

BOROUGH OF LAVALLETTE(minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, April 7, 2008 – 7:00 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 posted on the Municipal bulletin board.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for the troops in Afghanistan and Iraq.

PLEDGE OF ALLEGIANCE: Councilman Stogdill led the Salute to the Flag

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

Gabriella Berberich, 6 Trenton Avenue requested that she have a discussion with Mayor and Council after the meeting is over in reference to her movie “Greetings from the Shore”.

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

APPROVAL OF CLERK’S MINUTES:

Regular Minutes of March 17, 2008
Budget Meeting Minutes of March 11, 2008

A Motion was made by Councilwoman Wenzel to accept the Minutes of March 17 and March 11. The Motion was seconded by Council President Zalom. Vote: Council Members Ardito, Wenzel, Zalom and Lam voted Yes. Councilman Stogdill abstained on the March 11 Minutes and voted Yes to the March 17 Minutes. Councilwoman Filippone Abstained on both. The Motion passed.

REPORTS:

a) Police Overtime Report for March-Councilwoman Filippone-read from report

- b) Public Works Report for March-Councilwoman Wenzel-read from report-She also requested that a bench be relocated on Grand Central Avenue due to the homeowner complaining about it. She also stated that Save Barnegat Bay would like to have a press conference on the boardwalk on May 3rd.

Councilwoman Filippone made a Motion to approve the Save Barnegat Bay event on May 3rd. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Ardito, Wenzel, Zalom, Stogdill, Stogdill and Lamb voted Yes. The Motion passed.

- c) Public Affairs Report-Council President Zalom-The trip to New York this weekend has sold out. There is a rummage sale this weekend. Clean Ocean Action will be holding their Beach Cleanup on April 26th. The movie "Greetings from the Shore" was at the Asbury Park Theater on Saturday and went beautifully. It won so many wonderful awards. Congratulations to them. There is a spaghetti dinner this Friday. The "Battle of the Bands" will be held at the library again this year in June.

Council President Zalom made a Motion to approve the PA system being borrowed by the library for the Battle of the Bands event. The Motion was seconded by Councilwoman Filippone. Vote: Council Members were all in favor.

- d) Municipal Court Report for March-Councilwoman Filippone-read from report
- e) Animal Control Report for March-Councilwoman Filippone-read from report
- f) Planning Board Report for March-Councilwoman Filippone-The meeting in March was cancelled. The original planner that we asked to speak didn't work out because of some issues about conflict. We are in the process of looking for a new one.
- g) Zoning Report for March-Councilwoman Filippone-read from report
- h) Utility Report-Councilman Ardito reported the he finally found out where well #1 was located; it's under a desk in Public Works department and is capped. He spoke to the Electric Dept. about falling down poles in town. They reported that anytime there is a problem with one pole that they check all the poles in that area of town. They also stated that they are looking into the LED lights for our street lights.
- i) Tax Account Status Report for March-Tax Collector

A Motion to receive the Tax Account Status Report was made by Council President Zalom. The motion was seconded by Councilman Lamb. 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:

- 2008-112 authorizing acceptance of a proposal from Signature Information Solutions for the Borough of Lavallette to provide weekly data transmission of Borough tax records

- 2008-113 authorizing the Mayor to sign and execute an application from Lavallette Heritage Committee for a social affairs permit to sell alcoholic beverages in conjunction with Heritage Day on the First Aid/Firehouse grounds-The Mayor stated that he has asked to TABLE this resolution due to some conflicts between the Heritage Committee and the First Aid. He stated he would speak more about it in Executive Session. Council agreed to table this resolution.
- 2008-114 proclaiming the month of April as Autism Awareness Month
- 2008-115 authorizing the Mayor and Borough Clerk to sign and execute an Agreement between the Borough of Lavallette and International Brotherhood of Teamsters Local No. 97 (White Collar Union) for a contract effective April 7, 2008 for the period covering January 1, 2007 through December 31, 2009
- 2008-116 appointing badge office workers and their hourly rates for the 2008 summer season-Councilman Lamb stated that there was no increase in employees and the hourly rate went up .25 cents.
- 2008-117 designating the month of May as Motorcycle Awareness Month
- 2008-118 authorizing the Mayor to sign and execute an Interlocal Services Agreement with the County of Ocean for their Prosecutor's Program FY 2008
- 2008-119 supporting passage AR89, memorializing the United States Department of Agriculture to expand financial support for New Jersey's gypsy moth suppression Program
- 2008-120 acknowledging the acceptance of a nice rink from the Township of Manchester for a nominal fee of \$1.00-Council President Zalom stated that this is a wonderful thing for the Borough. Unfortunately, we couldn't get it together for this year because of the weather but next year it's going to be great. Mayor LaCicero stated that he received an anonymous letter at his home in reference to this ice rink. He just wants to reassure the residents that this is a very small rink and gets filled by the fire dept. It is not going to be like the Toms River Ice Skating Center. It's just for the kids in town to be able to enjoy it.
- 2008-121 approving the application from the Lavallette PTA to hold an On Premise Gift Auction on May 17, 2008 to be held at St. Bonaventure Parish Hall and an Off Premise 50/50 on May 31, 2008 to be held on the Lavallette School Grounds at the Alumni Time Capsule Barbecue
- 2008-122 authorizing the Mayor and Borough Clerk to execute an application for eligibility in the federal surplus property program-Councilwoman Wenzel questioned who was requesting this? Mr. Parlow stated that the Chief of Police requested this so he can participate in this program. Councilwoman Wenzel stated that she has contacted

this program numerous times for the Public Works Dept. and they have also said they have nothing available. Mr. Parlow stated that he would talk to the Chief about it.

2008-123 approving the dates of the Beach Badge Office and opening day for the 2008 beach season

2008-124 authorization of OPRA refunds in the matter of Fernandez v. Willingboro Township

A Motion was made to approve the Consent Agenda with the exception of Resolution No. 2008-113 which was TABLED by Councilwoman Wenzel. The Motion was seconded by Council President Zalom. Vote: Council Members Ardito, Wenzel, Zalom, Stogdill, Filippone and Lamb voted Yes. The Motion passed.

RESOLUTIONS-OFF CONSENT: There were no resolutions off consent

APPROVAL OF VOUCHERS:

2008-125 Bills List in the amount of \$1,054,975.44

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

ORDINANCES ON FOR 2ND AND FINAL READING

ORDINANCE NO: 2008-04(1032) ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

A Motion was made to approve Ordinance No. 2008-04(1032) by Council President Zalom. The Motion was Seconded by Councilwoman Wenzel. At this time the Mayor asked for Public Comment on Ordinance No. 2008-04(1032). There was no public comment. Mr. Parlow stated that it is in the best interest of the Borough to approve this Ordinance. The Mayor closed the Public Hearing. Vote: Council Members Ardito, Wenzel, Zalom, Stogdill, Filippone and Lamb voted Yes. The Motion passed.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Request for Opinion on Employment with Borough Volunteer Fire Department/Received March 18, 2008
- b) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Fernandez, v. Willingboro Township/Payment of Legal Fees/Received March 20, 2008

- c) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Lavallette Volunteer Fire Company #1 Lease Building Lease Agreement/Received March 25, 2008-Councilman Lamb stated that he spoke to the Fire Dept. and they are in agreement with Mr. George. Mr. Parlow stated that he has a problem with #9 in the lease agreement referencing that the Borough would have to repair or replace within 10 days. That's not always probable. Mr. George the wording can be adjusted. Mr. Parlow also stated that in that lease agreement should be some kind of language for the Borough to hold elections in that building.

Engineering:

- a) O'Donnell, Stanton & Assoc./Michael O'Donnell/Miscellaneous Service Lateral Repair Project/Warranty Inspection/Second Request/Received March 10, 2008
- b) O'Donnell, Stanton & Assoc./Michael O'Donnell/Preconstruction Conference Minutes of Project White Avenue, Coleman Lane & Ortley Avenue Road Improvements/Received March 12, 2008
- c) O'Donnell, Stanton & Assoc./Michael O'Donnell/White Avenue, Coleman Lane a& Ortley Avenue Road Improvements/letter to County for Trench Opening Application/Received March 18, 2008
- d) O'Donnell, Stanton & Assoc./Michael O'Donnell/Tennis Court Restoration/letter to Halecon, Inc. Requesting Price for Replacing Fence/Received March 24, 2008-
- e) O'Donnell, Stanton & Assoc./Michael O'Donnell/Tennis Court Restoration/letter to Halecon, Inc. advising them of Notice of Award of Contract/Received March 24, 2008
- f) O'Donnell, Stanton & Assoc./Michael O'Donnell/White Avenue, Coleman Lane & Ortley Avenue/Earle Asphalt Company/Notice to Proceed/Received March 24, 2008
- g) O'Donnell, Stanton & Assoc./Michael O'Donnell/Tennis Court Restoration/Preconstruction Meeting Scheduled for April 3, 2008 at 10:00AM/Received March 25, 2008-Councilwoman Wenzel stated that the Supt. of Public Works attended this meeting and there was talk about removing fencing and trees. That would be okay with Public Works but they need to know when this needs to be done. They can cut the trees down right away but the roots will take some time to remove. Mr. Parlow stated that he thinks the trees should be removed before they start but he will check with Mike O'Donnell on the time frame. Councilwoman Wenzel stated that the fencing can be taken down but do the poles stay and get painted or do they get removed also.
- h) O'Donnell, Stanton & Assoc./Michael O'Donnell/Handicap Accessible Sidewalks/letter to Curb Con, Inc. to close out project and final payment/Received April 3, 2008

New Jersey League of Municipalities:

- a) CMPTRA Cut Briefing/Received March 3, 2008-Council President Zalom requested an update from Mr. Parlow. Mr. Parlow stated that the State Budget has gone to the Assembly and is in their hands now. Once they make a decision we will no more.
- b) Funding Cut Updates/March 3, 2008
- c) Funding Cut Updates/Received March 4, 2008
- d) Anti-Discrimination Posters/Received March 5, 2008-Councilwoman Wenzel questioned whether this is being followed up on. Mr. Parlow stated that he is taking care of this.
- e) Budget Cut Update and Briefing Advisory/Received March 5, 2008

- f) Smaller Municipality Budget Briefing Report/Received March 6, 2008
- g) Important New Information from the Division of Local Government Services/March 5, 2008
- h) Web Seminars for Storm water Professionals/Received March 10, 2008
- i) Municipal Leaders Question Corzine's Budget Cuts/Received March 12, 2008
- j) Budget Cuts More Action Needed/Received March 14, 2008
- k) DEP Proposes Amendments to NJPDES Rules and NJ Register of Historic Places Rules/Received March 18, 2008
- l) Important New Information from the Division of Local Government Services/Received March 25, 2008
- m) NJDEP Task Force on Permitting Programs/Received March 27, 2008
- n) 2009 Pension Obligations/Received April 1, 2008-Mr. Parlow stated that he hasn't run the calculations yet but he believes there will be at least a 20% increase to next year's budget.
- o) State Budget Cuts Restoration Update/Received April 2, 2008

General With No Action:

- a) Ocean County Planning Board/Mark Villinger, Assistant Planner/Ocean County Natural Lands Trust Fund Status Report for February 2008/Received March 3, 2008
- b) Ocean County Planning Board/Steering Committee Meeting 2008 CDBG/Erika Stahl, Planner Trainee/Received March 6, 2008
- c) PMK Group/Spill Prevention Control and Countermeasure/Proposed Amendments/Received March 7, 2008
- d) Ocean County Mosquito Extermination Commission/Thomas Candeletti, Superintendent/NJDEP Approved Fact Sheets on Mosquito Populations/Received March 7, 2008
- e) New Jersey Transit/Access to the Region's Core/Tom Schulze, Director/Supplemental Draft Environmental Impact Statement/Received March 10, 2008
- f) Forums Institute/Linda Mather, President/Municipalities Are Going to be Hit Hard by the by the Proposed State Budget/Planning Shared Services/Received March 10, 2008
- g) State of New Jersey/Dept. of Environmental Commission/Bureau of Underground Storage Tanks/NJPDES Permit by Rule Request Approval/Sea Bay Sunoco/Received March 11, 2008
- h) State of New Jersey/Board of Public Utilities/Order Establishing Procedural Schedule for the Matter of Comprehensive Energy Efficiency and Renewable Energy Resource Analysis for 2009-2012 Clean Energy Program/Received March 12, 2008
- i) Fruchter & Assoc., LLC/Harvey Fruchter/Priced Right Towing and/or Accurate Towing/Received January 14, 2008
- j) County of Ocean/Department of Purchase/Ralph Patterson, Director/Ocean County Auction/Auction Items Review Day on March 25, 2008/Received March 12, 2008
- k) Ocean County Planning Board/Erika Stahl, Planner Trainee/Change In Scope of Work 2005, 2006, 2007/Permission to Change the Scope of Work to Include the Installation of Handicap Doors for the Lavallette Fire Dept./Received March 13, 2008
- l) County of Ocean/Arthur Burns, Supt. of Recycling Operations/February 2008 Recycling & Compost Reports/Received March 18, 2008
- m) K & L Gates/William Keyser/Exelon Generation Company, LLC/Motion to Substitute of the PPL Companies/Received March 18, 2008/Received January 22, 2008
- n) Cozen, O'Conner/In the Matter of New Jersey American Water Company for Approval of

- Increased Tariff Rates and Charges for Water and Sewer Service/Received March 17, 2008
- o) Monoc/Vincent D. Robbins, President and CEO/Financial Destruction of New Jersey's Paramedic System/Received March 19, 2008
- p) Cablevision/Adam Falk, Vice President/ Launch of Starz on Demand and Encore on Demand Services/Rebranding of Programming Services/Received March 19, 2008
- q) State of New Jersey/Attorney General/David Bregenzer, Assistant Attorney General/Approval of Acceptance of Jurisdiction Over the Transfer and Renewal License Application for Sherman Hospitality, LLC/Received March 20, 2008-Mr. Parlow stated that the ABC has approved the jurisdiction license and he has sent all the paperwork to them. Once they set a date for hearing, he will inform everyone.
- r) North Jersey Transportation Planning Authority/Kevin Twine, Principal Transportation Planner/Route 35 Restoration/listed for the 2009 Program/Received March 20, 2008
- s) State of New Jersey/Dept. of Environmental Protection/Lisa Jackson, Commissioner/2008 Clean Communities Entitlement of \$7,049.23 Disbursement in April 2008/Received March 20, 2008-Councilwoman stated that this is the price every year and she is happy it will help us with our budget.
- t) Aspen Tree Expert Co., Inc./Laura Chisholm, Office Manager/Tree Pruning for JCP & L Contract/Received March 24, 2008
- u) Patrick Pelosi/3 Funston Road/Letter Expressing Disappointment in Receiving a Code Enforcement Violation Notice to Remove the Construction Sign on his Property/Received March 24, 2008
- v) Borough of Lavallette Public Works/Gary Schlosser/letter to County Administrator Alan Avery expressing interest in two vehicles on their auction list/Received March 25, 2008-Councilwoman Wenzel stated that the Supt. of Public Works was able to pick up to F-150 pickup trucks that they desperately needed for \$1.00 each.
- w) PMK Group/NJDEP Stormwater General Permits Approaching Deadline/Received March 31, 2008
- x) State of New Jersey/Department of the Treasury/Division of Taxation/Recycling Tax Imposition as of April 1, 2008/Recycling Tax as of April 1, 2008/Received March 31, 2008
- y) ABATE of the Garden State/American Bikers Advocating Training and Education/Steve Friedrich/Chairman, Safety and Awareness/Received March 27, 2008
- z) Ocean County Transportation Services/Transportation Grant Approval for the year 2008 in the amount of \$3,000.00/Kathleen C. Edmond, Director/Received April 3, 2008-Council President Zalom stated that they receive the same amount every year. This grant will be able to fix our recreation bus .
- aa) Ocean County/Department of Public Affairs/Approval of Ocean County Tourism Grant in the amount of \$1,050.00/Received April 2, 2008-Council President Zalom stated that unfortunately this year we received a smaller amount but it will still help us with our budget.
- bb) State of New Jersey/Office of Attorney General/ABC Division/Opinion on Ordinance Amending, Revising, Supplementing Ordinance 3-6 "Proximity of Plenary Retail Consumption Licenses"/Received April 3, 2008
- cc) A.V. Maestrey/Resigning from Special Prosecutor Position Due to Professional Obligations that Prohibit Him From Serving in that Capacity/Received April 3, 2008-Mayor LaCicero stated that he received another job and cannot commit to us. He stated he will have another name for the next meeting
- dd) Carluccio, Leone, Dimon, Doyle & Sacks, LLC/John Paul Doyle, Esq./Bay Beach Way

Realignment Committee, LLC, Etals Vs. Township Council of the Township of Toms River,
Etal/Copy of Brief/Received April 2, 2008

General With Action:

- a) Meridian Health/Annette Catino, Chair/Requesting the Mayor's Attendance at their 17th Anniversary Luncheon on May 2, 2008/Received March 6, 2008-Mayor LaCicero stated that he was taking care of this.
- b) Clean Ocean Action/Anna Will and Emily Hackett, Coordinators/Requesting Permission to Hold Their 23rd Annual Clean Ocean Action Beach Sweeps on April 26, 2008/Received March 10, 2008-

A Motion was made to approve the Beach Cleanup for April 26th by Councilwoman Wenzel. The Motion was seconded by Council President Zalom. Vote: All of the Council Members were in favor. The Motion passed.

- c) National Multiple Sclerosis Society/Jessica Moll, Logistics and Volunteer Coordinator/Requesting Permission to use the Centennial Park and Gazebo as a Rest Stop on May 17th /Received March 13, 2008

A Motion was made by Council President Zalom to approve the use of the gazebo for a rest stop. The Motion was seconded by Councilwoman Filippone. Vote: Council Members were all in favor. The Motion passed.

- d) Superior Court of New Jersey/Juvenile Intake/Jennifer Perlmutter, Court Services Supervisor 2/Requesting the Mayor to Speak at the Upper Shores Library on April 9 in Reference to What Has Been Happening in the Lavallette/Upper Shores Area to Prevent Gang Activity/Received March 18, 2008-Mayor LaCicero stated that he will be addressing this one.
- e) Point Pleasant Beach Chamber of Commerce/Dotti Daly, Administrative Director/requesting the attendance of Mayor and Council on May 14, 2008 for their 5th Annual "Meet the Mayors and Wine Tasting Event/Received March 31, 2008-Mayor LaCicero stated that he will be attending this event.
- f) State of New Jersey/Department of Transportation/Kris Kolluri, Commissioner/Accepting Applications for the NJ Dept. of Transportation Municipal Aid, Bikeway, Centers of Place, Historic Bridge and Safe Streets to Transit Programs/Please Apply/Received March 27, 2008-Council President Zalom stated that she is very excited about this grant because of the Streetscape Plan. She will take care of the paperwork.
- g) WWFM/Peter Fretwell, General Manager/requesting the scheduling of a meeting to discuss Renewal of Mercer County Community College's antenna lease with the Borough/Received March 27, 2008-Mr. Parlow stated that this will be discussed in Executive Session.
- h) New Jersey League of Municipalities/William Dressel, Executive Director/Requesting Your Attendance to Attend the Premiere of Green Builders at NJN's Studios in Trenton on April 15, 2008 at 4:30 pm.-Mayor LaCicero stated he will be addressing this one.
- i) Voters & Taxpayers Assoc./Joe Marcianti, President/Yellow Curb Painting in front of 109 Washington Avenue is hardship for homeowner/Please Remedy the Situation/Received April 2, 2008-Mayor LaCicero stated that the painting of the yellow curbs is state mandated and there is

nothing the Borough can do about it. Mr. George stated that the state mandates a 50 foot buffer. Councilman Ardito stated that this should be looked into further for this gentleman because of the handicap situation. Councilwoman Filippone stated that the homeowner should contact the state and see if anything can be done about it. Councilman Ardito questioned whether or not a handicap spot could be put after the yellow line so he can park at least somewhat close. Councilwoman Filippone stated that she would talk to the Chief about that.

- j) County of Ocean/Office of County Clerk/Carl Block, County Clerk/requesting Mayor or Council or a representative to attend a meeting on April 14th/Records Management Needs Assessment and Strategic Plan Initiative/Received April 3, 2008-Mr. Parlow stated that he will be attending this meeting.
- k) Lisa Temple/1404 Ocean Front/requesting the Borough to pay for some of the fence and walk way that was damaged during the boardwalk reconstruction/Received April 3, 2008-Councilwoman Wenzel stated that she had pictures of this property. Public Works has been in contact with her and she stated that she hasn't even been down to see the damage but that her neighbor had called to tell her. The damage is certainly not from the Borough as you can see from the pictures. There is no responsibility on our part.

UNFINISHED BUSINESS:

Councilwoman Wenzel stated she has two names for the potential Environmental Committee. She states that she encourages Council to give the Mayor more names so this can get started.

Councilman Stogdill stated that he just put two names in the Mayor's mailbox for the Committee also.

Councilman Ardito questioned whether or not the Chief of Police put down the cost of four crossing guards for the summer season in his budget.

Councilwoman Filippone stated that she didn't believe so but will speak to the Chief about it.

Councilwoman Wenzel stated that since the Mayor anticipates some amendments or cuts in the budget maybe we should have a meeting before the budget hearing on April 28.

Mayor LaCicero stated that our budget depends on what the State is going to do for us on the State Aid situation. We should probably wait on that first and then discuss our changes and cuts.

Councilman Lamb questioned if anyone had a time frame on the State Budget.

Mr. Parlow stated that until the State Assembly makes a decision we won't know anything. He suggests going ahead with the Public Hearing on the 28th and just not voting on it until we here from the State. That could take a couple of months at least.

Councilman Ardito questioned why there were no police presence for the traffic for the Church on Sunday between 9 am and 12 noon.

Councilwoman Filippone stated that she wasn't aware of it but would speak to the Chief.

NEW BUSINESS:

Personnel Policies and Procedures Manual-Draft Amended Policy-Mr. Parlow stated that the JIF requires that all policies and procedures be updated by April 30 in order for us to receive our premium deductions. Some of the policies required are mandated and need to be done. He believes the Borough Attorney should review the Manual. He will be preparing additional policy updates throughout the year and put it under new business on the agenda for approval; however, there are certain items in the manual that need to be discussed tonight.

Page 13, referencing a minimum donation amount to be filled in. Mr. Parlow stated he entered an amount of \$50.00 but maybe Mayor and Council thinks it should be \$0.

Councilwoman Wenzel stated that she doesn't have a problem with the zero amount.

Mayor LaCicero stated that he isn't comfortable with the zero amount. What if we go to a seminar and they pick up the lunch tab? That should be discussed further.

Mr. Parlow stated that we have three weeks before the next meeting, so they can discuss it.

Page 19, referencing the Military Employees getting full pay or no pay while on military duty and not working for the Borough.

Mayor LaCicero stated that he is for the Borough paying them their full salary while on active duty.

Page 23, Referencing information on background checks. Mr. Parlow stated that this whole section should really be looked at further. I would really appreciate your comments before the three weeks.

Page 25, Referencing the new employee evaluation period. Mr. Parlow stated that this section should be discussed further.

Councilwoman Wenzel stated that she called the JIF in reference of getting a Personnel Manual for Public Works. She has some updated items for the Public Works Dept. She questioned how that would work if PW had a separate policy.

Mr. George stated that there has to be a baseline policy, which would be the initial Borough of Lavallette Personnel Policy Manual. If Public Works updates a policy on use of vehicles and the Borough's manual already has updated that policy in the baseline manual that would be the one that governs.

Councilwoman Wenzel stated that she will provide Mr. Parlow with formal recommendations from the Public Works Dept. for this Manual.

Mr. Parlow stated that as of July 1, 2008, the County Construction Department will not longer be providing the service to various municipalities. The Borough is in the process of creating its own

department. He has prepared a number of draft ordinances for this new department that the Mayor and Council need to take a look at and discuss.

Draft Ordinance - Re-establishing Construction Code Department- Mr. Parlow request that the Borough Attorney review this ordinance.

Draft Ordinance – Adding UCC titles to Officers and Employees Ordinance- Mr. Parlow reported that the additional UCC titles need to be added to the Code.

Draft Ordinance – Revising Salary Ranges for all Titles, Creating Ranges for UCC Titles- Mr. Parlow reported that the salary ranges for these titles need to be created. Mr. Parlow stated that because he was already creating mins and maxs for the salary ranges, he went ahead and revised the mins and maxs for all the salary ranges for all titles for a three year period. Mayor and Council will need to look over these ordinances so they can be put on for the next meeting for approval.

COMMENTS FROM THE PUBLIC:

Lachlan Cameron, 115 President Avenue-stated that he was told by the office that the tax assessor's hours were 6-8 pm on Thursday nights. He arrived at the office at 6pm and he wasn't there so he waited awhile. He then left and came back about 7pm and he still wasn't there. What exactly are his hours and do they change every week?

Mayor LaCicero stated that he believed that is his hours and they are the same every week.

Mr. Parlow stated that he would look into why he wasn't there.

Judy Farfalla, 15 Bond Avenue-Since they are restoring the tennis courts, could they maybe put some benches inside the fence for people to put there stuff on. It just helps us the people get better organized. She also requested that maybe the court attendant can sweep the courts to get rid of the puddles and sand.

Councilwoman Wenzel stated that down at the baseball field they have what is called players' benches that she thinks would be perfect for that.

Mr. Parlow stated that once the new courts are done he hopes that any ponding problems are eliminated.

Mayor LaCicero stated that he is going to be addressing the hours of the court attendant also. He thinks it should be 7am to 3pm.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Mr. Parlow stated that he had a meeting with a representative from the DEP and he brought him new information in reference to FEMA guidelines. People in town who require flood insurance get a discounted rate because the Borough participates in the CRS Flood Program. The Representative stated was that people who are not in compliance with all base flood elevation requirement who do not correct the condition will not be entitled to that discount. Mr. Parlow reported that he has received a list of properties that will be affected. He requested permission from Council to send a letter to all property owners that will be impacted by this change in policy.

The Mayor asked if Council was all in favor of sending out the letters. All Council Members were in favor.

Mr. Parlow stated that there is a school election on April 15 and encouraged everyone to go out and vote.

Mr. Parlow stated that he received a proposal from the cell tower consultant. Mr. Parlow stated that he spoke to Mr. George about this and they both feel that the Borough should be getting RFP's for this project.

Council Members were all in favor of getting RFP's for this project.

Mr. Parlow stated that proposals for the electric contracts are due on April 11, 2008. Depending on what action the Public Power Assoc. takes, there might be some action needed to be taken by Council at the next meeting on April 28th.

Mayor LaCicero stated that he has been keeping up with the dredging problem. The entire town has now been officially sounded. Stockton College will now collect the samples and run sediments of quality testing. The problem is going to be how much of the volume we are going to be able to deal with.

EXECUTIVE SESSION:

Mr. Parlow stated that they need to have an Executive Session regarding personnel, WWFM contract, Verizon Wireless Contract and some updates on NJDEP and Toscano litigation.

A Motion was made to go into Executive Session by Councilwoman Wenzel. The Motion was Seconded by Councilman Lamb. Vote: Council Members were all in favor.

The Caucus/Regular Meeting was adjourned to go into Executive Session at 9:10 pm.

Mayor and Council resumed Regular Meeting at 10:27 pm.

Mr. George announced that a number of matters that were discussed in Executive Session.

He reported that the status of the DEP litigation in reference to the pavilions and the walkways was discussed. The consensus of everyone is to move forward on this as soon as possible.

He reported that the Toscano litigation was discussed. The settlement was rejected by the plaintiff and a trial has been set for May 5th. The JIF Attorney is handling this matter but Mr. George may assist.

He reported that there was discussion in reference to a personnel matter in which the employee was rice noticed. There is documentation that we are waiting on.

He reported that there was discussion about the two cell towers the Borough leases on the water tower within the Borough Yard.

He reported that there was discussion relating to the movie that was recently made in the Borough of Lavallette. The discussion was about the domain name of "Greetings From the Shore". He reported that his office will be looking into the issue further in reference to improper wrongdoing.

No Action was taken on any issues.

ADJOURNMENT:

A Motion was made to adjourn the meeting by Councilwoman Wenzel. The Motion was Seconded by Councilman Lamb. Vote: Council Members were all in favor.

The Meeting was adjourned at 10:30 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 7th day of **April 2008**.

Christopher F. Parlow
Municipal Clerk