

**BOROUGH OF LAVALLETTE(minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS**  
**Monday, February 9, 2009 – 7:00 pm**

**CALL TO ORDER:** Mayor Walter G. LaCicero, presiding

**ROLL CALL:** Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone  
Councilman Lamb was absent.

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 Asbury Park Press and the Ocean County Gazette and was published in the Ocean Star on January 9, 2009. Notice was also posted on the Municipal bulletin board.

**MOMENT OF SILENCE:** Mayor LaCicero asked for a moment of silence for all the troops overseas serving our country and for Bill Meldrum a local fisherman that past away recently.

**PLEDGE OF ALLEGIANCE:** Councilwoman Filippone led the Salute to the Flag

**MAYOR'S WELCOMING STATEMENT:** The Mayor thanked everyone for coming out to join us. He welcomed Morgan Rioux, a Cub Scout who is preparing to become an Eagle Scout.

**COMMENTS FROM PUBLIC (Items not listed on agenda / not staying for remainder of meeting)** At this time, the Mayor opened the meeting to public comment. There was no public comment.

**APPROVAL OF CLERK'S MINUTES**

Caucus Minutes of January 26, 2009  
Executive Session Minutes of January 26, 2009

A Motion was made by Councilwoman Wenzel to adopt the Minutes. The Motion was seconded by Councilman Stogdill. Vote: Council Members Wenzel, Zalom, Stogdill, Horan and Filippone voted Yes. The Motion passed.

**REPORTS:**

- a) Police Overtime Report for January-Councilwoman Filippone-read report
- b) Public Affairs Report-Council President Zalom gave kudos to Lavallette Police on the police chase and arrest of individuals supposedly involved in a bank robbery in Brick Township. The police caught the individuals in Toms River. She was thrilled to attend the Installation Dinner

for the Fire Department and swear-in all those officers. The Fire Department honored four of their members for fifty years of service. The Borough should think about having them come to a meeting and honoring them somehow. The library will bring books to shut-ins in Lavallette so if you know of any please contact the library. The Recreation Department had a wonderful ski trip again this year. She reported that the activity sheets are now done in calendar form and they can be picked up at Borough Hall.

- c) Animal Control Report for January-Councilwoman Filippone-read report
- d) Planning Board Report for January-Councilwoman Filippone-The Planning Board had meeting on January 28<sup>th</sup> and had a discussion regarding the report issued by the Planner. There was input from the members of the public who attended and asked some questions. No action has been taken yet but the Board is planning on discussing the issues within the report at future meetings.
- e) Zoning Report for January-Councilwoman Filippone-read report
- f) Construction Office Report for January-Councilwoman Filippone-read report
- g) Tax Account Status Report for January-Tax Collector

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

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

At this time, Mayor LaCicero stated that the Michele Donato, Chairman of the Parking Committee would like to provide her comments regarding Resolution No. 2009-61.

Michele Donato, Chairman Parking Committee stated that the two-hour parking signs have been in effect in Lavallette for over forty years. Only recently has that restriction changed. The change was one of the reasons that Mayor and Council decided to form this advisory committee. The committee has discussed at length two-hour parking situation and the committee strongly believes that it should be reinstated again without any costs to the commercial establishments. The committee has determined that the Department of Transportation does not require any permit costs to the town or to the establishment. She believes the main reason for most of the establishments request for these signs is so their clients can park in front of their stores instead of the beach goers who park there all day long. The committee feels these signs are very good for the business establishment who request it.

Mayor LaCicero thanked Mrs. Donato for her comments.

#### **RESOLUTIONS – ON CONSENT:**

2009-61            requesting that the Department of Transportation adopt the required regulation establishing two-hour parking spaces on Route 35 NJ Northbound-Councilwoman Wenzel asked to have this pulled and put off consent.

- 2009-66        appointing Joseph Ardito as a member to the Parking Advisory Committee
- 2009-67        appointing Anne Snyder as a member to the Beautification Committee
- 2009-68        authorizing the acceptance of a donated vehicle to the Lavallette Fire Department
- 2009-69        authorizing two 50/50 On Premise Raffles to be held on July 26, 2009 at the Arts and Crafts Show and September 12, 2009 at the Heritage Day Festival
- 2009-70        endorsing March 2, 2009 as NEA's Read Across America Day-Mayor LaCicero stated he will probably read to the children at the school on this day.
- 2009-71        appointing Barbara Susinno and Tyler Sartori as members of the Environmental Committee-Councilwoman Wenzel requested that Shannon Burk be added to this resolution as another new member.
- 2009-72        establishing annual salaries for non-contractual employees
- 2009-73        approving application of Eric J. Caposele as a probationary member of the Lavallette Volunteer Fire Company #1
- 2009-74        approving application of Brian T. Brice as a probationary member of the Lavallette Volunteer Fire Company #1
- 2009-75        approving application of Timothy B. Martin as a probationary member of the Lavallette Fire Company #1

Mayor LaCicero opened the floor to the public and asked if anyone had any comments on the Consent Agenda or the Bills List.

Joe Farfalla, 15 Bond Avenue stated that we need to be careful with charging for parking spaces. He stated that in Cape May, they started charging some of their residents for spaces to park. The residents paid the fee and then charged someone else more money to park there. This should be considered.

There was not other public comment.

Mayor LaCicero closed the floor to the Public and asked for a vote on the Consent Agenda.

A Motion was made by Councilwoman Filippone to approve the Consent Agenda (Resolution 2009-61 moved Off-Consent). The Motion was seconded by Councilwoman Wenzel. Vote: Council Members Wenzel, Zalom, Stogdill, Horan and Filippone voted Yes. The Motion passed.

**RESOLUTIONS-OFF CONSENT:**

2009-61 requesting that the Department of Transportation adopt the required regulation establishing two-hour parking spaces on Route NJ 35 Northbound

Councilwoman Wenzel stated that she too is a business owner and chose not to have the two-hour parking signs placed in front of her establishment. Businesses should be treated the same as homeowners. She stated that it is not unreasonable to ask for a fee for the signs from the business owners. The Borough just adopted an Ordinance that requires a fee from residents who have undersized lots to pay for a parking space in front of their residence. She questioned why a business owner should not have to pay for a spot in front of their business.

A Motion was made by Council President Zalom to approve Resolution 2009-61. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Zalom, Stogdill, Horan and Filippone voted Yes. Councilwoman Wenzel voted No. The Motion passed.

**APPROVAL OF VOUCHERS:**

2009-76 Bills List in the amount of \$346,359.48

A Motion was made by Councilwoman Wenzel to approve the Bills List. The Motion was seconded by Council President Zalom. Vote: Council Members Wenzel, Stogdill and Horan voted Yes. Council President Zalom abstained from PO #09-0227-2 and voted Yes to all other bills. Councilwoman Filippone abstained from PO #09-0228 and voted Yes to all others bills. The Motion passed.

**ORDINANCES ON FOR INTRODUCTION/FIRST READING**

Ordinance No. 2009-02 (1055) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 7 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED “BATHING AND BEACH CONTROL,” AMENDING CHAPTER 89 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED “VEHICLES AND TRAFFIC”.

Mr. Parlow stated that this Ordinance is increasing certain beach badges fees. Weekly badges have been increased from \$20.00 to \$25.00 and in season seasonal badges have been increased from \$40.00 to \$45.00. The pre-season badge will remain at \$35.00. Also a discount was added for individuals currently serving on active duty. The parking stickers are also increasing from from \$7.00 to \$10.00.

A Motion was made by Councilwoman Filippone to introduce Ordinance No. 2009-02 (1055). The Motion was seconded by Councilwoman Wenzel. Vote: Council Members Wenzel, Zalom, Stogdill, Horan and Filippone voted Yes. The Motion passed.

Public Hearing and Final Adoption scheduled for March 9, 2009

Ordinance No. 2009-03 (1056) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 20 OF THE BOROUGH CODE, ENTITLED, "CONSTRUCTION CODES, UNIFORM"

Mr. Parlow stated that one of the requirements of the Construction Official is to review the current construction fee schedule every six months. The Construction Official, Hans Warnebold, has reviewed the fees and has made a number of recommendations. They are included in the revised ordinance.

A Motion was made by Councilwoman Filippone to introduce Ordinance No. 2009-03 (1056). The Motion was seconded by Councilman Stogdill. Vote: Council Members Wenzel, Zalom, Stogdill, Horan and Filippone voted Yes. The Motion passed.

Public Hearing and Final Adoption is scheduled for March 9, 2009

Ordinance No. 2009-04(1057) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 37 OF THE BOROUGH CODE, ENTITLED "HEALTH", WHEREAS TO ESTABLISH ARTICLE III ENTITLED "RETAIL FOOD ESTABLISHMENTS"

Mr. Parlow stated that it was discovered that the section of the code entitled Retail Food Establishments under the Board of Health was omitted as part of the re-codification. This Ordinance is reestablishing the Retail Food Establishment license. The fee is increasing from \$75.00 to \$100.00.

Councilwoman Wenzel stated that the Public Works Department has been following and charging for the Retail Food Establishment License all along.

A Motion was made by Councilman Stogdill to introduce Ordinance No. 2009-04 (1057). The Motion was seconded by Councilwoman Wenzel. Vote: Council Members Wenzel, Zalom, Stogdill, Horan and Filippone voted Yes. The Motion passed.

Public Hearing and Final Adoption is scheduled for March 9, 2009

#### **ORDINANCES ON FOR FINAL ADOPTION/SECOND READING**

Ordinance No. 2009-01 (1054) ORDINANCE IN THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 3 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED "ALCOHOLIC BEVERAGES", AMENDING CHAPTER 7 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED "BATHING AND BEACH CONTROL", AMENDING CHAPTER 25 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED "FEES", AMENDING CHAPTER 47 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED "PEDDLING AND SOLICITING", AND AMENDING CHAPTER 50 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED "SALES"

A Motion was made by Councilwoman Wenzel to adopt Ordinance No. 2009-01 (1055). The Motion was seconded by Councilman Stogdill. Mayor LaCicero opened the Public Hearing. There was no public comment. The Mayor closed the Public Hearing and asked Council for a vote on Ordinance No. 2009-01(1054). Vote: Council Members Wenzel, Zalom, Stogdill, Horan and Filippone voted Yes. The Motion passed.

## **COMMUNICATIONS:**

### Legal:

- a) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Gallo v. Borough of Lavallette Water & Sewer Utility/Received January 27, 2009

### Engineering:

- a) O'Donnell, Stanton & Assoc./Michael O' Donnell/2009 CDBG Application Submission/Borough of Lavallette/Received February 6, 2009-Council President Zalom thanked Mike O'Donnell for the prompt submission of the application for the town.

### New Jersey League of Municipalities:

- a) Governor Signs Energy Savings Improvement Bill/Received January 22, 2009
- b) Governor's "Consolidation Commission" Issues Annual Report/Received January 22, 2009
- c) Sustainable Jersey Update/Received January 23, 2009-Councilwoman Wenzel stated that Walmart is giving grants for \$200,000 and the Environmental Committee has already applied.
- d) S-2485, Commercial Development Fee, Affordable Housing/Received January 27, 2009
- e) Important New Information from the Division of Local Government Services/Received January 27, 2009
- f) Pension Payment Deferral/S-7/A-3688/Received January 28, 2009
- g) 2009 Brownfield Development Area (BDA) Application/Received January 28, 2009
- h) House Passes HR 1, Senate Advances S-336(Economic Recovery Package)/Received January 29, 2009
- i) Pension Deferral Plan (Clarifications to January 28<sup>th</sup> letter)/Received January 30, 2009
- j) Federal Stimulus Package NJ Local Needs Survey Results/Received February 3, 2009-Council President Zalom stated that her and Chris have been in contact with Senator Ciesla's office about our project that is already shovel ready to go.
- k) Support Our Troops!/Received February 3, 2009
- l) Helping Hand in Time of Need/Received February 4, 2009

### General With No Action:

- a) Ann Gorga, Virginia Avenue/letter of thanks for the replacement of Ralph Gorga's plaque/Received January 23, 2009
- b) Board of Chosen Freeholders/James Lacey, Freeholder/Automated truck wash facility and equipment wash pad to assist municipalities in meeting their storm water management mandates/Received January 23, 2009

- c) Mazza & Sons/Dominick Mazza, Jr./Certification letter confirming amount of scrap metal and disposal fees/Received January 26, 2009
- d) Ocean County Utilities Authority/Richard M. Warren, Executive Director/Certificate of 2009 Annual Charge/Received January 26, 2009
- e) Ocean County Planning Board/David J. McKeon, Director/Ocean County Wastewater Management Plan/Received January 26, 2009
- f) County of Ocean/Mary Jerkowicz, Recycling Program Aide/Ocean County Road Department 2008 Recycling Report/Received January 26, 2009
- g) County of Ocean/Mary Jerkowicz, Recycling Program Aide/Ocean County Engineering Department 2008 Millings Report/Received January 26, 2009
- h) County of Ocean/Mary Jerkowicz, Recycling Program Aide/Class B Recycling Facility 2008 Reports/Received January 26, 2009
- i) Jan Coyle/Moose Club 399/Advising us of their donations of \$1,000 each to our Police, Fire and Rescue Squad/Received January 27, 2009-Mayor thanked the Moose Club for their donations to our first responders
- j) New Jersey Audubon Society/Eric Stiles, Vice President/copy of letter to Lavallette Yacht Club requesting them to reevaluate their installation of their sonic bird deterrent system/Received January 27 2009-Mayor LaCicero stated that he will be giving Mrs. Grosko a copy of this letter.
- k) Ocean County Recycling Center, Inc./Joseph Sanzaro, President/Summary of materials generated in our municipality/Received January 28, 2009
- l) Ocean County Department of Solid Waste Management/Ernest Kuhlwein, Director/Ocean County Use and Revenue Share Program/Received January 30, 2009
- m) Ocean County Planning Board/Mark Villinger, Senior Planner/Ocean County Natural Lands Trust Fund Status Report-January 2009/Received January 30, 2009
- n) Catholic Charities/Jean L. Metz, Service Area Director/Fourth Quarter Services/Received January 30, 2009
- o) Lavallette Voters & Taxpayers Association/Joseph Marcianti, President/letter in support of State Bills S-1082 and A-1775/Received January 30, 2009-Councilwoman Filippone stated that we already responded to this bill when it was first introduced and if signed we will be the first to act on it.
- p) Ocean County Utilities Authority/Richard Warren, Executive Director/Deficiency Notification for 2008 Calendar Year/Received January 30, 2009
- q) County of Ocean/Mary Jerkowicz, Recycling Program Aide/Class B Recycling Facility 2008 Reports on Mazza & Sons and JFD Associates/Received February 3, 2009
- r) Monmouth University/Joseph Patten, Director/Keep in mind Monmouth University's Master of Arts in Public Policy Program/Received February 3, 2009
- s) Island Junior Baseball League/John Wiley, President/Informing us of their Opening Day on April 4, 2009 in Lavallette and encouraging Mayor and Council to save the date-Mayor stated that all of Council should save this date and come out that day at our Lavallette field this year.
- t) State of New Jersey/Public Advocate/Ronald Chen, Public Advocate/Asking for towns to help in the protection of tenants legal rights/Received February 3, 2009
- u) Gagliano & Company/Robert Gagliano, CEO/Chairman/Introducing Smart Use Service/Received February 3, 2009
- v) Cablevision/Adam Falk, Vice President/Deletion of iO Sports/Received February 4, 2009
- w) Cablevision/Adam Falk, Vice President/Programmer Notification of Channel Rebrands/Received February 5, 2009

General With Action:

- a) Board of Chosen Freeholders/John C. Bartlett, Freeholder/requesting letter from Mayor briefly explaining the main objectionable issues that some residents have with the easement and what residents would be willing to grant by way of easement/Received January 23, 2009-Mayor stated he has already responded with a letter advising them that all of our easements are owned by the ocean front property owners.
- b) Board of Chosen Freeholders/James F. Lacey, Freeholder/2009 County Road Improvement Program/Received January 26, 2009-Mayor stated that he will be attending this meeting on March 3, 2009 and his project will be the outfall pipes that were not completed last year.
- c) Ocean County Planning Board/David J. McKeon, Planning Director/Available Dune Fencing/Received January 30, 2009-Councilwoman Wenzel stated that Public Works is already taking care of this.
- d) Island Junior Baseball League/John Wiley, President/requesting the mound at the ball field be removed from the field before opening day on April 4<sup>th</sup> and to contact them if there are any conflicts with their baseball league schedule/Received February 3, 2009-Councilwoman Wenzel stated that this is an Annual request and is on the list to be taken care of.
- e) Ocean County Shade Tree Commission/Craig T. Theibault, Chairman/requesting a proposal for trees be sent in no later than May 15, 2009/Received February 3, 2009-Councilwoman Wenzel stated that the Supt. of Public Works takes care of this.
- f) Save Barnegat Bay/Clean Ocean Action/asking the Borough to support and promote the "Barnegat Bay Buddy" Challenge by ordering and distributing the application through the town/Received February 4, 2009-Councilwoman Wenzel stated that the Environmental Committee has scheduled several presentations with Save Barnegat Bay and Clean Ocean Action at the Library about their Bay Buddy program. Her suggestion is to order the pamphlets and print them in our calendar and she could get a grant through the Environmental Committee to offset the printing costs. Mayor LaCicero stated that that was a good idea.

**UNIFINISHED BUSINESS**

Council President Zalom stated that she will be attending the Community Development Block Grant Steering Committee meeting to see about our grant money on March 9<sup>th</sup>. So she will give an update at the next meeting.

Councilwoman Wenzel requested that the Administrator be authorized to go out to bid for a garbage truck.

Mr. Parlow stated that we revised our bid specs and had a couple of figures that are in our price range.

A Motion was made by Councilwoman Wenzel to authorize the administrator to go out to bid for a garbage truck. The Motion was seconded by Councilman Stogdill. Vote: Council Members Wenzel, Zalom, Stogdill, Horan and Filippone. The Motion passed.

**NEW BUSINESS:**

## 2009 Public Works Solid Waste and Recycling Schedule-Councilwoman Wenzel

Councilwoman Wenzel stated that on the table was the new map for the garbage and recycling schedule. The department is trying to make it more efficient and easier to follow for the residents. Public Works would like to decrease the zones from four to only two and have both garbage and recycling picked up two days a week in the summer on the same day. The first zone will be called the Oceanside zone and will have pickup on Monday and Thursday and the other will be called the Bayside Zone and will be picked up on Tuesday and Friday. Paper pickup will still remain on Wednesdays. The County is looking into commingled more for recycling but we have not received an answer on that yet. In order to make this schedule run with ease the department will definitely need another garbage truck. We feel this will be the best schedule for the residents of this town. Now, with the winter schedule we came up with three options that Council is going to have to make a decision on which one it should be. Option 1 would be twice a week pickup for the winter for both zones, Option 2 would be entire town picked up on Monday and Friday and Option 3 would be entire town picked up on Monday and on Friday just the business district and Ocean Block garbage receptacles on the street ends. Her recommendation is Option 3 to save on manpower and gas.

She would like to get some answers to this by the Budget Meeting on Wednesday. The Borough will have to make changes to Chapter 55 so we will need to have two meetings for that and then we need to adopt this before we send out the calendars. In other words, we need to move as quickly as possible.

Mr. Parlow stated that he is in the process of setting up an Interlocal Agreement with Seaside Park for website design. He is hoping to have the information and agreement on for the next meeting.

Also, he has spoken with the New Jersey Department of Transportation and the consulting group who put together the Route 35 roadway and drainage project. He has been told that the entire project is being pushed along through the Economic Stimulus Package. He was advised that we, the town of Lavallette, including Mayor and Council and also residents should send letters to the DOT in favor of this project. He will make sure that we put something on the website so the residents know where to send the letters.

### **COMMENTS FROM THE PUBLIC:**

Judy Farfalla, 15 Bond Avenue stated that she is concerned that the shut-ins that live in Lavallette have no idea of all the events that are going on in town. She questioned if there was a way the town could inform them.

Mayor LaCicero stated that we can check and see if we can get some type of Outreach grant to do something. We will get the list from the Police Department of their call list in the meantime and see if we get the Municipal Alliance to work something out.

Councilman Stogdill stated that maybe the churches and organizations in town should get together with Municipal Alliance and try to see if they could get some type of grant.

Joe Palinsky, 122 Washington Avenue stated that Washington Avenue from Route 35 South to Bay Boulevard is in bad shape and needs some reconstruction or paving. Maybe we could see if that could be covered under the stimulus project, also.

Mayor LaCicero stated that he would check into it.

#### **COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:**

Councilman Horan stated that he attended the County Board of Education meeting and they have invited him to another meeting on March 11<sup>th</sup>. He went to let them know that Lavallette is not in favor of regionalization. The meeting was pretty much a 50/50 split on that issue. He also was able to view the test scores for the Lavallette Elementary School kids and they are outstanding. He will keep the Council updated on the next meeting and what was discussed.

Councilwoman Wenzel stated that she wanted to make it clear that the permit spaces that were made available for the undersized lots are not transferable.

She stated that she has five spaces in front of her establishment that she could have opted for the two-hour parking but did not feel it was fair to her neighbors and it was also putting more traffic into the highway every two-hours.

She stated that she and the gardener have put together the landscape design for the Bayfront design and hopes to put it on the agenda for March 9<sup>th</sup>. The Environmental Committee applied for the \$7,500 estuary grant and if we do not get that grant or the full amount we are going to apply for the trust for Public Lands.

Council President Zalom stated that the regionalization is very important. We do not want our school to become over populated. It works now the way it is and we do not need to have any changes.

We will be having the brochure again this year with all the businesses on it with a map. A resident in town prepares it and the Recreation/Municipal Alliance will be paying \$500.00 to have it done.

Mr. Parlow stated that we have two Budget Meetings scheduled. The first one is February 11<sup>th</sup> at 4 pm for Public Works and the second one is scheduled for February 18<sup>th</sup> at 4pm for the police department.

Mayor LaCicero stated that the February 23<sup>rd</sup> Council Meeting needs to be cancelled. Between vacations and illnesses there will not be a quorum.

A Motion was made by Councilwoman Wenzel to cancel the February 23<sup>rd</sup> meeting. The Motion was seconded by Council President Zalom. Vote: All Council Members were in favor. The Motion passed.

The next Council Meeting is scheduled for March 9<sup>th</sup>.

**ADJOURNMENT:**

A Motion was made by Councilwoman Wenzel to adjourn the Meeting. The Motion was Seconded by Councilwoman Filippone. The Meeting was adjourned at 8:14 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 **9<sup>th</sup>** day of **February 2009**.

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**Christopher F. Parlow**  
**Municipal Clerk**