

**BOROUGH OF LAVALLETTE(minutes)  
REGULAR MEETING OF THE MAYOR AND COUNCIL  
LAVALLETTE MUNICIPAL BUILDING  
Monday, July 18, 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: Robert Brice, Borough Administrator  
Phil George, Borough Attorney  
Donnelly Amico, Municipal Clerk

**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 website and bulletin board.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for longtime resident Ingrid Liguori from Trenton Avenue who passed away recently.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. He stated that anyone who 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)**

Mary Ann Paladino, 21 New Jersey Avenue, stated that the walkway getting onto the beach on New Jersey Avenue doesn't seem to be getting swept of the sand that gets on it on a daily basis.

Mayor LaCicero stated that the beach is cleaned on a daily basis and our guys try to do the best they can with getting the walkways clean in the mornings as well. Unfortunately, we are short on manpower right now so they can't get up there during the day to sweep every walkway.

Mrs. Paladino also stated that the Ocean Beach Police on their quads come through our beach to get to Ortley and they fly through as if they have no worries. It really has become a safety issue and should be addressed with Toms River.

Mayor LaCicero stated that this has been brought to his attention previously and he will make sure it gets rectified.

Tammy Roselle, 108 Brown Avenue stated that the bicycles on the sidewalks has become a big problem. They ride down the middle of the sidewalk and do not move for the pedestrians. The

sidewalk is just not big enough for people walking and bikes. There are little kids in strollers and walking as well and someone is going to get hurt.

Mayor LaCicero stated that the code does not allow bikes on the sidewalks so we will be passing this along to the Police Department.

Catherine Connolly, 1703 Grand Central Avenue, stated that cabanas on the beach seem to be becoming an issue. The size and the way that some of these people stretch them out so there is more room for them is just too much.

Mayor LaCicero stated that we have an ordinance for this limiting the size to 10x10 with no sides. Maybe we need to advise the lifeguard captain and badge checker supervisor that they should be checking on this.

**APPROVAL OF MINUTES:**

- Minutes of Caucus/Regular Meeting of June 6, 2022
- Minutes of Executive Session of June 6, 2022
- Minutes of Regular Meeting of June 20, 2022
- Minutes of Executive Session of June 20, 2022

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.

**ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:**

**RESOLUTIONS – ON CONSENT:**

- 2022-176        authorizing the adoption of the modified rules and regulations of the Lavallette Goose Patrol-Mayor LaCicero stated that our Goose Patrol Program has become much larger this year with participation; however, it seems that people seem to think that it is a dog park and not to help get rid of the geese. If there is a sporting event taking place on the field or if kids or families come to use the field, the rules clearly state that any dogs on the field must leave. The whole reason for this program was to help clear the field of the goose feces so the field could be utilized by the kids and families to play sports. Now it seems that there is a problem with the dogs feces not being cleaned up and people using it as a dog park.
  
- 2022-177        authorizing the refund of a marriage license fee due to Governor’s order P.L. 2022, c. 23 stating fees are waived from July 1, 2022 through June 30, 2023
  
- 2022-178        authorizing the employment of 2 seasonal sanitation workers for the Dept. of Public Works at an hourly rate of \$15.00

- 2022-179 approving a facilities use application to James McAuliffe to hold a family softball game on Chandler Field on Saturday, August 13, 2022 from 1:30pm to 4:30pm
- 2022-180 refunding the unused planning board escrow funds in the amount of \$345.00
- 2022-181 approving the liquor license renewal to Lenny's Pizzeria, Inc. dba/ Castaway's Pub for license year 2022-2023
- 2022-182 awarding a contract to Hunter Jersey Peterbilt for the purchase of two garbage trucks through Sourcewell Cooperative Purchasing (060920-PMC) in the amount of \$277,768.00
- 2022-183 revising salary for the beach badge checker supervisor to \$720.00 weekly for a total of 11 weeks
- 2022-184 amending the 2022 capital budget-Mr. Brice stated that the well that we have been trying to rehab seems to have a lot more issues than anticipated so we needed to go out to bond for some extra costs so the budget needed to be amended.
- 2022-184A appointing 3 lifeguards at an hourly rate of \$17.25 for the remainder of the 2022 summer season

A Motion to approve the consent agenda 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 the consent agenda.

Camille Gallentini, 1807 Grand Central Avenue, stated that she has been a member of this program for 7 years now and takes her two dogs to the field on a regular basis. The people who take their dogs to the field are also regulars and we all have become friends. We understand that people should be able to utilize the field but where we let our dogs run is not on the field itself, its on the grassy part of next to the field. There is enough room to maybe put a fence up to separate the field part from where the dogs run to prevent any issues and it will allow for everyone to utilize it at the same time.

Councilman Lamb stated that there has also been issues where some dogs chase kids and there was an issue with a dog chasing one of our Public Works employees. This has created us to lock the gates while our employees are cleaning up the field now.

Mayor LaCicero stated that he lives right across the street from the field and his wife is part of the committee and this year, really summer, has been the worst with the amount of complaints and issues that have occurred. The Committee is going to reevaluate the rules and regulations of this program and also take a look at maybe only allowing residents instead of out of town people. We also have an ordinance on tonight that will increase the fee to \$25 instead of \$10.

Judy Macagna, 119 Brown Avenue stated that maybe they designate specific hours every day for when the dogs can be on the field which would prevent any issues with any field use.

Susan Kotch, 119 Camden Avenue stated that she is a member of the Committee that oversees the goose patrol program and has been since it was created. The fees that are collected for this has helped purchase water fountains for the dogs, doggy stations that provide bags to put the dog feces in for convenience and we are now looking into installing a web cam and cameras as well. The average number of applications usually runs between 100 to 125 a year, with most of them being during the summer months. This year we have received over 300 applications. We have received so many more complaints this year with dogs chasing kids, equipment being broken and dog feces not being picked up.

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:**

2022-185        appointing Craig Stogdill as a full-time Clerk I for the Administration Office at an annual salary of \$31,200.00

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

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 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:**

2022-186        Bills List in the amount of \$537,048.82

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, Stogdill, Finter and Lamb voted Yes. The Motion Passed.

**ORDINANCES ON FOR INTRODUCTION/FIRST READING:**

**Ordinance 2022-11 (1229)** An Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Supplementing, Amending and Revising Chapter 6 of the Borough Code, Entitled, “Animals” To Amend and Revise Section 9, Entitled, “Places of Resort, Lavallette Goose Patrol, Goose Patrol Committee

Mayor LaCicero stated that this is to increase the fee for the goose patrol to \$25.00.

A Motion to introduce this 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.

Public Hearing and Final Adoption is scheduled for August 1, 2022.

**Ordinance 2022-12 (1230)** Ordinance of the Borough of Lavallette, County of Ocean, State of New Jersey, Amending and Supplementing Chapter 45 of the Borough Code, Entitled, “Officers and Employees” So as to Amend and Supplement Section 45-15 So As To Add The Position of “Carpenter”

Mayor LaCicero stated that we have two Public Works employees who have been doing mostly carpentry work so we need to add this title to our code as per Civil Service.

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

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

Public Hearing and Final Adoption is scheduled for August 1, 2022.

**Ordinance 2022-13 (1231)** Ordinance of the Borough of Lavallette Amending, Revision and Supplementing Chapter 31 of the Borough Code Entitled, “Flood Hazard Areas,” To Delete Chapter 31 in its Entirety and Adopt a New Chapter 31 Entitled, “Flood Damage Prevention,” to Adopt Flood Hazard Maps, and Designate a Flood Plain Administrator

Councilwoman Filippone stated that due to new FEMA guidelines our flood ordinance needed to be upgraded in its entirety. This is to make sure that any home that is not in compliance with FEMA standards, which is regarding elevation, they will be tracked and not allowed any renovations unless they elevate their home.

The Mayor stated that there are not many houses left that fall under this but we are mandated by FEMA to update this ordinance.

A Motion to introduce this 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.

Public Hearing and Final Adoption is scheduled for August 1, 2022.

**Capital Ordinance 2022-14 (1232)** Ordinance Appropriating \$195,311.52 Received from a Grant Provided By the Federal American Rescue Plan Act of 2021 to Provide For The Repairs and Remediation of the Water Treatment Plant

The Mayor stated that the monies that we received from the American Rescue Plan will be put towards the replacement of the well so an ordinance was needed to make it official.

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

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

Public Hearing and Final Adoption is scheduled for August 1, 2022.

**Bond Ordinance 2022-15 (1233)** Bond Ordinance Providing for the Replacement of Borough's Potable Water Supply Well, Replacement of the Electrical System Associated With the Wells and Water Treatment Plant, and Redevelopment of a Potable Water Supply Well, Appropriating \$3,700,000 Therefor and Authorizing the Issuance of \$3,700,000 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized In and By The Borough of Lavallette, In the County of Ocean, New Jersey

The Mayor stated that this well is really in need of replacement. It needs sandblasting and some physical issues with the enclosure. There are just a lot of issues we need to rectify sooner than later.

A Motion to introduce this 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.

Public Hearing and Final Adoption is scheduled for August 1, 2022.

**Capital Ordinance 2022-16 (1234)** Ordinance Providing For The Acquisition of a Garbage Truck Chassis, An Appropriating \$10,000 Therefor, Authorized In and By The Borough of Lavallette, New Jersey

Mayor LaCicero stated that this was needed to be able to purchase another garbage truck chassis.

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

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

Public Hearing and Final Adoption is scheduled for August 1, 2022.

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

**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”

Mayor LaCicero stated that this is to limit the amount of construction noise during the summer months.

A Motion to adopt this ordinance was made by Councilman Finter. The Motion was Seconded by Councilman Stogdill.

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.

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

**UNFINISHED BUSINESS:**

Beach Renourishment & Dune Plants

Mr. Brice stated that the Army Corps. is looking to go out to bid for this in September and work to begin early next year. The top of dunes to the west side dune grass does not seem to be a healthy plant like the other plants in the other areas.

Mayor LaCicero stated that we have not been given an option regarding this replenishment so we have no choice but to follow along.

**NEW BUSINESS:**

Councilwoman Filippone stated that we are in need of a Zoning Official and Code Enforcement Officer and have so far received some applications. The Construction Official and myself will be doing interviews this week.

**COMMENTS FROM THE PUBLIC:**

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

Mr. Brice stated that he has enjoyed his time working here very much. The residents, employees, Mayor and Council and Professionals are all great here. This is a small town but is a full service town and he will miss it.

**EXECUTIVE SESSION:**

Mr. George stated that there is a need to go into executive session regarding some personnel matters and contract negotiations. 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 Stogdill.

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

The Council Meeting was adjourned to go into executive session at 8:35pm.

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

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

The Council Meeting reconvened at 9:35pm.

Mr. George stated that during the executive session there was some matters discussed. One matter was regarding personnel and during that discussion Mayor LaCicero and Councilman Lamb were not present. The other matter discussed was regarding the hiring of a new Administrator and the decision was made to hire John Bennett contingent upon the terms of his contract.

A Motion to appoint John Bennett as the new Borough Administrator pending terms of his contract was made by Councilwoman Filippone. The Motion was Seconded by Councilman Borowski.

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

**ADJOURNMENT:**

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

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

The Council Meeting was adjourned at 9:36pm.



**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 18<sup>th</sup> day of **July 2022**.

---

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