

BOROUGH OF LAVALLETTE (MINUTES)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, November 17, 2008 – 7:10 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Ardito, Lamb, Zalom, Wenzel, Filippone and Stogdill

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Philip George, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting complies with the Open Public Meetings Act. Public Notice was given to the Ocean County Observer, Asbury Park Press and the Ocean County Gazette and was published in the Ocean Star on January 11, 2008. Notice was also posted on the Municipal bulletin board.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for Ann Zylinski, a long time resident of Lavallette who passed away recently.

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

MAYOR'S WELCOMING STATEMENT: At this time, the Mayor asked the audience if anyone wished to speak about anything that was not on the agenda they could do so now.

Bob Marra, 102 President Avenue spoke about the parking application. He does not feel it is fair to request a survey within the last ten years along with the application fee of \$250.00. He does not have the money to get another survey and pay the \$250.00. He requested a type of waiver.

Mr. George stated that the reason for the request of the survey is to make sure that these properties never have driveways or curb cuts.

Mayor LaCicero told Mr. Marra to call him at his office tomorrow and he will help him with the waiver.

COMMENTS FROM PUBLIC (Items not listed on agenda / not staying for remainder of meeting)

APPROVAL OF CLERK'S MINUTES

Regular Minutes of October 20, 2008
Executive Session Minutes of October 20, 2008
Bid Opening Minutes Wireless Communication Antennas of November 6, 2008

A Motion was made by Council President Zalom to approve the Minutes. The Motion was seconded by Councilwoman Filippone. Council Members Ardito Zalom, Filippone and Lamb voted Yes. Council Members Wenzel and Stogdill Abstained from the Minutes of October 20th and voted Yes on the other. The Motion passed.

REPORTS:

- a) Police Overtime Report for October-Councilwoman Filippone-read report-Councilman Lamb questioned if anyone has ever looked into closed circuit television from the jail instead of transporting prisoners from the jail to court. Councilwoman Filippone stated that she will ask the Court Administrator about that.
- b) Public Works Report for October-Councilwoman Wenzel-read report
- c) Public Affairs Report-Council President Zalom-The Halloween Harvest Hoedown was a big hit. She also reported that the Dune Grass Planting went well. The winter schedules are available at Borough Hall. The Senior Lunch and a Movie will be at the Music Man on December 6th and the last one for the year will be on December 14th. The Ladies Auxiliary of the Fire Department is selling wreaths from Maine. Anyone interested the applications are available at Borough Hall. The Tree Lighting Ceremony is scheduled for December 5th and the Oyster Dinner is to be held on December 6th. The Birthday/Christmas Party will be held on December 21st at the First Aid and the tickets will be sold upstairs at Borough Hall on December 1st from 10am to noon on a first come first serve basis.
- d) Municipal Court Report for October-Councilwoman Filippone-read report
- e) Animal Control Report for October-Councilwoman Filippone-read report
- f) Planning Board Report for October-Councilwoman Filippone-The last two meetings were cancelled. The new date for the Planner is December 10th if anyone would like to attend.
- g) Zoning Report for October-Councilwoman Filippone-read report
- h) Construction Report for October-Councilwoman Filippone-read report
- i) Tax Account Status Report for October-Tax Collector
- j) Revenue Transaction Report for September-CFO

A Motion to Approve Reports was made by Councilwoman Wenzel. The Motion was seconded by Councilman Stogdill. Vote: Council Members Ardito, Wenzel, Zalom, Stogdill, Filippone and Lamb voted Yes. The Motion passed.

PUBLIC COMMENT ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2008-282 authorizing the electric collector to make an adjustment on an electric account
- 2008-283 requesting the Director of Division of Local Government Services to approve the insertion of an item of revenue in the budget year 2008 (Over the Limit Under Arrest 2008 Year End Crackdown)

- 2008-284 authorizing the appointment of temporary seasonal workers for the Department of Public Works through December 31, 2008.
- 2008-285 opposing State Senate Bill 2203, State Assembly Bill 1454 and State Senate Concurrent Resolution 88, proposing a water tax on Borough ratepayers.
- 2008-286 accepting the donation of a 2004 vantage truck from the Mantoloking Police Department for the Lavallette Police Department
- 2008-287 supporting the Over The Limit Under Arrest 2008 Year End Crackdown
- 2008-288 urging the approval of a memorandum of agreement between the Pinelands Commission and the Turnpike Authority for the widening of the garden state parkway from Interchange 30 to Interchange 80
- 2008-289 opposing new state-mandated COAH housing
- 2008-290 approving application of Frederic A. Lord as a probationary member of the Lavallette Volunteer Fire Company #1
- 2008-291 approving application of Nicholas R. Franzoso as a probationary member of the Lavallette Volunteer Fire Company #1
- 2008-292 authorizing the purchase of Ocean County Surplus Vehicles
- 2008-293 authorizing the Municipal Clerk to advertise and receive bids for the position of Borough Attorney for the 2009 Calendar Year
- 2008-294 authorizing the Municipal Clerk to advertise and receive bids for the position of Borough Auditor for the 2009 Calendar Year
- 2008-295 authorizing the Municipal Clerk to advertise and receive bids for the position of Municipal Prosecutor for the 2009 Calendar Year
- 2008-296 approving the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities
- 2008-297 authorizing transfers between budget appropriation accounts during this five month period
- 2008-298 authorizing the hiring of Scott Madden as a part time dispatcher at an hourly rate of \$10.00
- 2008-298A authorizing the Mayor to sign the application for special permit for social affairs to sell alcoholic beverages in conjunction with the their Lavallette Birthday/Christmas Party to be held on December 21, 2008

Open Public Comment (Resolutions / Vouchers)

Mayor LaCicero opened the floor up for any discussion on these Resolutions

Joe Palinsky, 122 Washington Avenue questioned where the two new vehicles from the County are going to be used.

Mr. Parlow stated that the pickup truck will be used for the Construction Office and the van will be used at Public Works to replace the old Suburban used for the boardwalk workers and the Clean Communities kids in the summer.

Mr. Palinsky also questioned Resolution # 2009-282 on the property address for this adjustment.

Councilwoman Wenzel stated that the address was 607 Grand Central Avenue.

Councilwoman Wenzel asked whether the specs for the proposals for Attorney, Auditor and Prosecutor were the same as last year or were there any changes?

Mr. Parlow stated that the specs are identical to last year with the exception of the specs for auditor, which included updated financial numbers and language regarding the reestablishment of the construction code department.

Councilwoman Wenzel asked whether the transfer of the \$5,700 to recreation was for the purchase of the bus.

Council President Zalom stated that it was for the purchase of the bus.

Mr. Parlow stated that the bus from Coast Cities will be inspected by the Borough mechanic. He will have a resolution on for the December 8th meeting if the bus is in good condition.

Councilman Lamb asked what the Vantage truck for the Police Department was going to be used for.

Mr. Parlow stated that the Chief said it was going to be used for transporting traffic and safety equipment such as cones for checkpoints. The Borough will also see if it works on the Boardwalk for picking up garbage.

Mr. Parlow spoke about Resolution 2008-296. He explained to Mayor and Council about the Energy Audit program. This is an audit program for a company to perform an audit on our municipal facilities. There is a grant available that will pay 75% of the costs and if we qualify the State will pay the addition 25% match as well. Depending on the costs and the findings, he might recommend a contract be authorized at the next meeting.

A Motion was made by Councilwoman Wenzel to approve the Consent Agenda. The Motion was seconded by Councilman Stogdill. Vote: Council Members Ardito, Wenzel, Zalom, Stogdill, Filippone and Lamb voted Yes. The Motion passed.

APPROVAL OF VOUCHERS:

2008-299 Bills List in the amount of \$1,228,365.31

A Motion was made by Council President Zalom to approve the Bills List. The Motion was seconded by Councilwoman Wenzel. Vote: Council Members Ardito, Wenzel, Zalom, Stogdill and Lamb voted Yes. Councilwoman Filippone abstained from PO #08-0789 and voted Yes to the others. The Motion passes.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Gallo v. Borough of Lavallette Water & Sewer Utility/Received October 8, 2008
- b) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/James Cavanaugh v. Borough of Lavallette/Tax Appeal/Received October 10, 2008
- c) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Application for a CAFRA Individual Permit/Appeal of Civil Administrative Penalty Assessment/Received October 10, 2008
- d) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Gallo v. Borough of Lavallette Water and Sewer Utility/Mediation Telephone Conference/Received October 20, 2008
- e) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Appeal of Civil Administrative Penalty Assessment/Received October 20, 2008
- f) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Toscano v. Borough of Lavallette/Received October 28, 2008
- g) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Appeal of Civil Administrative Penalty Assessment/Received October 28, 2008
- h) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Gallo v. Borough of Lavallette Water & Sewer Utility/Received October 30, 2008
- i) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Gallo v. Borough of Lavallette Water & Sewer Utility/Change in Mediation Conference Date/Received November 10, 2008
- j) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Cell Phone Water Tower Bid/Received November 12, 2008

Councilwoman Wenzel complimented Mr. George on doing a wonderful job.

Engineering:

- a) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Bid Review/Recommendation/Received October 3, 2008
- b) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Bid Award Recommendation/Received October 9, 2008

- c) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/NJDOT/Received October 10, 2008
- d) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Preconstruction Conference/October 22, 2008/Received October 20, 2008
- e) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Preconstruction Conference Minutes/Received October 27, 2008
- f) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Received November 6, 2008
- g) O'Donnell, Stanton & Assoc./Michael O'Donnell/2009 NJDOT Municipal Aid Program/Borough Resolutions/Received November 10, 2008
- h) O'Donnell, Stanton & Assoc./Michael O'Donnell/Cafra Individual Permit/Received November 13, 2008

Mr. Parlow stated that because of the cold weather, the Kerr Avenue Road Improvements are most likely going to be held off until the spring. It's difficult to pour concrete in the winter months.

New Jersey League of Municipalities:

- a) League Op-Ed on Municipal Response to Financial Market Crisis/Received October 3, 2008
- b) WWII Memorial Dedication Invitation/Received October 7, 2008
- c) COAH Challenge Update; Motion for Stay/Received October 8, 2008
- d) Important Conference Sessions/Communications/Received October 9, 2008
- e) 2008 Ballot Questions/Received October 10, 2008
- f) Turnpike/Parkway Toll Increases/Received October 13, 2008
- g) Governor's Economic Recovery Initiative/Received October 16, 2008
- h) Updated on Interconnection of PEG Stations between Verizon and Incumbent Providers/Received October 17, 2008
- i) S-1303 & A-3062, Inherently Beneficial Use/Received October 20, 2008
- j) Federal Legislation Requires Solid Waste Facilities along Railroad Tracks to Meet State and Local Requirements/Received October 21, 2008
- j) League and Thomas Edison College Promote Youth Literacy Webinar/Received October 21, 2008
- k) Important Conference Session/The New Neighbors/Received October 21, 2008
- l) Mandates Relief for 89 Will Benefit 566/Received October 22, 2008
- m) Governor Unveils Energy Master Plan/Received October 23, 2008
- n) Legislative Day Wrap-Up/A-559, Duties of Mayors/Delayed Property Tax Payment/A-2731 on Governor's Desk/Notification of Hospital Closure/Foreclosure Fraud Prevention/Received October 24, 2008
- o) New Economic Development Incentives from EDA/Received October 24, 2008
- p) BPU Releases Government Energy Audit Program Released/Received October 24, 2008
- q) A-1645, Qualified Purchasing Agent Bill/Received October 27, 2008
- p) For Up-to-Date Information on Social Security's Programs and Benefits/Received October 27, 2008
- q) Election Day Concerns/Received October 28, 2008
- r) Special Equipment Notice for PEG Access in Municipalities Served by Cablevision/Received October 26, 2008

- s) Important News from the Division of Local Government Services/Received October 30, 2008
- t) Important Conference Sessions/Pay to Play and OPRA/Received November 3, 2008
- u) Emergency Management Training Opportunities/Received November 5, 2008
- v) Newly Elected Officials/Received November 6, 2008
- w) Municipal Holiday Displays/Received November 7, 2008
- x) Property Tax Relief: Act Now to Influence Next State Budget/Received November 7, 2008
- y) Important Conference Session Safe Streets and Neighborhoods/Received November 7, 2008
- z) Emergency CDBG Plan Amendment Process/Received November 10, 2008
- aa) Important New Information from the Division of Local Government Services/Received November 12, 2008
- bb) Levy Cap Waiver Request to be Considered/Received November 12, 2008

General With No Action

- a) Save Barnegat Bay/Jennifer O'Reilly, Assoc. Executive Director/thanking Mayor and Council for their advertisement contribution/Received October 6, 2008
- b) Jersey Central Power & Light/Michael J. Filippone, Director/Proposed New Demand Response Programs/Received October 8, 2008
- c) Toms River Municipal Utilities Authority/Thomas Horn, Executive Director/Notice of Public Hearing/Proposed Rate Change/Received October 8, 2008
- d) Ocean County Utilities Authority/Keith B. Marcoon, Planning Engineer/2008 Metered Flow Data/Received October 10, 2008
- e) Friends of Lavallette Beautification/Pat Marrone, President/Meetings of 2009 and their new change in officers for 2009/Received October 14, 2008-Council President Zalom stated that the Beautification Committee had their member luncheon at the Crab's Claw and new members have joined.
- f) County of Ocean/Arthur P. Burns, Supt. of Recycling Operations/September 2008 Recycling & Compost Reports/Received October 14, 2008
- g) United States Coast Guard/Waverly W. Gregory, Chief/Proposed Modification to the Regulations Governing the Operations of the Route 30 Bridge, At Intracoastal Waterway, Across Beach Thorofare at Atlantic City, NJ/Received October 14, 2008
- h) State of New Jersey/Department of Labor and Workforce Development/James G. Revak, Assistant Chief/Inspection Site: Beach Patrol Facility/Re-inspection done on October 16, 2008 and all hazards and violations have been abated/Received October 24, 2008
- i) John Logios/4 Sterling Avenue/letter opposing the fire training drill to be performed on 6 Sterling Avenue on October 28th/Received October 24, 2008
- j) New Jersey Libertarian Party/John Paff, Chairman/recommending the Borough review with our attorney the manner in which we comply with the Open Public Meetings Act/Received October 27, 2008-Mr. George stated that this Party took Toms River Township to court because they took too long in getting out their approved Executive Session minutes. The Borough of Lavallette does not have that problem because the minutes are approved at the next Council Meeting.
- k) Jersey Central Power & Light/Michael J. Filippone, Director/Proposed New Demand Response Program/Received October 27, 2008
- l) United States Coast Guard/Waverly W. Gregory/Chief/Public Notice 5-1123/Received October 27, 2008

- m) State of New Jersey/Department of Community Affairs/Joseph Doria, DCA Commissioner/Preparing for COAH/Received October 28, 2008
- n) Gannett NJ/Thomas Donovan, President/transitioning to more easy-to-read and environmentally- friendly size/Received October 29, 2008
- o) Municipal Affordable Housing Obligations under COAH's May 6, 2008 Proposed Amendments to Rules/Received October 29, 2008
- p) Sokol, Behot & Fiorenzo/Neil Yoskin, Esq/Joseph & Mary Chyb/Block 12, Lot 4/Approval of Variances/Received October 31, 2008-Mr. Parlow stated that this was a planning board case that required CAFRA approval. One of the stipulations within the CAFRA permit was that the Borough must have the ability to maintain the two handicap parking spots within the property lines. The Borough sent a proposal to the applicant which satisfied their CAFRA requirements. This letter represents that they have agreed to the conditions. Mr. Parlow also reported that he will prepare the necessary ordinance for the December 8th meeting.
- q) Ocean County Planning Board/Erika F. Stahl, Planner Trainee/2009 Ocean County Community Development Block Grant Program Schedule/Received October 31, 2008-Council President Zalom stated that she will be attending this meeting on December 10th and then she will be meeting with her committee to discuss our options.
- r) Cablevision/Cathy Baker, Assist for Government Affairs-NJ/Tarriffs For All Systems/Received November 3, 2008
- s) State of New Jersey/Department of Environmental Protection/Nancy Wittenberg, Assist. Commissioner/FY 2009 Annual Fee Report and Assessment of Fees/Received November 5, 2008-Mr. Parlow stated that the Borough has been mandated to adopt storm water regulations and in addition to these mandates the Borough is required to pay an annual permit fee of \$1,050.00 to the State.
- t) Ocean County Municipal Joint Insurance Fund/Connor Strong Risk Control Safety Director/Ocean County JIF Risk Control Service Team/Received November 10, 2008
- u) State of New Jersey/Department of Environmental Protection/Enforcement and Assignment Element/Ronald T. Corcory, Assist. Director/NJDEP Child Care Facility Approval Letter/Faith Lutheran Nursery School/Received November 10, 2008
- v) Ocean County Department of Solid Waste Management/Mary E. Jerkowicz, Recycling Program Aide/Final Recycling Rates Report for 2007/Received November 10, 2008-Councilwoman Wenzel stated that the preliminary totals are in and the Borough's recycling totals are up again this year.
- w) United States Coast Guard/Public Notice 5-1129/Received November 10, 2008
- x) County of Ocean/Arthur P. Burns, Supt. of Recycling/October 2008 Recycling and Compost Reports/Received November 10, 2008
- y) Office of the Ocean County Engineer/Alan R. Rissmiller, Assist. County Engineer/Road Maintenance Restoration for Snow Removal Operations/Ocean County/Received November 10, 2008
- z) Ocean County Planning Board/Mark C. Villinger, Senior Planner/Ocean County Natural Lands Trust Fund Status Report-November 2008/Received November 10, 2008
- aa) COAH/Affordable Housing Update/Received November 12, 2008

General With Action:

- a) Save Barnegat Bay/Jennifer O'Reilly, Treasurer/requesting the date of June 27, 2008 to hold their 8K Running Race and Fitness Walk/Received October 8, 2008-Mayor LaCicero stated that verbal approval was already granted. He requested that official notification be made..
- b) Catholic Charities/Jean L. Metz, Service Director/requesting an allowance of \$720.00 be included in our 2009 budget for their donation/Received October 14, 2008-Mr. Parlow stated this is budgeted on an annual basis.
- c) Jersey Shore Relay/NJ Special Olympics/Bob Both, Event Director/requesting participants to be allowed to run through our borough on April 18, 2009 between 8am and 10am/Received October 17, 2008-Mayor LaCicero / Council approved.
- d) Board of Chosen Freeholders/John C. Bartlett, Jr., Freeholder/requesting a joint meeting of a working committee of beach Mayors and Councilpersons regarding oceanfront beach nourishment/Received October 26, 2008-Mayor LaCicero stated he would participate in the meeting.
- e) Barnegat Bay National Estuary Program/2009 Public Participation and Education Minigrant Program/Received October 29, 2008-Councilwoman Wenzel stated that the Environmental Committee would like to apply for this Minigrant for native plantings by the tennis courts.
- f) Borough of Seaside Park/Julie L. Horner-Keizer, Administrator/requesting an Interlocal Agreement for Electrical Projects with our Borough Electricians/Received October 29, 2008-Councilwoman Wenzel requested that this be discussed in Executive Session.
- g) NJ Transit/Robert P. Koska, Director/FTA Section 5310 Grant Program/Received October 30, 2008-Mayor LaCicero stated that the Borough looked into this grant program last year and were not qualified.
- h) Thomas Quinn/1402 Ocean Front/requesting reimbursement for his fence he had to replace due to the boardwalk reconstruction/Received October 30, 2008-Mr. Parlow stated that he has responded to Mr. Quinn's inquiry.
- i) Ocean County Shade Tree Commission/Craig J. Theibault, Chairman/twelve cherry trees ordered for the town/Received November 3, 2008-Councilwoman Wenzel stated that Public Works has addressed the ordering of the trees.
- j) State of New Jersey/Department of Public Advocate/Ronald Chen/Application for Review/Motion to Stay/Received November 3, 2008
- k) Multiple Sclerosis Annual "Coast the Coast" Bike MS Ride/Brian Hurwitz, Director/requesting permission to ride through our town and use Centennial Park as a short rest stop/Received November 10, 2008- Mayor LaCicero / Council approved.
- l) Jersey Shore Partnership, Inc./Jack Rosenfeld, Chairman/cordially requesting the Mayor's attendance at their annual meeting on December 16th/Received November 10, 2008-Mayor LaCicero stated he will decide if he will participate.
- m) New Jersey Alliance for Action Inc./Clifford J. Heath, Senior Vice President/requesting Mayor and Council's attendance at their meeting on November 21st as their guests/Received November 10, 2008- Mayor LaCicero stated he will decide if he will participate.
- n) Ocean County Planning Board/John R. Brown, Assist. Planner/Review of the Borough of Lavallette-Municipal Stormwater Management Plan and Stormwater Control Ordinance/Received November 12, 2008-Mr. Parlow stated that this letter was informing the Borough that the plan was approved by the County.

UNFINISHED BUSINESS:

Newark Avenue Bulkhead Estimate -Mr. Parlow reported that the Borough has received a proposal from the County to repair the Newark Avenue bulkhead on the West Point Island side. The County has agreed to perform the labor free of charge and the Borough would pick up the cost of the materials. He requested that a transfer of funds into Schedule "C" an amount of \$15,000 and would like to approve this at the next meeting. He stated that if sufficient funds are not available he would place it in the 2009 budget file.

Mayor LaCicero stated that it needs to be done and sounds like a good way to approach it.

Council President Zalom stated that she would like to know what is going on with the two hour parking signs. The Parking Committee does not recommend charging commercial establishments a fee for the signs. It has never been done before. Mr. Parlow did some investigating with other towns and did not find one other town that charged a fee.

Councilwoman Wenzel stated that we need to find out if the State will charge us a road opening permit fee of \$250.00 for each sign installed. If that is the case, then we need to charge somebody for these signs to compensate for the permits.

Mr. Parlow stated that this matter will not be cleared up before the end of the year. He will check with the State in reference to the fees for sign installation. He will report back to Council.

Councilwoman Wenzel questioned the minutes from the last meeting in reference to the sound device at the Lavallette Yacht Club. She stated that in the minutes it was said that the Yacht Club got approval from the State on the device. She would like to see that documentation and also how do we know there is no violation with our own ordinance in reference to the noise.

Councilwoman Filippone stated that she spoke to Mr. Remy from the Yacht Club and he assured her that the Division of Fish and Wildlife approved this sound device. They also stated that there has been no wildlife on Sedge Island in years. She will speak to Mr. Remy and ask him for his paperwork on this so you can see it and we can make it available to the residents who have raise some concerns.

Mr. Parlow stated that the Borough received two bids to place cellular antennas on the water tower. The combined amount of the bids totaled \$66,600. He spoke with Mr. George and the Borough can award the two contracts as long as we can accommodate the space requirements. The consultant is currently preparing draft leases with site plans for your review at the next meeting.

NEW BUSINESS:

Mr. Parlow stated that he would like permission to send out RFP's for the hiring of a third party to sell advertising space on the back of lifeguard stands and the lifeguard tower in an effort to enhance revenue for the municipality. He has already had some people express interest in doing this so he believes he could receive some competitive prices.

Councilman Lamb stated that he would like to see how much money this could provide the Borough. He also wanted to make sure that signs are tastefully done and would not be a burden to our lifeguards.

Mr. Parlow stated that within the proposed specs he specified that the company would be responsible for any damages, that the sign would have a certain weight requirement and would have to remove after Labor Day.

Councilwoman Wenzel stated that we need to be very careful with advertising up at the beach. Our boardwalk is serene in many ways.

Councilman Stogdill stated that the Administration office had a demonstration of an upgraded version of the software the Borough currently uses. The upgrade will provide residents more convenient ways to pay their bills and make the employees have an easier time with posting payments and giving information.

Councilwoman Wenzel stated that she had another Environmental Meeting last week and they had a speaker on Solar LED signs. They require no electric and they collect sunlight which backlights the signs. Several municipalities in the state already are using them. We should seriously consider purchasing them. We also have a college student who is a resident who will be working with the Lavallette Elementary School's science class. There is a weather station at the school that is not in use right now and they will be working on this together.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue thanked the Borough for the new computer upgrade. He is looking forward to paying his bill online. He also questioned the power outage and what the cause was?

Mr. Parlow stated that he was told there was a fire at JCP & L's substation in South Toms River and it tripped a breaker.

Joe Palinsky, 122 Washington Avenue questioned the antennas on the water tower and what the time length would be and is there a periodic fee review attached to it?

Mr. Parlow stated that they are five year contracts with a renewal clause that has a cost escalator attached to it.

Harry Dews, 214 Newark Avenue thanked Mr. Parlow for allowing him to be a part of the dune grass planting. He stated that Mike Visco and Rob Kadeg did a very organized job. He was very pleased and is looking forward to next year.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Ardito stated that he attended a Board of Education meeting and they thanked Mayor and Council for the Resolution opposing the consolidation.

Council President Zalom thanked the residents for keeping her on another three years.

Councilwoman Filippone stated that they had another combined meeting with the Ordinance and Environmental Committees. Again, it worked out very nicely. The committee discussed the news rack problem. There are so many variations of the racks and we are really going to have to go through them further. There are also some State issues and amendment rights we need to look into as far as legal guidelines.

Councilman Lamb stated that Save Barnegat Bay needs to be told not to put their signs on telephone poles advertising for their events. It is against the law for anyone to post anything on utility poles. We should limit all advertising to the bulletin board in front of Borough Hall.

Mayor LaCicero stated that the dredging discontinued because there was an equipment problem. The problem has recently been fixed and they will be getting out there again shortly.

Mr. Parlow stated that Public Power signed a contract with a contractor for electric power. It is for 50% of the municipal load for a one year period. The estimated average price of energy based on the bid would be roughly \$116 per Mega Watt Hour. This is down from our existing contract. The power members are preparing another RFP for the remainder of the load. The RFP provides language the pricing can be acquired within a 24 hour period. This will give the Borough's a better opportunity to time the market.

EXECUTIVE SESSION:

Mr. George stated that there is a need to go into Executive Session to discuss a potential interlocal agreement, some ongoing DEP matters and a joint meeting with Mayors in reference to beach replenishment with no action to be taken.

A Motion was made by Councilman Lamb to go into Executive Session. The Motion was seconded by Councilman Stogdill. Vote: All were in favor. The Motion passed. The meeting was adjourned to go into Executive Session at 9:25 pm.

The Council resumed regular session at 9:40 pm.

Mayor LaCicero asked Mr. George to provide detailed regarding the content of the Executive Session.

Mr. George stated that there were three subjects that were discussed. A DEP status report to update Council, joining a possible shared services agreement with Seaside Park Borough and attending a Mayors' meeting all of which no action was taken.

ADJOURNMENT:

A Motion was made by Councilman Lamb to adjourn the meeting. The Motion was seconded by Councilman Stogdill. Vote: All were in favor. The Motion passed. The meeting was adjourned at 9:41 pm.

CERTIFICATION

I, Christopher F. Parlow, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey do hereby attest these to be a true copy of the minutes of the Regular Meeting of the Mayor and Council held on the 17th day of **November 2008**.

Christopher F. Parlow
Municipal Clerk