

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING
Monday, July 1, 2024-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

The Mayor stated that Council President Zalom is running late and will be here shortly.

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 Heather Clinton Hawthorne who passed away today at 51 years old. Heather was a long time resident of Lavallette, daughter to Doug and Nina Clinton and was a school teacher at the Lavallette School. Her family is in our prayers.

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

Council President Zalom arrived.

MAYOR'S WELCOMING STATEMENT: The Mayor welcomed everyone to tonight's meeting. The Founder's Day Committee have been working hard to get everything ready for the event. The vendor that they use every year for the free rides for the kids has doubled in price so this year they are going with another vendor.

REPORTS:

- a) Construction Report for June 2024 -Councilwoman Filippone-read report
- b) Zoning/Code Report for June 2024-Councilwoman Filippone-read report
- c) Municipal Court Report for June 2024-Councilwoman Filippone-no report
- d) Police Overtime Report for June 2024-Councilwoman Filippone-read report
- e) Public Works Report for June 2024-Councilman Lamb-read report
- f) Fire Department Report for June 2024-Councilwoman Filippone-no report
- g) Animal Control Report for June 2024-Councilwoman Filippone-no report
- h) Public Affairs-Council President Zalom-Don't forget about the OC Library in town, they have so many events for kids, teenagers and adults. Tuesdays in July and August is movies on the bay and the fireworks will be Sunday, July 7th along with a Patriotic Band.
- i) Tax Account Report for June 2024-Tax Collector

j) Revenue Transaction Report for May 2024-Chief Financial Officer

A Motion to approve the reports was made by Councilman Stogdill. The Motion was Seconded by Councilman Finter.

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:

- 2024-163 approving a facilities use application to the Friends of Lavallette Beautification to hold a bocce ball tournament on Saturday, August 24, 2024 with a rain date of Sunday, August 25, 2024
- 2024-164 authorizing the disposal of surplus property through GovDeals
- 2024-165 approving the employment of Caden Dressler as a seasonal laborer at an hourly rate of \$15.13
- 2024-166 approving the employment of additional seasonal beach employees for the 2024 summer season
- 2024-167 authorizing the Mayor to sign and execute the new lease agreement and commission agreement between the Borough of Lavallette and the US Postal Service
- 2024-168 approving the submission of the grant application with the NJ Department of Transportation for the elevation of the Newark Avenue Road Improvement Project
- 2024-169 awarding a contract to Belson Outdoors for the purchase of benches in an amount not to exceed \$44,000
- 2024-169A appointing Doug Erb or Patrick Duggan as the temporary Construction Official during the times of Tom Brihn, the current Construction Official's absence if more than 3 days

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:

2024-170 Bills List in the amount of \$1,251,060.73

A Motion to approve the bills list 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.

ORDINANCES ON FOR FINAL ADOPTION/PUBLIC HEARING:

Bond Ordinance 2024-10 (1261) Bond Ordinance Providing for Various Capital Improvements and the Acquisition of Various Capital Equipment, Appropriating #1,240,000 therefor and Authorizing the Issuance of \$768,355 Bonds and Notes to Finance a Portion of the Costs thereof, Authorized in and by the Borough of Lavallette

Mr. Bennett stated that this ordinance is for various equipment for the fire department, police department, public works and also for scanning services for the Municipal Clerk's permanent records and road improvements. The increase in debt service is still less than taking on debt service.

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

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

The Mayor opened the public hearing and asked if anyone in the audience wished to comment on this Bond Ordinance.

No one wished to comment.

A Motion to close the public hearing was made by Councilwoman Filippone. The Motion was Seconded by Councilman Finter.

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

The Mayor asked for a motion to adopt this ordinance.

A Motion to adopt this Bond Ordinance was made by Councilman Finter. The Motion was Seconded by Councilwoman Filippone.

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

UNFINISHED BUSINESS:

Mr. Burns stated that in doing some more valid research regarding the approval of the facility use application to the Knights of Columbus for a Living Nativity Scene at the gazebo, his legal opinion on this now is that it is not permissible. This is a religious event and opens up the Borough with all types of religions and religious events. We need to keep church and state separate.

He stated that the next step here is to rescind the previous resolution of approval for this application.

A Motion to rescind Resolution 2024-150 approval of a facility use application to the Knights of Columbus 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.

NEW BUSINESS:

PPANJ Rate Comparison-June 2024

Councilman Borowski stated that Lavallette's annual charge with Public Power is \$1,497.72 which is much lower than JCP & L which is \$1,786.81.

Mayor LaCicero stated that having all of our own utilities is definitely a plus.

Councilman Borowski stated that the newest DEP Executive Order is to make changes to the raising of elevation 5 foot above what FEMA has and without the local municipalities input.

Mr. Burns stated that he will look into this and see what needs to be done.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that he wanted to thank our mechanic for repairing our ambulance. The First Aid paid for the parts and he was able to repair it.

Mr. Bennett stated that after going through the memorial bench list we were able to get 60

COMMENTS FROM THE PUBLIC:

Joyce Kobylarz, 188 Pershing Blvd. thanked Mayor and Council and Mr. Burns for doing more research on the living nativity and making the best decision.

Vincent Mazza, 901 Bay Blvd. stated that the lights at the basketball courts are staying on until 11pm which is different than all the other years of going off at 10pm.

Councilman Lamb stated that he will advise public works to make the change back to 10pm. Mike Morano, 125 Magee Avenue stated that the pickle ball group is starting at 6:45am and he thought it was 8am that all of the facilities opened.

Mayor LaCicero stated that he was correct and he will make sure they don't start till 8am.

Mayor LaCicero stated that at last month's Island Mayors meeting there was a lot of discussion regarding the Verizon nodes. It seems more towns are starting to wake up and having issues with this now.

Mr. Burns stated that we are still in the discovery process of our litigation with Verizon.

Judith Josephs, 114 New York Avenue stated that she has been volunteering her time for anything that is needed in town. Most of her volunteering is helping with getting the town more handicap accessible for our residents. All of the Borough's department heads are part of the team. Our plan is coming along nicely and we will be presenting in a few weeks.

Mayor LaCicero thanked her for her time and hard work.

Mr. Bennett stated that we will be ordering 60 memorial benches

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 8:16pm.

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 **July 2024**.

Donnelly Amico
Municipal Clerk