

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Tuesday, January 16, 2024-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

Also present: Bill Burns, Borough Attorney
Donnelly Amico, Municipal Clerk
John Bennett, Borough Administrator

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting was published in the Ocean Star on January 10, 2024. Notice was also posted on our municipal bulletin board and municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for long-time resident John Kubida who tragically passed away over the weekend. Mr. Kubida has been a long time resident of Bay Blvd. for many years and was a school teacher for the Toms River School System before retiring. His wife passed away many years ago as well and he raised three daughters here.

PLEDGE OF ALLEGIANCE: Councilwoman Filippone led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: The Mayor thanked everyone for coming out to tonight's meeting even with the awful weather we have been having. He has had a lot of irate residents coming to see him with regards to the excessive flooding with all the rain we have been having. We live on a barrier island with bodies of water on both sides of us so it's always been this way. We have tried for many, many years to try and fix the issue but we never seem to fix it completely.

APPROVAL OF MINUTES:

Caucus/Regular Meeting of October 2, 2023
Regular Meeting of October 16, 2023
Caucus/Regular Meeting of November 13, 2023
Caucus/Regular Meeting of December 4, 2023
Regular Meeting of December 18, 2023

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 December 2023 -Councilwoman Filippone-read report
- b) Zoning/Code Report for December 2023-Councilwoman Filippone-read report
- c) Municipal Court Report for December 2023-Councilwoman Filippone-read report
- d) Police Overtime Report for November & December 2023-Councilwoman Filippone-read report
- e) Public Works Report for December 2023-Councilman Lamb-read report
- f) Planning Board Annual Report 2023-Councilwoman Filippone-read report
- g) Fire Department Report for December 2023-Councilwoman Filippone-read report
- g) Public Affairs-Council President Zalom-We are getting started on picking out the bands and movies for this summer.
- h) Tax Account Report for December 2023-Tax Collector
- i) Revenue Transaction Report for October & November 2023-Chief Financial Officer

A Motion to approve the reports was made by Councilman Lamb. The Motion was Seconded by Councilwoman Filippone.

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:

- 2024-49 affirming the Borough’s civil rights policy with respect to all officials, appointees, prospective employees, volunteers, independent contractors, and member of the public that come into contact with Municipal employees, officials and volunteers
- 2024-50 appointing Peter Kane to the permanent full time position of General Supervisor Electric Distribution effective retroactive to October 2, 2023
- 2024-51 authorizing the transfer of 2023 overpayments to 2024 taxes receivables in the amount of \$19,768.18
- 2024-52 authorizing the refund of a construction permit fee in the amount of \$67.00 due to a duplicate charge
- 2024-53 authorizing payment of unused compensatory time to Gerard Capron
- 2024-54 authorizing the Council President and Borough Administrator to sign the Memorandum of Understanding between the Borough of Lavallette and the PBA #372
- 2024-55 establishing new annual salaries for Mayor and Council for year 2024-Councilman Lamb requested this resolution be pulled and put off consent since he was not aware of this ahead time.

A Motion to approve the consent agenda with the exception of Resolution 2024-55 was made Councilman Stogdill. The Motion was Seconded by Councilman Finter.

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

RESOLUTIONS - OFF CONSENT:

2024-55 establishing new annual salaries for Mayor and Council for year 2024-Councilman Lamb requested this resolution be pulled and put off consent since he was not aware of this ahead time.

Councilman Lamb stated that he wanted this to be put off consent since he will not be voting yes on it.

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

Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Finter voted Yes. Councilman Lamb voted No. The Motion Passed.

APPROVAL OF VOUCHERS:

2024-56 Bills List in the amount of \$270,748.20

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

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

ORDINANCES ON FOR FIRST READING/INTRODUCTION:

Ordinance No. 2024-01(1252) An Ordinance of the Borough of Lavallette Establishing Salaries and Wages of Officers and Employees of the Borough of Lavallette

Mr. Bennett stated that this ordinance is mandated to be done every two years and we also had some changes to make on it.

A Motion to approve 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 February 5, 2024.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Councilman Borowski stated that in regards to the dewatering ordinance that we have, he would like to get the Attorney's opinion on amending that ordinance to require the process to have the flex blue hoses and run to the next catch basin to prevent the excessive running of the water we have now.

Mr. Burns stated that the hose cannot stop any egress to any surrounding properties.

Councilman Borowski questioned if we can do an ordinance regarding the sump pumps creating unsanitary conditions or issue a violation deeming it unhealthy and the Borough an insist remedy or we rectify ourselves and assign fee.

Mayor LaCicero stated that it definitely is worth looking into.

Councilwoman Filippone stated that we will be having an Ordinance Committee meeting soon on some old and new issues and seeing if we need to create new ordinances and amend current ones. She will also discuss this issue and see what they can come up with.

Council President Zalom stated that she is looking into getting some funds to make the Post Office entry door ADA compliant.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

COMMENTS FROM THE PUBLIC:

Meg Geer, 104 Brown Avenue stated that there are roughly 4 or 5 sump pumps that come out from the curb on her street and a few that come out by tubes. They immediately bubble up and create heavy puddling down the street with extreme algae. It really creates such an unhealthy situation for everyone and also just makes it look so awful for people to have to walk through or just walk by it because the smell is really disgusting an unhealthy to breathe in.

Ms. Geer also complained about the construction dumpsters on properties having work done and how the debris from the dumpsters blow all over the place with the wind because they have no lids.

Mayor LaCicero stated that we will check with the Construction Official to see if he can do anything about that.

Joe Palinsky, 116 Ocean Front stated that the State passed a law stating that the towns cannot prohibit ground water in the streets.

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 Council Meeting was adjourned at 7:52 pm.

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 **January 2024**.

Donnelly Amico
Municipal Clerk