

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTE MUNICIPAL BUILDING – COUNCIL CHAMBERS
January 24, 2011-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Lamb, Stogdill, Horan and Filippone
Council Borowski was not present at the start of the meeting

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 7, 2011. Notice was also posted on our Municipal Website and the Municipal bulletin board.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for all the troops overseas and for the Chief of Police's mother

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

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

Robert Bocchino, 4 Lavallette Avenue stated that his house is on the south side of the West Point Island Bridge and a budding artist has decided to paint unbecoming pictures that is not very nice for his children to see. He ask is something could be done.

Mayor LaCicero stated that he apologized for that but no one has ever come forward about it until now. He will make sure that it gets taken care of right away.

Mr. Bocchino also questioned when the street in front of his home is going to be repaved. There are very big potholes and a very big drop from my driveway to the street.

Mayor LaCicero stated that they are aware of the condition of the road and expected that since the purchase was not a success but we just waiting for Mr. Kosenski to finish with the water piping before we added that portion of the road to the next grant submission to the NJDOT.

Mr. Parlow stated that the next street is Westmont Avenue and so far we have not heard from the DOT on whether they are going to continue these improvement grants.

Mr. Bocchino stated that he has spoke to Public Works and they were not sure about the water and electric for that small portion of roadway for that small lot.

Mr. Bocchino stated he would like to just get a baseline of when the paving would get done.

Mayor LaCicero stated that all our repaving projects usually happen in the fall or spring so it wouldn't get done until then.

Council President Zalom stated that until then maybe we could have Public Works do some patching of the holes to that portion of the street. We should have Gary take a look at that.

Mr. Bocchino stated that the curbing on the lot they own on the Bay Boulevard side is very bad and they are going to accept the responsibility of putting in that new curbing but we would like to maybe schedule it around the same time.

Mayor LaCicero stated that he will look into it and get back to him with an answer.

MAYOR APPOINTMENTS WITHOUT ADVICE AND CONSENT OF COUNCIL

Mayor LaCicero made the following appointments:

Members of the Goose Patrol Committee

Joanne LaCicero-Chairperson
Susan Kotch
Margaret Febo

Mayor LaCicero administrated the oath of office to Susan Kotch who was in attendance at the meeting.

APPROVAL OF CLERK'S MINUTES

Regular Meeting of December 20, 2010
Executive Session Meeting of December 20, 2010
Reorganization Meeting of January 3, 2011
Special Meeting of January 10, 2011-Vouchers Only

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

REPORTS:

- a) Police Report for December and Year End 2010-Councilwoman Filippone-read report
- b) Municipal Court for December and Year End 2010-Councilwoman Filippone-read report
- c) Planning Board Report for December-Councilwoman Filippone-Reorganization Meeting was on Wednesday and all 13 members remain the same. We have another meeting this Wednesday and there are two cases on.
- d) Public Affairs Report for December-Council President Zalom-We had a wonderful ski trip on Sunday and everyone was so thankful for our trips. It was Wyndham Mountain's 50th Anniversary and the weather was very cold so the lines were not that long. Anyone who has dates that they would like to have on the calendar they should get them in immediately. Mr. Parlow attended the LBA Meeting for me last week. Meet the Mayor is always the Friday before a meeting at 3pm. There will be a NYC Bus Trip on April 9, 2011 and the ticket price for residents was raised from \$10.00 to \$12.00. There is Senior Lunch and Movie on the first Sunday every month at the Firehouse. The Roast Pork Dinner is April 16, 2011. The Beach Sweeps is April 30, 2011. The bus for the trip to New York City will be leaving from the Gazebo, so those attending can park in the lot for the day. The library has a lot going on so get some flyers to check it out. Start to enjoy the exercise programs going on at the First Aid Squad. The Music Man will have two Valentine Day programs so get your tickets.
- e) Zoning Report for December and Year End 2010-Councilwoman Filippone-read report
- f) Construction Report for December and Year End 2010-Councilwoman Filippone-read report
- g) Animal Control Report for November and December-Councilwoman Filippone
- h) Revenue Transaction Report for November and December-Chief Financial Officer
- i) Tax Account Report for December and Year End 2010-Tax Collector
- j) 2010 Annual Statement of Receipts-Tax Collector
- k) Report of Sale of Bond Anticipation Notes-Chief Financial Officer

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

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

RESOLUTIONS – ON CONSENT:

- 2010-45 appointing Adam Williams as a temporary boardwalk laborer to the Department of Public Works at an hourly rate of \$10.00 commencing January 1, 2011 through April 30, 2011-Councilman Stogdill asked for this Resolution to be put off consent due to a conflict
- 2010-49 appointing John Humphreys as a temporary boardwalk laborer to the Department of Public Works at an hourly rate of \$10.00 commencing January 1, 2011 through January 20, 2011
- 2010-50 authorizing two items to be removed from our fixed asset accounting system-Mr. Parlow stated that these are items that went to auction and needed to be removed from our fixed

assets.

- 2010-51 authorizing a refund of \$51.00 to Diane Konidaris for the ski trip-Council President Zalom stated that unfortunately there were some deaths and injuries so people could not participate in the ski trip.
- 2010-52 authorizing the creation of an emergency temporary appropriation for Municipal Alliance line item-Mayor LaCicero pulled this Resolution and put off consent due to a need for a 2/3 vote
- 2010-53 appointing Nancy Dews as Municipal Alliance Secretary for the Year 2011 at an annual salary of \$1,900.00
- 2011-54 appointing Kathleen Mango as Municipal Alliance Coordinator for the Year 2011 at an annual salary of \$6,300-Council President Zalom thanked Kathy and Nancy for a wonderful job
- 2011-55 proclaiming March 2, 2011 as Read Across America Day in the State of New Jersey and the Borough of Lavallette-Council President stated that the Mayor reads at the school every year on this day.
- 2011-56 approving two raffle licenses to the Lavallette Heritage Committee to be held on July 31, 2011 in conjunction with their Arts & Crafts Show and on September 10, 2011 in conjunction with their Heritage Festival
- 2011-57 authorizing Mayor Walter LaCicero to sign and execute an interlocal service agreement between the Borough of Lavallette and the Ocean County Prosecutors Office to participate in the Ocean County Prosecutor's Program for the year 2011
- 2011-58 authorizing Mayor Walter LaCicero to execute an agreement with Commerce Risk Control Services and Dynamic Testing Services to provide services relating to an alcohol and substance program for CDL drivers
- 2011-59 authorizing the execution of an addendum to the contract with JAK Construction t/a Diamond Construction for the Dune Walkover Structure Handicap Ramps for the extension of the completion date of to January 31, 2011
- 2011-60 authorizing the refund of \$91.00 to Elaine Schardien for the ski trip
- 2011-61 authorizing the refund of \$25.00 to Mrs. Rotem for the ski trip
- 2011-62 appointing Matthew Burk to the position of Administrative Clerk-Mayor LaCicero stated that this Resolution will be pulled and discussed in Executive Session
- 2011-62A appointing Ian Inverno as a temporary part time telecommunicator trainee at an hourly

rate of \$11.00 commencing January 19, 2011

2011-62B appointing Joanne LaCicero to the Lavallette Beautification Committee

A Motion was made by Councilwoman Filippone to approve the Consent Agenda with the exception of Resolutions 2011-45, 2011-52 and 2011-62. The Motion was Seconded by Councilman Horan. The Mayor opened the floor to public comment and asked if anyone wished to comment on the consent agenda and the bills list. No one wished to comment. The Mayor closed the floor to comment and asked Council for a vote on the Consent Agenda. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

RESOLUTIONS OFF-CONSENT

2011-45 appointing Adam Williams as a temporary boardwalk worker for the Department of Public Works at an hourly rate of \$10.00 commencing January 1, 2011 and ending April 30, 2011

A Motion was made by Councilwoman Filippone to approve Resolution 2011-45. The Motion was seconded by Councilman Horan. The Mayor opened the floor to the public and asked if anyone wished to comment on Resolution 2011-45. No one wished to comment. The Mayor closed the floor to comment and asked for a vote on the Resolution. Vote: Council Members Filippone, Zalom, Horan and Lamb voted Yes. Councilman Stogdill Abstained. The Motion Passed.

2011-52 authorizing the creation of an emergency temporary appropriation for the Municipal Alliance line item

Mr. Parlow stated that this appropriation was omitted on the resolution for Reorg so it needed to be added.

A Motion to approve Resolution 2011-52 was made by Councilman Stogdill. The Motion was Seconded by Councilwoman Filippone. The Mayor opened the floor to the public and asked if anyone wished to comment on Resolution 2011-52. No one wished to comment. The Mayor closed the floor to comment and asked Council for a vote on the Resolution. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

APPROVAL OF VOUCHERS:

2011-63 Bills List in the amount of \$436,813.81

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

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Assoc/Philip George, Esq/ Bossert v. Borough of Lavallette/Received December 9, 2010
- b) Eric M. Bernstein & Assoc/Philip George, Esq/Bossert v. Borough of Lavallette/Received December 9, 2010
- c) Eric M. Bernstein & Assoc/Philip George, Esq/Appeal of Civil Administrative Penalty Assessment//Received December 21, 2010
- d) Eric M. Bernstein & Assoc/Philip George, Esq/Bossert v. Borough of Lavallette/Received December 21, 2010
- e) Eric M. Bernstein & Assoc/Philip George, Esq/Richard Gordon v. Township of Toms River/Received December 23, 2010
- f) Eric M. Bernstein & Assoc/Philip George, Esq/Appeal of Civil Administrative Penalty Assessment/Received January 18, 2011
- g) Eric M. Bernstein & Assoc/Philip George, Esq/Creation of New Positions Within Borough Administration/Received January 21, 2011
- h) Eric M. Bernstein & Assoc/Philip George, Esq/ Gustafson v. Borough of Lavallette/Received January 21, 2011
- i) Eric M. Bernstein & Assoc/Philip George, Esq/ Gustafson v. Borough of Lavallette/Received January 21, 2011
- j) Eric M. Bernstein & Assoc/Philip George, Esq/Gustafson v. Borough of Lavallette/Received January 21, 2011

Engineering:

- a) O'Donnell, Stanton & Assoc./Michael O'Donnell/Bond and Kerr Avenues Road Improvements/Final Reimbursement/Received December 6, 2010
- b) O'Donnell, Stanton & Assoc./Michael O'Donnell/New Brunswick Avenue Road Improvements/Received December 6, 2010
- c) O'Donnell, Stanton & Assoc/Michael O'Donnell/New Brunswick Avenue Road Improvements/Received December 6, 2010
- d) O'Donnell, Stanton & Assoc/Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Pay Estimate No. 2/Received December 6, 2010
- e) O'Donnell, Stanton & Assoc/Michael O'Donnell/New Brunswick Avenue Road Improvements/Pay Record/Received December 13, 2010
- f) O'Donnell, Stanton & Assoc/Michael O'Donnell/Water Main Construction/NJ DOT Utility Opening Permit/Grand Central Avenue & President Avenue/Received December 30, 2010
- g) O'Donnell, Stanton & Associates/Michael O'Donnell/New Brunswick Avenue Road Improvements/Received January 7, 2011
- h) O'Donnell, Stanton & Associates/Chuck Applegate/Dune Walkover Structure Handicap Ramps/Change Order/Received January 10, 2011
- i) O'Donnell, Stanton & Associates/Chuck Applegate/Grand Central Avenue Sidewalk Beautification Project/Change Order No. 2/Pay Estimate #3/Received January 10, 2011
- j) O'Donnell, Stanton & Associates/Michael O'Donnell/Grand Central Avenue Sidewalk Beautification Project/Reimbursement Application #1/Received January 14, 2011

New Jersey League of Municipalities:

- a) DCA Releases the Best Practices Results/COAH and Management Reform Updates/Received December 2, 2010
- b) New Content on DLGS Website/Received December 6, 2010
- c) League Testifies before Assemblyman McKeon's Committee/Received December 6, 2010
- d) Ethics Training Available from NJLM/Received December 6, 2010
- e) S-1451, Jeopardizes Economic Recovery and Redevelopment/Received December 8, 2010
- f) First Lady's New Jersey Local Heroes Initiative/Received December 9, 2010-Council President Zalom stated that she would like to get some stuff together and nominate Joy Grosko.
- g) Civil Service Reforms Advance/Received December 10, 2010-Council President Zalom stated that the Civil Service needs to be fixed before anyone get decide what they want to do. Mr. Parlow stated that it definitely needs to be modified because the system does not work for small municipalities such as Lavallette.
- h) Update on Energy Efficiency and Conservation Block Grants Deadline of December 31, 2010 is Approaching/Received December 10, 2010
- i) Interest Arbitration Reform Advances/Received December 10, 2010
- j) CY 2011 Budget COLA Rate/Received December 13, 2010
- k) Civil Service Reforms Advances to Governor's Desk despite League's Concerns/Received December 13, 2010
- l) Urging for the Exemption for Reserve for Uncollected Taxes Sample Resolution/Received December 14, 2010
- m) A-3393, Arbitration Reform Amendments Bill Goes to Governor/Received December 15, 2010
- n) Urgent Legislative Alert/S-1/A-3447 Passes Assembly/Received December 15, 2010
- o) Update on League Legal Activities/In the Matter of Damien Johnson/Gannett Satellite Information Network v. Raritan/Received December 16, 2010
- p) Washington Watch Federal Update for the Period Ending December 10, 2010/Received December 16, 2010
- q) S-1/A-3447, Affordable Housing/Received December 17, 2010
- r) Conditional Veto of S-2220/Cap on Accumulated Sick Leave/Received December 20, 2010
- s) Legislative Recap/COAH bill held/Redevelopment Bill Held/Reserve for Uncollected Taxes/S-2405, Concerning Liability Claims, Amended/Other Legislative Action/Received December 21, 2010
- t) Governor Signs Interest Arbitration Reform/Received December 21, 2010
- u) Disaster Management Reimbursement for December 2010 Snow Emergency/Received December 29, 2010
- v) Financial Audit of the State Pension System/Received January 3, 2011
- w) S-1451, Local Redevelopment/Relocation Assistance and Eminent Domain, Before Senate on Thursday/Received January 3, 2011
- x) League Interlocal Advisory Center/Received January 4, 2011
- y) Volunteers Needed/Received January 4, 2011
- z) Websites Provide Instant Access to Vital Recycling Information/Received January 6, 2011
- aa) Request for Mayor Involvement on Management Reform/Received January 6, 2011
- bb) Governor Unveils New Transportation Funding Plan/Received January 6, 2011

- cc) Federal Issues/Community Development Block Grant Funding Threatened/New Law Requires Federal Agencies to Pay Local Storm-Water Fees/Received January 6, 2011
- dd) Atlantic County Local Mandates/Received January 10, 2011
- ee) 2010 Census Products and Release Schedule/Received January 10, 2010
- ff) S-1 (COAH Reform Bill) Goes to Governor/Received January 11, 2011
- gg) State of the State Address/Received January 11, 2011
- hh) Legislative Recap/S-1451 Revisions to the Redevelopment Law/Bills Passed Both Houses/Other Bills Passed Senate/Other Bills Passed Assembly/Received January 11, 2011
- ii) Mayors Respond to 12th Annual League Survey/Received January 13, 2011
- jj) S-1, Reforming COAH, Has Passed Both Houses/Received January 14, 2011
- kk) New Local Finance Notices/2011 CY Budget Deadline Extensions/Revised Bid Acceptance Dates/Received January 14, 2011
- ll) 74th Annual Congressional Dinner and Walk to Washington/Received January 14, 2011
- mm) Preliminary Damage Assessment for Recent Snowstorms/Received January 14, 2011
- nn) Changes to the DLGS Website/Received January 18, 2011
- oo) Update on Legal Challenge to COAH 3RD Round Regulations/Received January 19, 2011

General With No Action:

- a) State of New Jersey/Office of the Attorney General/Department of Law and Public Safety/Paula Dow, Attorney General/Cops In Shops Summer Shore Initiative 2010/Received December 3, 2010
- b) State of New Jersey/Department of Community Affairs/DCA News/Lisa Ryan, Office of Communications/Christie Administration Furthers Commitment For More Transparent Local Government With Best Practices Results/Received December 6, 2010
- c) State of New Jersey/Department of Environmental Protection/Division of Parks and Forestry/Todd Wyckoff, Assistant Regional Forester/Deadline for Tree City USA Applications is January 31, 2011/Received December 6, 2010
- d) Ocean County Health Department/Daniel Regenye, Public Health Coordinator/Informational Presentation on Bedbugs to be held on December 14, 2010/Received December 6, 2010
- e) Municipal Code Compliance Agency, LLC/Michael Taffuri, Principal/Inspection Outsourcing Solutions/Received December 7, 2010
- f) New Jersey American Water/John R. Bigelow, President/Increase in Rates/Received December 7, 2010
- g) County of Ocean/Public Affairs-Tourism/Barbara Steele, Director/Census-This Is Important/Alert: Upcoming 2010 Building Permits Survey/Received December 8, 2010
- h) Ocean County Planning Board/Mark Villinger, Senior Planner/Ocean County Natural Lands Trust Fund Status Report/December 2010/Received December 8, 2010
- i) Cablevision/Kevin Drennan, Area Director/Game Show Network Package Change/Received December 8, 2010
- j) Cablevision/Kevin Drennan, Area Director/Launch of Fox Soccer Plus/Received December 8, 2010
- k) Cablevision/Kevin Drennan, Area Director/Dates Revised from December 7th Letter Launch of Fox Soccer Plus/Received December 10, 2010

- l) Heritage Committee/Joy Grosko, President/donation of \$1,000 towards Christmas Wreath Swag/Received December 10, 2010-Mayor LaCicero stated that this was a donation for our swag we just purchased.
- m) Superior Court of New Jersey/Ocean Vicinage/Municipal Division/Vincent Grasso, AJSC/Municipal Court Consolidation/Received December 10, 2010
- n) State of New Jersey/Department of Corrections/Gary Lanigan, Commissioner/Necessary Adjustments to the Current Detainer Notification and Pick Up Process/Received December 20, 2010
- o) New Jersey Conference of Mayors/Mayor Thomas Arnone, Neptune City/Thank You for Your Membership/Received December 20, 2010
- p) State of New Jersey/Department of Environmental Protection/George King, Bureau Chief/On-Scene Coordinator Discharge Authorization/1702 A Grand Central Avenue/Received December 21, 2010
- q) New Jersey American Water/John Bigelow, President/Thanking The Mayor for Participation in Their Inaugural Survey of Mayors/Received December 22, 2010
- r) Ocean County Engineering Department/Frank Scarantino, Engineer/Storm Water Inlet Information/Received December 22, 2010
- s) State of New Jersey/Department of Labor and Workforce Development/James Revak, Assistant Chief/Lavallette Police Department/Abatement Notice of Completion/Received December 29, 2010
- t) Department of Public Affairs/Joseph Vicari, Freeholder/Public Notice/Tourism Meeting January 4, 2011/Received December 29, 2010
- u) State of New Jersey/Department of Transportation/James Simpson, Commissioner/letter in reference to Route 35 South and President Avenue Traffic Light/Received December 30, 2010
- v) State of New Jersey/Department of Environmental Protection/Wolfgang Scacel, Assistant Commissioner/Certificate of Environmental Stewardship/Received December 30, 2010
- w) Cablevision/Kevin Drennan, Area Director/Launch of Oprah Winfrey Network/Received December 30, 2010
- x) Cablevision/Kevin Drennan, Area Director/Tariffs for All Systems Effective February 1, 2011/Received January 3, 2011
- y) Helen O'Donnell/8 Jersey City Avenue/Thank You Letter for the New York City Bus Trips/Received January 3, 2011
- z) Charlotte Ross/1900 Bay Blvd/letter of commendation to the Police and Public Works for doing a great job of clearing the streets with the snowstorm/Received January 3, 2011-Mayor LaCicero stated that there were several letters of commendations for our various departments during our snowstorms.
- aa) FEMA Reimbursement for the November 2009 Storm in the Amount of \$12,551.77/Received January 4, 2011
- bb) Kathy Bolger/121 Washington Avenue/letter of appreciation to our Public Works and Electric Department for great efficient service during the snow storm/Received January 5, 2011
- cc) New Jersey Business & Industry Association/Philip Kirshner, President/2011 New Good Neighbor Award Nominations/Received January 7, 2011
- dd) Ocean County Department of Human Services/Kathy Jaworski, Coordinator/Project Homeless Connect Sites and Point In Time Flyers/Received January 12, 2011

- ee) Widmer Time Recorder Co., Inc./Paul Lefkowitz, Sales Consultant/Touch Then Go Time & Attendance System/Received January 12, 2011
- ff) Ocean County Municipal Joint Insurance Fund/James Kickham, Executive Director/Public Officials/Employment Practices Liability Claims/Received January 13, 2011
- gg) NJ Department of Environmental Protection/Water Resource Management/Division of Water Quality/NJ Environmental Infrastructure Trust/Notice of Rule Proposal/Financial Assistance Programs for Environmental Infrastructure Facilities/Received January 20, 2011
- hh) Cablevision/Kevin Drennan, Area Director/Launch of Antenna TV/Received January 20, 2011
- ii) Launches of Fox Soccer HD and Fox Soccer Plus HD/Kevin Drennan, Area Director/Received January 21, 2011

General With Action:

- a) Mayors Wellness Campaign/Emily Littman, Director/requesting the Mayor participate in the Mayors Wellness Campaign Smoking Cessation Program/Received December 6, 2010-Mayor LaCicero stated that he will take care of this one.
- b) Lavallette Heritage Committee/Joy Grosko, Director/requesting approval on their annual Heritage Committee Event Dates/Received December 8, 2010-Mayor LaCicero stated that these are annual dates and are approved.
- c) Paul D. Sakson, Attorney/Requesting Permission to Discharge to Storm Sewer/Received December 22, 2010-Mayor LaCicero stated that before we okay this we should get some more information. Mr. Parlow stated that the property owners are requesting permission to discharge decontaminated ground water into the storm sewer system. They will be discharging for no more than one month and they will be discharging to the closest inlet basin so as not to interfere with the residents. There will be a hose or pipe going directly into the inlet basin. The DEP has issued a permit to discharge into the Barnegat Bay. Mayor LaCicero stated that they should use the inlet basin closest to the storefronts so as not to bother the side streets. A Motion was made by Councilman Horan to approve the Discharge to the Storm Sewer into the Route 35 North inlet basin for no more than a month contingent on the approval of the NJDOT. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. Councilman Borowski was not present. The Motion Passed.
- d) Friends of Lavallette Beautification/Arleen Maglionico, Chairperson/requesting to hold a plant swap event on May 21, 2010 at the tennis courts/Received December 29, 2010-Mayor LaCicero stated that this should be okay and the time he has been told will be from 10am to 2pm.
- e) Nami Ocean County, Inc./Michael Roche, Vice President/requesting your presence at the Ocean County Legislative Breakfast on January 26, 2011/Received January 3, 2011-Mayor LaCicero stated that Council President Zalom will be attending this on his behalf.
- f) Valery Whalen/231 Trenton Avenue, Ortleigh Beach/requesting that the Borough plow that section of Trenton Avenue due to ownership of street and safety issues/Received January 10, 2011-Mayor LaCicero stated that he has spoke to Mrs. Whalen and Public Works about this issue and it will be taken care of with the future storms if needed.

- g) Monmouth Academy/Nick Whelan, Director/requesting to hold their Inaugural Gator Dip on March 27, 2011 at 11:00 am/Received January 10, 2011-Mayor LaCicero stated that this will be okay as long as we receive a Certificate of Insurance.
- h) Superior Court of New Jersey/Ocean Vicinage/Municipal Division/Lilia L. Lopez, Municipal Division Manager/Parking Authority Traffic Systems and E-Tickets/Received January 11, 2011-Mr. Parlow stated that he will be discussing this with the Court Administrator so no action needs to be taken tonight.
- i) Lavallette First Aid Women's Auxiliary/Audrey Zyliniski, President/requesting the closure of the streets Washington, Philadelphia and Bay Blvd. for their Flea Markets held on July 20th and August 17th 2011/Received January 12, 2011-Mayor LaCicero stated that these dates are annual we would just like all the form letters of approval to state that the grounds should be cleaned up after the events.
- j) Clean Ocean Action/Tavia Danch, Coordinator/requesting the dates of April 30, 2011 and October 22, 2011 for their Beach Sweeps/Received January 12, 2011-Mayor LaCicero stated that these are annual dates and are always approved.
- k) Bill Cusick and Joli Tormey/13 Ortle Avenue/requesting to hold Tennis Clinics at the Tennis Courts during the 2011 summer season/Received January 12, 2011—Council President Zalom stated that the company has made a proposal to provide the Borough with 10% of the profits for the use of our courts. Councilwoman Filippone questioned where the 10% number came from. She stated that she thought we were going to have discussions on all these events that use our facilities and see if we should charge a fee. Mayor LaCicero stated that we have time to put this off for discussions. Mr. Parlow stated that he will provide a list of events and have it on for the next meeting.
- l) County of Ocean/Board of Chosen Freeholders/John P. Kelly, Freeholder/James F. Lacey, Freeholder/2011 County Road Improvement Program/requesting your attendance at one of the dates of the meetings/Received January 14, 2011-Mayor LaCicero stated that he and Chris Parlow attend this meeting every year. This year we will bring up the plowing of their streets in town once again and the use of their equipment and once again when they plan on taking care of the storm drains on West Point Island.
- m) National Multiple Sclerosis Society/Brian Hurwitz, Senior Director/requesting permission to ride through our town on May 21 & May 22, 2011 for their annual "Coast the Coast" Bike MS Ride/Received January 18, 2011-Mayor LaCicero stated that this is an annual request and is approved as long as there are no wedding conflicts.

Councilman Borowski arrived at this time.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Council President Zalom stated that there are a lot of activities going on during the weekend with the Borough Hall being closed. We should give a list of those activities to the Police Department in case of cancellations. She already spoke to Kathy Mango about the Senior Lunch & Movies.

Councilwoman Filippone stated that she believes that we should invest in the reverse calling system that the church has for the Borough. We could send out a lot of useful information at the right time. It is not much money at all and it would be an asset to the community.

Mayor LaCicero stated that he believes it is around \$1,200 a year with unlimited messaging.

Councilwoman Filippone stated that we could include in the calendar a form to update the residents' phone numbers and this we have the right phone numbers to call.

Mr. Parlow stated that he will speak to the church or Nick Zaccaria and get the information for Council.

PUBLIC HEARING-Community Development Block Grant Program-Second Hearing

Council President Zalom stated that she had her meeting with her Committee Members after the first hearing and they all had some good ideas. The Committee discussed the prior projects finished through the grant and what ideas we had back then. This year we decided to submit the grant for the Mobi Mats for the Beach entrances and to get two more beach wheels. We all thought that the mats helped out a lot with the handicapped and also the strollers and the seniors. The total we asked for is about \$45,000 so she hopes they approve those funds. Mr. Parlow will be attending the CDBG Steering Committee where they tell us how much we will receive. We will not be receiving the funds until July so she is not sure if we can purchase all of these items for this year but we will definitely have them for next year.

Mr. Parlow stated that as long as we get the approval and the authorization we will see about getting the items for this year.

Councilwoman Filippone stated that we should also see if we can include two more containers to hold the beach wheels.

At this time, the Mayor opened the Public Hearing on the CDBG Program and asked if anyone in the audience would like to comment on the CDBG Program.

Pat Marrone, 11 Elizabeth Avenue stated that she would like to recommend that the container and the mobi mat be put on Elizabeth Avenue because there are a couple of handicap people on that block.

Susan Kotch, 120 Camden Avenue questioned would the mats be put on every street?

Mr. Parlow stated that we should be able to get seven blocks done.

No one else wished to comment on the CDBG Program.

The Mayor closed the Public Hearing.

COMMENTS FROM THE PUBLIC

Paula Sturm, 1600 Ocean Front wanted to thank the Police Department for their help with coming to the assistance of a harbor seal.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Borowski stated that with the recent shooting of a patrolman in Lakewood we really need to be very cautious with the gang activity out there especially in Seaside Heights.

He also expressed his sympathies to the Matlosz Family

Council President Zalom stated that she is enjoying the snowflakes still on that it has inspired her to keep her snowflake lights up on her house until February.

Council President Zalom stated that the Census states that Ocean County is the sixth largest County in the State and the most populated towns are Toms River, Lakewood and Brick. She will be attending a workshop for the ADA on April 30th. She stated that she will be away from February 16th through March 18th.

Councilman Borowski questioned if we had an Ordinance on the books that requires homeowners to remove the snow from sidewalks within a certain amount of time.

Council President Zalom stated that we do have that Ordinance we just do not enforce it.

Councilman Borowski stated that some businesses still have their sidewalks uncleared.

Councilwoman Filippone questioned how we can do selective enforcement because some homeowners and businesses are not year round and cannot get to it.

Mr. Parlow stated that this issue was raised at the LBA Meeting and they stated that they were going to make a conscious effort to make sure the snow is removed from all sidewalks in the business district.

Mr. Parlow stated that he did attend the LBA Meeting and one of the topics that were discussed was the business registration application. He explained to them that this is a one time application and fee of \$25.00 and the most important purpose is to provide the floor plans to the Police Department and the Fire Department. They were satisfied to know that all business registered will be included in the calendar and on the website.

Mr. Parlow stated that he would like to have a budget meeting the week of February 7th. The Council agreed to February 9th at 5pm.

Mr. Parlow stated that the Chief has informed him that there have been two more break-in's on Bay Boulevard. He would like to inform the residents to keep there eyes open and if they see something that does not look right to call the Police Department.

Mayor LaCicero stated that he attended the County Mayors Association Meeting last week with the administrator. One of the items discussed was the sea nettle problem in the Barnegat Bay. We questioned the use of a net in the Bay and asked if that would help us out with our Bay beaches. Their feelings were that the net would not be appropriate for our bay beaches. The Mayor asked the Council if they would consider closing one of the bay beaches during the summer.

Mr. Parlow stated that Bob Tormollan the Beach Captain had taken attendance at the Bay beaches last summer and he stated that there was very little activity especially on the week days. Maybe the Council would consider closing one of the beaches during the weekdays and keep both open on the weekends.

Councilman Lamb stated that there are always problems with jet skiers picnicking by the Memorial Park. The Washington Avenue beach might be the one to keep open with a lifeguard.

Councilwoman Filippone stated that the beach on WPI has the net and it seems to work well.

Mayor LaCicero stated that that beach is in a different location in a cove, the Rutgers Scientists stated that with our bay beach locations the net would not be viable.

Council President Zalom stated that there was so much negative feedback on that bill about taking a \$1.00 for each beach badge that it is already being amended.

EXECUTIVE SESSION:

Mr. George stated that there exists a need to go into Executive Session to discuss a personnel matter concerning the status of a civil service position with a possible change of position. There may be some action taken.

A Motion was made by Councilman Horan to Adjourn the Caucus/Regular Meeting to go into Executive Session. The Motion was seconded by Councilman Stogdill. Vote: All Council Members were in Favor. The Motion Passed.

The Caucus/Regular Meeting was Adjourned to go into Executive Session at 8:26pm.

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

The Caucus/Regular Meeting was Reconvened at 8:36 pm.

Mr. George stated that while in Executive Session there was one matter discussed concerning one employee Matt Burk. His current position has been reclassified for 2010 and can not be filled. The first position that we discussed was Administrative Clerk and it was decided that position should be withdrawn. The second position that was decided upon was Clerk Typist and that will need action by Council.

Resolution 2011-62 appointing Matthew Burk to the position of Administrative Clerk

A Motion was made by Councilman Borowski to approve Resolution 2011-62. There was no second on that motion. The motion died. The Motion did not pass.

Mr. Parlow read a loud Resolution 2011-62C

Resolution 2011-62C appointing Matthew Burk to the position of Clerk Typist

Mr. Parlow read Resolution 2011-62C.

A Motion was made by Councilman Borowski to approve Resolution 2011-62C. The Motion was seconded by Councilman Lamb. Vote: Council Members Borowski, Filippone, Zalom, Stogdill and Lamb voted Yes. The Motion Passed.

ADJOURNMENT:

A Motion was made by Councilwoman Filippone to Adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilman Horan. Vote: Council Members Borowski, Filippone, Zalom, Stogdill, Horan and Lamb voted Yes. The Motion Passed.

The Caucus/Regular Meeting was Adjourned at 8:40pm.

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 held on the 24th day of **January 2011**

Christopher F. Parlow
Municipal Clerk