

**MINUTES
BOROUGH OF LAVALLETTE
REGULAR MEETING OF THE PLANNING BOARD
Wednesday, October 28, 2009 – 7 P.M.**

Chairman Howard presiding announced the Board Secretary was absent due to illness.

The Chairman called the roll and made the public notice announcement.

Roll Call:

Vincent Marino, Designee of Mayor LaCicero -present
Councilwoman Joanne Filippone, - present
Lionel Howard, Chairman – present
William Zylinski – Vice-Chairman - present
Christopher Parlow, Borough Administrator - present
Joseph Baginski, - absent
Rosangela Zaccaria - present
Anthony Cataline - present
Len Calderaro – present

Joseph Palinsky - present
Barbara Brown – present

Terry Brady, Esq. – Board Attorney

Public Notice Announcement:

This is the Borough of Lavallette Planning Board meeting of October 28, 2009. Adequate notice of this meeting has been given as required by Chapter 231 Public Law 1975, commonly known as "The Sunshine Law." The date, time and place of this meeting was posted on the bulletin board located in the Borough Hall, filed with the Borough Clerk, and supplied to the Ocean Star one of the official newspapers.

Flag Salute:

Chairman Howard deferred the flag salute to the public portion of the meeting.

Review of Minutes:

The Board reviewed the minutes of the Regular Meeting of October 14, 2009.

Minutes to be Memorialized:

The minutes of the Workshop Meeting of October 14, 2009 were moved for adoption. All eligible members present voting in favor, the minutes were adopted.

New/Old Business:

Chairman Howard stated there were no resolutions for adoption and there were no cases to hear. One application had been scheduled by the Board Secretary but had been changed to the next meeting by reason of applicant's failure to serve and publish timely.

Chairman Howard stated everyone had received a copy of the proposed cover letter addressed to the Mayor and Council forwarded the proposed Business Zone Ordinance and opened the matter for discussion and or change by the Board.

Councilwoman Filippone stated the Chairman had kindly sent her an advance copy of the letter and she did some language clean up and rephrasing to present a clearer picture to the Mayor and Council. She stated she also felt it could be simplified to make the overall message clearer.

Mr. Brady suggested that the Council should know why the Planning Board wanted to undertake this matter in the first place. There was litigation and there is a court decision and an issue that had to be clarified by a judge, leaving no standard to follow. He further stated it is important that they know what triggered the change and leaving everything alone was not what the Board, Council or public would want.

There was a lengthy discussion by the Board members regarding the contents and intent of the cover letter and proposed amendments.

Afterward, Chairman Howard stated he would make the changes, sign the letter and circulate same.

Councilwoman Filippone stated the Mayor and Council may make some changes in the proposed Ordinance. She stated there are two meetings of Council in November and there are some pressing items including the annexation of Bay Beach Way. She stated she will bring it up at the November 9th meeting and propose it for the December 7th agenda for first reading and if that does not happen, it will then be in January.

Mr. Parlow explained the annexation process.

Attorney Report:

Mr. Brady stated the proposed Buzzi resolution for 504 Grand Central Avenue was forwarded by him to Michele Donato who suggested some changes; he used some of those and resent it to her and it is not before the Board for adoption this evening as it has been going back and forth

between attorneys. Mr. Brady stated the resolution will be published once it has been memorialized.

Correspondence:

None

John Buzzi was present in the audience.

Chairman Howard opened the meeting to the public.

No one spoke.

Chairman Howard closed the public portion.

On motion made and seconded, with all in favor, the public meeting was adjourned at 7:50 p.m.

Respectfully submitted,

Rosemary Robertson
Secretary