

**BOROUGH OF LAVALLETTE(minutes)**  
**REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING**  
**Monday, March 20, 2023-7:00 pm**

**CALL TO ORDER:** Mayor Walter G. LaCicero, presiding

**ROLL CALL:** Council Members Borowski, Lamb, Zalom, Stogdill, Finter and Filippone

Also present: John Bennett, Borough Administrator  
Bill Burns, 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 6, 2023. Notice was also posted on our municipal website and bulletin board.

**MOMENT OF SILENCE:** The Mayor asked for a moment of silence for Erin Royer who passed away. Erin was the daughter of our long-time residents Gary and Corless Royer. Also, for Denise Ryan who was Timmy Ryan's, Ryan's Funeral Home, wife and Ken Sadowsky who lived on the Ocean Front.

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

**MAYOR'S WELCOMING STATEMENT:** The Mayor welcomed everyone to tonight's meeting. He stated that there is quite a crowd tonight so I am not sure what topic is on our agenda is popular. The replenishment project will not be done this year since there have been some issues with other towns.

He stated that if anyone wished to comment on any items that were not on our 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)**

Nick Moroldo, 102A President Avenue thanked Mayor and Council for recognizing the feral cat issue is a problem and trying to come up with a plan to take care of it. The tnr program is a good idea but what happens when certain people continue to feed these cats and more cats keep coming. It seems like it is going to become a never ending situation. When does it become more of a health issue?

Mayor LaCicero stated that the organization currently working with us to trap the feral cats and institute the tnr program provided us with a draft ordinance that addresses the feeding issue and our attorney will be reviewing this ordinance and drafting an updated ordinance for us to adopt.

## **PRESENTATION ON TIPPER CANS-Jack Lutz from IPL Global**

Mayor LaCicero stated that we have a presentation also tonight from Jack Lutz from IPL Global, which is a company that provides tipper garbage cans.

Jack Lutz thanked Mayor and Council for having him tonight. He stated that he is a resident of New Jersey and the tipper can that he has here tonight is 95 gallons.

Council President Zalom stated that our trucks are not fitted to pickup the can remotely so our guys on the back of the truck will have to pull the can over and attach it to the retrofitted claw.

Kathy Grandstrand, 1 Camden Avenue questioned if there will be less garbage pickups with this since the cans will be bigger and it should make the pickups quicker for the guys.

Mayor LaCicero stated that it will be trial and error to see how it goes.

Ms. Grandstrand asked if it will be done with recycling too.

Councilman Finter stated that we would be starting with just garbage first.

Kathy Morolda, 102A President Avenue questioned what the average space between parked cars on side streets for houses that don't have driveways and will have to leave their cans in between the cars.

Jack Lutz stated that these cans will fit between parked cars and the employees will be trained on how to handle those situations.

Alex Barletta, 16 Sturgis Road stated that it would be a big positive for the employees and OJI but he isn't sure it will still solve the issue of the summer residents and leaving their garbage out and the issue of overflowing.

Mark Speaker, 111 Brown Avenue stated that he has been in this town for over 40 years and it has always been an ongoing issue. There will be some areas to work out but it's a start to fixing these problems with baby steps. The training is definitely necessary.

Karen Papsin, 104 Vance questions if the Borough will provide a can for each property but how enforced will it be if the issue continues.

Mayor LaCicero stated that we are not sure about that as of yet but whatever happens enforcement will be done.

Maryann Wilson, 100 Brown Avenue stated that it is definitely a great idea but these renters won't always follow these rules regarding the cans.

Jack Lutz stated that some of the towns updated their ordinances spelling it all out so it's in the code.

The Mayor thanked Mr. Lutz for his presentation tonight and it gives the residents and Mayor and Council some more information for more discussion.

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

**RESOLUTIONS – ON CONSENT:**

- 2023-87        authorizing the refund of a 2023 tax overpayment in the amount of \$5,913.10
- 2023-88        approving a facilities use application to Soccer Shots to utilize Chandler Field for children’s soccer program on Monday, March 27<sup>th</sup> through May 22<sup>nd</sup> 2023 from 5pm to 7:15pm
- 2023-89        requiring a mandatory governing body certification of compliance with the United States Equal Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964
- 2023-90        approving a facilities use application to the Lavallette School PTO for the use of Chandler Field to hold a Color Run on Saturday, May 20, 2023 from 10am to 1pm with a rain date of Sunday, May 21, 2023
- 2023-91        appointing John Duggan as a temporary line worker for the Lavallette Electric Department at an hourly rate of \$40 effective March 9, 2023
- 2023-92        approving a facilities use application to the Lavallette PTO for the use of the new basketball courts to hold a basketball game on Thursday, May 11, 2023 at 6pm with a rain date of Friday, May 12, 2023
- 2023-93        calling for an immediate moratorium on offshore wind energy development pending a thorough investigation by independent scientists and agencies into the unprecedented death of whales-Councilman Finter requested this be put off consent.
- 2023-94        approving a facilities use application to K Rock Fitness, LLC to hold exercise classes at the old basketball courts on Saturdays, starting May 27<sup>th</sup> through September 2<sup>nd</sup> 2023 and Tuesdays June 24<sup>th</sup> through August 20<sup>th</sup> 2023 from 8am to 9am
- 2023-95        authorizing the LBA to hold their sidewalk sales on July 12<sup>th</sup> and July 26<sup>th</sup> 2023 and August 9<sup>th</sup> and August 23<sup>rd</sup> 2023
- 2023-96        authorizing the Lavallette Police Department to participate in the Defense Logistics Agency, Law Enforcement Support Office 1033 Program to enable the Police Department to request and acquire excess Department of Defense equipment
- 2023-97        amending the maximum amount of credit to be permitted to be paid to the First Aid and Fire volunteers-Councilman Borowski requested this be put off consent.

Councilwoman Filippone stated that she is looking into getting an increase for the LOSAP credit for our volunteers.

Councilman Borowski stated that he believes in our ordinance the maximum amount is allowed that was originally passed.

A Motion to approve the consent agenda was made by Councilman Lamb. 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.

No one wished to comment. The Mayor closed the floor to the public and asked Council for a vote on the consent agenda minus Resolutions 93 and 97.

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

**RESOLUTIONS - OFF CONSENT:**

2023-93 calling for an immediate moratorium on offshore wind energy development pending a thorough investigation by independent scientists and agencies into the unprecedented death of whales

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

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 this resolution.

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

2023-97 amending the maximum amount of credit to be permitted to be paid to the First Aid and Fire volunteers

A Motion to approve this resolution was made by Councilman Stogdill. 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.

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

**APPROVAL OF VOUCHERS:**

2023-98 Bills List in the amount of \$372,104.12

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 No. 2022-03 (1250)** Ordinance to Exceed the Municipal Budget Appropriations Limits and to Establish a Cap Bank

Mayor LaCicero stated that this ordinance is always done along with the budget every year. We have never needed to use it but just adopt it for precautionary measures.

A Motion to introduce this ordinance was made by Councilwoman Filippone. 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 April 2, 2023

**INTRODUCTION OF THE 2023 BUDGET: (Clerk read budget resolution)**

Mr. Bennett stated that there was a significant increase in our health insurance of \$64,000 and pension increase of \$42,000. Also, there were some increases in our salary and wages for public works with the new contract of \$57,000 and some interest on notes of \$40,000 which increases our budget by 1.9 million for this year. This year we had no choice but to increase the taxes by 1 cent.

Mayor LaCicero stated that the health benefits and pension increases were State mandated and out of our control so we had no choice in the matter. This will be a 1.84% increase in your taxes.

A Motion to introduce the 2023 budget was made by Councilwoman Filippone. 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 April 24, 2023.

**UNFINISHED BUSINESS:**

Councilman Finter stated that Public Works sent out waterline surveys to residents. We received some responses but not enough. Please let Public Works know what type of piping you have under your house.

Councilman Borowski stated that our electric department installed capacitor banks within the last two years which will help significantly with power losses. Since doing that, our losses have decreased by 50% which is a savings to the Borough of \$70,000 per year. The meter project also being completed helped towards the savings as well.

**NEW BUSINESS:**

Mr. Bennett stated that an ordinance will be on for the next meeting adding a recreation badge at a cost of \$50 for the season to utilize our pickle ball and tennis courts.

**COMMENTS FROM THE PUBLIC:**

Robert Wallen, 101A Reese Avenue stated that he has had an ongoing problem regarding Dunkin Donuts's garbage dumpster since 2019. He has issued 15 complaints with the business and also with the Borough and has yet to see any enforcement. Finally, the new Code Enforcement Officer has taken on the task of enforcing the problem and I just want to say what a great guy he is for helping me.

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

There were no comments.

**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 8:50pm.

**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 **20<sup>th</sup>** day of **March 2023**.

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