

BOROUGH OF LAVALLETTE (minutes)
CAUCUS/REGULAR MEETING OF THE MAYOR AND COUNCIL
LAVALLETTTE FIRST AID BUILDING
October 7, 2013-7:00 pm

CALL TO ORDER: Mayor Walter G. LaCicero, presiding

ROLL CALL: Council Members Borowski, Zalom, Lamb, Stogdill, Horan and Filippone were present. Councilman Stogdill was absent.

Mayor LaCicero asked for a motion to excuse Councilman Stogdill. A Motion was made by Councilman Borowski to excuse Councilman's Stogdill absence. The Motion was seconded by Councilman Horan. Vote: All of Council was in favor. The Motion Passed.

Also present: Christopher F. Parlow, Borough Administrator/Municipal Clerk
Eric M. Bernstein, Borough Attorney
Donnelly Amico, Deputy Municipal Clerk

READING OF THE OPEN PUBLIC MEETINGS ACT STATEMENT: Notice of this meeting was published in the Ocean Star on May 31, 2013. Notice was also posted on our municipal website.

MOMENT OF SILENCE: The Mayor asked for a moment of silence for William Walsh, Liz Phillips' father, who passed away recently and for all the troops overseas.

PLEDGE OF ALLEGIANCE: Council President Zalom led us in the salute to the flag.

MAYOR'S WELCOMING STATEMENT: The Mayor thanked everyone for coming out to tonight's meeting. He stated that the weather has been great but the traffic and the road construction is less desirable. He stated that he did attend a meeting with the State DOT about the project and advised them that the contractor has to abide by the terms of his contract, which does not stipulate the entire closure of Rt. 35 North at any time. So that is not going to happen like it did on the southbound. They are starting to do all the work on the south bound now so that should move quickly.

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

Mayor LaCicero asked if anyone in the audience wished to comment on any items that were not on the agenda or if they could not stay for the remainder of the meeting could do so now.

Peter Frampton, 103 Camden Avenue stated that we need sidewalks on Route 35 South, as well as, Route 35 North. The two women that were here last week from the Coalition for Bikeways and Sidewalks for Safety suggested that he come to the meeting and request that Council do a formal resolution to go on record that the Borough of Lavallette demands sidewalks on Route 35 South.

Council President Zalom stated that we did do a formal resolution already but she felt it was not as strong as it could be so we probably should do another one with stronger wording. We are happy with the bike lane but we want the sidewalks also. Brick Township feels very strong about having sidewalks on Route 35 South also and is also sending a formal resolution on this.

Councilman Borowski stated that the bike lane is going to be on the west bound shoulder of Route 35 S so he questioned where would the sidewalk be located.

Mayor LaCicero stated that the sidewalk would be placed in the right of way.

Carmine Casciano, 132 Elizabeth Avenue questioned what the overall plan is for the Route 35 Project.

Mayor LaCicero stated that right now they are working on the water lines and storm drains. After that, they will be working on the tearing out the asphalt, sidewalks and eventually the repaving of the road and putting in the sidewalks. The project is going to take a while to complete.

Mr. Casciano stated that he is concerned about the turning off of the gas if he is not home.

Mayor LaCicero stated that if the gas has to be turned off we will advise in advance on our website and the emergency notification system.

APPROVAL OF CLERK'S MINUTES:

Regular Meeting of September 16, 2013
Executive Session Minutes of September 16, 2013

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

REPORTS:

- a) Construction Report for September 2013-Councilwoman Filippone-read report-Mayor LaCicero stated that he received a call from the Department of Community Affairs stating that they are still waiting on 115 substantial damage letters from Lavallette and were questioning if we were backlogged. Mr. Parlow stated that he did not believe so but he would have to check with that department. The letter was modified to make it easier to get them out quicker so he does not believe there was any issue with backlogging.
- b) Zoning Report for September 2013-Councilwoman Filippone-read report
- c) Public Affairs Report-Council President Zalom-She stated that Councilwoman Filippone and she attended the Women's Advocate Dinner honoring Ocean County Librarian Susan Quinn. The Lavallette PTO held a fundraiser at the Toms River Country Club along with a golf outing. There is a Harvest Festival at Island Beach State Park this weekend. Some of Lavallette's winter events will be the Halloween Harvest Hoedown on October 25th, the Friends of Beatification luncheon on the 15th, the Beach Sweeps on October 19th and the

dune grass planting on November 9th. We are getting 20,000 plants donated by Waves for Water and Lavallette Beautification and the Borough will be getting around 14,000 also. On December 6th we will be having our tree lighting ceremony in front of the Lavallette School and the Fire Department is having their oyster supper most likely on December 7th at Gabriella's. The New York City bus trips will be on December 11th and 14th and December 21st is the Birthday Party. There may be a ski trip in January so keep checking the website.

- d) Revenue Transaction Report for August 2013-Chief Financial Officer
- e) Tax Account Report for September 2013-Tax Collector

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

ON CONSENT AGENDA/OFF CONSENT AGENDA, AND VOUCHERS:

RESOLUTIONS – ON CONSENT:

- 2013-310 approving a special event/facilities use application to Jersey Coast Academy to hold football practices on our ball field from September 4th through November 15th, Mondays through Fridays, 8am to 11am
- 2013-311 authorizing Mayor LaCicero to sign the Neighborhood & Community Revitalization Program Intake Form regarding the reconstruction of the Lavallette Municipal Complex-Mr. Parlow stated that this is a grant that we are going to apply for to help us pay for our Municipal Complex.
- 2013-312 authorizing the Tax Collector to cancel property taxes in the amount of \$5,001.95 for the tax year 2013 due to the homeowner qualifying for a 100% permanent and total disability exemption
- 2013-313 authorizing the Borough Administrator/Municipal Clerk to prepare and submit the application for funding through the Ocean County Cultural & Heritage Commission's 2014 Local Arts Program Grant to provide funding for the summer concert series-Council President Zalom thanked Mr. Parlow for all his work on this grant.
- 2013-314 authorizing the electric collector to transfer an electric credit in the amount of \$322.37 to their water/sewer account for 107 Vance Avenue
- 2013-315 authorizing the electric collector to remove one electric account at 1003 Bay Blvd due to the two family becoming a one family dwelling
- 2013-316 appointing seasonal laborers for the Department of Public Works commencing October 1, 2013

- 2013-317 appointing Doug Clinton as an interim temporary recycling attendant for the Department of Public Works
- 2013-318 authorizing an interlocal services agreement between the Toms River Municipal Utilities Authority and the Borough of Lavallette-Mr. Parlow stated that the TRMUA would like the Borough to collect their sewer delinquencies through our tax sale for homes in Lavallette that have their sewer bills.
- 2013-319 approving the bonfire sponsored by the Lavallette Recreation Department in conjunction with the Halloween Harvest Hoedown on October 25, 2013
- 2013-320 approving the Halloween curfew for the Borough of Lavallette on October 29th through October 31st 2013 from 9pm to 6am
- 2013-321 appointing Lauren Grogan as a full time cashier for the Borough of Lavallette effective immediately
- 2013-322 authorizing the electric collector to remove an electric account due to the two family becoming a one family dwelling-Mr. Parlow stated that this address is 17 Dover Avenue
- 2013-323 authorizing the electric collector to refund an electric credit in the amount of \$14.75 for 137 Elizabeth Avenue
- 2013-323A authorizing the Mayor to execute the subrecipient agreement between the State of New Jersey, Department of Community Affairs and the Borough of Lavallette for the participation in the post-sandy planning assistance grants program, creation of a strategic recovery planning report-Mayor LaCicero stated that this is for a grant to have a planner review all of our ordinances and code book and give us suggestions and modifications.
- 2013-323B authorizing a professional service contract with The Rogers Group, LLC. to conduct an assessment of the design plans of the new Lavallette Police Headquarters to determine compliance with all Standards required for agency NJSACOP accreditation-Mr. Parlow stated that there is a Police Department Accreditation Program through the JIF and instead of dealing with it later we are going to have a group come in and assess the design plans for the new Police Department so they will be in compliance with this program. This program is part of the JIF.

A Motion was made by Councilman Horan to approve the consent agenda. The Motion was seconded by Councilwoman Filippone. The Mayor opened the floor to the public and asked if Anyone wished to comment on the consent agenda.

Clem Boyers, 20 Kerr Avenue questioned if the construction of the municipal complex will start by January 2014.

Mayor LaCicero stated that he believes that it will. We are hoping to start the demolition phase during the winter recess at the Lavallette School so it will interfere with the children.

Mr. Boyers questioned if the construction will be completed by April 2015.

Mayor LaCicero stated that they are very hopeful that it will.

The Mayor closed the floor to public comment and asked Council for a vote on the consent agenda.

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

RESOLUTION OFF CONSENT:

APPROVAL OF VOUCHERS:

2013-324 Bills List in the amount of \$712,374.83

A Motion to approve the bills list was made by Councilman Horan. The Motion was seconded by Councilwoman Filippone. Vote: Council Members Borowski, Filippone, Zalom, Horan and Lamb voted Yes. The Motion Passed.

ORDINANCES ON FOR ADOPTION:

ORDINANCE NO. 2013-09 (1124) ORDINANCE OF THE BOROUGH OF LAVALLETTE, COUNTY OF OCEAN, STATE OF NEW JERSEY, AMENDING AND SUPPLEMENTING CHAPTER 90 OF THE BOROUGH CODE, ENTITLED "ZONING" TO REMOVE THE AMOUNT OF STORIES PERMITTED ABOVE AN ATTACHED GARAGE.

Mayor LaCicero stated that we are amending this ordinance to try and help our residents the best we can. Hopefully, this is going to also help everyone with their construction of their new homes and the raising of them.

A Motion was made by Councilwoman Filippone to adopt Ordinance 2013-09 (1124). The Motion was seconded by Councilman Horan. The Mayor opened the public hearing and asked if anyone wished to comment on this Ordinance.

Michael Aiello, 232 Bryn Mawr Avenue stated that he has been waiting for this Ordinance to be adopted so he could start building his home. He does not see why anyone would vote no on this ordinance being that it will help out a lot of the residents.

There were no additional comments from the public.

The Mayor closed the public hearing and asked Council for a vote on Ordinance 2013-09 (1124).

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

COMMUNICATIONS:

Legal:

- a) Eric M. Bernstein & Associates/Eric M. Bernstein, Esq/Toms River MUA and Borough of Lavallette Agreement/Received September 9, 2013
- b) Eric M. Bernstein & Associates/Patricia Melia, Esq/Thomas Loredo & Lori-Gatfield Loredo v. Borough of Lavallette/Received September 9, 2013

Engineering:

- a) O'Donnell, Stanton & Associates/Charles Applegate/Grand Central Avenue Sidewalk Beautification Project/Final NJDOT Reimbursement/Received September 9, 2013
- b) O'Donnell, Stanton & Associates/John Berens, Project Manager/Water Meter Replacement/Received September 17, 2013
- c) O'Donnell, Stanton & Associates/John Berens, Project Manager/Water Meter Replacement/Received September 23, 2013
- d) 2014 NJDOT Municipal Aid Program/Guyer Avenue Road Improvements/Borough Resolution/Received September 24, 2013-Mayor LaCicero stated these are the next streets to be improved next.
- e) 2014 NJDOT Municipal Aid Program/Vance Avenue Road Improvements/Borough Resolution/Received September 24, 2013
- f) O'Donnell, Stanton & Associates, Inc./Preconstruction Conference Minutes/5KV Metering Cubicle Replacement/Received October 2, 2013
- g) O'Donnell, Stanton & Associates/Grand Central Avenue Sidewalk Beautification Project/Received October 2, 2013

New Jersey League of Municipalities:

- a) Required Notice to All Employees Under the Affordable Care Act/Received September 3, 2013
- b) Governor Signs Various Bills/Received September 3, 2013
- c) Public Health Reminder-West Nile Virus Season/Received September 4, 2013
- d) Best Practices Checklist Issued/Received September 6, 2013
- e) Community Blood Drive: October 1st/Received September 12, 2013
- f) IRS Issues Rule Proposal on Reporting by Employers under the Affordable Care Act/Received September 17, 2013
- g) "Charting a Course for Community Resilience" Conference October 15-17/Received September 19, 2013
- h) Governor Signs Economic Opportunity Act of 2013/Received September 19, 2013
- i) Office Suites Available for Lease at League Headquarters/Received September 19, 2013
- j) Please Take Action to Protect Municipal Bonds/Important Seminar Scheduled/Received September 20, 2013

- k) Sustainable Jersey Upcoming Events/Received September 24, 2013
- l) SHBP Approves Mental Health Parity Plan/Received September 25, 2013
- m) Recent NJ Supreme Court Case on Charitable Tax Exemption/Received September 25, 2013
- n) Mayors Committee on Life Sciences Event on October 10th/Received September 26, 2013
- o) ACA Health Insurance Marketplace Outreach and Enrollment Toolkit for Elected Officials/Received September 26, 2013
- p) 2013 Conference Resolutions/Received September 27, 2013
- q) Flood Hazard Mitigation-Executive Order/Received September 27, 2013
- r) Federal Government Shut Down Update/Received September 30, 2013
- s) Federal Government Shutdown-Impact on New Jersey/Received October 1, 2013
- t) Supreme Court Affordable Housing Decision/Received October 1, 2013
- u) Constitutional Issues Involving Holiday Displays/Received October 1, 2013
- v) Sustainable Jersey Small Grants/Received October 2, 2013
- w) League Foundation Releases Latest White Paper/Received October 3, 2013

General With No Action:

- a) Clean Ocean Action/Cindy Zipf, Exec. Director/thanks you for the support/Received September 3, 2013-Council President Zalom thanked Clem Boyers and Dave Finter for being her co captains and collecting all the supplies that was needed.
- b) Cablevision/R. Thurman Barnes, Area Director/Updates to Fox Soccer/Received September 9, 2013
- c) JCP & L and USDA Wildlife Services Work Together to Save Osprey Nest/Received September 9, 2013
- d) Office of the State Comptroller/Adam Hughes, Senior Staff Attorney/Investigative Report/Mileage Charges Associates with Super Storm Sandy Debris/Received September 10, 2013-Mr. Parlow stated that this is a report from the State Comptroller's office from the audit that they performed regarding the AshBritt contract. The report details and audit that was performed on the transportation costs charged by AshBritt, specifically the mileage costs between the temporary debris site and the landfill. The report identified a number of overcharges to a number of towns but Lavallette invoices were in compliance.
- e) Ocean County Department of Solid Waste/James Lacey, Freeholder Liaison/Ocean County Recycling Revenue Sharing Program/Received September 10, 2013
- f) State of New Jersey/Department of Transportation/Anthony Attanasio, Assistant Commissioner/Reconstruction of Route 35 North and South/Received September 11, 2013
- g) Congress/Runyan, LoBiondo, Grimm, NJ and NY Members Urge House Leadership to Delay NFIP Rate Hikes/Received September 12, 2013
- h) Ocean Monmouth Heath Alliance/Debra Levinson, Regional Director/Promoting Ovarian Cancer/Received September 12, 2013
- i) Crossroads Realty/Mary Cericola, Broker Manager/in favor of having another Founder's Day next year or Heritage Day 2014 and that real estate companies be allowed to exhibit and participate/Received September 16, 2013

- j) Cablevision/R. Thurman Barnes, Area Director/Programming Changes/Received September 17, 2013
- k) Cablevision/R. Thurman Barnes, Area Director/Unreturned Equipment Fee Reduction/Received September 17, 2013
- l) State of New Jersey/Department of Community Affairs/Substantial and Non-Substantial Damage Letters/Reconstruction, Rehabilitation, Elevation and Mitigation (RREM) Program/Received September 18, 2013
- m) Weiner, Lesniak, LLP/Andrew Kyreakakis, Esq/Lavallette, NJ USPS New Space Project/Received September 23, 2013-Mayor LaCicero stated that this is a letter received from the attorney who represents the Wenzel's. The letter suggests that the Borough will be unable to execute the lease with the Post Office because we will not be able to provide the necessary financing to complete the building on time. The Mayor asked Mr. Parlow to comment on the building financing. Mr. Parlow stated that the financing for the municipal complex has already been approved. Mr. Parlow stated that letter included minutes from one the council meetings where he commented that the Borough had to issue a bond anticipation note in order to raise funds to pay contractors in anticipation of receiving FEMA reimbursement funds. Those comments had nothing to do with the municipal building or the Post Office. Mayor LaCicero stated that we are also applying for a grant to help us offset the costs of the municipal complex. Mr. Bernstein stated that the lease agreement with the Post Office is in negotiations and will be coming soon. Mayor LaCicero stated that right now we are looking at demolition in December and construction in January.
- n) South Toms River to Recognize Community Heroes on October 24, 2013 at 6:30 pm/Joseph Kostecki, Municipal Clerk/Received September 26, 2013
- o) Dan and Maureen Russell/231 Bay Beach Way/thanking Ptl. Adam LaCicero, Fire Chief Art Reece and the Lavallette Fire Department for their quick response to their house fire/Received September 26, 2013
- p) State of New Jersey/Department of Transportation/Debbie Kingsland/RBA Back In Angle Parking/Received September 26, 2013-Councilman Borowski questioned if Mayor LaCicero was still going to be the test block for this back in angle parking. Mayor LaCicero stated that it was not very favorable especially when they said we would lose parking spaces that way so we decided against it.
- q) Runyan Joins Bipartisan Group of Congressional Members to Urge FEMA to Extend Deadline for Flood Insurance Claims for Sandy Homeowners/Received September 27, 2013
- r) NJBIA/Philip Kirschner, President/2013 Awards for Excellence Dinner/Received September 30, 2013
- s) State of New Jersey/Department of Community Affairs/Richard Constable, III, Commissioner/Approval of the Borough of Lavallette Receiving Post Sandy Planning Assistance Grants/Received October 2, 2013-Mayor LaCicero stated that this is a grant for \$205,000 for a planner to look at our ordinances and give proposals.
- t) New Jersey Department of Transportation/Office of Bicycle and Pedestrian Programs/Route 35 Bicycle Accommodation Municipal Coordination/Received October 2, 2013
- u) State of New Jersey/Department of Transportation/Adam Iervolino, Supervising Engineer/Virginia Avenue Road Improvements/Local Aid Infrastructure Fund FY

2013/Received October 3, 2013

General With Action:

- a) Carol Garzynski/139 Elizabeth Avenue/requesting her late fees be waived due to her not receiving her water/sewer bills due to her not living in the home/Received September 10, 2013-Mayor LaCicero stated that it is our policy not to waive any late fees. Mr. Parlow stated that there is a provision in our ordinance that allows the customer to pay a \$250 disconnect fee and we will disconnect your service and you will only be responsible for the capital infiltration charge. Mr. Parlow stated that there have been a number of complaint about lost bills in the mail.
- b) Lawrence Bolanowski, 96 Dickman Drive/requesting some guidance with the Construction Department and some miscommunications/Received September 16, 2013-Mr. Parlow stated that this has already been handled and is taken care of.
- c) Mike and Joanne Tornambe/108.5 Princeton Avenue, Unit 1/requesting a reduced bill for water/sewer and electric bills/Received September 17, 2013-Mayor LaCicero stated that this follows the same policy.
- d) State of New Jersey/Department of Transportation/Sheree Davis,Manager/requesting the Mayor's attendance at the 2013 New Jersey Complete Streets Summit on October 21, 2013/Received September 18, 2013-Mayor LaCicero stated that he will check his calendar.
- e) Roger Locandro/requesting to be put on the next agenda to discuss Community Energy Aggregation/Received September 23, 2013-Mr. Parlow stated that this would be for towns that do not have their own electric utility.
- f) Carol Garzynski/139 Elizabeth Avenue/requesting her late fees for her electric bill be waived due to her not receiving her bill/Received September 23, 2013
- g) Campbell & Rocco, LLC/Joseph D. Rocco, Esq/requesting their water/sewer issue be resolved with some type of bigger adjustment than the one they received for 8 Trenton Avenue/Received September 30, 2013-Mayor LaCicero stated that this follows the same policy.
- h) Cooper Electric Supply Co./Linda Maia-Lopes, Marketing Manager/requesting to hold an open house with food and a tent in front of their establishment and to put up lawn signs for advertising/Received October 3, 2013-Mayor LaCicero stated that this would be fine sometime in October or November but advise cannot put any tents in the right of way.
- i) State of New Jersey/Department of Environmental Protection/Cindy Randazzo/requesting any remaining requests for debris removal by October 15, 2013/Received October 4, 2013-Mayor LaCicero stated that this is for any wet debris removal. If anyone has any requests they should let them know.

UNFINISHED BUSINESS:

There was no unfinished business.

NEW BUSINESS:

Review and Approval of Best Practices Checklist for 2013

Mr. Parlow stated that each year the DCA requires that we complete this checklist and that the governing body has the opportunity to review the list.

COMMENTS OF THE PUBLIC:

Diana Rocco, 8 Trenton Avenue stated that when the storm hit her hot water heater was in the shed and it broke into pieces and water just started pouring out. When they were finally allowed back in to town they found the water running and thought that it should have been turned off by the town. She stated that the town is saying that she is responsible for this astronomical bill but she should not be because from the time the storm hit until she was allowed back in her water was just pouring out into nowhere.

Councilman Borowski stated that her sewer bill was already adjusted for that leak.

Mr. Parlow stated that the water was not shut off throughout the town unless it was requested.

Mayor LaCicero stated that you would have only been charged for the usage that was registered on your meter plus the minimum charge.

Mrs. Rocco stated that their meter was destroyed from the storm and was not put back until the spring so she question how could she have been charged for a meter reading without there being a meter.

Mayor LaCicero stated that if that is the case we will have to further investigate if in fact there was no meter. We will speak to the Public Works Department and get back to you.

Denise Wirth, 1606 Grand Central Avenue stated that maybe you should have a cutoff date on any one who has a problem with their bills. She asked if Mr. Bernstein could reiterate the lease agreement process regarding the Post Office.

Mr. Bernstein stated that the Borough of Lavallette and the USPS are in the process of negotiating the lease agreement. It is going to be a standard commercial lease. Nobody has balked, refused or finalized any items as of yet and when it is finalized the Borough and the USPS will both have to approve this agreement.

Ms. Wirth questioned when this happens will the public have a chance to voice their comments.

Mayor LaCicero stated that the public hearing was already done by the USPS for any public input on the site that they chose. We as the Borough do not need to get the public's permission to lease our space.

Ms. Wirth stated that she was not aware of any public hearing but she will take that up with the USPS. She stated that she has also sent letters to our Congressman and Senators requesting that Lavallette Post Office bring back their carriers also.

Council President Zalom stated that months ago posted on the door of the post office door was a letter stating the two sites that they chose and for the public to voice their concerns or opinions.

Herb Hascher, 1301 Bay Blvd. stated that he has spoken to Harms Construction about some of his pavers being destroyed from their road work and they were not sure who would be responsible for replacing them.

Mayor LaCicero stated that he was told that any thing that was destroyed during the road work would be replaced in kind so let's wait and see what happens. Regardless, the Borough will make sure that his pavers were taken care of by either the contractor or the State.

Joan Brackman, 10 Pennsylvania Avenue questioned when a house is demolished and a new home is built how long does it take to get back on the new tax rolls.

Mayor LaCicero stated that the building permits and the certificate of occupancy are given to the Tax Assessor on a monthly basis and the taxes are retroactive to the completion of the new home.

Mr. Bernstein stated that the tax book is certified in December. Anything that was done by October 1st will get an added/omitted bill.

Mr. Parlow stated that the Tax Assessor gets a report each month with all the completed permits and CO's that have been approved.

COMMENTS OF THE MAYOR AND COUNCIL MEMBERS:

Councilman Lamb stated that October 21st starts the winter garbage schedule so that means that garbage and recycling is picked up one day a week.

Council President Zalom stated that this year we will have "Trunk or Treat" for Halloween due to some houses still not occupied. The cars will park in the lot by the tennis courts and open their trunks filled with candy and the kids can go trunk to trunk. The only house you should still stop by is 131 Elizabeth Avenue which is where the witch gives out her candy apples.

Mr. Parlow stated that the Engineer is looking for an official answer on whether they should start the demolition of the municipal building and police department during the week of the Lavallette School's winter recess with weather permitted.

All of Council was in favor of that time frame.

Mayor LaCicero stated that we are in the process of our dune reconstruction and our south side dunes are pretty big now. There are piles of sand on Magee Avenue that we will be using that was given to us by the DEP. This sand was dredged from the bay. We are trying to make our dunes as big as we can now so the payments are less to the Army Corps when they start there project. We are still trying to negotiate with the DEP to get a contractor to dump the sand so right now we are in a holding pattern waiting on them. Our dune grass planting will still be November 9th regardless.

EXECUTIVE SESSION:

Mr. Bernstein stated that there is a need for an executive session to discuss contract negotiations regarding the Cablevision Franchise Agreement. There is no anticipated action that will be taken.

A Motion was made by Councilwoman Filippone to go into executive session. The Motion was seconded by Councilman Horan. Vote: All of Council was in favor. The Motion Passed.

A Motion was made by Council President Zalom to come out of executive session and reconvene the Caucus/Regular Meeting. The Motion was seconded by Councilman Lamb.

The Caucus/Regular Meeting was reconvened at 8:43 pm.

Mr. Bernstein stated that during executive session there was some contract negotiations discussed regarding the new cable franchise agreement. It was decided that Mr. Bernstein and Mr. Parlow would be handling these negotiations with direction from the governing body.

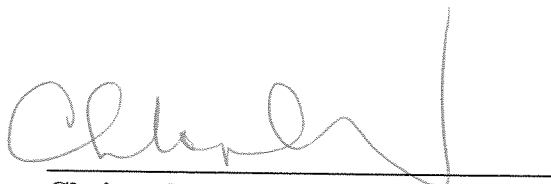
ADJOURNMENT:

A Motion was made by Councilman Lamb to adjourn the Caucus/Regular Meeting. The Motion was seconded by Councilwoman Filippone. Vote: All of Council was in favor. The Motion Passed.

The Caucus/Regular Meeting was adjourned at 8:44pm.

CERTIFICATION

I, Christopher F. Parlow, Municipal Clerk of the Borough of Lavallette, County of Ocean, State of New Jersey, does hereby attest these to be a true copy of the minutes of the meeting held on the 7th day of **October 2013**



Christopher F. Parlow
Municipal Clerk