

**BOROUGH OF LAVALLETTE (minutes)**  
**CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL**  
**LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS**  
**May 10, 2010-7:01 pm**

**CALL TO ORDER:** Council President Anita F. Zalom, presiding

**ROLL CALL:** Council Members Borowski, Lamb, Stogdill, Horan and Filippone  
Mayor LaCicero 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 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:** Council President Zalom asked for a moment of silence.

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

**MAYOR’S WELCOMING STATEMENT:** Council President Zalom thanked everyone for coming to tonight’s meeting. She asked if anyone wished to comment on any item that was not on the agenda or if they could not stay for the remainder of the meeting could do so now.

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

Council President Zalom stated that anyone in the audience that wished to speak on any items that were not listed on the agenda or could not stay for the remainder of the meeting could do so now.

No one wished to speak at this time.

Council President Zalom closed the floor to public comment.

**APPROVAL OF CLERK’S MINUTES**

Regular Meeting of April 12, 2010  
Executive Session Meeting of April 12, 2010

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

**REPORTS:**

- a) Police Report for April-Councilwoman Filippone-read report
- b) Planning Board Report for April-Councilwoman Filippone-There was one case last month which was a D Variance. It was a non-conforming use and they were asking for a modification on the 3<sup>rd</sup> story. He then realized that there was no way he was going to get that so he settled for a modification of the 2<sup>nd</sup> story and it was approved.
- c) Public Affairs Report for April-Council President Zalom-Operation Reassurance is for our seniors who live alone and is a wonderful program. There is a dog walk on May 15<sup>th</sup> and Senior Lunch and Movie on Sunday. The movie “Greetings From The Shore” will be shown on July 8<sup>th</sup> on our Bayfront. The Battle of the Bands at the Library is June 12<sup>th</sup> and the presentation of their “Reading Garden” is May 22<sup>nd</sup>. Also, on June 22<sup>nd</sup> the Library is also having a dedication of their new Children’s Reading Center in honor of Olga Petitti. She was honored as Ocean County Republican Woman of the Year.
- d) Municipal Court Report for April-Councilwoman Filippone-read report
- e) Zoning Report for April-Councilwoman Filippone-read report
- f) Construction Report for April-Councilwoman Filippone-read report
- g) Animal Control Report for April-Councilwoman Filippone-read report
- h) Revenue Transaction Report for March-Chief Financial Officer

A Motion was made by Councilman Lamb to approve the Revenue Transaction Report. The Motion was seconded by Councilman Borowski. 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:**

- 2010-99           authorizing the increase in hours for the Tennis Courts from 7:00 am to 8:00 pm for the 2010 summer season-Council President Zalom stated that this is going to work out wonderful for us and the residents of Lavallette. We definitely will get an increase of revenue from this.
  
- 2010-131       authorizing a temporary budget appropriation for 2010 for Unemployment Insurance in the amount of \$15,000 and Beach Salary and Wages in the amount of \$10,000
  
- 2010-132       appointing Robert Agliata and Josephine Sessa to the Beautification Committee-Council President Zalom stated that these are a wonderful addition to this Committee.
  
- 2010-133       recognizing the month of May as “Older Americans’ Month in the Borough of Lavallette
  
- 2010-134       authorizing the acceptance of the use of two 2010 Hyundai Sante Fe vehicles free of charge from Lester Glenn Hyundai of Toms River to be used strictly by the

Lavallette Police Department from May 1, 2010 through September 7, 2010-Council President Zalom stated that this is wonderful that we can take advantage of these services every year.

- 2010-135 authorizing the Mayor to sign and execute the Memorandum of Understanding in conjunction with the NJ Data Exchange Program-Council President Zalom stated that this is a wonderful program for the town.
- 2010-136 authorizing the Mayor to execute an agreement with Conner Strong Risk Control Services to provide services relating to providing an alcohol and substance program for CDL drivers
- 2010-137 authorizing the appointment of Sara Wagner as a part-time temporary dispatcher at an hourly rate of \$9.00
- 2010-137A authorizing participation in the New Jersey State Health Benefits Program Act of the State of New Jersey for Local Prescription Drug Coverage-Mr. Parlow requested that this resolution be pulled and put on for the next meeting.
- 2010-137B authorizing the appointment of Laurie O'Brien as Badge Checker Supervisor for the 2010 summer season

A Motion was made by Councilman Lamb to approve the Consent Agenda with the exception of Resolution 2010-137A, which was pulled until the next meeting. The Motion was seconded by Councilman Horan.

Council President Zalom opened the floor to public comment and asked if anyone wished to comment on the consent agenda or the bills list.

No one wished to comment at this time.

Council President Zalom closed the floor to public comment and asked Council for a vote on the Consent Agenda. 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:**

- 2010-138 Bills List in the amount of \$3,006,777.32

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

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

ORDINANCE NO. 2010-09 (1081) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AN SUPPLEMENTING CHAPTER 45, ENTITLED "OFFICERS EMPLOYEES" SO AS TO CREATE 45-31, ET SEQ., ENTITLED, "INCENTIVE PROGRAM FOR WAIVER OF HEALTH BENEFITS"

Mr. Parlow stated that this ordinance is consistent with the State legislation to adopt a program to allow our employees who are eligible to take advantage of the health benefit waiver.

Councilman Lamb questioned the plan that had to be adopted to have this ordinance become effective?

Mr. Parlow stated that the Section 125 Cafeteria Plan Ordinance is on this agenda also.

A Motion was made by Councilwoman Filippone to adopt Ordinance No. 2010-09 (1081). The Motion was seconded by Councilman Horan.

Council President Zalom opened the Public Hearing and asked if anyone wished to comment on Ordinance 2010-9(1081).

There was no public comment on Ordinance 2010-9(1081).

Council President Zalom closed the Public Hearing and asked for a vote on Ordinance 2010-9 (1081). Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

ORDINANCE NO. 2010-10 (1082) ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATIONS LIMIT AND TO ESTABLISH A CAP

Mr. Parlow stated that this Ordinance is done annually along with the budget and it permits the Borough to raise the inside the cap budget appropriate up to 3.5% and bank whatever balance is not used into future years.

Councilman Borowski stated that the Governor is reaching for 2.5% should we align with him.

Mr. Parlow stated that what the Governor is doing is for the levy cap which is at 4% what we are passing tonight is for the appropriations cap which for 2010 is based on 0%.

A Motion was made by Councilman Borowski to adopt Ordinance No. 2010-10 (1082). The Motion was seconded by Councilman Horan.

Council President Zalom opened the Public Hearing and asked if anyone wished to comment on Ordinance 2010-10(1082).

There was no public comment on Ordinance 2010-10(1082).

Council President Zalom closed the Public Hearing and asked for a vote on Ordinance 2010-10 (1082). Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

### **ORDINANCES FOR FIRST READING/INTRODUCTION:**

ORDINANCE NO. 2010-11 (1083) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 45, ENTITLED "OFFICERS AND EMPLOYEES" SO AS TO CREATE § 45-39, *ET SEQ.*, ENTITLED "IRS SECTION 125 CAFETERIA PLAN FOR BOROUGH EMPLOYEES"

Mr. Parlow stated that this plan gives us a place to put the payments for the waiver benefits and also to have a place to put the monies from the 1.5% payments for the benefits as of May 22, 2010. The good thing about this plan is that it will also reduce the Borough liability towards Social Security.

A Motion to Introduce Ordinance No. 2010-11 (1083) was made by Councilman Horan. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

Public Hearing and Final Adoption is scheduled for the Meeting of May 24, 2010.

### **COMMUNICATIONS:**

Engineering:

- a) O'Donnell, Stanton & Assoc/Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project Construction Plans/Updated Jurisdictional Agreement/Received April 21, 2010
- b) O'Donnell, Stanton & Assoc/Michael O'Donnell/Sanitary Sewer Replacement Route 35 Northbound/Received April 23, 2010
- c) O'Donnell, Stanton & Assoc/Michael O'Donnell/Bond and Kerr Avenues Road Improvements/Received April 26, 2010-Council President Zalom stated that our Engineer is always looking out for us which is a good thing.
- d) Sanitary Sewer Main Replacement/Route 35 Northbound from Bond to Guyer Avenue/Contractor: B & B Construction, LLC/Pay Estimate #1/Received May 5, 2010-Councilman Borowski stated that the Sanitary Sewer Project has been completed. He questioned who was responsible to paint the parking stalls that were affected by the project? Mr. Parlow stated that he believed that the contract stipulates the contractor is responsible but he will check with the Engineer.

New Jersey League of Municipalities:

- a) Division of Pension and Benefits Further Guidance on Pension Reforms/Received April 12, 2010
- b) "National Donate Life Month" Press Conference/Received April 13, 2010-Council President Zalom stated that we as a town already took care of this.

- c) Two Issues/Defeated School Budgets Resources Conference Call on Defeated School Budgets-April 22, 2010/Ask the Governor to Veto S-82, A-437/Eliminates Time of Decision/Received April 13, 2010
- d) Changes to the DLGS Website/April 14, 2010
- e) Replacement Census Forms/Received April 16, 2010
- f) Webinar on Defeated School Budgets-Thursdays, April 22, 2010/Received April 19, 2010
- g) Two Developments/Mayor Chiarello, League First Vice President, Voices Municipal Reaction to Governor's Proposed Budget/Red Tape Review Group Issues Mandates Relief Report/Received April 19, 2010
- h) Invitation from Mayors Committee for a Green Future to Elevate your Sustainable Jersey Energy Programs/Received April 21, 2010
- i) Local Jobs for America Act Update/Received April 21, 2010
- j) Division of Pension and Benefits Further Guidance on Pension Reforms/Received April 21, 2010
- k) Defeated School Budget Webinar/Received April 21, 2010
- l) Recap of Webinar Defeated School Budgets Resources/Received April 22, 2010
- m) Governor's Letter and Request for Support/Received April 27, 2010
- n) Census Participation Rates/Received April 28, 2010
- o) Hearing Scheduled on Municipal-Homeowners Association Issues/Received April 30, 2010
- p) Key Municipal Issues Face Returning Legislature/Received May 4, 2010
- q) Retirement Workshops Available for Local PERS Members/Received May 4, 2010
- r) Governor Signs S-82/A-437/Eliminates Time of Decision/Received May 5, 2010
- s) 12<sup>th</sup> Annual League Baseball Appreciation Day/Received May 6, 2010

General With No Action:

- a) New Jersey Natural Gas/Stephen Rybka, Manager/inviting you to their Green Energy Forum on May 13<sup>th</sup>/Received April 12, 2010
- b) John M. Patrick/13 Newark Avenue/thank you letter for taking care of the problem at 11 Newark Avenue/Received April 13, 2010-Council President Zalom stated that we need to thank Mr. Parlow for getting this done.
- c) Superior Court of New Jersey/Municipal Division/Vincent Grasso, AJSC/Furloughs and Call-Outs for the Municipal Courts/Received April 13, 2010
- d) Board of Chosen Freeholders/John C. Bartlett, Jr./donation of \$1,000 for our summer concerts/Received April 13, 2010-Council President Zalom stated that she is going to this meeting next year and we will strengthen our application.
- e) Cablevision/Adam Falk, Vice President/Channel Line-Up Changes/Received April 13, 2010
- f) Cablevision/Adam Falk, Vice President/Channel and Programming Changes/Received April 15, 2010
- g) Ocean County Board of Health/Kenneth Wenrich, Acting Environmental Health Coordinator/2011 Solid Waste Control Program/Received April 19, 2010
- h) Cablevision/Tricia Kaminski, Assistant/Tariffs for all Systems/Received April 21, 2010
- i) DeMaio's Inc./Natalie Chupa, Environmental Scientist/RAO-Church of St. Pio of Pietrelcina, Rt. 35 North and Philadelphia Avenue, Lavallette, NJ/Facility #021733/Received April 23, 2010

- j) Voters & Taxpayers Association of Lavallette/Joseph Marcianti, President/Parking Distances from Stop Signs/Received April 27, 2010-Councilwoman Filippone stated that she will respond to this under unfinished business.
- k) Aqua New Jersey, Inc./Scott Mitchell, Director of Corporate Development/Frequently Asked Questions and Myths and Facts about Water and Wastewater Systems in New Jersey/Received April 26, 2010
- l) Jersey Professional Management/Dan Mason/Top Ten Reasons Why Everyone Should Stop Trying to Merge Towns/Received April 27, 2010
- m) Mumford-Bjorkman Associates, Inc./Final Inspection of completeness of the Fluted Column Tank Inspection/Received April 27, 2010
- n) Lavallette Heritage Committee/Joy Grosko, President/Donations towards concerts for 2010-Councilman Horan thanked Mrs. Grosko for the donation of 4,000 towards our summer concerts.
- o) Lavallette Yacht Club/Donation towards the 2010 Fireworks/Received April 29, 2010-Councilman Horan thanked the Yacht Club for their donation of \$200.00 towards the fireworks.
- p) State of New Jersey/Division of Contract Compliance/Bruce Cooke, Affirmative Action Investigator/confirming our Public Agency Review Scheduled for 10 am on May 6, 2010
- q) United States Environmental Protection Agency/Roch Baamonde, Grants Management Officer/Grant Information/Received May 3, 2010
- r) Office of the Ocean County Engineer/Thomas Hartman, Assistant County Engineer/Road Openings/Received May 3, 2010
- s) Ocean County Utilities Authority/Keith Marcoon, Planning Engineer/2010 Metered Flow Data/Received May 4, 2010-Councilman Borowski stated that he is very disappointed with the increase of 53% flow with the OCUA in just one year. The flows overall are at record high levels. He is afraid of what we are facing down the road. He has put a call in to the OCUA to see what April's flow was. He knows that the water and sewer department and Mr. Parlow have been working on the problem but he believes that further studies of the infiltration problems need to be addressed. There are definitely repetitive violators.  
 Mr. Parlow stated that Public Works as well as Mr. Remy have been working on isolated sections to see where the flow is coming from. The ocean block has already been being done and he does believe may already have been completed.  
 Councilman Lamb questioned if the amount of violators has increased since the last time?  
 Mr. Parlow stated that he is not to sure because they are finding repeat offenders.  
 Councilwoman Filippone questioned if summonses are issued when they find the offender?  
 Mr. Parlow stated that all the violators that we have found so far have been issued summonses.  
 Councilwoman Filippone stated that the letter stipulated that the flow increased 53% County wide and they emphasized that it was a very rainy snowy season.  
 Councilman Borowski stated that no matter what the season or increase we have already sealed this system once and it seems to still be happening.  
 Councilman Borowski questioned what the maximum sanction is for this offense?  
 Mr. Parlow stated that the maximum penalty is \$1,000 fine.

Councilman Borowski questioned if the rainfall has ever been compared with the flow?  
Mr. Parlow stated that the Engineer has done this a couple of times?

- t) State of New Jersey/ Department of Environmental Protection/David H. Kerr, Communications Officer/Suspected Hazardous Substance Discharge Notification NJDEP Case Number 10-04-30-1115-49/Received May 4, 2010
- u) Barnegat Bay Partnership/L. Stanton Hales, Jr., Program Director/change in name from Barnegat Bay Estuary Program/Received May 6, 2010

General With Action:

- a) Jersey Shore Premium Outlets/Michele Deroian, Assitant General Manager/Show Your Beach Badge and Save Program/Received April 15, 2010-Mr. Parlow will fill out information.
- b) Alice and John Comer/13 Vance Avenue/requesting that a volleyball net be placed on the ocean beach in between Vance and Reese Avenue and is offering to purchase it/Received April 20, 2010-Council President Zalom stated that years ago we had volleyball nets up at the beach; however, with the change in the size of our dunes and the less of beach we have it might be difficult now. We will assess the situation a bit more before this can be approved.
- c) Shamy & Shamy/T.K. Shamy/Attorney for Anthony Giorgianni/Resident of 900 B Grand Central Avenue/requesting a handicap parking space in front of his home/Received April 21, 2010-Mr. Parlow stated that in his opinion handicap spaces should be used strictly for access to public places not private homes. Councilman Borowski questioned if he had off street parking? Mr. Parlow stated that he does have a driveway. Council President Zalom stated that this could not be approved at this time.
- d) Tracy Bottazi/104 West Mantoloking Road/Brick, NJ/requesting permission to hold a small Arts & Crafts project on the beach consisting of five children at a time from 10 am to 3-pm at a cost of \$20.00 per child for two hour intervals/Received April 22, 2010-Council President Zalom stated that she thinks this would be setting a precedence but would like to call her and see if she would like to do this under Recreation at the school.
- e) Union Church of Lavallette/Reverend Todd Condell, Senior Pastor/requesting to hold his annual Beach Service on Philadelphia Avenue on Saturday Evenings starting Memorial Day Weekend until October 1<sup>st</sup> at 6:30 pm./Received April 22, 2010-Council President Zalom stated that this is an annual request and is okay.
- f) Ocean County Library/June Schneider, Branch Manager/requesting the use of our sound system for their Battle of the Bands to be held on June 12, 2010/Received April 23, 2010-Council President Zalom stated that this is an annual request and would be no problem.
- g) The Ocean Beach Surf Club/Dave Finter, Building and Grounds/requesting the town clean their private beach once a week and they will pay a comparable price/Received April 26, 2010-Councilman Borowski stated that he has spoke to the Supt. and he is not even sure if the rake can even negotiate an access way. He stated that we have an Association in town already that has a private beach and take care of it themselves. He believes that we should remain consistent. We will definitely be setting precedence.

Councilwoman Filippone stated that this beach is private not public property and they should have to take care of it on their own.

- h) State of New Jersey/Office of the Governor/Toolkit Request For Reforms/Received April 26, 2010-Councilman Borowski stated that this letter was addressed to the Mayor and he would hope that he will take care of filling out the proper paperwork to support this tool kit reform.

Councilman Borowski made a Motion to have the Mayor to fill out the proper paperwork supporting the Governor's Tool Kit Reform. The Motion was seconded by Councilman Lamb. Vote: All of Council was in Favor with the exception of Council President Zalom. The Motion Passed. The resolution will be on the next agenda for approval.

- i) Lavallette Soccer Camps/Tony Meola, Owner/requesting the use of our ball field from August 9<sup>th</sup> through August 15<sup>th</sup> from 9am to 12 noon/Received April 29, 2010-Mr. Parlow stated that this is an annual request and the dates are available.
- j) Board of Chosen Freeholders/John P. Kelly, Freeholder/Older Adult Traffic Safety Committee/Anniversary 2010 Ocean County/Received April 29, 2010-Council President Zalom stated that no one is available for this.
- k) Frederic Rossi/1 Westmont Avenue/requesting to hold a wedding on Westmont Avenue Beach on September 25, 2010 from 4pm to 6 pm/Received April 30, 2010-Council President Zalom stated that this is after the summer season and should be okay.
- l) Rite-Aid Corporation/Patrick Boyle, Store Manager/requesting to their second annual "Welcome Summer Event" on June 23, 2010 from 11 am to 3 pm/Received April 30, 2010-Council President Zalom stated that this is an annual request and seemed to work out last year.
- m) New Jersey General Assembly/Assemblyman David Wolfe/invitation to the Boat Safety Meeting to be held on May 26, 2010/Received May 5, 2010-Mr. Parlow stated that the Chief will be attending this meeting.
- n) New Jersey Business & Industry Association/requesting your attendance at their 2010 New Good Neighbor Awards Luncheon on June 4, 2010/Received May 6, 2010-Council President Zalom stated that she will have the Mayor check his calendar.

#### **UNFINISHED BUSINESS:**

Councilwoman Filippone stated that at the last meeting there were a few questions asked of her that she needed to check on. She has those answers tonight and would like to share them with the public. First, she reported that there were 22 break-ins total in Lavallette. Twelve of them were traced back to the string of break-ins along the island and that violator was arrested. The remaining 10 were not excessive and were isolated. Most of them being on the ocean block where most homes are not year round. She believes that the ocean homes are more accessible because they are closed down and it is very dark up there at night and isolated. There were none on West Point Island which is probably because it is mostly a year round community. Second, she spoke to the Chief on the issue of the rolling stops on the corner of Baltimore and Washington Avenues. He was not aware of any problems but he will have more patrols there.

Councilman Lamb stated that maybe if we look into painting large letters with "Stop Ahead" that would help some.

Councilwoman Filippone stated that the Chief has a plan with regards to the bicycle safety in town. His main concern now is the mandatory stopping requirements for pedestrians in the crosswalks. He is going to have more officers placed at certain areas along Grand Central Avenue to make sure that cars are stopping for pedestrians. While they are there they can also make sure that the bicyclists are obeying the safety rules and if they are not they will be ticketed also. He is hoping this will kill two birds with one stone even though the traffic and pedestrian safety will take priority. We have budgeted for the two guards on Bryn Mawr and New York Avenues already.

Councilman Lamb stated that he does not agree with the law in Lavallette. We have two lanes of highway traffic and one lane will stop but the other lane does not that is when you have a problem. He has seen the mess first hand when he was a police officer. It just does not work well here. He pleaded with all to make sure that both lanes are stopped before crossing into the second lane.

Councilwoman Filippone stated that the biggest problem is the way the law is written. We have to stop as soon as a pedestrian steps off the curb. In Lavallette you can not see them step off the curb because of our angle parking, you will not see them until they are almost to the lanes. He was thinking of having the Police go to the school and talk to the children about responsibility in crossing the street and to be very alert in doing so.

Councilman Borowski stated that the way the law is written, you have to stop from the time they step off the curb until the time they step back onto the curb.

Councilman Stogdill stated that in Red Bank it works great by the Hospital with cars stopping but on Broad Street nobody stops for pedestrians.

Councilwoman Filippone stated that she also spoke to the Chief about the coupon incentive and he does not think his guys are going to be able to manage that this summer with everything else they need to be responsible for. There is just not enough time or employees.

Council President Zalom stated that she thinks they should at least try it even if it is one day a week.

Councilwoman Filippone stated that the yellow curb issue is almost complete. They have reviewed all the streets and overall on Grand Central Avenue alone we are looking at 100 more spaces. Once the Ordinance is passed which we hope to have introduced at the next meeting we will have to have Public Works paint the yellow to white. The Chief has stipulated that now that this has been done there will be no tolerance for parking in the yellow curb. We created so many more spaces that there should be no reason for yellow curb parking, you will be ticketed. A letter should go out to the LVT explaining that it is a process and we hope for it to be completed as soon as we possibly can.

Councilman Horan questioned where we were on the two hour parking?

Mr. Parlow stated that we are waiting on the State.

**NEW BUSINESS:**

There was no new business.

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

Peter Sturm, 1600 Ocean Front stated that he would like to see more patrolling of the dunes on his street. He is chasing a lot of kids off of the dunes all the time.

Bill Kinney, 23 Philadelphia Avenue stated that the judge should be made aware that they are dumping thousands of dollars into our sanitary sewer. They should be charged damages and fines. Also, he asked for an update on the Rt. 35 Surfacing Project.

Mr. Parlow stated that we did have a meeting with the State Engineer on that project; however, they still have not allocated the funds for the construction portion of the costs. We have a legislative alert on our website which is a letter that we drafted for our residents to sign and send to the State asking them to put a rush on this project. Hopefully, with your help we can put some fires under the State to put a rush on things.

Mr. Kinney stated that in Belmar they have in the crosswalks these pedestal signs saying “Yield to Pedestrians.” Why don’t we have them in our crosswalks?

Councilwoman Filippone stated that the Chief is uncomfortable with those signs being in the center of our highways. He is working on putting something on the shoulder of the highways advising that this is a crosswalk. She has actually advised the Chief that maybe we need to consider contacting the State to lower the speed limit on Grand Central Avenue for the summer season. She truly believes this is the only way to slow them down and stop them as well.

Mr. Kinney also thanked Council for the advancement of the bicycle safety problem. He then asked if Mr. Parlow could explain Ordinance 2010-10 (1082) to him.

Mr. Parlow stated that in the budget law by passing this ordinance it allows the town to exceed the cap. As it stands right now the COLA is at 0% and we would be restricted to no increases. With adoption of this ordinance we can increase the budget by 3.5% and whatever is not used can be banked for future years.

Clem Boyers, 20 Kerr Avenue stated that in the law it states crosswalks. He asked if that means that we need to paint a crosswalk at ever intersection.

Mr. Parlow stated that the law reads crosswalks or intersections.

John Gardella, 9 New Brunswick Avenue questioned with the new law if a street light is green do cars still have to stop for the pedestrians.

Mr. George stated that the law reads if a street light is green at an intersection the pedestrians must wait for the street light to turn red before crossing.

Councilman Borowski stated that the pedestrians must adhere to the controlled intersections.

Joy Grosko, 13 Camden Avenue thanked everyone in town for making possible what we can do. Just so you know what donations we give you we collect at the concerts and if we are short Heritage puts in the difference.

Ernie Stefanelli, 122 Camden Avenue questioned if any of those break-ins were when residents were home.

Councilwoman Filipponi stated that she was not sure but did not believe anyone was home at the time. She will check with the Chief and let you know.

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

Councilman Stogdill just wanted to remind everyone that there is no more PO Box for payments or mail to the Borough of Lavallette. We have phased out the PO Box so everything mailed to us should be mailed to 1306 Grand Central Avenue. Also, this would be a perfect time to make use of the ACH system for payments.

Councilman Borowski thanked the Lavallette School for the plantings of 8 beach plum trees on the bay front. Thanks also to the Lavallette Hardware Store for their donation of our flags adorning Grand Central Avenue. Today starts the summer schedule for garbage and recycling pickup two days a week. The east zone is picked up Monday and Thursday and the west zone is picked up Tuesday and Friday. We will be implementing the single stream recycling after the summer season. As limited as we are with employees down at the Public Works Department we still have found the time to implement plantings and landscaping in front of the Beach Badge Office and it looks spectacular. We had some help from the Department of Corrections with cleaning the sand off the boards. There was a need for the bobcat to be repaired and it was an expensive cost of \$6,600 as well as a transmission rebuild for another vehicle of ours for \$1,800. Lastly, next week is National Emergency Medical Services Week and he would like to read a loud a letter that he put in the Ocean Star thanking all my volunteers from the Lavallette First Aid Squad.

Council President Zalom stated that Lavallette is one of New Jersey's top 10 beaches. In the AARP Magazine they have Lavallette as the best place to live in New Jersey. Ocean County got a triple A Bond Rating which is absolutely fantastic.

### **ADJOURNMENT:**

A Motion was made by Councilman Borowski 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 8:36 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 Mayor and Council held on the 10<sup>th</sup> day of May 2010

---

Christopher F. Parlow  
Municipal Clerk