

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
Monday, December 7, 2009 – 7:04 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Wenzel, Zalom, Lamb, Stogdill, Horan and Filippone
Council Members Wenzel and Stogdill were absent.

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Philip George, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk
Council-Elect James Borowski

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 the Remembrance of Pearl Harbor Day. He read a small article from a newspaper.

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

MAYOR'S WELCOMING STATEMENT: Mayor LaCicero thanked everyone in the audience for coming to tonight's 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.

Wade Brackman, 12 Lavallette Avenue, stated that he was appalled that Mayor and Council would even consider the idea of selling a street in Lavallette. He has been a Lavallette Avenue resident his whole life and does not agree with this at all.

Maryann Popper, 1600 Bay Blvd. stated that she is a 100% against this proposal of vacating a portion of Lavallette Avenue. She stated she is against it for many reasons such as safety, quality of life and health hazards with a driveway being so close to houses. Many residents of Lavallette use Lavallette Avenue as a through way with their bikes and walking. They use it to get to the library and to the beach. Putting another house on that road would increase the parking and the people and if you vacate that portion of the street we will lose some of the parking also. She stated that when they bought their house thirty years ago they were told that piece of land was not buildable and we would never lose our view of the water. If the Council allows this than that piece of land will

become buildable and they will lose their view. She also ask that nothing is moved on with this situation until April. They will be going away for the winter and the homeowners that are only here in the summer should get a chance to speak about it.

Stan Gawel, 109 Bryn Mawr Avenue stated that municipalities should not want more revenue they should be looking to cut expenses and selling a street off is not cutting expenses.

Benita Brackman, 12 Lavallette Avenue stated that she has owned her home on Lavallette Avenue since 1963 and has lived here since 1965. She cannot believe that the Council would even consider this preposterous idea. Lavallette Avenue is a very busy street and the reason is because it is mostly a through way for Bay Boulevard, the library, the ballfield and for bicyclists so they do not have to stay on Bay Boulevard to get to West Point Island. Please reconsider even thinking about this.

Michelle Steinmetz, 45 Pershing Blvd. stated that she has been coming to Lavallette for thirty something years and thinks this whole idea is just ridiculous. Her parents retired down here and built their dream home so they could always have a beautiful bay view. By allowing this to happen they will not only lose their view but they will not be able to see anything but the house across the street. This should not even be an issue with selling a street in this town. Her family decided to buy a home here because we loved it growing up. Please think about this and the fact that you would be hurting a lot of residents.

Donna Franzoso, 26 Lavallette Avenue stated that she and her husband were not in favor of selling the street portion of Lavallette Avenue. She does not think it will be a good idea. Lavallette is not about selling streets we are about being a friendly close knit town. We have already been through this when Shore Marine wanted to do this and it was not even considered.

Joan Brackman, 10 Pennsylvania Avenue stated that she grew up on this street and thinks it would be a shame if this was done. We all knew that houses would eventually be constructed and that was enough of a change and now they want to take a portion of our street away. That little island on Lavallette Avenue gives the street some character. We already have parking problems why would we even consider doing something so bizarre as to have us lose more parking spaces in town.

Joe Popper, 1600 Bay Blvd. stated that his family is directly involved in this as his street directly fronts the lot to be sold. He has used this street for thirty years and to even consider this would be lack of judgment on the Council's part.

Mayor LaCicero thanked everyone for their comments and stated that no opinions from Mayor or Council have been even formed on this. This was just a proposal given to us by a local developer just to see what could be done. There is nothing etched in stone.

Joseph Tarantino, 19 Lavallette Avenue stated that there are utility and sewerage issues in that area that would need to be dealt with. Who would take care of all of those costs?

Mayor LaCicero stated that we do not have answers on that as of yet but we are working on getting that information.

Stan Gawel, 109 Bryn Mawr Avenue stated that on the north end of town there is a big problem with parking. He asked if anything was going to be done about it and if so when.

Mayor LaCicero stated that the whole town is a parking problem and we always try to find ways to fix it. There is only so much you can do to fix it.

Walt Kosenski, 2000 Bay Blvd. apologized for all this hype over Lavallette Avenue. This was just an informal proposal he presented to the Mayor. He did not know if it is possible but they just wanted to get some type of idea. He stated that everyone should not lose sight of the fact that this whole corner was a mess until we cleaned it up and removed the unsightly structure. They thought this proposal was trying to do something nice for the neighborhood to make up for the disaster they have been dealing with all these years. They do not even have to build a house on the lot maybe just put a pool with a cabana so the view is not as obstructed. What he is trying to say is let's think of this as a positive thing instead of a negative one.

Nancy Tarantino, 19 Lavallette Avenue stated that they were very happy with the cleaning up and removing of the structure but that has nothing to do with the fact that they do not want a portion of our street sold to a developer. She commented that they are now talking about a pool with a cabana.

Paul Magno, 90 Dickman Drive stated that he is Walter Kosenski's business partner and all they are trying to do is beautify the neighborhood. He stated that they own the property and something is going to be built there and the views will be blocked no matter what. He commented that we need to just accept change and understand that whatever will be there is better than what it was before.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES

Caucus/Regular Meeting of November 9, 2009
Executive Session Minutes of November 9, 2009

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

REPORTS:

- a) Police Report for November-Councilwoman Filippone-read report
- b) Planning Board Report for November-Councilwoman Filippone-There was one case last month that could not be heard because of revised plans that needed to be reviewed so it was carried over to the December meeting.
- c) Animal Control Report for November-Councilwoman Filippone-read report
- d) Public Affairs Report for November-Council President Zalom- She attended the 2009 Alliance Recognition Event that honored her, Kathy Mango and Mr. & Mrs. Zaccaria for many years of volunteer service. The tree lighting was a big success. We had over 200 people attend and Santa arrived on the Fire Truck. The Oyster Dinner was on December 5th and that was a big

success as well. They fed 60 seniors at the Senior Lunch and a Movie. He ask all not to forget about the Lavallette Birthday Party on December 21st. We had to change our meeting time on that night from 7pm to 5pm to accommodate for the party. You can still get your beach badges to give as holiday gifts until Friday the 11th. There is going to be a ski trip on January 23rd to Wyndam.

- e) Zoning Report for November-Councilwoman Filippone-read report
- f) Construction Report for November-Councilwoman Filippone-read report
- g) Report of Tax Sale of November 18th-Tax Collector
- h) Tax Account Status Report for November-Tax Collector
- i) Revenue Transaction Report for October-Chief Financial Officer
- j) Detailed Budget Report for October-Chief Financial Officer

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

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

RESOLUTIONS – ON CONSENT:

- 2009-256 awarding a contract to Pedroni Fuel Company for the purchase of diesel fuel being a participating unit of the Stafford Township Cooperative Pricing System- Council President Zalom stated that she is thankful that we are part of this Stafford Co-op because we get charged a lower rate per gallon.

- 2009-257 authorizing the Mayor to sign an application for a special permit for social affairs to the Lavallette First Aid in conjunction with the Lavallette Birthday/Christmas Party on December 21, 2009

- 2009-258 authorizing the electric collector to remove an electric account and adjust the billing in the amount of \$2,737.78 due to a demolition

- 2009-259 authorizing the refund of taxes to Block 44.02 Lot 32, Alan Meravi in the amount of \$ 906.06 due to an erroneous amount automatically withdrawn from his account

- 2009-260 authorizing the correction of an electric bill in the amount of \$402.53 due to an incorrect reading

- 2009-261 authorizing the Treasurer to issue a check in the amount of \$7,760.02 payable to US Bank Cust for Pro Capital I, LLC for the redemption of the tax lien placed on Block 14 Lot 7

- 2009-262 accepting a donation in the amount of \$4,802.92 from the Lavallette Heritage Committee for Holiday lights and decorations.

- 2009-263 urging the 10th district legislators to sponsor legislation to amend the Open Public Records Act, N.J.S.A. 47:1A-1, et seq.
- 2009-264 appointing Andrew Pero as a Class II Officer at an hourly rate of \$10.50 commencing on December 4, 2009
- 2009-265 appointing Stephen LaCicero as an interim laborer for a period commencing December 16, 2009 and ending May 20, 2010 at an hourly rate of \$10.25
- 2009-266 accepting eight new commemorative benches from the Friends of Lavallette Beautification Committee-Council President Zalom thanked Beautification for all they do for the town to beautify it.

Mayor LaCicero opened the floor up for public comment on the consent agenda and the bills list and asked if anyone in the audience wished to comment on the consent agenda.

There was no public comment.

The Mayor closed the floor to the public and asked for a vote.

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

RESOLUTIONS-OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2009-267 Bills List in the amount of \$805,560.80

A Motion to Approve the Bills List was made by Councilman Lamb. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Lamb and Filippone voted Yes. Council President Zalom abstained on 09-04455 and voted Yes to all others. Councilman Horan abstained on 09-04456 and voted Yes to all others. The Motion passed.

ORDINANCES ON FOR INTRODUCTION/FIRST READING:

ORDINANCE NO. 2009-17 (1070) ORDINANCE OF THE BOROUGH OF LAVALLETTTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 56 OF THE BOROUGH CODE, ENTITLED "STREETS AND SIDEWALKS" SO AS TO AMEND THE VIOLATIONS AND PENALTY PROCEDURES FOR RESIDENTIAL PARKING PERMITS.

Mr. Parlow stated that there were some minor issues that need to be stipulated regarding the violations and penalty section of the residential parking permits.

A Motion was made by Council President Zalom to introduce Ordinance No. 2009-17 (1070). The Motion was seconded by Councilwoman Filippone. Vote: Council Members Zalom, Lamb, Horan and Filippone voted Yes. The Motion passed.

Public Hearing and Final Adoption scheduled for December 21, 2009 at 5:00 pm.

ORDINANCE NO. 2009-18 (1071) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, IN THE COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING CHAPTER 90 OF THE CODE OF THE BOROUGH OF LAVALLETTE ENTITLED ZONING SO AS TO AMEND THE BUSINESS DISTRICT REQUIREMENTS.

Councilwoman Filippone stated that the Planning Board has worked a long time on this ordinance and feel it is the best for helping the B2 district with their multiple uses for commercial establishments.

A Motion was made by Councilwoman Filippone to introduce Ordinance No. 2009-18 (1071) and direct the Municipal Clerk to give notice at least ten (10) days prior to the hearing on the adoption of this ordinance to the County Planning Board. The Motion was seconded by Council President Zalom. Vote: Council Members Zalom, Lamb, Horan and Filippone voted Yes.

Public Hearing and Final Adoption scheduled for December 21, 2009 at 5:00pm.

ORDINANCE NO. 2009-19 (1072) AN ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY SUPPLEMENTING AND AMENDING § 6-1, ET SEQ., AUTHORIZING "LAVALLETTE GOOSE PATROL" MEMBERS TO EXERCISE DOGS IN CERTAIN PUBLIC AREAS OF LAVALLETTE IN ORDER TO REDUCE THE NUMBER OF CANADIAN GEESE INFESTING THESE RECREATIONAL AREAS

Mayor LaCicero stated that Council received numerous letters complimenting the goose patrol for cleaning up the ball field. This ordinance is to just clarify some issues and also change the name from geese police to Lavallette Goose Patrol.

A Motion was made by Council President Zalom to introduce Ordinance No. 2009-19 (1072). The Motion was seconded by Councilman Horan. Vote: Council Members Zalom, Lamb, Horan and Filippone voted Yes. The Motion passed.

Public Hearing and Final Adoption scheduled for December 21, 2009 at 5:00 pm.

ORDINANCES ON FOR FINAL ADOPTION/SECOND READING

ORDINANCE NO. 2009-16 (1069) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, ANNEXING TO THE BOROUGH CERTAIN

PROPERTIES LOCATED IN THE TOWNSHIP OF TOMS RIVER PURSUANT TO N.J.S.A. 40A:7-13

A Motion was made by Councilman Lamb to adopt Ordinance No. 2009-16 (1069). The Motion was seconded by Councilman Horan.

Mayor LaCicero opened the floor to Public Comment on Ordinance 2009-16(1069).

There was no public comment.

The Mayor closed the Public Hearing.

Mr. George stated that Toms River Township appealed this annexing back in July and the trial court turned it down stating they supported the annexation to Lavallette Borough. Once the appeal was denied his office drafted the Ordinance. Mr. George stated that during this entire process Lavallette was never once named as a party. The Borough introduced the Ordinance in November and in the meantime Toms River Township has applied for reposition to re-appeal the case. Lavallette is still not including as a party to this appeal. The court requested a stay and the attorney for Toms River requested that the Borough hold off on adopting the ordinance. He stated that it is their position that we move on adopting this ordinance and use the effective date of January 1st until we are ordered otherwise.

Councilman Lamb asked who is the attorney handling the case for Toms River.

Mr. George stated that they are apparently special counsel hired by Toms River to work this re-appeal process.

Councilwoman Filippone asked that once the ordinance is passed and the stay is cleared up would we go back to January 1st or do we use the effective date of the court case.

Mr. George stated that it would have to remain the effective date of decision because we ca not use the January 1st date if the case is not decided.

Mayor LaCicero called for a vote. Vote: Council Members Zalom, Lamb, Horan and Filippone voted Yes. The Motion was passed.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Appeal of Civil Administrative Penalty Assessment/Received November 12, 2009
- b) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq/Borough of Lavallette v. Leonard Churchill & John Forman/Received November 19, 2009
- c) Wolff & Samson/Counsellors at Law/Thomas J. Trautner, Jr/Borough of Lavallette, Ordinance No. 2009-16 (1069)/Annexation of Bay Beach Way/Received December 3, 2009

- d) Wolff & Samson/Counsellors at Law/Thomas J. Trautner, Jr/Borough of Lavallette, Ordinance No. 2009-16 (1069)/Annexation of Bay Beach Way/Received December 4, 2009
- e) Eric M. Bernstein & Assoc/Philip G. George, Esq/Bay Beach Way Realignment Committee/Township Council of the Township of Toms River/Received December 4, 2009

Engineering:

- a) O'Donnell, Stanton & Assoc/Michael O'Donnell/Bond & Kerr Avenues Road Improvements/Pay Estimate No. 1/Received November 30, 2009
- b) O'Donnell, Stanton & Assoc./Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Soil Erosion and Sediment Control Application/Received November 30, 2009
- c) O'Donnell, Stanton & Assoc/Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Received November 30, 2009
- d) O'Donnell, Stanton & Assoc/Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Received December 1, 2009
- e) O'Donnell, Stanton & Assoc./Michael O'Donnell/Bond & Kerr Avenues Road Improvements/Punch List/Received December 3, 2009

New Jersey League of Municipalities:

- a) New Law Affecting Members of Local Authorities, Boards and Commissions/Received November 13, 2009
- b) November 19 Meeting Christie/Guadagno Red Tape Review Group Local Officials Invited to Testify/Received November 16, 2009
- c) Mayors Task Force for School Funding Reform Seeks Your Support/Received November 16, 2009
- d) A-3119/Increases LUARCC Powers/Received November 23, 2009
- e) QPA Bill Conditional Veto/Received November 24, 2009
- f) Retrofitting Suburbia/Received November 24, 2009
- g) Changes to the DLG Website/Received November 24, 2009
- h) Lame Duck Legislative Session Begins/Received November 25, 2009
- i) New Laws/Received November 25, 2009
- j) The League's Legal Consultation Service/Received November 25, 2009
- k) Mayors Task Force for School Funding Reform Seeks Your Support/Received November 30, 2009
- l) Property Tax Relief Funding Deferred Permanent Cut Considered/Received December 1, 2009
- m) League Conference Resolutions/Received December 1, 2009
- n) State Report Confirms Need for Pension and Benefit Reforms/Received December 1, 2009
- o) Urgent Legislative Alert!-A-4280 & S-3045, Time of Decision/Received December 2, 2009
- p) FCC Adopts Wireless Tower Siting Position/Received December 2, 2009
- q) League Joins Challenge to Verizon's Claimed Exemption from Business Personal Property Tax/Received December 2, 2009

General With No Action:

- a) State of New Jersey/Bureau of Underground Storage Tanks/Kathleen M. Katz, Acting Section Chief/Remedial Action Work plan Approval for Sunoco Service Station/Received November 10, 2009
- b) Ocean County Engineer/Alan R. Rissmiller/Assistant County Engineer/Road Maintenance Restoration for Snow Removal Operations/Received November 10, 2009
- c) NJ Transit/John C. Leon/New Schedule Information/Received November 12, 2009
- d) Cablevision/Adam E. Falk, Vice President/Launch of Tele El Salvador and Smithsonian Channel and Smithsonian Channel HD/Received November 13, 2009
- e) Agnes and Walter Anderson/13 Magee Avenue/issuing a complaint about a Public Works Employee and advising they will be taking care of their sump pump issue/Received November 13, 2009
- f) State of New Jersey/Department of Environmental Protection/Division of Water Quality/Jeffrey Reading, Assistant Director/FY2010 Annual Fee Report and Assessment of Fees for the NJ Pollutant Discharge Elimination System Permit Program/Received November 16, 2009
- g) Lavallette Volunteer Fire Company #1/2008 Tax Returns/Received November 16, 2009
- h) Congress of the United States/John Adler, Congressman/advising of FEMA teams assessing damages from the storm starting on November 17, 2009/Received November 17, 2009-Mr. Parlow stated that all proper paperwork has been filed we just have not heard from FEMA.
- i) Ocean County Utilities Authority/Richard M. Warren, Executive Director/Preliminary Estimate of 2010 Annual Charge/Received November 17, 2009
- j) Cablevision/Adam E. Falk, Vice President/Launch of Fox Business News and Fox Business News HD/Received November 20, 2009
- k) Ocean County Municipal Joint Insurance Fund/PERMA/2010 Budgets/Received November 24, 2009
- l) RAMPP/Jean Huang, Task Order Manager/Field Survey for FEMA Flood Studies in Atlantic, Bergen, Morris, Ocean, Passaic, Somerset and Union Counties/Received November 30, 2009
- m) Municipal Excess Liability Joint Insurance Fund/David N. Grubb, Executive Director/POL/EPL Deductibles/Received November 30, 2009-Mr. Parlow stated that there are going to be a number of changes regarding personnel policies and employee training.
- n) Cablevision/Tricia Kaminski, Assistant/Tariffs for all Systems effective January 1, 2010/Received November 30, 2009
- o) Ocean County Department of Solid Waste Management/Mary E. Jerkowicz, Program Monitor/Final Recycling Rates for 2008 for all municipalities in Ocean County/Received November 30, 2009
- p) Friends of Lavallette Beautification Committee/Pat Marrone, Chairperson/Officers for the 2010 Year and 2009 End of Year Report/Received December 3, 2009

General With Action:

- a) Congress of the United States/John Adler, Congressman/2009 Adequate Fire and

- Emergency Services (SAFER) Grants Program Guidance on the Assistance to Firefighters Grants Program Website/Received November 12, 2009-Mr. Parlow stated that a copy of this was provided to the Fire Department
- b) County of Ocean Road Department/Stephen F. Childers, County Road Supervisor/After Hour Call-Outs/Received November 13, 2009-Mr. Parlow stated that he spoke to the Chief about this and we rarely need to do call-outs to the County.
 - c) Golden Elks Pop Warner Football/R. Brett Madden, Esq/requesting to use our ballfield for August, September, October 2010 football practices/Received November 16, 2009-Mayor LaCicero asked that Mr. Parlow send them a letter advising them the field is unavailable.
 - d) New Jersey Natural Gas/Renee M. Amellio, Outreach Program Specialist/requesting that the town help promote the SAVEGREEN Project by putting a Web banner on our website/Received November 17, 2009-Mr. Parlow stated that he would take care of.
 - e) Don Oriolo/25 Sturgis Road/requesting Mayor and Council vacate the corner of Sturgis “Dedicated for future road widening” to allow my lot to become conforming in square footage to the Ordinance/Received November 23, 2009-Mr. Parlow stated that this letter should be directed to the Ocean County Planning Board
 - f) Lavallette Democratic Club/Sara Ardito, President/requesting the use of Council Chambers for their monthly meetings/Received December 7, 2009-Mayor LaCicero stated that this was okay providing that there were no conflicts.
 - g) Friends of The Save Barnegat Bay 8K/Kirk Tilton, Trustee/requesting to hold their annual Save Barnegat Bay 9k on June 26, 2009-Mayor LaCicero stated that this was okay providing there were no conflicts.

UNFINISHED BUSINESS:

Mayor LaCicero stated that Councilman Stogdill could not attend the meeting tonight but wanted him to let the public know that as of now there are over 100 residents using the new “Autopay” payment system.

NEW BUSINESS:

COMMENTS FROM THE PUBLIC:

Lachlan Cameron, 116 President Avenue asked if there were any changes in the number of uses with the new ordinance.

Councilwoman Filippone stated that only two uses are permitted. It depends on the number of entities based on a minimum of 500 square feet of space.

Joe Palinsky, 122 Washington Avenue asked if the franchise agreement with Cablevision has expired.

Mr. Parlow stated that as of right now the agreement with Cablevision has expired.

Mr. Palinsky questioned whether we can go out to bid for other cable services.

Mr. Parlow stated that our area is only serviced by Cablevision so we can not go into contract with any other cable service.

Mr. Palinsky requested that we not do a 25 year agreement but maybe only a five or ten year agreement.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Horan stated that as of January 1st 2010 the Lavallette residents will be able to participate in the NJ Public Utilities Star Program. This pertains to rebates on high efficiency appliances and many more savings.

Mr. Parlow stated that a link will be put on our website for information.

Council President Zalom stated that the Ocean County Freeholders will be sending us over a resolution they did on beach replenishment that we need to do ourselves. She will see you all at Lavallette's Birthday Party and she is very pleased and excited about our new street.

Councilman-Elect Borowski stated that at the Oyster Supper he was approached by a resident that had nothing but praise for Mr. Parlow and Mr. Remy. They helped her with a sump pump and street problem and were so prompt in doing she was so pleased. He will be attending a newly elected official course in January. He would also like to compliment Public Works on a magnificent job on the boardwalk but we need to figure out the snow fencing problem.

Mayor LaCicero stated that we were hoping that the funding from FEMA would help in the costs to replace it.

Mayor LaCicero reminder all that the Council Meeting on December 21st will be held at 5 pm and not at 7 pm so that all can attend the birthday party.

EXECUTIVE SESSION:

Mr. George stated that there is a need to go into Executive Session to discuss some contract negotiations pertaining to the Dispatchers Contract. There will be no action taken.

A Motion was made to Adjourn the Caucus/Regular Meeting to go into Executive Session by Council President Zalom. The Motion was seconded by Councilman Horan. All of Council were in favor. The Motion Passed. The Caucus/Regular Meeting was adjourned to go into Executive Session at 8:44 pm.

A Motion was made by Councilman Horan to reconvene the Caucus/Regular Meeting. The Motion was seconded by Councilwoman Filippone. All of Council was in Favor. The Caucus/Regular Meeting was reconvened at 9:04 pm.

Mr. George stated that in Executive Session contract negotiations were discussed pertaining to the Dispatchers Contract. Figures were discussed and an offer needed to be revised. No action was taken at this time.

ADJOURNMENT:

A Motion was made by Councilwoman Filippone to adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilman Horan. All of Council were in favor. The Motion passed. The Caucus/Regular Meeting was adjourned at 9:05 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 the Mayor and Council on the 7th day of **December 2009**

Christopher F. Parlow
Municipal Clerk