

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, February 7, 2022-7:00 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 7, 2022. Notice was also posted on our municipal bulletin board and municipal website.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Nancy Nagle, a resident of Jersey City Avenue who passed away recently.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed the 7 local residents that were in the audience to tonight's meeting. He stated that the DPW should be commended on a great job of clearing the snow last weekend. They were able to use some of the new equipment we purchased and it all worked out great. Our fire dept. responded to a fire in Ortley Beach and was able to get it under control and taken care of quickly so we are grateful for that. 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)**

No one wished to comment at this time.

**REPORTS:**

- a) Construction Report for January 2022 -Councilwoman Filippone-read report
- b) Zoning Report for January 2022-Councilwoman Filippone-read report
- c) Municipal Court Report for January 2022-Councilwoman Filippone-no report
- d) Police Overtime Report for January 2022-Councilwoman Filippone-no report
- e) Public Works Report for January 2022-Councilman Lamb-read report-looking to change the garbage schedule starting this fall to two days of garbage a week instead of one.
- f) Public Affairs Report-Council President Zalom-residents all missing the ski trips and NY bus trips. Clean Ocean Action Beach Sweeps will be on April 9<sup>th</sup>. Castaways, the new bar/restaurant is now open in town. The owners are the same owners of Lenny's Pizza.

- g) Tax Account Report for January 2022-Tax Collector
- h) Tax Collector’s Annual Statement of Receipts for Years 2020 & 2021-Tax Collector

A Motion to approve the reports was made by Councilman Stogdill. 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:**

2022-55 approving a facilities use application to Sherri Paris to hold her annual Marine Science Camp on the bay front between Philadelphia & Washington Avenues and utilize the gazebo during the day at various times for pickup/dropoff/rest times starting June 20<sup>th</sup> through August 26<sup>th</sup>, Monday through Friday, 9am to 2pm-this resolution was pulled.

Councilwoman Filippone stated that the Ordinance Committee will be meeting on Wednesday and one of the items for discussion of changes is the facilities use application. Before we approve any of these applications, I would like to table them until the next meeting.

The Municipal Clerk stated that Resolution 2022-60 is a facilities use application that we receive annually from a non-profit organization that has a walk for the special Olympics through the barrier island towns and they only use our boardwalk to walk through. This walk will be on April 2<sup>nd</sup> and since they only use it to walk through can we just approve this one since it really is only walking through town.

All of Council agreed to pull Resolutions 2022-55 and 2022-59 until the next Council Meeting. Resolution 2022-60 remained on the consent agenda for approval.

2022-56 authorizing the transfer of 2021 overpayments to 2022 taxes receivables in the amount of \$44,580.40

2022-57 approving the annual certifications submitted by the Lavallette Volunteer Fire Department for all members who have qualified for credit under the LOSAP Program for 2021

2022-58 appointing Robert Oliwa/Oliwa & Company as our Borough Auditor for year 2022

2022-59 approving a facilities use application to Team Zebra Multisport, LLC to hold a triathlon (swim, run, bike) on Bay Blvd. from Washington to Ortley Avenues and use of our Washington Avenue bay front lot on June 4, 2022 from 6am to 11:30am- this resolution was pulled.

- 2022-60 approving a facilities use application to the Jersey Shore Running Club to utilize our boardwalk for a walk through town from Trenton to White Avenues on Saturday, April 2<sup>nd</sup> sometime between 8:30am to 10:30am
- 2022-61 appointing Timothy Perruso to the position of Patrol Officer for the Borough of Lavallette-Councilman Borowski stated that he has had the privilege of working with Tim with the First Aid and Fire Department and it has always been a pleasure.
- 2022-62 authorizing the Mayor to sign and execute the service contract renewal with TRANE for continued maintenance BAS and mechanical HVAC in the amount of \$16,043.00 for the year 2022
- 2022-62A authorizing a leave of absence without pay to Timothy Perruso, for the period commencing April 2021 through September 2022

A Motion to approve the consent agenda minus Resolutions 2022-55 and 2022-59 was made by Councilwoman Filippone. 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:**

There were no resolutions off-consent.

**APPROVAL OF VOUCHERS:**

- 2022-63 Bills List in the amount of \$3,118,279.65

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.

**ORDINANCE ON FOR FINAL ADOPTION/PUBLIC HEARING:**

**Ordinance 2022-01 (1219)** Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Revising and Supplementing the Borough Code as to Chapter 24, Article II, Entitled,

“Electric Rates and Regulations,” Amending, Revising and Supplementing the Borough Code as to Chapter 24, Article III, Entitled, “Self-Generation Standards”

Councilman Borowski stated that this is to update the rates for solar for the next few years.

A Motion was made by Councilman Borowski to open the public hearing. The Motion was Seconded by Councilman Finter.

Vote: All of Council was in favor. The Motion was Passed.

The Mayor 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 was made by Councilman Borowski to adopt this ordinance. 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) Altice/Cablevision of Monmouth/Layth Taki, Senior VP/franchise fee payment in the amount of \$21,156.00 for year 2021/Received January 13, 2022
- b) Ocean County Utilities Authority/Keith Marcoon, Exec. Director/Certificate of 2022 Annual Charge/Received January 25, 2022
- c) Community Services, Inc. of Ocean County/James Sigurdson, Exec. Director/Meals on Wheels/Received January 28, 2022
- d) Ocean County Utilities Authority/Keith Marcoon, Exec. Director/Deficiency Notification for 2021 Calendar Year/Received January 31, 2022
- e) Ocean County/Board of Chosen Commissioners/2022 Ocean County Road Improvement Program/John Kelly, Director/Received February 2, 2022

General With Action:

- a) Lavallette Senior Club/James Peeney, Chairman/requesting the Borough provide transportation for the seniors of Lavallette to the Surflight Theater in Beach Haven, NJ on June 9, 2022 departing Lavallette at 10am and returning at 6pm

Council President Zalom stated that we have done this in the past for the seniors.

Councilman Lamb questioned how much we have paid in the past.

Mr. Brice stated that he believes it was roughly \$1,100 but he doesn't have an exact amount.

Council President Zalom stated that she has no issues with using the recreation budget to pay for this since she knows there is enough money.

Councilwoman Filippone stated that as long as there is enough money in the recreation budget she has no problem with it.

A Motion to approve the rental of the bus for the seniors to be paid for out of the recreation budget was made by Council President Zalom. The Motion was Seconded by Councilwoman Filippone.

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

### **UNFINISHED BUSINESS:**

#### Review of draft model ordinance for Chapter 31 Flood Plain Management Regulations

Mayor stated these are the regulations setting the heights required for the elevations and the penalties if you are substantially damaged and have not elevated your home.

Mr. George stated that he has reviewed this and some of these regulations are a lot more controlled. Once this goes into effect it will be a lot more work for us to do the calculations and a lot more work and more restricted for the residents.

Mr. Brice stated this draft has to be back to them with any changes by February 10<sup>th</sup>

Councilwoman Filippone stated that we wrote our ordinance after the storm so we would not be restricted to certain numbers. If FEMA changes the BFE we are already in compliance with our ordinance. The substantial damaged homes that do not comply with the elevation of their homes, the fines are going to be drastic.

Councilman Borowski questioned if the original Chapter 31 was based on the FEMA model?

Mr. George stated that it was.

#### Proposed schematic for Well #3

Mr. Brice discussed the plan of the proposed schematic of the Newark Avenue Treatment Plant and where the proposed placement of Well #3 and the proposed building to house the well in. Also, the placement of the proposed screen for aesthetic and sound and the proposed generator enclosure and platform. The discussion was also regarding the depth of how far the well will be put in the ground.

### **NEW BUSINESS:**

There was no new business.

**COMMENTS FROM THE PUBLIC:**

Mark Speaker, 111 Brown Avenue stated that he is glad that Council decided to put off voting on the facility use apps until after our Ordinance Committee meeting. We have all been discussing these applications being reviewed and changes in the process and fees for a while now.

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

Councilman Finter thanked Public Works for helping clear a path of snow to a residence in town that we received a first aid call for. Once we called, someone came immediately and helped us out.

Councilwoman Filippone stated that the ordinance committee will meet on February 9<sup>th</sup> to discuss a number of items including facility use applications, fire pits, short-term rentals, front yard setbacks in Westmont Shores and residential parking permits. Some changes may be done to these current ordinances and some ordinances may be created.

Council President Zalom stated that Castaways Pub had their grand opening last week and the Mayor was there to cut the ribbon.

**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 Lamb.

Vote: All of Council was in favor. The Motion Passed.

The Meeting was adjourned at 8:25pm.

**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 7<sup>th</sup> day of **February 2022**.

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