BOROUGH OF LAVALLETTE (minutes) REGULAR MEETING OF THE MAYOR AND COUNCIL LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS Monday, October 18, 2010-7:02 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Filippone, Lamb, and Horan were present.

Councilman Stogdill was absent.

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk

Philip George, Borough Attorney

Donnelly Amico, Deputy Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting complies with the Open Public Meetings Act. Public Notice was given to the Ocean County Gazette and was published in the Ocean Star on January 8, 2010. Notice was also posted on the municipal bulletin board and the municipal website.

MOMENT OF SILENCE: Mayor LaCicero asked for a moment of silence for Ruth Hayes, a longtime resident who recently passed away and for all the troops overseas.

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

PRESENTATION-Joe Yewaisis of Save Barnegat Bay presenting a donation check to the Borough of Lavallette from proceeds of the Save Barnegat Bay 8K Race

Mr. Yewaisis stated that the 8K Race was another big hit this year. There were about 1,000 participants which is the most we have ever had. Next year it will be called the Lavallette 8K Race and Save Barnegat Bay will not be a part of it. He stated that he will be issuing three checks to the Lavallette Police Department, the Lavallette First Aid and the Lavallette Fire Department which is from the proceeds of the race. Each service helps us out so much on that day that we like to give back to them. We are requesting the date of June 25, 2011 for next year.

Mayor LaCicero thanked him for his donations and explained that the date requested would have to be put in writing.

MAYOR'S WELCOMING STATEMENT: The Mayor thanked everyone for their attendance at tonight's meeting.

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

Mayor LaCicero opened the floor to anyone who wished to comment on any items that were not on the agenda and did not wish to stay for the remainder of the meeting.

Gerry Boylan, 2201 Bay Blvd. questioned what the status was with the solar power and if there was ever a committee that was formed on solar power? Also, where do you look for advertisements on civil service jobs?

Councilman Horan stated that we have an Ordinance on the books that allows you to put solar panels on your home for a fee of \$1,500. We lowered the fee from \$4,500 to \$1,500.

Mr. Boylan stated that GE is coming out with a wind turbine that will cut my electric bills in half so I will have to check into that.

Mayor LaCicero stated that no one has applied for this as of yet so if he wants to take advantage of it he will be the first.

Mr. George stated that if Mr. Boylan goes on the State website he should be able to find the civil service advertisements.

Councilwoman Filippone questioned if Mr. Boylan was considering putting the panels on himself or if he believes that we are going to do it.

Mr. Boylan did not respond.

There were no additional comments from the public.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES:

Caucus/Regular Meeting of October 4, 2010 Executive Session Minutes of October 4 2010 Modified Minutes of Regular Meeting of September 27, 2010

A Motion was made by Councilman Horan to approve the Minutes. The Motion was seconded by Council President Zalom. Vote: Council Members Borowski, Filippone, Zalom and Horan voted Yes. Councilman Lamb abstained on the Minutes of September 27th and voted Yes to all others. The Motion Passed.

RESOLUTIONS – ON CONSENT:

2010-257	authorizing Mayor LaCicero to sign and execute a cooperative agreement with the
	Ocean County Planning Board for continued participation in the Community
	Development Block Grant Program for the years 2011 through 2013

authorizing a bingo license to St. Pio of Pietrelcina to hold their bingo games on various dates for the year 2011 at their Parish Center

- 2010-259 supporting breast cancer awareness by declaring October 15, 2010 as "Pretty In Pink Day"
- 2010-260 authorizing the 2010 Halloween curfew from October 29th through November 1st from 9:00 pm to 6:00 am in the Borough of Lavallette
- authorizing the Recreation Department to hold their Halloween Bonfire on October 29, 2010 at 6:00 pm in conjunction with the Halloween Harvest Hoedown-Mayor LaCicero stated that this will effect the curfew. Mr. Parlow stated that they waive the curfew for this bonfire.
- authorizing the execution of an addendum to the contract with JOGI Construction, Inc. for the Grand Central Avenue Sidewalk Beautification Project-Mr. Parlow stated that within the project there were news racks that were going to be placed in various locations. In the meantime, the newsrack vendor would not allow less than five newsrack units to be ordered. The specification called for just two. We had to specify a different unit. Councilman Borowski questioned if these new racks will fit in with the décor? Mayor LaCicero stated that they are multi space units that will make it organized with less of the racks to be seen. Mr. Parlow stated that they there will be 2 units with 16 spaces in each. Mayor LaCicero stated that the old racks will be taken away.

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, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS

2010-262 Bills List in the amount of \$277,513.62

A Motion was made by Councilwoman Filippone to approve the Bills List. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Horan and Lamb voted Yes. Council President Zalom Abstained on #10-00800 and Yes to all others. The Motion Passed.

UNFINISHED BUSINESS:

Jersey Shore Multisport-LavaMan Triathlon 2011-Requesting the date of June 11, 2011

Mr. Parlow stated that they initially requested June 20th in conjunction with Father's Day and we offered the date of June 12th. They are now requesting the date of June 11th. That date is available if Council agrees to it.

A Motion was made by Councilman Horan to approve the date of June 11th for the Triathlon. The Motion was seconded by Councilman Lamb. Vote: All of Council was in Favor. The Motion Passed

NEW BUSINESS:

Mayor LaCicero stated that the Grand Central Avenue Sidewalk Beautification Project is underway and with the first dig they have located some underground storage tanks located at 602 Grand Central Avenue. He asked Mr. Parlow for an update.

Mr. Parlow stated that there was a picture in the Lavallette history book that shows that the Lavallette Garage was located on the site. Four underground tanks have been uncovered on the site. The gas pumps at the service station were located on the curb line where you just pulled up and got your gas. He has been in contact with the State because the tanks are located within the State's right-of-way and they will be sending out some investigators tomorrow. As far as the project is concerned the contractor will continue on with the project. We are just going to have to skip that section until the State takes care of that problem.

Councilman Lamb questioned if there was anything that could be done with our cable franchise agreement with Cablevision because our residents are not receiving certain channels again.

Mr. George stated he believes this happened once before with other channels but he will look into the agreement. He stated that proviso contents are not guaranteed for and this problem might not be able to be fixed.

Council President Zalom stated that they are replacing the traffic light on Rt. 35 South and President Avenue. This is going to be a more efficient light that we have been asking for.

Councilman Horan thanked all who helped with the Bay Clean Up on Saturday and stated that there will be another clean up in May.

COMMENTS FROM THE PUBLIC:

Clem Boyers, 20 Kerr Avenue thanked all of the employees in the Borough Hall and the Department of Public Works employees. They are always smiling and friendly. This town runs a great operation. Also, the summer project with the maintenance path along the boardwalk worked out wonderfully. He thanked the Mayor for all he does. This town runs so perfectly because of all the great employees and the Mayor and Council up here right now so thank you all for all you do. The Meet the Mayor is a wonderful thing the Mayor does for all our residents. What other town allows you to meet the Mayor every other week personally to get out all your frustrations and actually receive answers. Great Job!

There was no additional public comment.

Mayor LaCicero closed the floor.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that he will be attending the ribbon cutting ceremony at the Northern Recycling Center for the single stream recycling program. The bulk cleanup started today and there is a hazardous waste disposal in Toms River on October 30th from 9am to 3pm.

Council President Zalom stated that the flu shots will be given on October 22, 2010 at the First Aid Building from 12:30 pm to 2:30 pm. The bay cleanup was great and the beach sweeps is on Saturday October 23, 2010. The Halloween Hoedown is going to be great with all the events we have planned. Thank you to Councilwoman Filippone for the donation of the firewood for our bonfire. There will be two New York bus trips on December 8th and December 11th. The Dune Walkovers Project will begin soon. There is a luncheon at the Crab's Claw to benefit the Friends of Lavallette Beautification on October 19th.

Councilwoman Filippone stated that last year she believes that the Council approved paying for the flu vaccines for the employees and she would like to do that again this year.

Councilman Lamb questioned if that also included the First Aid and Fire Dept. volunteers?

Mr. George stated that employees get paid by the Borough of Lavallette volunteers do not.

Councilman Borowski stated that he believes last year emergency personnel workers were given the shots free of charge.

The Mayor questioned how it would be voted on due to the fact that three of the votes would have to abstain for the First Aid and Fire.

Mr. George stated that the motions should go as follows: Make a motion for the EMT's and the regular employees and then do another motion for the Fire Department.

A Motion was made by Council President Zalom to pay for the flu vaccines for Lavallette First Aid Personnel and the Employees of the Borough of Lavallette. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Filippone, Zalom and Lamb voted Yes. Council Members Borowski and Horan Abstained. The Motion Passed.

A Motion was made by Councilwoman Filippone to pay for the flu vaccines for the Lavallette Fire Department Volunteers. The Motion was seconded by Council President Zalom. Vote: Council Members Filippone, Zalom and Horan voted Yes. Council Members Borowski and Lamb Abstained. The Motion Passed.

Mr. Parlow questioned if this was just to pay for the vaccines for the clinic at the First Aid on October 22, 2010?

Councilwoman Filippone stated that it should be just for the vaccines that are given out at the First Aid on October 22nd.

Mr. Parlow stated that he attended the annual Public Power Retreat last week and they celebrated their 25th anniversary. The most important item discussed was the municipal shared services energy cooperation. The members passed individual resolution in favor of this at the last meeting. This would give the ten municipalities in the Public Power the ability to buy and also generate our own power.

Mayor LaCicero questioned if we should put something on the website for our residents to write letters of support?

Mr. Parlow stated that he does not think we should do that as of yet. He stated that there have been no signs of any opposition so far.

Mayor LaCicero stated that there has been a tremendous amount of savings to the Borough since we opted for the managed contract versus the fixed. He stated that Mr. Parlow has done a terrific job of saving this town money and appreciates all he does with our energy contract

Mr. Parlow stated that since we have been with the managed contract we have saved approximately \$950,000 since its inception.

Mayor LaCicero stated that our next Council Meeting will be on November 8, 2010

EXECUTIVE SESSION:

Mr. George stated that there exists a need for an executive session to discuss the updates with the DEP hearing on the ongoing violations and Mr. Bernstein is hear to discuss ongoing PBA Negotiation discussions and possible options. There is no action that is anticipated.

A Motion was made by Councilman Horan to adjourn the Regular Meeting to go into Executive Session. The Motion was seconded by Council President Zalom. Vote: All of Council was in Favor. The Motion Passed.

The Regular Meeting was adjourned to Executive Session at 8:01 pm.

A Motion was made by Councilman Horan to reconvene the Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in Favor. The Motion Passed.

The Regular Meeting was reconvened at 10:02 pm.

Mr. George stated that in Executive Session there was discussion of the status of the settlement conference on the DEP Hearing and Mr. Bernstein gave Council some scenarios about Arbitration and current PBA settlements. There was no action taken.

ADJOURNMENT:

A Motion to Adjourn Regular Meeting was made by Councilwoman Filippone. The Motion was seconded by Councilman Horan. Vote: All of Council was in Favor. The Motion Passed.

The Regular Meeting was adjourned at 10:04 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 **18**th day of **October 2010**

Christopher F. Parlow Municipal Clerk