

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Tuesday, September 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 LaPorta, 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 longtime resident Allan Liguori, who passed away.

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 Robert's Rules of Order are adopted every year at the Reorganization Meeting and those are the rules that are used for our Council Meetings.

COMMENTS FROM PUBLIC (Items not listed on agenda / not staying for remainder of meeting)

Mayor LaCicero stated that anyone in the audience who wished to comment on any items that are not on the agenda or if they cannot stay for the remainder of the meeting could do so now.

Michele Donato, 106 Grand Central Avenue stated that she is representing 9 homeowners in town regarding the substantial damage letters they received. This is a very complicated situation and is a considerable amount of work. There are already a number of properties that have received the letter that should not be included due to the calculation of the equalization rate. FEMA has already taken care of these situations in Toms River and used this calculation. The Flood Plain Manager has already identified at least 14 properties on this list that can easily be eliminated from the list if the correct equalization rate of 100% is applied.

Mayor LaCicero stated that the process set up is a bit restrictive but we are just following what the DEP advised us to do.

Ms. Donato stated that she has also sent over a letter to the DEP advising them of these issues as well.

Mayor LaCicero stated that we will discuss your comments and this issue with our Attorney as well as the DEP and we will have an answer for you before the next meeting.

Councilwoman Filippone stated that the initial damaged list had 141 properties on it and our Flood Plain Manager was able to get it down to 100 right away.

Pat Marrone/Mary Buontempo, Beautification Committee requested to permission to hold the Vincent Marrone Memorial Bocce Ball Tournament on September 25th.

A Motion to approve the tournament was made by Council President Zalom. The Motion was Seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

David and Meg Geer, 104 Brown Avenue stated that there were several incidents over the summer fire pits on our street. I have been told that Lavallette follows the state guidelines for fire pits because we do not have any restrictions for them but I feel as though maybe we should. We had an incident with the house next door to us where the smoke was actually coming into our home and the smell was horrible and it was constant and it was actually making our eyes water. We called the police department and an officer did come out but we were told that there were no restrictions. The only reference he made to the people who had the fire pit lit was to not put another log on.

Councilwoman Filippone stated that she has been collecting some information regarding this issue from the state and other towns to see what type of restrictions are being done. It seems that it has become a problem in town since the homes are a lot closer together.

Mayor LaCicero stated that he has been contacted as well and it seems they are becoming a very big annoyance to a lot of residents in town. The biggest complaint I have been receiving is the billowing out of the black smoke coming into through their homes. We will discuss further with the police and also see about adopting our own restrictions to prevent this for next year.

APPROVAL OF MINUTES:

Minutes of Caucus/Regular Meeting of August 9, 2021

A Motion to approve the minutes 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.

REPORTS:

- a) Construction Report for August 2021-Councilwoman Filippone-read report
- b) Zoning Report for August 2021-Councilwoman Filippone-no report
- c) Municipal Court Report for August 2021-Councilwoman Filippone-read report
- d) Police Overtime Report for August 2021-Councilwoman Filippone-read report
- e) Public Works Report for August 2021-Councilman Lamb-read report
- f) Beach Badge Report through September 6th 2021-Councilman Stogdill-read report

- g) Public Affairs Report for August 2021-Council President Zalom-the summer concerts were great this year. All of them were packed with people enjoying the music. The highway sign was great attracting people to all our events this year.
- h) Tax Account Report for August 2021-Tax Collector
- i) Revenue Account Status for July 2021-Chief Financial Officer

A Motion to approve the reports 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.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2021-211 authorizing the Municipal Clerk to prepare and submit the application for funding through the OC Cultural & Heritage Commission’s 2022 Local Arts Program for the summer concert series program
- 2021-212 approving a residential parking permit to Barbara Algozzini of 104 President Avenue-the Mayor stated that in reviewing the survey for this property it seems that there is a curb cut between this house and the neighbor next door which makes me think that it is a shared driveway. If this is the case, then this would not meet the guidelines for this permit. If they want a permit, they will have to close up the curb cut and then we can put the space right in front of the where the curb cut was and not take away from another area. We will pull this for tonight until we get some answers.
- 2021-213 approving employment of an additional badge checker and lifeguard for the remainder of the summer season
- 2021-214 approving a facilities use application to This Is Yoga to hold beach yoga on the Kerr Avenue ocean beach in September & October 2021 on various dates at 8am and 6pm
- 2021-215 approving an additional job title of Tennis/Pickleball Attendant Supervisor for the 2021 summer season in the amount of \$500.00
- 2021-215A appointing a group of current Borough lifeguards as the Borough’s Beachfront Response Team through September 12, 2021

A Motion to approve the consent agenda minus Resolution 2021-212 was made by Councilman Lamb. 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:

2021-215B appointing Craig Stogdill as a part-time floater employee for the Administration Dept. and the Public Works at an hourly rate of \$12.00

A Motion to approve this resolution was made by Councilman Borowski. The Motion was Seconded by Councilwoman Filippone.

The Mayor opened the floor to the public and asked if anyone wished to comment on this resolution.

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

Vote: Council Members Borowski, Filippone, Zalom, Finter and Lamb voted Yes. Councilman Stogdill Abstained. The Motion Passed.

APPROVAL OF VOUCHERS:

2021-216 Bills List in the amount of \$1,708,709.08

A Motion to approve this resolution 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.

COMMUNICATIONS:

General with No Action:

- a) DCA Press Release/Murphy Administration Announces Additional \$1.4 Million in Local Government Grant Awards for Shared Services Program/Received August 9 2021/Received August 9 2021
- b) County of Ocean/Board of Commissioners/Gary Quinn, Director/Expanded Materials Accepted for Curbside Recycling/Received August 23, 2021

General with Action:

- a) Lavallette Yacht Club/Tim Faranetta/requesting permission for parking access overnight for cars and trailers in September 2022 for any of the town parking lots for their large regatta to be held/Received August 10, 2021-Councilman Finter stated that the regatta

will be after the summer season in September and they need some extra parking space for vehicles and maybe some trailers as well. The Yacht Club's parking area cannot hold the amount of vehicles that will be coming.

A Motion to approve the Yacht Club using the Borough's parking areas on the bayfront was made by Council President Zalom. The Motion was Seconded by Councilwoman Filippone. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. Council Members Borowski and Finter Abstained. The Motion Passed.

UNFINISHED BUSINESS:

Councilman Lamb stated that we are looking into trying to get some type of grant for the overhaul and replacement of Well #3 to offset some of the Borough's costs.

Mr. Brice stated that we are looking to put some of the money we received from the federal govt and also to see about a loan through I-Bank as well.

Mayor LaCicero questioned how much of the federal money could be put towards this?

Mr. Brice stated that it would be roughly \$180,000 and we are looking to go with some type of pole barn structure instead of masonry.

Councilman Borowski stated that Stu Farrell is working on the paperwork for the DEP permits regarding the living reef to be done over by the West Point Island Bridge. He has also reached out to the American Littoral Society to help with this paperwork to make it easier.

Mr. Brice stated that the Engineer has reached out to the DOT regarding the accumulated water issue on Grand Central and Bond Avenue about regrading the asphalt in that area to address the issue.

NEW BUSINESS:

Councilman Stogdill stated that he would like to recommend that additional moorings be put on the stretch of beach area down at the bay on Reese Avenue. He estimates that 30 more moorings could be put down there. He also thinks that maybe some kayak racks to be put down by the boat ramp might also be a good idea.

Mayor LaCicero stated that it sounds like a good idea but before we discuss it further maybe a drawing of where they would go in that area as well as the kayak racks so we have a better idea.

Councilwoman Filippone stated that we already have a wait list for the current mooring posts we have so we would have to think this through. We would have to give these new mooring posts to the people on the wait list first.

COMMENTS FROM THE PUBLIC:

Susan Kotch, 119 Camden Avenue stated that Founder’s Day is this Saturday and we are ready to go. We have a lot of new vendors as well as returning. We will be doing a 911 Memorial and will be planting a tree in memory of 911. This is a self-funded event as well as the donation of the tree.

Joe Palinsky, 1106 Ocean Front stated that curb cut that was discussed regarding Resolution 2021-212 for the parking permit is for 104A President Avenue not 104 President. He believes it was a Planning Board case and that driveway was included in the approval.

Mayor LaCicero stated that we will need to take a look at that paperwork.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that we had a lot of visitors this summer season. Our First Aid was dispatched to 125 calls in 2020 and 146 in 2021. We basically have only two key personnel that are also unpaid for this and they are Dave Finter and Andrea Borowski. They are the only two that are our core volunteers right now. They deserve a big thank you for their service.

Councilwoman Filippone stated that there will be a discussion regarding the Verizon nodes application at the next meeting on September 20, 2021.

EXECUTIVE SESSION:

Phil LaPorta stated that there is a need to go into Executive Session to discuss some personnel as well as some legal matters. No action will be taken.

A Motion to adjourn the Council Meeting to go into executive session 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 to go into executive session at 8:40pm.

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 was reconvened at 9:03pm.

Mr. LaPorta stated that while in executive session there was discussion regarding a personnel matter as well as potential litigation. No action was taken.

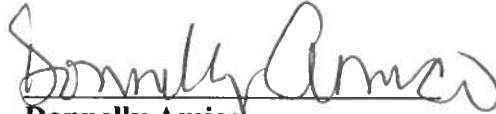
ADJOURNMENT:

A Motion to adjourn the Council Meeting was made by Councilwoman Filippone. The Motion was Seconded by Councilman Finter. Vote: All of Council was in favor. The Motion Passed.

The Council Meeting was adjourned at 9:03pm.

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 **September 2021**.

A handwritten signature in black ink, appearing to read "Donnelly Amico", written over a horizontal line.

Donnelly Amico
Municipal Clerk