

**BOROUGH OF LAVALLETTE (minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS**  
**Monday, July 6, 2009 – 7:00 pm**

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

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

**PLEDGE OF ALLEGIANCE:** Councilman Lamb led the Salute to the Flag.

**MAYOR'S WELCOMING STATEMENT:** Mayor LaCicero thanked everyone for attending our first summer meeting in our casual clothing.

**COMMENTS FROM PUBLIC (Items not listed on agenda / not staying for remainder of meeting)** At this time, Mayor LaCicero stated that if anyone in the audience wished to speak on any item that was not on the agenda and could not stay for the remainder of the meeting could do so now. No one wished to speak at this time.

The Mayor closed the public comment.

**APPROVAL OF CLERK'S MINUTES**

Regular Minutes of June 15, 2009

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

**REPORTS:**

- a) Police Report for May & June-Councilwoman Filippone-read report

- b) Planning Board Report for June-Councilwoman Filippone-There was one case and it was carried over to the July meeting because it was deemed incomplete
- c) Construction Office Report for June-Councilwoman Filippone-read report
- d) Animal Control Report for June-Councilwoman Filippone-read report
- e) Municipal Court Report for May & June-Councilwoman Filippone-read report
- f) Public Affairs Report for June-Council President Zalom-The Clam is being painted by Mary Jo Austin who is a resident of West Point Island. The Breast Cancer Walk is being held on August 2<sup>nd</sup> starting at the Music Man. She attended Joe Leone's Clam Bake Fundraiser to help benefit the Pt. Pleasant Beach High School children. Tickets for the Father Alphonse concerts are available at Diane Turton Realtors. The bus leaves from the Firehouse. The Save Barnegat Bay 8K-Run-Walk was a big success. She reminded all that the law is you must wear a bicycle helmet until the age of seventeen years old. Thanks to the Police Department for keeping the town safe. We have a Sandcastle Contest on Friday July 10<sup>th</sup> and then at 3pm you can decorate your kite at the library.
- g) Beach Badge Sales for June-Councilman Lamb-read report
- h) Public Works Report for 2<sup>nd</sup> Quarter 2009-Councilwoman Wenzel-read report
- i) Tax Account Status Report for June-Tax Collector
- j) Revenue Transaction Report for May-Chief Financial Officer

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

Councilwoman Wenzel stated that she received a visit from a Dover Avenue resident over the weekend and he was upset about an incident that took place over the weekend regarding an Ortley Beach Badge Checker wanting residents to pay for an Ortley badge when it is a Lavallette Beach. She suggested that the Borough should put a piling up showing where Lavallette Beach ends.

Councilman Lamb stated that this has been an ongoing problem year to year but escalated this weekend apparently with the police having to be called.

Mayor LaCicero stated that we should put two 4x 4 posts so it creates a barrier.

Mr. Parlow stated that reflectors should be put on the posts so they can be seen at night.

Councilwoman Wenzel stated that supposedly Ortley Beach collected revenue for our Dover Beach on Memorial Day weekend by charging people for Ortley badges.

Mayor LaCicero stated that maybe we need to need to have a sit down with the Beach Patrol in Ortley and explain the situation.

Council President Zalom stated that the water in front of Dunkin Donuts this weekend was such a disgusting green color.

Councilwoman Wenzel stated that the drain there leads to nowhere. She spoke to the consultant for the Route 35 project and they are hoping to start the project by fall of next year.

Councilman Lamb thanked the Electric Department for taking care of a street light problem so quickly.

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

**RESOLUTIONS – ON CONSENT:**

- 2009-180 authorizing the adoption of the Police and Firemen’s Insurance Association Program
- 2009-181 appointing Christopher DiBerardino as a seasonal Public Works Laborer at an hourly rate of \$10.00 for the 2009 summer season
- 2009-182 supporting the over the limit under arrest 2009 statewide crackdown
- 2009-183 appointing Erin Lynch and Benjamin Blanchfield as 2009 beach badge checkers at an hourly rate of \$8.00
- 2009-184 appointing Chief Colin Grant to a three year term as Emergency Management Coordinator
- 2009-185 appointing Tim Mancuso as a 2009 Summer Lifeguard at an hourly rate of \$9.00
- 2009-186 approving an hourly rate change for a 2009 summer lifeguard from \$9.00 to \$8.75
- 2009-187 authorizing the execution of an addendum to the contract with Earle Asphalt Company, Inc. for the road improvements to Kerr Avenue
- 2009-187A appointing Matthew Brower and Matthew Purpuro to the Public Works Clean Communities at an hourly rate of \$7.50

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

**RESOLUTIONS-OFF CONSENT:**

There were no resolutions off consent

**APPROVAL OF VOUCHERS:**

- 2009-188 Bills List in the amount of \$1,225,924.72

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

**ADOPTION OF THE 2009 MUNICIPAL BUDGET:**

Resolution Number 2009-152

Mr. Parlow stated that the Borough has received approval from the Division of Local Government Services to adopt the 2009 Municipal Budget.

A Motion was made by Councilwoman Filippone to un-table Resolution # 2009-152. The Motion was seconded by Council President Zalom. Vote: Council Members Wenzel, Zalom, Lamb, Horan and Filippone voted Yes. The Motion passed.

A Motion was made by Councilwoman Wenzel at the June 15, 2009 meeting to adopt the 2009 Municipal Budget, Resolution 2009-152. The Motion was seconded by Council President Zalom. Vote: Council Members Wenzel, Zalom, Lamb, Horan and Filippone voted Yes. The Motion passed.

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

Ordinance No 2009-10 (1063) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY AMENDING CHAPTER 89 OF THE GENERAL ORDINANCES OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, ENTITLED "VEHICLES AND TRAFFIC"

Mr. Parlow stated that there was some confusion regarding the purpose of this ordinance and the three-minute parking rule around the school. Mr. Parlow stated that the purpose for the ordinance is to create a handicap parking space adjacent to the entrance way to the school on Brooklyn Avenue. It will not affect the other parking conditions in that area. The three minute parking regulations will continue to exist.

A Motion was made by Councilman Horan to Adopt Ordinance 2009-10 (1063). The Motion was seconded by Council President Zalom. The Mayor opened the Public Hearing on Ordinance No. 2009-10 (1063). There were no public comment. The Mayor closed the Public Hearing and asked Council for a vote on Ordinance 2009-10 (1063). Vote: Council Members Wenzel, Zalom, Lamb, Horan and Filippone voted Yes. The Motion passed.

**COMMUNICATIONS:**

Legal:

- a) Eric M. Bernstein & Assoc., LLC/Deborah J. Bracaglia, Esq./Civil Service Commission Permanent Rule Authorizing Mandatory Furloughs/Received June 2, 2009
- b) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Appeal of Civil Administrative

Penalty Assessment/Received June 12, 2009

- c) Eric M. Bernstein & Assoc., LLC/Philip George, Esq./Lifeguard Stand Beach Advertising Contract/Received June 15, 2009
- d) Eric M. Bernstein & Assoc., LLC/Philip George, Esq./Appeal of Civil Administrative Penalty Assessment/Notice of Trial Date/Received June 15 2009
- c) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Lifeguard Stand Beach Advertising Contract/Borough of Lavallette and Kerwin Communications/Lavallette Voters & Taxpayers v. Borough of Lavallette/Received June 25, 2009
- d) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Appeal of Civil Administrative Penalty Assessment/Received July 2, 2009

Engineering:

- a) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Received June 18, 2009
- b) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Received June 19, 2009
- c) O'Donnell, Stanton & Assoc./Michael O'Donnell/2010 NJDOT Municipal Aid Program/New Brunswick Avenue Road Improvements/Received June 29, 2009
- d) O'Donnell, Stanton & Assoc./Michael O'Donnell/2010 NJDOT Municipal Aid Program/Westmont Avenue Road Improvements/Received June 29, 2009
- e) O'Donnell, Stanton & Assoc./Michael O'Donnell/2010 NJDOT Bikeway Program/Route 35 Northbound & Southbound/Bikeway Markings/Received June 29, 2009
- f) O'Donnell, Stanton & Assoc./Michael O'Donnell/Kerr Avenue Road Improvements/Pay Estimate No. 3/Pay Record April 25, 2009 through June 5, 2009/Received July 1, 2009

New Jersey League of Municipalities:

- a) League Mandates Update More Action More Information Needed/Received May 27, 2009
- b) School Funding Formula Upheld/Health Insurance Costs to Rise/Member Plaque/Received May 28, 2009
- c) League and Health Care Institute Promote Health Care Reform/Received May 28, 2009
- d) Free Help with Energy Efficiency Conservation Block Grant Applications/Received May 29, 2009-Mr. Parlow stated that we can take advantage of this when we receive our report from the Energy Audit
- e) First of a Series of Regional COAH Briefings/Received June 1, 2009
- f) New Jersey's 345<sup>th</sup> Birthday Party/Received June 1, 2009
- g) Federal Update House Energy Reform Bill Takes Shape/Received June 2, 2009
- h) Proposed Towing Regulations/Received June 2, 2009
- i) Age-Restricted Conversions, S-2577/A-3772/Received June 5, 2009
- j) Employee Furloughs in Civil Service Jurisdictions/Received June 5, 2009
- k) Sex Offender Residency Restriction Bill Advanced/Received June 8, 2009
- l) Important New Information from the Division of Local Government Services/Received June 8, 2009
- m) Clinics for Help with June 12 Digital Transition/Received June 8, 2009
- n) Guidance on Employee Furloughs in Civil Service Jurisdiction/Received June 10, 2009

- o) Stimulus Funding Application Deadlines/Byrne Justice Assistance Grants/Strengthening Communities Fund/Received June 11, 2009
- p) Catastrophic Illness in Children Relief Fund (CICRF)/Received June 16, 2009
- q) Federal Stimulus Funding News/Recovery Zone Bonds/US DOE Assistance on EECBG Applications/June 16, 2009
- r) Insurance Premium Tax Advanced to Balance Uncompensated Care Fund/Received June 16, 2009
- s) Appellate Division Rules Requestor Need Not Use Official OPRA Request Form/Received June 16, 2009
- t) State Budget Process/Received June 16, 2009
- u) New Information from the Division of Local Government Services on Energy/Received June 16, 2009
- v) Federal Stimulus Transportation Funding Announcement/Received June 17, 2009
- w) S-1651/A-2238, Mandates Certain Health Benefits/Received June 17, 2009
- x) Ameripay/Received June 17, 2009
- y) State Budget Update/Received June 18, 2009
- z) Urgent Legislative Alert/Received June 19, 2009
- aa) Support for Census Outreach Available/Received June 19, 2009
- bb) Availability of Grants for Green House Gas Reduction/Received June 19, 2009
- cc) "Express Lane" Application for Children's Health Insurance/Received June 22, 2009
- dd) Sustainable New Jersey Grants Awarded/Received June 22, 2009-Councilwoman Wenzel stated that sadly the Environmental Committee did not receive the Sustainable Grants.
- ee) Supreme Court Rules that Curbside Trash Collection by Municipality for Apartment Complex is Not Sufficient/Received June 23, 2009
- ff) Urgent Legislative Alert/Received June 23, 2009
- gg) Legislative Alert/Received June 24, 2009
- hh) ICLEI Releases Climate Protection Toolkit for Small Communities/Received June 24, 2009-Councilwoman Wenzel stated that the Environmental Committee will look into getting these toolkits.
- ii) Urgent Update on Towns Applying Directly for EE/Conservation Block Grants/Received June 24, 2009
- jj) Supreme Court Rules Open Space Set Asides and Contributions Not Authorized by MLUL/Received June 25, 2009
- kk) State Budget Passed/FY '08/'09 Supplemental/The New Jersey Economic Stimulus Act of 2009/Bills on Governor's Desk/Bills Passed in Assembly/Bills Passed in Senate/Received June 26, 2009
- ll) EECBG Application Deadline Extended/Received June 26, 2009
- mm) State Budget Passed/June 30, 2009

General With No Action:

- a) Kathy Bolger/11 Washington Avenue/thanking us for all the landscaping being done on Bay Blvd. especially by the tennis courts and memorial gardens/Received May 12, 2009
- b) Mr. & Mrs. Heim/100 Bond Avenue/thanking Chief Colin Grant and the Lavallette Police Department for an outstanding job over the winter months/Received May 20, 2009

- c) Lavallette Board of Education/Patricia Christopher, School Administrator & Secretary/thanking Mayor and Council for the donation of the weather station in their Science Classroom/Received June 2, 2009
- d) Ocean County Utilities Authority/Richard M. Warren, Exec. Director/Notice of Public Hearing on Proposed 2010 Rates/Received June 2, 2009
- e) Birdsall Services Group/PMK Group, Inc./Kristi Butkowski, Staff Scientist/2009 Environmental Joint Insurance Fund (EJIF) Audit/Received June 8, 2009
- f) Ocean County Board of Health/Kenneth Wenrich, Acting Environmental Health Coordinator/2010 Solid Waste Control Program/Received June 15, 2009
- g) County of Ocean/Arthur Burns, Supt. of Recycling Operations/May 2009 Recycling & Compost Reports/Received June 15, 2009
- h) US Department of Justice/Civil Rights Division/Lisa Levine, ADA Mediation Program Officer/reporting that the ADA Violation against the Borough of Lavallette has been referred to the Investigations Unit to determine further action/Received June 15, 2009
- i) New Jersey American Water/Suzana Loncar/IMO Petition of NJ American Water Company, Inc. To Change the Levels of its Purchased Water Adjustment Clause and Purchased Wastewater (Sewerage) Treatment Adjustment Clause/Received June 19, 2009
- j) US Senator Robert Menendez/United State's Environmental Protection Agency's "Climate Showcase Communities" grant program for the establishment and implementation of replicable climate change models that will help reduce greenhouse gas emissions/Received June 22, 2009
- k) Ocean County Library/June Schneider, Branch Manager/thanking the Mayor and Council for their ongoing support and for the use of the sound system/Received June 22, 2009
- l) Project TNR(Trap-Neuter-Return)/Michelle Lerner, Policy Specialist/Received June 23, 2009
- m) Cablevision/Adam E. Falk, Vice President/Launch of 3 Standard Definition and 27 HD Channels/Received June 24, 2009
- n) Ocean County Utilities Authority/Joanne Kazanowsky, Exec. Assistant/Establishment of Bulk Rate for 2010/Received June 25, 2009
- o) Ocean County Municipal Joint Insurance Fund/Loss Control Report/Received June 25, 2009
- p) New Jersey Department of Environmental Protection/2009 Recycling Awards Program/Received June 25, 2009

General With Action:

- a) Congress of the United States/House of Representatives/John Adler, Congressman/Fire Station Construction Grant Program available for First Responders/Received June 8, 2009- Mayor LaCicero asked Mr. Parlow if he could look into this program.
- b) Clean Ocean Action/Meg Gardner, 2009 COAST Coordinator/requesting permission to set up a table on our beach or boardwalk for four hours on Saturday, August 15<sup>th</sup> and four hours on Sunday August 16<sup>th</sup> to promote actions to stop ocean pollution/Received June 15, 2009- Mayor LaCicero stated that this is an annual request and is always approved. Council President asked Councilwoman Wenzel to look into Public Works bringing the tables up there for that weekend.
- c) Michele Donato/New York Times Article and requesting a response to her letter regarding the re-stripping of parking spaces on Elizabeth Avenue/Received June 18, 2009-
- d) Beachwood Soccer Club/Stacey Yuro, Fundraising Mom/requesting participation in an

event being held on November 14, 2009 and requesting a donation of two 2010 full season beach badges for their auction/Received June 18, 2009- The Mayor stated that badges could not be donated.

- e) State of New Jersey/Department of Environmental Protection/Mark Mauriello, Acting Commissioner/Local Government Greenhouse Gas Reduction Grants Program/Received June 19, 2009
- f) Normandy Beach Improvement Association/Recreation Program/Kimberly Zusi, Director/requesting use of our ball field for softball on July 12 from 1 to 3 pm and on August 2 from 1 to 3 pm/Received June 22, 2009-Mayor LaCicero stated that this is an annual request and as long as the field is available this is okay.
- g) Township of Woodbridge/John McCormac,, Mayor/requesting the Mayor to sponsor 20 Senior residents from Lavallette to participate in the Olympic Games to be held on September 11th through the 13th and picking up a portion of the registration fee for those residents/Received June 22, 2009-Mayor LaCicero stated that he will try to see what seniors in town would be interested in participating.
- h) Billabong Camps/Coastline Adventures Surfing School, LLC/requesting permission to hold their surf camp on our beach for children, Monday through Thursday 8:00 am to 11:00 am every week or once a week program and for adults Saturday or Sunday from 8:00 am to 12 noon/Received June 23, 2009-Council President Zalom stated that they did this last year also. Councilman Lamb stated that he should provide a Certificate of Insurance because that can become dangerous. Council President Zalom stated that she will take care of that.
- i) Normandy Beach Improvement Association/J.M. Ferris, President/requesting the use of our sound system for their July 4<sup>th</sup> celebration/Received June 25, 2009-Mayor LaCicero stated that this was already taken care and was denied.
- j) Gary T. Steele, Attorney At Law/Independent Candidate Gary T. Steele for Governor 2009 requesting to hold a “Beach Walk Event” to meet and greet Lavallette residents on July 11 and 12, 2009 for approximately 35 minutes/Received June 29, 2009-Mayor LaCicero stated that this event can take place but anyone involved in his walk must have beach badges. We cannot make exceptions for that.
- k) MaryAnn Johnston/125 Virginia Avenue/requesting a handicap parking space in front of her home/Received July 2, 2009-Mr. & Mrs. Johnston were in the audience and stated that it is for there tenant who is very disabled. Mayor and Council stated that as long as there is exists no problems than it is okay with them. Mr. Parlow stated that he will have the Chief go out and measure and will have an Ordinance on for the next meeting.

#### **UNFINISHED BUSINESS:**

Councilwoman Wenzel stated that she is still in limbo with Council about the Project Porchlight. She spoke to them again and they informed her that they are conducting this program in all of the surrounding communities. They stated that if we would like a meeting with them to discuss the program they would be happy to schedule it.

Councilman Horan stated that he objects to this program. If they were handing out LED bulbs instead of mercury based he would have no problem but he is not happy with the mercury ones. He stated that it is not a safe situation.

Councilwoman Filippone stated that she read an article about how ridiculous that our State is in debt but we can afford to pay for a program to save on light bulbs.

Councilwoman Wenzel stated that she would like to invite them to the next meeting to discuss the program.

Mayor LaCicero stated that he thought that was a good idea.

Mr. Parlow stated that on the tax map it clearly states that our beach extends 100 feet beyond on the jetty on Dover Avenue so it is our beach.

**NEW BUSINESS:**

Mayor LaCicero stated that the Chief of Police requested that some Ordinances be done for certain issues. One of them is the storage of unregistered vehicles. He thought we had an Ordinance already on the books for this but he could not find it in the code.

Mr. George stated that sometimes when the codification process starts some old ordinances drop off or are left out. He state that he will draft a new ordinance.

Councilwoman Wenzel questioned whether an unregistered vehicle can be kept in a garage on a person's property.

Mr. George stated that an unregistered vehicle can be kept in a garage unseen on a person's property.

Mayor LaCicero stated that another issue the Chief had was the ringing of the ice cream bells. He thought it used to be included in the noise ordinance but once again he could not find it.

Mr. George stated with that issue you start interfering with freedom of speech laws. He will look into this issue further.

Councilwoman Wenzel questioned whether West Point Island Beach is a place of resort for the ice cream vendors to sell ice cream.

Mr. George stated that that beach is private and would not be considered as one of our places of resort, however; we cannot restrict any resort area.

Mayor LaCicero stated that the last issue the Chief had was trying to put a cap on the number of vendor licenses for veterans. They do not pay the license fee and we have a numerous amount of veterans selling ice cream throughout the Borough. He asked if the Borough is permitted to put a cap on the amount of licenses issued to veterans. We already have a cap on the number of regular vendor licenses.

Mr. George stated that he did not think you can limit the amount be he will research the issue and report back.

## **COMMENTS FROM THE PUBLIC:**

Clem Boyers, 20 Kerr Avenue stated that he has been working with the Census Bureau and stated that Route 35 North to the South side of the Ocean is Lavallette Borough and then from Dover Avenue until you get to that side street called Diane Lane is Lavallette. Once you get to Diane Lane the rest of that side of Dover Avenue is Ortley Beach because it becomes First Avenue.

Mr. Parlow stated that he would take care of informing the Ortley Beach Patrol of the situation.

Mr. Boyers also wanted to say what a wonderful fireworks display this year. Thank you to all who were involved in changing companies. He also stated that stopping for pedestrians in crosswalks is a state law and we need to put some kind of signage out there to enforce this in a safe way.

Councilwoman Wenzel questioned why there were no crossing guards out for July 4<sup>th</sup> weekend?

Councilwoman Filippone stated that the Chief did not feel that they were necessary that weekend.

Councilwoman Wenzel stated that this was the second Fourth of July weekend that the guards were budgeted for and were not out there. We need on those streets on the weekends. This is very troubling to her and she sees all these people crossing on these streets without any help of slowing or stopping the cars.

Councilwoman Filippone stated that she will discuss it with the Chief and get back to us.

Council President Zalom stated that the State is working to get us that traffic light on New York Avenue so that should take care of some of the problem.

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

Councilwoman Wenzel stated she was very proud of how beautiful the town looked for the holiday weekend. Public Works, even though it is her department, she feels did a fantastic job of making every area as beautiful as the next. Thanks to Public Works and all the employees.

Council President Zalom stated that she always says that Public Works does a wonderful job all the time. She had a resident come to her about putting some trek for a walkway on President Avenue that would help out up there.

Councilman Horan stated that our surrounding communities are honoring and welcoming our military and he thinks we need to make Lavallette a military friendly town also.

Mayor LaCicero stated that he does think we do not advertise enough the fact that our military can get a discount on our beach badges.

Councilman Lamb stated that the LBA should be involved with this by doing some promotions on it like Seaside Heights Business Association does.

Councilman Horan stated that he would talk to the LBA about it.

Mayor LaCicero stated that the Flag that was standing behind him tonight was actually a Flag that was flying at a military base in Iraq and he was very proud that Lavallette has this Flag.

**EXECUTIVE SESSION:**

Mr. George stated that in Executive Session we will be discussing some pending litigation with some preliminary assessments with insurance and some personnel issues. He stated that there will be not action taken after the session.

A Motion was made by Council President Zalom to go into Executive Session. The Motion was seconded by Councilman Horan. All of Council was in favor. The Motion passed. The Meeting was adjourned to Executive Session at 8:13 pm.

A Motion was made by Council President Zalom to resume the Regular Meeting. The Motion was seconded by Councilman Horan. All of Council was in Favor. The Motion passed. The Regular Meeting resumed at 8:51 pm.

Mr. George stated that in Executive Session there were discussions on a possible settlement scenarios with the Stanton Litigation and we discussed the hiring of a seasonal laborer to a full time permanent laborer and that will be presented at the next meeting.

**ADJOURNMENT:**

A Motion was made by Councilwoman Filippone to adjourn the Regular Meeting. The Motion was seconded by Councilman Horan. All of Council was in Favor. The Motion passed.

The Meeting was adjourned at 8:52 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 the true minutes of the Caucus/Regular Meeting of Mayor and Council held on the 6<sup>th</sup> day of July, 2009

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