

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, May 16, 2022-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Phil George, Borough Attorney
Donnelly Amico, Municipal Clerk
Robert Brice, Borough Administrator
Robert Oliwa, Borough Auditor
Chrissa Sierfeld, Chief Financial Officer

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 any loved ones.

PLEDGE OF ALLEGIANCE: Councilman led us to the Salute to the flag.

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting. He stated that the May 2nd Council Meeting had to be cancelled due to not having a quorum with a few being under the weather. He stated that tonight is the adoption of the budget so we have our CFO and Auditor present as well. 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.

REPORTS:

- a) Construction Report for April 2022 -Councilwoman Filippone-read report
- b) Zoning Report for April 2022-Councilwoman Filippone-no report
- c) Municipal Court Report for April 2022-Councilwoman Filippone-read report
- d) Police Overtime Report for April 2022-Councilwoman Filippone-no report
- e) Public Works Report for April 2022-Councilman Lamb-read report-no report
- f) Public Affairs Report-Council President Zalom-Clean Ocean Action was another success.
- g) Tax Account Report for April 2022-Tax Collector
- h) Revenue Transaction Report for March 2022-Chief Financial Officer

A Motion to approve the reports was made by Councilman Borowski. The Motion was Seconded by Councilman Finter.

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2022-114 approving the shared services with the Toms River Township Board of Fire Commissioners District 1 for providing fuel to the Ocean Beach Fire Company No. 3 vehicles commencing March 2, 2022 through March 1, 2023
- 2022-115 approving a facilities use application to Team Hill Foundation to hold kids basketball hoop festival and RxHoops adult fitness classes at the new basketball courts beginning June 21st through September 4th 2022 Tuesdays & Thursdays, 9am to 12 noon and 6pm to 7pm and Saturdays & Sundays 6pm to 7pm
- 2022-116 approving a refund of an electric payment in the amount of \$25.18
- 2022-117 approving a facilities use application to Matthew Walls for volleyball games at Chandler Field starting May through December 2022 on Wednesdays from 6pm to 9pm
- 2022-118 authorizing the refund of a construction permit fee in the amount of \$42.00 that was paid in duplicate
- 2022-119 approving two raffle licenses to the Lavallette School PTO to be held on June 3, 2022 from 6pm to 10pm to be held in conjunction with the Lavallette Elementary School Dinner Dance
- 2022-120 approving a facilities use application to This Is Yoga to hold yoga classes on the Kerr Avenue ocean beach starting May 28th through September 3rd 2022 Mondays, Wednesdays, Thursdays & Saturday mornings from 6:30am to 9am and Tuesday & Thursday evenings from 6pm to 7pm
- 2022-121 approving the employment of two seasonal laborers at the hourly rate of \$15.00 and one part-time recycling attendant at an hourly rate of \$13.00
- 2022-122 authorizing the approval of a rental agreement with the Ocean County YMCA for the use of their pool to hold lifeguard performance swims for new 2022 summer season applicants on May 14th and May 22nd 2022

- 2022-123 authorizing the Municipal Clerk to act as the authorized representative in all matters relating to the New Jersey Environmental Infrastructure Trust loan for the Replacement of Potable Well #3 (becoming Well #6)-Mayor LaCicero stated that we have a few resolutions regarding this project. Hopefully, we can get this all taken care of with no issues.
- 2022-124 authorizing the refund of tax appeals for year 2015 in the amount of \$18,672.91 and year 2016 in the amount of \$19,074.90
- 2022-125 approving the proposal for engineering design services with Van Cleef Engineering for the project of Potable Water Supply Well No. 6 (Replacement of Well #3) in the amount of \$149,500
- 2022-126 approving the proposal for engineering services with Van Cleef Engineering for the construction services for the project of Potable Water Supply Well No. 6 (Replacement of Well #3) in the total amount of \$214,000
- 2022-127 awarding a contract to Black Rock Enterprises, LLC for Bryn Mawr Avenue Phase II road improvement project in the amount of \$200,000
- 2022-127A proclaiming the week of May 15th through May 21st 2022 as Emergency Medical Services Week
- 2022-128 appointing Patrick Duggan as the fill-in Construction Official during the absence of the current Construction Official
- 2022-128A appointing Christian LaCicero as the Emergency Management Coordinator for the 2022 Emergency Management Team
- 2022-128B approving an application of Brian Quinn as an active member of the Lavallette Volunteer Fire Company #1
- 2022-128C approving 3 individuals to attend the Ocean County Police Academy Class I Training commencing May 20, 2022
- 2022-128D appointing Jack Caucino as the Lifeguard Captain at a weekly rate of \$1280.00 for 20 weeks and Pam Caucino as the Badge Checker Supervisor at a weekly rate of \$622.55 for 14 weeks for the 2022 summer season

A Motion to approve the consent agenda 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, Finter and Lamb voted Yes. The Motion Passed.

RESOLUTIONS - OFF CONSENT:

2022-129 approving a facilities use application to Gregory Auciello from Ortlely Beach to hold family pickleball on our pickleball courts on Saturday, May 21, 2022 from 9am to 2pm with a rain date of Sunday, May 22, 2022

Councilwoman Filippone stated that this person does not live in Lavallette and our courts are basically for our residents and summer tourists. There are pickle ball courts in Ortlely Beach that he can use. This is tying up our courts for a whole day.

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

Kathy Grandstrand, 1 Camden Avenue agreed with Councilwoman Filippone and thanked her for seeing the issue.

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

Vote: Council Members Borowski, Filippone, Zalom, Finter and Lamb voted No. The Motion Failed.

2022-130 approving a facilities use application to 495 Productions, Inc. to film in certain areas of Lavallette, (beaches, boardwalk, walkways, and businesses for a documentary style show during most of July and slightly into August 2022

Mayor LaCicero stated that this company produces reality shows like the Jersey Shore and we are not interested in having any of that in this town. We also have an ordinance on tonight for introduction to prevent these kinds of requests.

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

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

No one wished to comment.

Vote: Council Members Borowski, Filippone, Zalom, Finter and Lamb voted No. The Motion Failed.

APPROVAL OF VOUCHERS:

2022-131 Bills List in the amount of \$4,261,388.43

A Motion to approve the bills list was made by Councilman Lamb. The Motion was Seconded by Councilman Borowski.

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

ORDINANCE ON FOR FIRST READING AND INTRODUCTION:

Ordinance No. 2022-04 (1222) Ordinance of the Borough of Lavallette Amending, Revision and Supplementing Chapter 90 of the Borough Code, Entitled, “Zoning”, Article III, “General Uses,” And More Specifically 90-8, Entitled, “Accessory Buildings and Uses”

Councilwoman Filippone stated that this is to cleanup a zoning ordinance for the Westmont Shores area.

A Motion to introduce this ordinance was made by Councilman Lamb. The Motion was Seconded by Councilman Finter.

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

Public Hearing and Final Adoption is scheduled for July 5, 2022.

Ordinance No. 2022-05 (1223) Ordinance of the Borough of Lavallette Amending, Revision and Supplementing Chapter 56 of the Borough Code, Entitled, “Streets and Sidewalks,” and More Specifically Article VII Entitled, “Residential Parking Permits”

Councilwoman Filippone stated that we had some issues regarding these permits and needed to update some of the requirements and the fees.

A Motion to introduce this ordinance was made by Councilwoman Filippone. The Motion was Seconded by Councilman Finter.

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

Public Hearing and Final Adoption is scheduled for June 6, 2022.

Ordinance No. 2022-06 (1224) Ordinance of the Borough of Lavallette Amending, Revising and Supplementing Chapter 43 of the Borough Code, Entitled, “Noise,” and More Specifically 43-6 Entitled, “Loud, Excessive or Unusual Noises Prohibited”

Mr. George stated that this ordinance is going to be tabled tonight as there is a few items that need to be discussed again.

Motion: Second: Vote:

Public Hearing and Final Adoption is scheduled for June 6, 2022.

Ordinance No. 2022-07 (1225) Ordinance of the Borough of Lavallette Amending, Revising and Supplementing The Borough of Lavallette Code by Amending, Revising and Supplementing Chapter 15 of the Borough Code, Entitled, “Business Regulations,” By Adding New Sections 15-12 Through 15-22, Entitled, “Filming”

Mayor LaCicero stated that this is to prevent anyone from wanting to film their reality shows here in Lavallette.

A Motion to introduce this ordinance was made by Councilwoman Filippone. The Motion was Seconded by Councilman Finter.

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

Public Hearing and Final Adoption is scheduled for June 6, 2022.

Resolution 2022-132 authorizing self-examination of Budget

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

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

Resolution 2022-133 authorizing budget be read by title only

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

Vote: Council Members Borowski, Filippone, Zalom, Finter and Lamb voted Yes.

PUBLIC HEARING OF THE 2022 BUDGET:

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

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

Mr. Oliwa state that the 2022 budget was introduced and approved on April 4, 2022. This year is another flat rate and also a fantastic collection rate of taxes and grade AA for finances for the last three years given by Standard & Poors. Lavallette is the seconde lowest tax rate in the County and the 3rd lowest in the State. The utilities are self-liquidating There were some normal increases in the budget for pensions, health benefits and a slight increase for cyber security updates. The debt service is doing great.

Councilman Borowski stated that it is remarkable that our debt is dwindling down so quickly. It is very impressive.

The Mayor asked if anyone in the audience wished to comment on the 2022 budget.

No one wished to comment.

A Motion to close the public hearing was made by Councilman Finter. The Motion was Seconded by Councilman Lamb.

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

ADOPTION OF THE 2022 BUDGET (Resolution 2022-134)

A Motion to adopt the 2022 budget was made by Councilwoman Filippone. The Motion was Seconded by Councilman Finter.

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

COMMUNICATIONS:

General With No Action:

- a) Lavallette Board of Education/Dr. Lisa Gleason, Supt./Schedule for Graduation/Received April 8, 2022
- b) Lavallette Board of Education/Patricia Christopher, Business Administrator/Traffic Safety issues during drop off and pickup times of students/Received April 12, 2022
- c) State of New Jersey/Dept. of Transportation/Diane Gutierrez-Scaccati/Fiscal Year 2023 State Aid Programs/Received April 22, 2022
- d) Ocean County Utilities Authority/Robert McGlaughlin, Planning Specialist/First Quarter-Metered Flow Data/Received April 29, 2022

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Councilman Borowski questioned what the boxes on our poles that are very low were.

Borough Administrator Brice stated that they are BPU regulated Verizon boxes for FIOS.

Mr. Brice stated that some weekend renters would like permission to hire a guy who specializes in garbage pickup to pickup the weekend trash at their rental properties and bring it down to our recycling center.

Councilman Lamb questioned why we all of a sudden this has become an issue. This has always been a tourist town with summer rentals and never have we had so many issues with renters and garbage.

Councilman Borowski questioned why the renters just don't take the trash down to the recycling center on their own right before they leave like renters before them have done for all these years. It should be stipulated in the rental lease that is a requirement and rule.

COMMENTS FROM THE PUBLIC:

There were no comments from public.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Bob Brice, Administrator thanked all department heads and especially the CFO, Chrissa Sierfeld for all the work done for this budget.

EXECUTIVE SESSION:

Mr. George stated that there is a need for an executive session to discuss some personnel matters and contract negotiations. There will be no 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 9:04pm.

A Motion to reconvene the Council Meeting was made by Councilwoman Filippone. The Motion was Seconded by Councilman Lamb.

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

The Council Meeting was reconvened at 9:32pm.

Mr. George stated that while in executive session there was discussion regarding some contract negotiations of a memorandum of understanding. There was no action taken.

ADJOURNMENT:

A Motion to adjourn the Council Meeting was made by Councilman Finter. The Motion was Seconded by Councilman Lamb.

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

The Council Meeting was adjourned at 9:34pm.

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 16th day of **May 2022**.

Donnelly Amico
Municipal Clerk