

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
April 12, 2010-7:02 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Lamb, Stogdill, Horan and Filippone
Council Members Borowski and Horan were 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: Mayor LaCicero asked for a Moment of Silence for all the troops overseas.

PLEDGE OF ALLEGIANCE: Council President Zalom led us in the Salute to the Flag.

MAYOR'S WELCOMING STATEMENT: Mayor LaCicero thanked everyone for coming out to the meeting.

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

Mayor LaCicero stated that there is a letter he would like to read on the record from Endless Summer View, LLC. Mayor read the letter aloud. He stated that Mr. Kosenski does not wish to continue with his proposal to purchase a portion of Lavallette Avenue at this time. Mayor LaCicero commented that he sees a number of people in the audience that he knows are here for that issue. He asked if any of them would like to comment on this issue.

Mary Ann Popper, 1600 Bay Blvd. stated that she was very pleased that this sale was not going to take place. If Mr. Kosenski decides to put forth his proposal again could you please find some way of notifying us ahead of time so we can voice our opinions.

Mayor LaCicero stated that there is no other way but our agendas to contact you on any matter. Our agendas go online the Friday before our meetings. Any correspondence that we receive goes on our agendas.

Councilwoman Filippone stated that there were only discussions on this matter. No one ever said it was going to happen. It is not necessarily going to be on the agenda unless they ask to be put on the agenda ahead of time. Something like this, they could just come to a meeting and discuss it then.

Clem Boyers, 20 Kerr Avenue stated that he commends the Mayor and Council for always keeping everything open. Even the website has so much on it probably more than he even wishes to know. He also stated that the Mayor also has office hours on the Friday before each meeting.

There were no additional comments.

Mayor LaCicero closed the floor to public comment.

APPROVAL OF CLERK'S MINUTES

Regular Meeting of March 22, 2010
Executive Session Meeting of March 22, 2010
Bid Opening Minutes of March 24, 2010
Budget Meeting of March 29, 2010
Minutes of Vendor Lottery of April 5, 2010

A Motion was made by Council President Zalom to adopt the Minutes. The Motion was seconded by Councilman Stogdill. Vote: Council Members Zalom and Stogdill voted Yes. Council Members Filippone and Lamb abstained. Mayor LaCicero voted Yes. The Motion Passed.

REPORTS:

- a) Police Report for March-Councilwoman Filippone-read report
- b) Planning Board Report for March-Councilwoman Filippone-Mr. Parlow stated that there was only a memorialization of a resolution at the March Meeting on the agenda and it passed.
- c) Public Affairs Report for March-Council President Zalom-Our new calendars are here. Everyone should have received them by now. She thanked Mary Jo Austin for all the pictures. She asked all not to forget the Roast Pork Dinner on Saturday Night at the Union Church and the Senior Lunch and Movie on Sunday. There is a Rummage Sale Thursday, Friday and Saturday at the First Aid. The NY Bus Trip is on the 24th of April and there are still tickets available and the Beach Sweeps is on that day also. The Beach Badges will start to go on sale May 7th. The library is having their dedication of their Reading Garden on May 15th. We are going to have pickle ball and checkers this year on the bay. Councilman Lamb stated that there was a dodge ball tournament in Toms River and our Lavallette team came in third place.
- d) Municipal Court Report for March-Councilwoman Filippone-read report
- e) Zoning Report for March-Councilwoman Filippone-read report
- f) Construction Report for March-Councilwoman Filippone-read report
- g) Animal Control Report for March-Councilwoman Filippone-read report
- h) Revenue Transaction Report for February-Chief Financial Officer

A Motion to Approve Reports was made by Councilwoman Filippone. The Motion was Seconded by Councilman Stogdill. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

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

RESOLUTIONS – ON CONSENT:

- 2010-109 authorizing 2010 emergency temporary appropriations for the Borough of Lavallette
- 2010-110 naming Robert Tormollan as custodian of the Lavallette Borough Beach Petty Cash Fund
- 2010-111 establishing the 2010 Beach Badge Office summer season hours-Councilman Lamb stated that the beach badges will start going on sale on May 7th at 3pm.
- 2010-112 recognizing the week of April 18-April 24 2010 as National Volunteer Week in the Borough of Lavallette-Council President Zalom read a poem aloud to all the volunteers in town titled “A Toast”
- 2010-113 recognizing the month of April 2010 as Child Abuse Prevention Month in the Borough of Lavallette
- 2010-114 establishing the garbage, bulky waste and recycling fees, schedules and regulations pursuant to Chapter 55 of the Borough Code entitled “Solid Waste”
- 2010-115 authorizing a raffle license for the Lavallette PTA to hold a gift auction on May 15, 2010 at St. Pio of Pietrelcina Parish Center
- 2010-116 authorizing a raffle license for the Lavallette PTA to hold a gift raffle on May 7, 2010 at the Lavallette Elementary School
- 2010-117 refunding a boat slip fee to James Borowski, 141 Newark Avenue, in the amount of \$1,100.00-Councilman Lamb questioned if the Police Department still did an audit of the registrations with the slips? Mr. Parlow stated that procedure is still done. Councilwoman Filippone stated that there is a waiting list for the slips, also.
- 2010-118 to affirm the Borough of Lavallette’s civil rights policy with respect to all officials, appointees, employees, prospective employees, volunteers, independent contractors, and members of the public that come into contact with municipal employees, officials, and volunteers
- 2010-118A extending the hours of the Construction Official/Plumbing Inspection/Building Inspector to a maximum of 34 hours a week-Councilwoman Filippone stated that there is so much work in that department there was a need to extend the hours.

Mayor LaCicero stated that the fees we collect in that department are inclusive. The monies are put in a trust account so we can only use them in that department so we have that ability to add on the hours without there being any impact on the budget negatively.

A Motion was made by Councilwoman Filippone to approve the Consent Agenda. The Motion was seconded by Councilman Stogdill.

Mayor LaCicero opened the floor to the public for comments on the consent agenda and the bills list. No one wished to comment on the consent agenda or the bills list. The Mayor closed the floor to the public and asked for a vote on the consent agenda.

Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

RESOLUTIONS-OFF CONSENT:

There were no resolutions off consent.

APPROVAL OF VOUCHERS:

2010-119 Bills List in the amount of \$1,272,860.79

A Motion was made by Councilwoman Filippone to approve the Bills List. The Motion was seconded by Councilman Lamb. Vote: Council Members Filippone, Stogdill, Horan and Lamb voted Yes. Council President Zalom abstained on PO # 10-00287 and voted Yes to all others. The Motion Passed.

ORDINANCES ON FOR INTRODUCTION/FIRST READING:

ORDINANCE NO. 2010-06 (1078) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AN SUPPLEMENTING CHAPTER 37 OF THE BOROUGH CODE ENTITLED "LAND USE PROCEDURES" SO AS TO ADOPT A REVISED APPLICATION COMPLETENESS CHECKLIST PURSUANT TO SECTION 37-9 OF THE BOROUGH CODE ENTITLED "PROCEDURES FOR FILING APPLICATIONS BUILDING REQUIREMENTS"

Mr. Parlow stated that this information was on correspondence at the last meeting. The checklist for the site plan review needed to be updated by our Engineer. Once updated it needs to be approved by Council with an Ordinance.

A Motion was made by Council President Zalom to introduce Ordinance No. 2010-06 (1078). The Motion was seconded by Councilwoman Filippone. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

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

ORDINANCE NO. 2010-07 (1079) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 90 OF THE BOROUGH CODE ENTITLED "ZONING" SO AS TO ESTABLISH RESIDENCE DISTRICT D FOR THE AREA KNOWN AS "BAY BEACH WAY"

Mayor LaCicero stated that this has to do with our new street addition. They have different setbacks and some different construction areas so we needed to create an additional zone for that particular street.

Mr. Parlow stated that it still is similar to Residential Zone C but with some differences which require the Borough to create a new zone so we could properly adhere to the deed restrictions.

A Motion was made by Council President Zalom to introduce Ordinance No. 2010-07 (1079). The Motion was seconded by Councilman Stogdill. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Assoc., LLC/Philip G. George, Esq./Bay Beach Way Realignment Committee v. Township of Toms River/Request for Preliminary Advice on Restrictions/Received March 23, 2010
- b) Eric M. Bernstein & Assoc., LLC/Eric M. Bernstein, Esq/S3-Newly Signed Legislation Related to Health Benefits of Public Employees/Received April 1, 2010
- c) Eric M. Bernstein & Assoc., LLC/Eric M. Bernstein, Esq/Sanitary Sewer Replacement Route 35 Northbound Bids/Received April 5, 2010
- d) Eric M. Bernstein & Assoc., LLC/Deborah Bracaglia, Esq/S3-Question Regarding Part-Time Elected Officials/Received April 5, 2010

Engineering:

- a) O'Donnell, Stanton & Assoc/Michael O'Donnell/Sanitary Sewer Main Replacement Route 35 Northbound/Bond Avenue to Guyer Avenue/Bid Review/Recommendation/Received March 24, 2010
- b) O'Donnell, Stanton & Assoc/Michael O'Donnell/Sanitary Sewer Replacement Route 35 Northbound/Bond Avenue to Guyer Avenue/Received March 31, 2010
- c) O'Donnell, Stanton & Assoc/Michael O'Donnell/Sanitary Sewer Replacement Route 35 Northbound Bond Avenue to Guyer Avenue/Preconstruction Conference/Received April 7, 2010
- d) O'Donnell, Stanton & Assoc/Michael O'Donnell/USDA Phase III Sewer Rehabilitation Program/Pay Estimate #29(Final)/Received April 8, 2010
- e) Ocean County Soil Conservation District/Chuck Collins, Resource Conservationist/Sanitary Sewer Replacement Route 35 Northbound Bond Avenue to Guyer Avenue/Received April 8, 2010

New Jersey League of Municipalities:

- a) URGENT!-Builders Push A-437 on “Time of Decision” to Assembly Floor/Received March 5, 2010
- b) URGENT LEGISLATIVE ALERT!-Time of Decision Posted for Senate Vote/Received March 8, 2010
- c) Two Issues-SCS For S-1 Abolishes COAH/Time of Decision/Received March 11, 2010- Council President Zalom questioned the abolishing of COAH. Mr. George stated that the state is looking to roll this into other offices.
- d) Red Tape Review/Received March 12, 2010
- e) 2010 Census Update-What You Can Do!/Received March 15, 2010
- f) Repeal of Licensing Requirement for Junkyards/Received March 15, 2010
- g) Two Issues-Time of Decision Passes Assembly/S-1 Released from Committee/Received March 15, 2010
- h) NJOEM Preliminary Damage Assessment Facts/Received March 16, 2010
- i) Important Changes to DLGS Website-CY 2010 State Aid Certifications/Received March 16, 2010
- j) Governors Christie Delivers Budget Message/Received March 16, 2010
- k) Ask the Governor to Veto S-82/A-437
- l) Important Census Information/Incorrect Addresses/Received March 17, 2010
- m) State Budget Follow-Up/Received March 17, 2010
- n) Recent Supreme Court Case on Tax Assessments/Received March 18, 2010
- o) State Energy Tax/CMPTRA Cuts/Received March 19, 2010
- p) Update on S-1/Received March 19, 2010
- q) CY 2010 Property Tax Relief Certification/Received March 19, 2010
- r) Fire and EMS Grant Workshops/Received March 22, 2010
- s) Governor Christie Signs Pension Reform/Received March 23, 2010
- t) President Anzaldi Comments on Governor’s Proposed Budget/Received March 23, 2010
- u) Pension Reforms FAQ’s/Received March 26, 2010
- v) Support of Organ and Tissue Donation/Received March 26, 2010
- w) Social Media for Municipal Officials/Received March 26, 2010
- x) Shaping the “City” of New Jersey Conference/Received March 29, 2010
- y) Impact of Federal Healthcare Reform on Local Governments/Received March 29, 2010
- z) Two issues/New Local Finance Notices/Changes to DLGS Website/Received March 30, 2010
- aa) Public Hearing Schedule For The New Jersey Revitalization Task Force Announced/Received March 31, 2010
- bb) Census Update-Final Push/Received March 31, 2010
- cc) Request to Withdraw Budget Provision/Received April 1, 2010
- dd) Ask the Governor to Veto S-82/A-437 on Time of Decision/Received April 1, 2010
- ee) Family Preparedness for Floods and Flash Floods/Received April 6, 2010
- ff) Flood Assistance from FEMA, the IRS, and the SBA/Received April 6, 2010
- gg) League Provides Municipal Perspective on Privatization Practice, Pitfalls, Impediments and Possibilities/Received April 7, 2010
- hh) NJLM Foundation’s “Friends of Local Government”/Received April 8, 2010
- ii) Three Issues/Women In Government Day/Executive Order 17/Time of Decision/Received March 12, 2010

General With No Action:

- a) Tom and Denise Carro/1503 Bay Blvd/letter in opposition of the sale of Lavallette Avenue/Received March 5, 2010
- b) Cablevision/Adam E. Falk, Vice President/Notice of Temporary Programming Changes/WABC-TV, WABC-TV HD, Eyewitness News Now, Live Well HD, WPVI-TV, WPVI-TV HD/Received March 8, 2010
- c) Ocean County Mosquito Extermination Commission/Thomas Candeletti, Supt./NJDEP Approved Fact Sheets/Received March 8, 2010
- d) Lavallette Beautification Committee/Pat Marrone, Chairwoman/Information on Product Mobi-Mat/Beach Accessible Material/Received March 9, 2010
- e) Christen Harrison/10 Brown Avenue/letter in favor of the sale of Lavallette Avenue/Received March 9, 2010
- f) Pat and Dave Donlan/84 Dickman Drive/letter in favor of the sale of Lavallette Avenue/Received March 9, 2010
- g) Carole Harrison/10 Brown Avenue/letter in favor of the sale of Lavallette Avenue/Received March 9, 2010
- h) Ocean County Department of Solid Waste Management/James Lacey, Freeholder Liaison/Ocean County Recycling Revenue Sharing Program/Received March 12, 2010
- i) Cablevision/Adam E. Falk, Vice President/Channel Moves In New Jersey/Received March 12, 2010
- j) Birdsall Services Group/Safety Alert/Fall Protection: Keeping Employees Safe When Working at Heights/Received March 12, 2010
- k) DeMaio's Inc./Natalie Chupa, Environmental Scientist/Site Investigation Report/Church of St. Pio of Pietrelcina/Received March 15, 2010
- l) Cablevision/Tricia Kaminski, Assistant/Tariffs/Received March 15, 2010
- m) Ann Unchester/10 Vance Avenue/requesting some action with Lavallette's beach erosion/Received March 16, 2010-Mayor LaCicero stated that he responded to Mrs. Unchester already by letter.
- n) E. Scott Wingerter/20 Bond Avenue/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 16, 2010
- o) Linda and Larry Adams/307 Grand Central Avenue/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 16, 2010
- p) Danielle Dilts/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 16, 2010
- q) Lauren Kobylarz/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 17, 2010
- r) Harry and Nancy Dews/214 Newark Avenue/letter in favor of the sale of Lavallette Avenue/Received March 18, 2010
- s) Cablevision/Adam E. Falk, Vice President/Launch of Six New Channels as of March 25, 2010/Received March 19, 2010
- t) Pauline Possiel/9 New York Avenue/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 19, 2010
- u) Nancy and Joe Ferreira/13 New York Avenue/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 19, 2010

- v) Justin Alsobrooks/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 19, 2010
- w) Amy Coghlan/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 22, 2010
- x) Christopher Coghlan/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 22, 2010
- y) Allison Irwin/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 22, 2010
- z) Robert Klaslo/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 22, 2010
- aa) E.W. Bailey/requesting Council to reconsider the dismissal of James Cresbaugh as Beach Captain/Received March 22, 2010
- bb) John Kulpa, 9 Morton Drive/letter in favor of the sale of Lavallette Avenue/Received March 22, 2010
- cc) API Construction, LLC/Kristy Cannon/Rehabilitation and Repainting of the Monterey Beach Tank/Received March 22, 2010
- dd) Marie and Frank Cella/175 Pershing Blvd./letter in favor of the sale of Lavallette Avenue/Received March 24, 2010
- ee) Clean Ocean Action/Cindy Zipf and Tavia Danch/letter to Anita thanking her for her participation in their symposium/Received March 24, 2010
- ff) Cablevision/Adam E. Falk, Vice President/Change in Packaging for ESPN Classic/Received March 24, 2010
- gg) State of New Jersey/Department of Transportation/Robert Werkmeister, Manager District III/Signed and Executed Agreement for the Grand Central Avenue Sidewalk Beautification Project Grant in the amount of \$488,000/Received March 24, 2010
- hh) State of New Jersey/Department of Transportation/Robert Werkmeister, District 3/Signed and Executed Agreement for Road Improvements to New Brunswick Avenue Grant in the Amount of \$150,000/Received March 24, 2010
- ii) US Department of Homeland Security/United States Coast Guard/Waverly Gregory, Chief/Public Notice5-1167/Modification To The Regulations Governing The Operation of the US Route 9/Beesleys Point Bridge/Received March 25, 2010
- jj) Lavallette Board of Education/Patricia Christopher, School Business Administrator/School Budget Financial Information Regarding State Aid Cuts/Received March 25, 2010
- kk) Office of The Ocean County Engineer/Thomas E. Hartman, Jr., Principal Engineer/Preconstruction Meeting/Construction of Storm water Management Improvements/Received March 25, 2010
- ll) Clean Ocean Action/Heather Staffert, Staff Scientist/Health of the Barnegat Bay Estuary/Received March 26, 2010
- mm) Cablevision/Tricia Kaminski, Assistant/Launch of iO International Greek Package/Received March 26, 2010
- nn) Cablevision/John Bickham, President/explanation letter involving disputes with ABC TV/Received March 29, 2010
- oo) Corless and Gary Royer/1903 Baltimore Avenue/letter in favor of the sale of Lavallette Avenue/Received March 30, 2010

- pp) Rosangela Zaccaria/117 President Avenue/requesting that Council obtain an appraisal on the sale of Lavallette Avenue/Received March 31, 2010
- qq) New Jersey American Water/Jason Gonzalez, Vice President/Advising of Flushing Program to start soon/Received April 1, 2010
- rr) Board of Chosen Freeholders/Gerry Little, Freeholder/thank you letter to Clean Ocean Action/Received April 1, 2010
- ss) Cablevision/Tricia Kaminski/Tariffs/Received April 7, 2010
- tt) Borough of Lavallette/Police Department/Operation Reassurance/Received April 8, 2010
- uu) New Jersey American Water/Jason Gonzalez, Vice President/Petition Filing with the Board of Public Utilities/Received April 8, 2010
- vv) Michele Donato/2200 Ocean Front/letter concerning the ongoing damage to the boardwalk/Received April 8, 2010
- ww) Cablevision/Adam E. Falk, Vice President/Launch of National Geographic Wild SD & HD Channels/Received April 9, 2010
- xx) Endless Summer View, LLC/2000 Bay Blvd./Walter Kosenski/Paul Magno/letter advising that they no longer wish to pursue the proposal plans for Lavallette Avenue/Received April 12, 2010

Mayor LaCicero stated that there are letters on for correspondence referencing the Lavallette Avenue issue. He stated that about half are in favor of the sale and half are opposed to it. There are also a number of letters about the Beach Captain position.

General With Action:

- a) Sean Nolan/Ortley Beach/Requesting Approval to Run a Pedi cab Business in Lavallette/Received March 5, 2010-Mayor LaCicero asked Mr. George to look into this for the town. An ordinance might need to be enacting prohibiting these pedicabs.
- b) Lavallette Business Association/Barbara Janosko, President/requesting permission to hold their sidewalk sales and display sales during the summer season/Received March 12, 2010-Mayor LaCicero stated that this is an annual request and is okay.
- c) Board of Chosen Freeholders/John Bartlett, Jr., Freeholder/American Recovery and Reinvestment Act of 2009/requesting a representative to attend a meeting on April 13, 2010/Received March 16, 2010-Mr. Parlow will be attending.
- d) American Diabetes Association/Lindsay Taylor, Manager/requesting permission to use the Jacobsen Park as a rest stop for their riders participating in the The Tour De Cure Event being held on June 19, 2010 from 7:30 am to 12 noon/Received March 17, 2010-Mayor LaCicero stated that this would be okay since the time is only until 12 noon but we need a certificate of insurance.
- e) New Jersey Iron man/Omid Namazi, Camp Director/requesting use of our ballfield on August 23 through the 26 from 5-8 pm/Received March 17, 2010-Mayor LaCicero stated this was an annual request and is okay as long as there are no conflicts and we need a certificate of insurance.
- f) Meridian Health/Annette Catino, Chair/requesting the presence of the Mayor at their 19th Anniversary Healthcare Perspectives Luncheon Committee being held on May 7, 2010/Received March 17, 2010-Mayor LaCicero stated that he would check his schedule.

- g) Playball Sports/Jack Povia, Owner/requesting use of the ballfield from July 26th through the 30th and August 16th through August 20th/Received March 17, 2010-Mayor LaCicero stated this was an annual request and as long as there are no conflicts and we need a certificate of insurance.
- h) John M. Patrick/13 Newark Avenue/requesting something to be done on the property at 11 Newark Avenue in reference to Code Violations/Received March 19, 2010-Mr. Parlow stated that the violation was issued and this has been taken care of.
- i) Lavallette School/Scott Pearce, Head Baseball Coach/requesting Public Works line the field for them and requesting the use of the ballfield on the dates received on their calendar/Received March 22, 2010-Mayor LaCicero stated that this should be okay with Public Works.
- j) Save Barnegat Bay/Jennifer O'Reilly, Executive Director/requesting permission to host their annual Lavallette Bayfront Beautification and Clean-Up Project on May 22, 2010 from 9am to 12 pm/Received March 25, 2010-Mayor LaCicero stated that this is an annual request and is no problem but we need a certificate of insurance.
- k) Wavejammer Surf Shop/Scott Meredith, Owner/requesting permission to have outside displays of merchandise on May 15th and 16th with rain dates of May 22nd and May 23rd/Received April 6, 2010-Mayor LaCicero questioned Mr. Parlow if these dates fall within the ordinance. Mr. Parlow stated that the Ordinance states May 1st to October 1st so it should be fine.
- l) Sam Hammer Surf Camp/Samuel Hammer, Owner/requesting to hold a surf camp in Lavallette from June 28th through September 3, 2010 from 8am to 11 am five to seven days a week/Received April 8, 2010-Mr. Hammer came up to speak about his request. He stated that it was going to take place on the Brown Avenue beach and he was going to supply some snacks for the children in a cooler such as water and fruit. Mayor LaCicero stated questioned if that would affect our no picnicking law. Councilwoman Filippone stated that we are allowed to bring coolers on with water and fruit so it should be fine. Mayor LaCicero stated this is okay but we will need a certificate of insurance.
- m) Lavallette Elementary School/5th Grade Class/Ms. Denardi, Mrs. Faxon and Ms. Lorenz/requesting permission to plant 8 beach plums (native plants) on Earth Day, April 22nd/Received April 9, 2010-Mayor LaCicero stated that this would be okay and maybe she should speak to Save Barnegat Bay and coordinate something with there plantings also.

UNFINISHED BUSINESS:

Mayor LaCicero stated that he and the Administrator met with the DOT on the Route 35 Project. They showed us the plans and we noticed some issues that were not properly covered on President Avenue concerning the drainage. They assured us that they will accommodate us when the time comes to start the project. Just to let you know there is still no money available to start the project yet. Mayor LaCicero requested that our residents once again start writing letters to our new governor and legislators requesting that they fund the project.

Mr. Parlow stated that a sample letter is going to be put on our website and also in our office for residents to sign there names to and mail to the state. Hopefully, with all our efforts we should be able to get something rolling sooner than later.

Mayor LaCicero stated that at our last budget meeting we discussed employees who have dual coverage with their spouse and would accept a lump sum payment or percentage to drop our insurance and just have the spouse's insurance. We are in the process of creating a benefit waiver coverage ordinance for employees who are interested in this.

Councilman Lamb questioned how many employees would be able to participate.

Mr. Parlow stated that there are probably may be three employees that would qualify.

Mr. Stogdill made a motion to place a hiring freeze on all full-time permanent positions for the remainder of 2010 due to the economy. The Motion was seconded by Councilman Lamb. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

Councilman Lamb made a motion to place a freeze on the hourly rates provided to all seasonal and non-contractual employees for remainder of 2010. The Motion was seconded by Councilwoman Filippone. Discussion: Mr. George stated that this would include the freezing of the step guide approved by resolution in 2006 for Class I & II Special Officers and steps for lifeguard positions. This freeze will remain in effect until the rescinded or expires at the end of the year. Vote: Council Members Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

Council President Zalom stated that the Tourism Brochure should be completed soon. We finally are going to receive the \$1,000 from the County for our summer concerts.

Councilwoman Filippone stated that she knows that there were recommendations to have the departments review their budget because the resolutions that were approved tonight will also have an impact on the budget as well. She stated that she is also concerned about the seasonal employees that we hire for the summer for more than 20 weeks. We are going to have that problem again with the unemployment benefits. There has to be something that can be done.

Mr. Parlow stated that the only departments that are effected by the unemployment are the police and public works because we hire those seasonals for more than 20 weeks. Those departments are going to have to take a look at the 20 week situation and try to work something out with the weeks.

Mayor LaCicero stated that the Bill S-3 was passed that states that newly hired elected officials or elected officials that have a gap in service will not be entitled to health care benefits.

Councilwoman Filippone questioned if anyone has been working on the yellow curb issue.

Council President Zalom stated that the Chief has been working on it.

Mayor LaCicero stated that he has been in contact with the Chief and we are definitely going to gain some parking spaces on some of the streets. Once he completes his work it comes to Council for approval and than to Public Works for painting.

Mr. Parlow stated that we also will have to do an Ordinance for every location.

Councilman Stogdill questioned the progress on the two hour parking. He saw the DOT out measuring a couple of weeks ago.

Mr. Parlow stated that the DOT has been out measuring the spaces. He was assured that they will have it cleared up before the summer season.

NEW BUSINESS:

Discussion on Opening Day of 2010 Summer Beach Season-Mr. Parlow stated that the scheduled date of the beach opening is June 19, but most schools do not let out until the week after that. The proposed season is once again eleven week. He wanted to know is Council had any desire to change the schedule.

Councilman Lamb stated that he does not see there being any problem with the eleven weeks. Besides, the calendar is already out stating that the beach opens June 19th.

Council President Zalom stated that she has Freeholder Bartlett looking into getting a vehicle for Tony Gallo.

She also stated that the 5th grade will be planting the Beach Plums to as part of their sea nettle project. Sea nettles are caused by the use of fertilizers containing nitrogen.

Mayor LaCicero stated that he received a visit from a member of the Environmental Commission and they are going to request that we pass an ordinance banning fertilizer.

Council President Zalom stated that she would like the organ donor resolution put on for the next agenda.

COMMENTS FROM THE PUBLIC:

Mayor LaCicero opened the floor to public comment.

Clem Boyers, 20 Kerr Avenue stated that he would like to applaud the Public Works department for a job well done with removing all the sand off the boardwalk that blew in. We should mark out and fence the new area south of Philadelphia Avenue.

Mayor LaCicero stated that the new fencing is going in a new location.

Mr. Boyers stated that we could easily balance the budget if we put a copy at every corner where the crosswalks and give each car a ticket that does not stop for the pedestrians.

Mayor LaCicero stated that would not help us out anyway because it is a state highway and the state would get the money for the summonses.

Bill Kinney, 23 Philadelphia Avenue questioned what the status was with the sump pump issue.

Councilwoman Filippone stated that the Code Enforcement Officer has been out pulling caps to see where the flows are and issuing violations if he has too.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Stogdill stated that the Eighth Grade Spaghetti Dinner on April 16th at the Union Church from 5 to 8 pm. The proceeds are to help with their 8th grade class trip.

Council President Zalom stated that we are going to received \$86,000 from FEMA for one of the storms.

Mr. Parlow stated that he will believe that when we actually have a check in hand. For the November storm we submitted claimed \$200,000. The \$86,000 was for the December storm. We have to thank Diana Turrian in Public Works for submitted all of the FEMA paperwork.

Mr. Parlow stated that the four members of the Public Power Association have purchased another block of power again. The cost of the power is significantly lower then the previous contracts. We managed to buy power 50% less for 2011/2012 period and the 2012/2013 period. Since we have been in this managed contract we have saved the town a quarter of a million dollars each year.

Mr. Parlow stated that the consultant firm that was hire to review and inventory our records has completed the process. We should be receiving the inventory list from them in about a week or so with a recommendation of what records must be retained and what can be destroyed. We are still trying to work something out with the County to keep our permanent records off site because we should really get all our permanent records off this island.

ADJOURNMENT:

A Motion was made by Councilwoman Filippone to adjourn 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 adjourned at 8:30 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 and correct copy of the Minutes of the Caucus/Regular Meeting held on the 12th day of April 2010

Christopher F. Parlow
Municipal Clerk

