

**BOROUGH OF LAVALLETTE(minutes)
REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, March 18, 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 longtime residents Doris Law and Greg Buontempo who passed away recently. He also asked for prior resident Raymond Williams who was a resident for many, many years and worked for the town as well. He was the father of former employee of Public Works, Mitch Williams.

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

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting. He stated that the budget introduction will be at the next meeting of April 1st.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2024-85 approving the date of September 7, 2024 for Lavallette Founder's Day and reappointing the Founder's Day Committee
- 2024-86 authorizing the refund of a tax overpayment in the amount of \$1027.02
- 2024-87 approving the facilities use application to the Lavallette Business Association to hold their food truck festival on Saturday, June 22, 2024 from 3pm to 9pm in the Washington Avenue parking lot and the gazebo grounds.
- 2024-88 authorizing the change order for the purchase of a 2022 Terex Bucket truck increasing the price by \$16,537.00 bringing the adjusted total price to \$166,474.00
- 2024-89 approving the facilities use application to Breathe Life Yoga to hold yoga classes on the Trenton Avenue and Philadelphia Avenue ocean beaches beginning May 24th through September 29th 2024 from 7am to 8:30am and 6pm to 8:30pm

2024-90 approving a facilities use application to Yakkity Yak Kayaks to utilize the bay beach near Vance Avenue daily from May 15th through September 30th at various times between 10am and 4pm for only pickups and drop-offs of kayaks

2024-91 approving a facility use application to Sam Hammer Surf School to hold their surf camp on the ocean beach at Brown Avenue starting June 24th through September 2nd 2024 9am to 4pm at various times

A Motion to approve the consent agenda 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 the consent agenda.

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

RESOLUTIONS - OFF CONSENT:

There was no resolutions off-consent.

APPROVAL OF VOUCHERS:

2024-92 Bills List in the amount of \$1,613,041.66

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.

ORDINANCES ON FOR INTRODUCTION/FIRST READING:

Ordinance No. 2024-06(1257) An Ordinance of the Borough of Lavallette Setting Forth Requirements for Outdoor Cooking Facilities and Amending Various Sections of the Borough Code

Mr. Burns stated that all setbacks were changed to 8 feet all around.

Councilwoman Filippone stated that in some residential zones there are deed restrictions with use of the rear yard so those regulations will supercede our regulations.

A Motion to approve this ordinance 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.

Public Hearing and Final Adoption is scheduled for April 1, 2024.

Ordinance No. 2024-08(1259) An Ordinance of the Borough of Lavallette Amending Chapter 55, Entitled, “Solid Waste” to amend Section 5, Entitled, “Municipal Garbage and Trash Collection Program Established”

Mayor LaCicero stated that we did have this on at the last meeting for introduction but we discussed it and decided to hold off on the introduction and implement the changes discussed.

Mr. Burns stated that there was a change regarding limiting this just for the commercial retail food establishments. So this means that there will be no garbage picked up by the Borough starting May 1st through September 30th of every year. The Borough will begin their garbage pickup again for the whole town including the food establishments on October 1st of every year. Recycling pickup remains the same for the entire town all year round.

Councilwoman Filippone stated that there will be no pickups at all for the food establishments during this time of May 1st through September 30th.

A Motion to approve 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.

Motion: Second: Vote:

Public Hearing and Final Adoption is scheduled for April 1, 2024.

ORDINANCES ON FOR FINAL ADOPTION/PUBLIC HEARING:

Ordinance No. 2024-07(1258) An Ordinance of the Borough of Lavallette Amending Chapter 39, Entitled, “Littering” Section 1, Entitled, “Definitions”

Mayor LaCicero stated this is just to put the definition of dumpster in this Chapter for littering.

A Motion to open the public hearing was made by Councilman Stogdill. The Motion was Seconded by Councilman Lamb.

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

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.

A Motion to adopt this ordinance 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.

UNFINISHED BUSINESS:

Councilwoman Filippone stated that we received the bids for the benches and there were some issues. We have authorized the Engineer to reject all bids and go out for bids again.

NEW BUSINESS:

There was no new business.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Lamb stated that Public Works will be flushing hydrants for the next few weeks.

Mayor LaCicero stated that we now have our two nice new garbage trucks.

COMMENTS FROM THE PUBLIC:

Rebecca Malloy, 905 Grand Central Avenue thanked Mayor and Council for the approval of the food truck festivals. She stated that since there will be no pickup for the restaurants during the summer months, they have advised me that they will no longer take care of emptying the public garbage receptacles in front of their establishments every night since they did that as a courtesy to the town.

Meg Geer, 104 Brown Avenue thanked Mayor and Council for the mandatory dumpster covers being needed when not in use.

EXECUTIVE SESSION:

There was no executive session.

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.

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 **18th** day of **March 2024**.

Donnelly Amico
Municipal Clerk