

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, April 1, 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 Florence Wojton of Jersey City Avenue who passed away recently. She was the mother of Ronnie Wojton who retired as an electrician at Public Works for many, many years.

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 we have two ordinances on for public hearing and adoption tonight regarding outside cooking facilities as well as private garbage collection for our commercial cooking establishments for the summer months. We also have the introduction of our budget.

REPORTS:

- a) Construction Report for March 2024 -Councilwoman Filippone-read report
- b) Zoning/Code Report for March 2024-Councilwoman Filippone-read report
- c) Municipal Court Report for March 2024-Councilwoman Filippone-read report
- d) Police Overtime Report for March 2024-Councilwoman Filippone-read report
- e) Public Works Report for March 2024-Councilman Lamb-read report
- f) Fire Department Report for March 2024-Councilwoman Filippone-no report
- g) Animal Control Report for March 2024-Councilwoman Filippone-no report
- h) Public Affairs-Council President Zalom-We have already scheduled the movies and concerts for our summer season.
- i) Tax Account Report for March 2024-Tax Collector
- j) Revenue Transaction Report for February 2024-Chief Financial Officer

A Motion to approve the reports 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.

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2024-93 approving a facilities use application to East Coast Brigade to hold a surf camp on the Bryn Mawr Avenue ocean beach starting June 20th through September 25th 2024, Thursday through Sunday, at various times during low tide between 6am to 6pm- Councilman Finter requested this be put off consent.
- 2024-94 awarding a contract to EB Employee Solutions, LLC, dba/ The Difference Card to provide HRA Services for the Borough of Lavallette
- 2024-95 approving a facilities use application to Sanctuary Yoga to hold meditation classes on the President Avenue ocean beach starting June 17th through September 2nd 2024 every day from 8am to 9pm and Tuesdays and Thursdays from 7am to 8pm
- 2024-96 approving the use of the pickle ball and tennis courts to the County of Ocean Parks and Recreation to hold clinics starting Monday, July 15th through Thursday July 18th 2024 from 9:30am through 12 noon
- 2024-97 awarding a contract to Garden State Fireworks for our fireworks display to be held on Sunday, July 7, 2024 with a rain date of Sunday, July 14, 2024
- 2024-98 recognizing the month of April 2024 as Child Abuse Prevention Month
- 2024-99 approving the sidewalk sale dates in July and August 2024 for the Lavallette Business Association
- 2024-100 opposing Senate Bill 2347 and 1106 regarding the development of accessory dwelling units-Councilwoman Filippone stated that this is to oppose this bill which would take away the authority of the municipalities for zoning and give it to the State.

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

2024-93 approving a facilities use application to East Coast Brigade to hold a surf camp on the Bryn Mawr Avenue ocean beach starting June 20th through September 25th 2024, Thursday through Sunday, at various times during low tide between 6am to 6pm

Councilman Finter stated that in his application he also requests to keep a permanent storage box on the beach for storage while he is doing his surf camp. We don't allow any storage on our beach or for any of the other camps or yoga classes that utilize our beach.

A Motion to approve this resolution with the exception of the storage box left on our beach 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 this resolution.

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, Finter and Lamb voted Yes. The Motion Passed.

APPROVAL OF VOUCHERS:

2024-101 Bills List in the amount of \$526,944.98

A Motion to approve the bills list 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.

ORDINANCES ON FOR INTRODUCTION/FIRST READING:

Ordinance No. 2024-09(1260) Ordinance To Exceed The Municipal Budget Appropriations Limits and To Establish a Cap Bank

Mayor LaCicero stated that this ordinance is done every year in conjunction with the budget just in case it is needed but we have never had to use it.

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

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

Public Hearing and Final Adoption is scheduled for April 15, 2024.

ORDINANCES ON FOR FINAL ADOPTION/PUBLIC HEARING:

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 we changed the side and rear yard setbacks requirements to mirror each side of the house and the rear will be 8 feet.

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

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.

Ordinance No. 2024-08 (1259) An Ordinance Amending and Supplementing Chapter 55 of the Borough Code, Entitled, “Garbage and Trash Regulations”, Regarding the Private Collection of Garbage and Trash for Commercial Retail Food Establishments

The Mayor stated that there has been some back and forth with this ordinance and some changes that were done. This is just for the commercial food establishments and not for all of our businesses. We have had a lot of complaints regarding the amount of foul smelling liquid coming from our garbage trucks due to the food establishment’s not properly emptying liquids before putting in trash. This will only be in effect for our summer season. The Borough will continue the pickup once the summer season is over every year.

Mr. Burns stated that from May 1st through September 30th of every year with the exception of this year which will start on May 15th every commercial food establishment will be responsible of their own garbage pickup.

He stated that from October 1st through April 30th of each year the Borough Public Works Department will be responsible for picking up all of the business establishments.

He stated that recycling will remain the same which is Public Works will take care of picking up recyclables all year round.

A Motion to open the public hearing 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.

The Mayor asked if anyone wished to comment on this ordinance.

The owner of Kohrs Custard and Ice Cream stated that he wasn't here for the introduction and the other discussions about this. He stated that he was first told that if he didn't want to get a dumpster he could bring his garbage down to the recycling center. This will become a big expense and he also thinks that it is going to cause a lot of extra traffic with the different garbage companies coming in to pick up all of the food establishments garbage in town weekly.

Councilwoman Filippone stated that we have tried to figure out the best solution and have discussed it for over a year and have come to the agreement that this is the best solution for everyone.

Mark Speaker, 111 Brown Avenue thanked Mayor and Council for this ordinance and agrees that it is the best answer at this time. You guys always do what's best for the town at both ends at all times.

Marty Morales, 103 Grand Central Avenue questioned what has been discussed about the businesses that also have their residence connected as well.

Mayor LaCicero stated that for now we are just going to have to see how it plays out. We don't know how any of it is going to work right now but we just have to see how it goes.

No one else 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.

INTRODUCTION OF THE 2024 BUDGET: Budget Resolution 2024-101A

The Municipal Clerk read the budget resolution.

Mayor LaCicero read the budget synopsis that was done by the Borough Auditor and he still sees some areas that maybe could still be lowered.

Councilwoman Filippone stated that she went over the budget again and still thinks that it can be cut by at least 125,000 to bring the increase down to ½ a penny. We can introduce it tonight and if there are more cuts we can approve the amendment before we adopt it at the same meeting.

Councilwoman Filippone made a Motion to authorize the CFO and Administrator to still try and find cuts to make it only a half of a penny increase. The Motion was Seconded by Councilman Borowski.

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

A Motion to approve the introduction of the 2024 budget was made by Councilman Borowski. The Motion was Seconded by Councilman Lamb.

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

Public Hearing and Final Adoption is scheduled for May 6, 2024.

UNFINISHED BUSINESS:

Councilwoman Filippone stated that Hammer Surf Camp has offered us two 5 foot wide mobi mats together for \$3,000. We could use them on the bay front by the playgrounds.

Mayor LaCicero stated that our Engineer is going to be applying for some grants from the federal government to help with additional funds that we won't have to pay out of pocket since it is becoming a big expense.

NEW BUSINESS:

There was no new business.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

There was no comments from Mayor and Council.

COMMENTS FROM THE PUBLIC:

There was no comments from public.

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 Borowski.

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

The Council meeting was adjourned at 8:17pm.

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 1st day of **April 2024**.

Donnelly Amico
Municipal Clerk