, 1 Newark Ave. stated that the residents and homeowners in this town are not happy with Optimum/Altice and the service and questioned how long the contract was with them and how much we receive from them yearly.

Mr. Brice answered that the contract was for 15 years and expires in 2029. He stated that he didn't know off the top of his head how much the Borough received each year.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski paid tribute to Swede Lovgren calling him a pioneer in the early days of Lavallette and that he will be truly missed, but always remembered.

Councilman Finter asked everyone to get out and vote tomorrow. He also announced that the First Aid is looking for volunteers.

Councilman Stogdill stated that the pre-season beach badge sale is now over. Beach Badges are available at the ballfield snack stand.

Mayor Lacicero stated that at the recent Barrier Island Mayors meeting that some towns are requiring 5G co-location.

Mr. Brice stated that Belmar is working with that now.

Mr. George stated that Lavallette has made provisions for that as well.

Councilwoman Filippone questioned if two nodes on the same pole increases the risk to residents, and if so, why can the town not refuse it.

Mr. George answered that co-location may use the same antennas and frequencies.

Councilwoman Filippone stated that the office is getting more requests for memorial benches and suggests that we start maybe another program for memorial plaques. If anyone has any ideas on what type of program we should do whether it be benches, pavers, etc. to let her know.

EXECUTIVE SESSION:

There was no executive session.


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 8:25 pm

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 7th day of **June 2021**.


Donnelly Amico
Municipal Clerk