

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, January 25, 2010 – 7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

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

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 Gazette and was published in the Ocean Star on January 8, 2010. Notice was also posted on our Municipal Website and the Municipal bulletin board.

MOMENT OF SILENCE: Mayor LaCicero asked for a Moment of Silence for long time residents Shirley Buono and Antoinette Foti who passed away recently. He also asked for a Moment of Silence for Elizabeth Gorga, granddaughter of longtime residents Ralph and Ann Gorga, who recently passed a way.

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

MAYOR'S WELCOMING STATEMENT: At this time, the Mayor welcomed everyone to the meeting.

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

Mayor LaCicero opened the floor to anyone in the audience who wished to speak on any issues that were not listed on the agenda or could not stay for the remainder of the meeting.

Frank Michenfield, 240 Bay Beach Way thanked Mayor and Council for finally becoming part of Lavallette. He would like to know who they pay their first quarter tax.

Mr. George stated that Toms River Twp was denied their appeal and adopted a resolution of de-annexation from Toms River Twp. The order goes into effect as of 12:01 am on January 28th. Right now he stated that resident of Bay Beach Way should pay the Township of Toms River and they will reimburse the Borough for its share. He stated that he hopeful that the judgment will bring the assessment date back to January 1st for tax purposes. The plan is for Toms River to collect the taxes and then pay it back to the Borough. The joint committees will meet on Monday to begin the allocations.

Mr. Michenfield stated that he has already become part of Lavallette by licensing his dog, becoming part of the goose patrol and becoming a member of the Environmental Committee.

Joan Brackman, 10 Pennsylvania Avenue requested any updates on the Lavallette Avenue potential sale.

Mayor LaCicero stated that he has not heard anything since the meeting in December. He stated that the item should be discussed within the months to follows.

There was no additional public comment.

Mayor LaCicero closed the floor to public comment.

MAYOR'S APPOINTMENTS TO THE MUNICIPAL ALLIANCE COMMITTEE ON ALCOHOLISM AND DRUG ABUSE (not requiring Council consent)

Mayor LaCicero appointed Ernest and Gail Stefanelli to the Lavallette Municipal Alliance Committee

APPROVAL OF CLERK'S MINUTES

Regular Meeting of December 21, 2009
Executive Session Minutes of December 21, 2009
Reorganization Meeting of January 4, 2010
Special Meeting of January 11, 2010-Vouchers Only

Councilman Horan stated that on the January 11th minutes he is presented as the Council President so that needs to be amended.

A Motion was made by Councilwoman Filippone to adopt the Minutes with the amendment to the minutes of January 11th. The Motion was seconded by Councilman Borowski. Vote: Council Members Filippone, Zalom and Horan voted Yes. Council Members Borowski, Stogdill and Lamb abstained on the January 11th minutes and voted Yes to all others. The Motion passed.

REPORTS:

- a) Police Report for December-Councilwoman Filippone-read report-Mayor LaCicero stated that the Chief of Police should be commended for an outstanding job.
- b) Planning Board Report for December-Councilwoman Filippone-There was one case in December that was denied and the applicant has asked to be heard before the board prior to the memorialization of the resolution.
- c) Planning Board Report for Years 2007/2008-Councilwoman Filippone-acknowledged the year end report
- d) Animal Control Report for December-Councilwoman Filippone-read report
- e) Public Affairs Report for December-Council President Zalom-thanked the Construction Department for a fine job. She reported that everyone had a great time on the ski trip over the

weekend and they all thank us for having this trip every year. There is going to be a bus trip to NYC on April 17th and the Pork Dinner is April 10th. Lavallette's Centennial Park was included in the best five places to watch a sunset. The Lavallette School is holding night classes and flyers can be obtained at the Borough Hall and on our website. Also, the new schedule for Senior Lunch & Movie is also available downstairs. The AARP is helping people with their taxes if needed at the library. The flyers will be downstairs and also put on our website for your review.

- f) Municipal Court Report for December/End of Year/-Councilwoman Filippone-read report
- g) Zoning Report for December-Councilwoman Filippone-read report
- h) Construction Report for December/End of Year-Councilwoman Filippone-read report
- i) Tax Account Status Report for December-Tax Collector
- j) Revenue Transaction Report for November-Chief Financial Officer
- k) Tax Collector's Annual Statement of Receipts for Year 2009-Tax Collector

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

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

RESOLUTIONS – ON CONSENT:

- 2009-46 authorizing the Treasurer to apply the 2009 tax overpayments in the amount of \$1,887.11 to 2010 taxes receivable
- 2009-47 authorizing transfers between budget appropriation accounts
- 2010-48 authorizing Lavallette Heritage Committee two hold two 50/50 On Premise Raffles at their Annual Arts & Crafts Show to be held on July 25, 2010 and Annual Heritage Day Festival to be held on September 11, 2010
- 2010-49 appointing Justin Ottmer as a temporary part-time telecommunicator at an hourly rate of \$9.50 commencing January 1, 2010
- 2010-50 appointing James Terry Moore as our Fire Subcode Official at an annual salary of \$5,000.00 commencing January 5, 2010
- 2010-51 authorizing the donation of 13 new commemorative benches from the Friends of the Lavallette Beautification Committee-Council President Zalom stated that she thinks more benches is so wonderful. This committee has really made this town look beautiful. She thanked Pat Marrone and the rest of the committee for their help.
- 2010-52 authorizing the contract between the Borough of Lavallette and the Lavallette Dispatchers and Records Clerk Association for a period commencing January 1, 2009 and ending December 31, 2010

- 2010-53 adopting and establishing a “Personnel Policies and Procedures Manual” for the Borough of Lavallette-Mr. Parlow stated that every two years the Manual needs to be updated. The JIF provides updates that needed to be included and he is also preparing manuals to be issued to all employees. There will be a sign-off sheet certifying that each employee has received it.
- 2010-54 authorizing the purchase of Ocean County surplus vehicles for the Borough of Lavallette-Councilman Borowski stated that the mechanic at Public Works has inspected these vehicles and has determined that they are in good shape for purchase.
- 2010-55 appointing Kevin Dey and Gerald Malanga as Deputy Emergency Management Coordinators for the year 2010
- 2010-56 appointing Ernest and Gail Stefanelli to the Recreation Advisory Committee-Council President Zalom stated that she was glad that the Stefanellis have become part of these committees. They attend everything and help out at all our events. She thanked them as well.
- 2010-57 appointing Kathleen Mango as Municipal Alliance Coordinator for the year 2010
- 2010-58 appointing Nancy Dews as Municipal Alliance Secretary for the year 2010
- 2010-59 authorizing temporary emergency budget for 2010
- 2010-60 appointing Jamie Monroe to the position of Animal Control Officer for the year 2010
- 2010-61 appointing Karen Sandy to the Health Services Advisory Board commencing January 1, 2010 and ending December 31, 2012
- 2010-62 appointing Thomas Derring as a member of the Annexation Committee-Council President Zalom stated that Mr. Derring is a member of our school board.
- 2010-63 recognizing the month of January 2010 as School Board Recognition Month in New Jersey

Mayor LaCicero opened the floor to the public for comments on the Consent Agenda and the Bills List.

There was no public comment.

The Mayor 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. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion passed.

RESOLUTIONS-OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2010-64 Bills List in the amount of \$583,838.64

A Motion was made by Councilwoman Filippone to approve the Bills List. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Horan and Lamb voted yes. Councilman Stogdill Abstained on PO #09-00870 and yes to all others. The Motion passed.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Bay Beach Way Realignment Committee v. Township Council/Received December 9, 2009
- b) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Borough of Lavallette/State of New Jersey DOT/Grand Central Avenue Beautification Project/Received December 17, 2009
- c) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Bay Beach Way Annexation/Emergency and Municipal Services/Received December 21, 2009
- d) Eric M. Bernstein & Assoc., LLC/Letter of Recommendation and Toms River Twp. Complaint/Received December 24, 2009
- e) Eric M. Bernstein & Assoc/Philip G. George, Esq/Bay Beach Way Annexation/Proposed Order/Received December 24, 2009
- f) Eric M. Bernstein & Assoc/Philip G. George, Esq/Bay Beach Way Annexation/Filed Order of Temporary Stay/Received December 26, 2009
- g) Eric M. Bernstein & Assoc/Philip G. George, Esq/Appeal of Civil Administrative Penalty Assessment/Received January 13, 2010
- h) Eric M. Bernstein & Assoc/Philip G. George, Esq/Appeal of Civil Administrative Penalty Assessment/Received January 20, 2009
- i) Eric M. Bernstein & Assoc/Philip G. George, Esq/Appeal of Civil Administrative Penalty Assessment/Received January 21, 2010

Engineering:

- a) O'Donnell, Stanton & Assoc/Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Received December 7, 2009
- b) O'Donnell, Stanton & Assoc/Chuck Applegate/Grand Central Avenue Sidewalk Beautification Project/Received December 18, 2009-Council President Zalom stated that it was wonderful that we were including the nice news racks with this project.
- c) O'Donnell, Stanton & Assoc./Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Received December 21, 2009

- d) O'Donnell, Stanton & Assoc./Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Received January 14, 2010
- e) O'Donnell, Stanton & Assoc./Michael O'Donnell/Sanitary Sewer Liner Problem/Route 35 Northbound/Bond Avenue to Guyer Avenue/Received January 15, 2010-Councilman Borowski stated that during a routine exam of the sewers it was discovered that the liner from Bond Avenue to Guyer Avenue had collapsed. This problem is going to need repairing sooner than later so he wanted Mayor and Council to be aware of the situation. Mr. Parlow stated that there will be a Sewer Ordinance on for the next meeting for this purpose.

Councilman Lamb questioned if the Engineer had time to look at the hydrant problem in front of Mr. Walsh's driveway and if there were any estimates on removal.

Mr. Parlow stated that the Engineer did have a few quotes for him.

Mayor LaCicero stated that Councilman Lamb can take care of handling this issue with Mr. Walsh for us.

New Jersey League of Municipalities:

- a) A-4247, Changes to Taxi License Laws/Received December 4, 2009
- b) Public Intoxication Ordinances/Received December 15, 2009
- c) S-3136/A-4362, Reduces Required Local Employer Contributions to PERS and PFRS for State Fiscal Year 2010/Received December 15, 2010
- d) Required Changes EEO Posters/Received December 16, 2009
- e) Lame Duck Update Bills on the Governor's Desk/Received December 16, 2009
- f) Lame Duck Update/Received December 17, 2009
- g) QPA Bill Signed Into Law/Received December 18, 2009
- h) Legislative Alert-Three Land Use Bills To Watch/Received December 21, 2009
- i) Cable Television Act/Received December 22, 2009
- j) Recent Raritan Borough OPRA Decision/Received December 22, 2009
- k) Important New Information from the Division of Local Government Services/Received December 23, 2009
- l) Extension of COBRA Continuation Requirement in the American Recovery and Reinvestment Act (ARRA)/Received December 23, 2009
- m) FEMA Declaration for November 11-15, 2009 Storm/Received December 23, 2009
- n) Urgent Action Required/Lame Duck Update/Received January 6, 2010
- o) DHSS Announces Increased H1N1 Vaccine Availability/Received January 7, 2010
- p) Up in the Assembly on Monday/Received January 8, 2010
- q) A-4261/S-3071, Allows Certain Current Managerial and Confidential Employees to Unionize/Received January 8, 2010
- r) Recap of Thursday's Senate Committee Meetings/Received January 8, 2010
- s) Bills on the Governor's Desk/Received January 8, 2010
- t) Changes to the DLGS Website/Received January 11, 2010
- u) Less Than Four Months to Census Day/Received January 11, 2010

- v) President Anzaldi Meets Governor-Elect's Chief-of-Staff; Salutes Incoming Legislative Leadership; Thanks Speaker Roberts and Senate President Codey; Attends State-of-the-State/Received January 12, 2010
- w) Bills on the Governor's Desk/Received January 12, 2010
- x) Bills Signed by the Governor/Received January 12, 2010
- y) Urgent Prevailing Wage for Maintenance Road Projects on Governor's Desk/Received January 13, 2010
- z) Help for Haiti/Received January 13, 2010
- aa) Court Grants League Status In Telecommunications Tax Case/Received January 14, 2010
- bb) Update on U.S. Relief Efforts in Haiti/Received January 15, 2010
- cc) Bills Signed Into Law/Received January 15, 2010
- dd) Length of Service Award Changes/Received January 19, 2010
- ee) 2010 Census Questionnaires/Received January 20, 2010
- ff) Social Security Survivors' Benefits Information Sources for Haitian Community/Received January 20, 2010
- gg) Bills Signed Into Law/Received January 20, 2010-Councilwoman Filippone stated that one of these bills signed into law was the decreasing of the parking by a stop sign from 50 to 25 feet. We in fact encouraged this passage of this law. She would like to have the Chief go around to each street and determine what streets should have fifty feet and what streets can have the twenty five and we should address each intersection individually. Mr. George stated that the Chief and the Engineer should be involved in looking at the areas. Council President Zalom thanked all the residents who wrote letters and called to support the passage. Mayor LaCicero stated that he agreed with Councilwoman Filippone to adjust the fifty feet to twenty five on an individual basis.
- hh) Governor Christie issues Eight Executive Orders/Received January 21, 2010

General With No Action:

- a) State of New Jersey/Department of Transportation/Michael E. Mihalic, Supervisor/Parking Regulations/Advising the Borough that Charles Reilly has been assigned to investigate our Request/Received December 8, 2009-Mr. Parlow stated that he put a phone call out to Mr. Reilly last week and has not heard back from him yet.
- b) State of New Jersey/Department of Transportation/Robert Werkmeister, Manager/Grand Central Avenue Sidewalk Beautification/Proprietary Item Approval Request/Received December 9, 2009
- c) Cablevision/Adam E. Falk, Vice President/Enhanced Channel Mapping/Received December 14, 2009
- d) PS & S/Kathleen Schmeelck, Scientist/Multi-Permit Application/Received December 15, 2009
- e) Eileen Costanzo/119 New York Avenue/letter opposing the selling of part of Lavallette Avenue/Received December 16, 2009-Mayor LaCicero stated that this is the first piece of correspondence that we have received on this issue.
- f) Ocean County Planning Board/Mark Villinger, Senior Planner/Ocean County Natural Lands Trust Fund Status Report/December 2009/Received December 18, 2009
- g) Cablevision/Adam E. Falk, Vice President/Launch of News 12 HD/Received December 18, 2009

- h) Lavallette Heritage Committee/Joy Grosko, Director/letter advising of the two donations totaling \$4,802.92 for our holiday decorations and LED lights for our Christmas Tree/Received December 22, 2009-Council President Zalom thanked Joy Grosko for her donation
- i) Congress of the United States/John Adler, Congressman/copy of letter sent to Governor Corzine urging him to declare a state of emergency for certain counties/Received December 22, 2009-Mayor LaCicero stated that this was to declare a state of emergency from the snowstorm we had.
- j) County of Ocean/Cultural and Heritage Commission/Lindsey A. Dandeo, Assistant Administrator/letter advising us of denial of FY 2010 Local Arts Program funding grant for "Summer Concert Series"/Received December 30, 2009-Council President Zalom stated that she has been in touch with the Director and also the Freeholders on this matter.
- k) Tiburon Lockers/Bryan Dillon, Sales Manager/Revenue Share Program/Received January 4, 2010
- l) Ocean County Saint Patrick's Day Parade Committee, Inc./advising Mayor and Council of the date of March 13, 2010 as the date for the parade/Received January 4, 2010
- m) New Jersey's Clean Energy Program/Colleen Kling, Program Coordinator/thanking us for participating in the program and issuing a check in the amount of \$28,090.59/Received January 4, 2010-Mr. Parlow stated that we received the check for \$28,090.59 and we are trying to reduce our energy footprint to request \$9,000 more of improvements and receive them free of charge.
- n) Office of the Ocean County Engineer/Frank Scarantino, Engineer/Construction of Storm water Management Improvements, Contract 2009-A/Received January 7, 2010-Mayor LaCicero stated that this is part of the outfall repairs on West Point Island we requested for the last two years.
- o) State of New Jersey/Department of Transportation/denial of our 2010 Local Aid Bikeway Program Grant Application/Received January 8, 2010
- p) Peter Weeks/2202 Ocean Front/letter advising observed damage of Boardwalk/Received January 11, 2010
- q) Cindy Zipf/Tavia Danch/Clean Ocean Action/thanking the Borough and Anita for always cooperating with the program/Received January 11, 2010
- r) State of New Jersey/Department of Law and Public Safety/Susan K. Dolan, Deputy Attorney General/Cops In Shops Summer Shore Initiative 2009/Received January 14, 2010-Council President stated that she was glad we are part of this program because it is a wonderful thing for our town.
- s) Township of Toms River Township/J. Mark Mutter, Township Clerk/Shared Service Agreement with Shredder Services/Received January 14, 2010
- t) Board of Chosen Freeholders/John C. Bartlett, Jr./copy of letter to Honorable Senator Robert Smith concerning the Barnegat Bay/Received January 15, 2010
- u) Cablevision/Tricia Kaminski, Assistant/Tariffs for all systems as of February 1, 2010/Received January 19, 2010
- v) Ocean County Engineering Department/Michael A. Testa, Principal Engineer/Minutes of Preconstruction Meeting, Safety Upgrade Replacement of Bridge Guide Rail End Treatments at 82 Bridges at Various Locations in Ocean County/Received January 19, 2010

General With Action:

- a) Bay Villa Yacht Club/Irene Fahlander/3071 Route 35 South/Toms River Twp/requesting a meeting with the Mayor or Council to discuss annexation to Lavallette/Received December 9, 2009-Mayor LaCicero stated that they are interested in annexing to our Borough but he does not think the Borough would be interested. He asked if Council would like him to meet with this association. Councilwoman Filippone stated that she thinks he should meet with them to hear them out.
- b) Viola Castelli/70 Ocean Front/some requests in reference to our Individual Permit we received from the DEP/Received December 15, 2009-Mayor LaCicero stated that he did speak to the Supt. about this. Mr. Parlow stated that we are limited in meeting her demands because of the IP itself. We are limited in doing much in that area but we will continue to do what is allowed in the permit.
- c) Lavallette Heritage Committee/Joy Grosko, Director/list of Heritage Events for approval and some requests for the usual closing of streets for these events/Received December 22, 2009-Mayor LaCicero stated this is an annual request and as long as there are no conflicts should be okay.
- d) Clean Ocean Action/Tavia Danch, Pollution Prevention Coordinator/requesting approval for their Beach Sweeps on April 24th and October 23rd in 2010 from 9am to 12:30 pm/Received January 5, 2010-Mayor LaCicero stated that this is an annual request and should be okay.
- e) US Department of Justice/Naomi Milton, Supervising Attorney/DJ Complaint "Mrozek" 204-48-270/requesting the Administrator sign off that the Borough of Lavallette will adopt and implement a policy whereby Lavallette will clear the ramp and landing on Brown Avenue of sand and debris after storms within a reasonable time period/Received January 6, 2010-Mr. George stated that he would like to discuss this issue in Executive Session.
- f) National Multiple Sclerosis Society/Brian Hurwitz, Director/requesting permission to ride through our town on May 22nd and May 23rd and use Centennial Park as a rest stop/Received January 7, 2010-Mayor LaCicero stated that this is an annual request and as long as there are no conflicts should be okay.
- g) Lavallette Voters & Taxpayers Association/Executive Board/requesting to use our Council Chambers for their meetings during 2010/Received January 11, 2010-Mayor LaCicero stated this is an annual request and is okay.
- h) Ocean County Planning Board/David McKeon, Planning Director/requesting the acceptance of 92 rolls of dune fence/Received January 12, 2010-Mayor LaCicero stated that we have no problem accepting this so please Councilman Borowksi inform Public Works.
- i) Jersey Central Power & Light/Kimberly Sheridan, Supervisor/notification of discontinued electric services in our town/Received January 12, 2010-Mr. Parlow stated that he spoke to our Zoning Officer and there is no need for the Borough to received the shut off notification.
- j) Lavallette First Aid Women's Auxiliary/requesting street closings for their annual First Aid Flea Markets on July 21st and August 18th of 2010/Received January 15, 2010-Mayor LaCicero stated that this is an annual request and should be okay. Councilman Lamb requested that along with the approval letter that another letter is included advising them that it is their responsibility to cleanup after the event is complete
- k) Citizen's Campaign/Harry Pozzycki, Chairman/inviting the Mayor to the South Jersey Call to Service Summit on February 5, 2010 from 5 pm to 8 pm/Received January 19, 2010-Mayor LaCicero will check his schedule.

- l) Board of Chosen Freeholders/John P. Kelly and James F. Lacey, Freeholders/2010 County Road Improvement Program/inviting appropriate officials to meet with them, County Engineer, County Administrator and Road Supervisor to discuss future County road improvements and interlocal service requests on certain dates noted/Received January 19, 2010-Mayor LaCicero stated that he and Mr. Parlow attended this meeting last year and will also attend this year. Mr. Parlow stated that he take care of arranging this meeting.
- m) Patrick Lazzaro/112 New York Avenue/letter urging Mayor and Council to pass a resolution changing the distance from a stop sign from 50 to 25 feet/Senate Bill S1082 signed into law changing the distance from 50 to 25 feet/Received January 21, 2010

Councilwoman Filippone questioned who owned the globe lights on West Point Island?

Council President Zalom stated that Heritage Committee donated those lights.

Councilwoman Filippone stated that there exists the need for an additional light fixture in the same area.

Mayor LaCicero stated that the plans received for the Lavallette Avenue project consisted of lighting all around there. He suggested that we wait and see what happens before we purchase an additional fixture.

UNFINISHED BUSINESS:

Council President Zalom stated there was a Municipal Alliance Meeting held on Tuesday and that the committee discussed having summer enrichment activities (SEA) at the school with the teachers running the classes. There will be different activities run every morning in July where parents can drop their kids off and have them do something constructive. The classes will provide an alternative in town other then going to the beach. She wanted to make sure there were no objections from Council. There were no objections raised.

Council President Zalom also questioned if the tennis court attendants could increase their hours from 3pm to 6pm. They seem to think that more people wait until after 3pm to play tennis for free. Also, if we extended the hours they could also take care of handing out the bocce and shuffleboard games. If we could do this, than we could also think about having pickle ball and chess up there as well.

Mayor LaCicero stated that we need to get an accounting of all the hours for them and we can discuss it at the budget meetings.

NEW BUSINESS:

There was no new business.

COMMENTS FROM THE PUBLIC:

Mayor LaCicero opened the floor to the public for comments on the Consent Agenda and the Bills List.

Clem Boyers, 20 Kerr Avenue questioned if the town calendar was in the works?

Mr. Parlow stated that he is hoping to have it out in the beginning of March

Mr. Boyers questioned whether we were going to have another tourism guide for this year. He remembers that last year we were supposed to but something happened and the woman couldn't do it.

Council President Zalom stated that she has a call out to the woman to discuss with her for this year. She will let everyone know when she talks with her.

Mr. Boyers also questioned whether we were going to accept Bay Villa Yacht Club as part of Lavallette also?

Mayor LaCicero stated that Bay Beach Way is very similar to Lavallette as far as the houses and street. The Yacht Club is a bit more difficult and not as clean cut. The first step they must take is to get an attorney and make a formal request to us for approval.

Pat Marrone, 11 Elizabeth Avenue, Beautification Committee stated that Public Works needs to be told that when they replace an old bench with a new one from us, the old bench should be removed. The Beautification Committee would also like to encourage the streetscape plan and beautification from Vance to Reese Avenues. We understand that the B2 district is being done but we want to see eventually these streets, too.

Mayor LaCicero stated that we can keep applying for the grant but he is not so sure we will keep getting it every year. He questioned Mr. Parlow as to if we would have to do another application for those streets?

Mr. Parlow stated that it would become Phase II so yes we would have to reapply with a new application. There is still no guarantee that we would get funding again.

Mrs. Marrone stated that she has been approached by some homeowners that would like to see the triangle on Jersey City Avenue that is filled with weeds get a new curb so that something besides the weeds could grow there.

Mayor LaCicero stated that is a county road but we will discuss that at our meeting with the County and see if something could be done under Schedule C.

Joseph Palinsky, 122 Washington Avenue stated that if we are going to get more globe lights we should purchase fixtures that comply with the dark sky initiative.

Mr. Palinsky stated that at commercial flea markets he has been to they have containers that state they are strictly for customers not vendors. That is something to think about.

Mr. Palinsky stated that Route 35 South from Washington to Bay Boulevard needs to be paved and also there was talk about a catch basin. He would hope that the town would be notified of this before it happens.

Mayor LaCicero stated that we will discuss this at our DOT meeting tomorrow and let them know to notify us when this is going to take place.

Bill Kinney, 23 Philadelphia Avenue questioned whether or not they are going to have any discussions on bike safety before the season starts and if so is the public going to be allowed to comment?

Mayor LaCicero stated that the last he heard the Chief was going to talk with Bay Head and Pt. Pleasant.

There was no additional public comment.

The Mayor closed the floor to public comment.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Horan stated that there are a bunch of energy efficient programs that we have on our website that the residents can link to for information so take advantage of that.

Also, we have installed five more LED street lights in town.

Councilman Lamb questioned whether Washington Avenue was a county road?

Mayor LaCicero stated that the outfall problem in front of 105 Washington is the State but it is on that private property. We will discuss that issue at our meeting with DOT tomorrow also.

Councilman Borowski stated that Public Works installed the “nice” rink the first week in January. There seems to be slits in the liner possibly from ice skates. If we are going to continue to have it every year we might want to consider budgeting for a new liner which is approximately \$1,100.00. The Public Works supervisors attended mandatory training per our insurance company so that is taken care of. The staff had a meeting with FEMA to work out the problems from the storm. Those funds will start to move in soon. The street sweeping is done for the first quarter. Some of our employees assisted a lifeguard with getting one of their boats to the repair shop.

Councilman Borowski stated that he will not be at the next Council Meeting.

Mr. Parlow stated that the State has delayed the introduction of the budget deadline until mid March but he will be setting up some budget meetings soon.

EXECUTIVE SESSION:

Mr. George stated that there is a need for an Executive Session to discuss litigation per Mrozek matter and some personnel matters. There might be possible action taken.

A Motion was made by Councilman Lamb to adjourn to Executive Session. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in Favor. The Motion Passed. The Meeting was adjourned to Executive Session at 8:34 pm.

A Motion was made by Councilman Borowski to reconvene to the Caucus/Regular Meeting. The Motion was seconded by Councilman Stogdill. Vote: All of Council was in Favor. The Motion passed.

The Caucus/Regular Meeting was Reconvened at 9:45pm.

Mr. George stated that there were a few related matters that were discussed. The Mrozek complaint which the Department of Justice is requesting a settlement which would affect the Borough's IP permit. There were also discussions with some contracts of summer employees and also some disciplinary actions on other employees. There was no action taken.

ADJOURNMENT:

A Motion was made by Councilman Stogdill to adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilman Horan. Vote: All of Council was in Favor. The Motion passed. The Caucus/Regular Meeting was adjourned at 9:46 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 Caucus/Regular Meeting of Mayor and Council on the **25th day January 2010**.

Christopher F. Parlow
Municipal Clerk