

**MINUTES  
JUNE 28, 2011**

The Meeting of the Board of Commissioners was held on the above date at the Allenhurst Beach Club with Mayor McLaughlin presiding and Commissioners Bolan and McLoughlin answering the roll call. Also in attendance was the Borough Clerk.

The meeting was called to order at 7:30 P.M. with a salute to the flag.

Mayor McLaughlin announced that the notice requirements of R.S. 10:4-18 had been satisfied by delivering the required notice to the Coaster, posting the notice on the board in Borough Hall and filing a copy of said notice with the Borough Clerk.

**COMMUNICATIONS**

Mayor McLaughlin stated he received a nice letter from Rose O'Connor, thanking the Borough for their help at the swap meet. She stated the advertisement in the paper really helped.

**ORDINANCE #2011-13 APPROVED**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

**BOND ORDINANCE NO. 2011-13**

**AN ORDINANCE TO AMEND AN ORDINANCE ENTITLED, "AN ORDINANCE OF THE BOROUGH OF ALLENHURST REGULATING AND LIMITING THE USES OF LAND AND THE USES AND LOCATIONS OF BUILDINGS AND STRUCTURES, REGULATING AND RESTRICTING THE HEIGHT AND BULK OF BUILDING AND STRUCTURES AND DETERMINING THE AREA OF YARDS, RESTRICTING THE DENSITY OF POPULATION; DIVIDING THE BOROUGH OF ALLENHURST INTO DISTRICTS FOR SUCH PURPOSES; ADOPTING A MAP OF SAID BOROUGH SHOWING BOUNDARIES AND CLASSIFICATIONS OF SUCH DISTRICTS AND ESTABLISHING PROCEDURES REGARDING THE SUBDIVISION OF LANDS AND THE APPLICATIONS FOR SITE PLAN APPROVAL AND PRESCRIBING THE PENALTIES FOR THE VIOLATION OF ITS PROVISIONS", ADOPTED JUNE 26, 1979**

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #1**

**A RESOLUTION TO RATIFY AND APPROVE MINUTES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the minutes of the regular meeting of June 14, 2011, be ratified and approved.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2**

**A RESOLUTION TO DISPENSE WITH READING OF MINUTES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the Clerk dispense with the reading of the minutes of the regular meeting of June 14, 2011.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #3**

**A RESOLUTION TO APPROVE RAFFLE LICENSES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, that the following raffle licenses be approved:

Allenhurst Fire Department #1 – Casino Night – July 23, 2011 – 7 PM to 12:00 PM, at Allenhurst Beach Club

Allenhurst Fire Department #1 – Non-draw raffle (Money Wheel) – September 3, 2011, with rain date of September 4, 2011, 5 PM to 11:00 PM, at Allenhurst Beach Club

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #4**

**A RESOLUTION TO APPROVE SOCIAL AFFAIR PERMIT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That a Social Affair Permit be granted to the Allenhurst Fire Department & First Aid Squad for an affair to be held on Saturday, September 3, 2011, with a rain date of Sunday, September 4, 2011, from 6:00 PM to Midnight, at the Allenhurst Beach; and

**BE IT FURTHER RESOLVED**, That the Chief of Police and the Borough Clerk are hereby authorized and directed to execute the application for said Social Affair Permit.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #5**

**RESOLUTION TO APPROVE LIQUOR LICENSE**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, The following has made application for renewal of liquor licenses for the 2011 - 2012 licensing year:

*Hot Ice, Inc., 415 Main Street, Allenhurst, NJ - License No. 1301-44-003-005*

**WHEREAS**, The Applicant has fulfilled all statutory obligations regarding such renewal; and,

**WHEREAS**, The Applicant agrees that all of the terms and conditions affecting said license shall remain the same;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst that Plenary Retail Distribution License No. 1301-44-003-005 owned by Hot Ice, Inc., is hereby renewed for the term of July 1, 2011 through and including June 30, 2012.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #6**

**A RESOLUTION TO AUTHORIZE CONTRACT FOR PUBLIC HEALTH SERVICES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, The Borough of Allenhurst has entered into a contract with the Monmouth County Regional Health Commission #1 for public health services; and,

**WHEREAS**, The Monmouth County Regional Health Commission #1 has contracts to provide service to 25 municipalities, which contracts were adopted on various dates over several decades; and,

**WHEREAS**, The Monmouth County Regional Health Commission #1 wishes to adopt a Uniform Shared Services Agreement for Public Health Services and has asked the participating municipalities to enter into an agreement which will expire on August 31, 2013, with automatic extensions every two years; and,

**WHEREAS**, Funds for this purpose will be provided in the budget for the year 2011 in the appropriation entitled, Board of Health, and the Chief Finance Officer has so certified;

**NOW, THEREFORE, BE IT RESOLVED**, That the Mayor and Borough Clerk be and they are hereby authorized to enter into an agreement on behalf of the Borough of Allenhurst with the Monmouth County Regional Health Commission #1 for public health services.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #7**

**A RESOLUTION TO APPROVE CHAPTER 159 – CDBG GRANT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

**WHEREAS**, Said Director may also approve the insertion of an item of appropriation for equal amount;

Section 1

**NOW, THEREFORE, BE IT RESOLVED**, That the Board of Commissioners of the Borough of Allenhurst hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$56,703.00, which item is now available as revenue from Community Development Block Grant Program pursuant to the provisions of Statute; and,

Section 2

**BE IT FURTHER RESOLVED**, That a like sum of \$56,703.00 be and the same is hereby appropriated under the caption of CDBG.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #8**

**A RESOLUTION TO APPROVE CHAPTER 159 – ALCOHOL EDUCATION GRANT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

**WHEREAS**, Said Director may also approve the insertion of an item of appropriation for equal amount;

Section 1

**NOW, THEREFORE, BE IT RESOLVED**, That the Board of Commissioners of the Borough of Allenhurst hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$2,157.39, which item is now available as revenue from Alcohol Education Rehab Fund pursuant to the provisions of Statute; and,

Section 2

**BE IT FURTHER RESOLVED**, That a like sum of \$2,157.39 be and the same is hereby appropriated under the caption of AER Fund.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #9**

**A RESOLUTION TO APPROVE CHAPTER 159 – COPS IN SHOPS GRANT**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

**WHEREAS**, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

**WHEREAS**, Said Director may also approve the insertion of an item of appropriation for equal amount;

Section 1

**NOW, THEREFORE, BE IT RESOLVED**, That the Board of Commissioners of the Borough of Allenhurst hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$1,600.00, which item is now available as revenue from Cops in Shops Grant pursuant to the provisions of Statute; and,

Section 2

**BE IT FURTHER RESOLVED**, That a like sum of \$1,600.00 be and the same is hereby appropriated under the caption of Cops in Shops.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #10**

**A RESOLUTION TO APPROVE TRIATHLON**

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

**WHEREAS**, The Philadelphia Triathlon Corporation has requested permission to run a portion of the bike course of their triathlon through the Borough of Allenhurst on August 28, 2011; and,

**WHEREAS**, The Philadelphia Triathlon Corporation will run the bike portion of the triathlon, which will include 300 to 500 participants, on Ocean Avenue from 7:00 AM through 9:00 AM and will provide a Certificate of Insurance for this event;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners, that approval is hereby given to the Philadelphia Triathlon Corporation to run a portion of the bike course through Allenhurst on August 28, 2011, contingent upon the Borough receiving the Certificate of Insurance prior to the event.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #11**

**A RESOLUTION TO CONFIRM PURCHASES AND CONTRACTS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, Purchases were made for amounts over \$1,000.00 and it is the policy of the Borough that the Board of Commissioners approve or confirm said purchases; and;

**WHEREAS**, Funds for these purposes are provided for in various accounts within the current budget, and the CFO has so certified; and,

**NOW, THEREFORE, BE IT RESOLVED**, That the following contracts are hereby confirmed:

Amazing Amusements - \$2,425.00 for rides at the ABC for 4<sup>th</sup> of July weekend  
Fail Safe Fire Hose Test, Inc., - \$1,733.05 for hose testing for the fire truck  
Coast Cities Equipment - \$1,725.39 for repairs to the tractor

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #12**

**A RESOLUTION TO CANCEL CHECKS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the following checks be canceled from the Planning Board Escrow Account as they are over one year old:

Ck. #1034, dated 6/03/08, issued to Zemmol, 316 Cedar Avenue in the amount of \$15.00  
Ck. #1008, dated 7/10/08, issued to Sultan, 238 Allen Avenue in the amount of \$480.00  
Ck. #1023, dated 1/21/09, issued to Dabah, 104 Allen Avenue in the amount of \$60.00;

**BE IT FURTHER RESOLVED**, That the monies be deposited in unclaimed funds as directed by the Chief Finance Officer.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #13**

**A RESOLUTION TO HIRE SEASONAL EMPLOYEES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the following are hereby employed for the 2011 beach season:

Security

Dave Cherry	\$8.00/hr.
Catherine Gilmore	\$8.00/hr.
Michael Rodgers	\$8.00/hr.

Lifeguard

Rutledge Varley	\$11.00/hr.
Patrick Chambrovich	\$7.25/hr.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTUION #14**

**A RESOLUTION TO APPROVE MEMBERSHIP IN ALLENHURST FIRE DEPT.**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

**WHEREAS**, The Membership Committee of Allenhurst Fire Co. #1 has received an application for membership from David Lipari; and,

**WHEREAS**, The Membership Committee has advised the Board of Commissioners that David Lipari is acceptable for membership;

**NOW, THEREFORE, BE IT RESOLVED**, That David Lipari is approved for membership in Allenhurst Fire Co. #1; and,

**BE IT FURTHER RESOLVED**, That the Borough Clerk be and is hereby authorized to execute the necessary paperwork on behalf of the aforementioned applicant.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #15**

**A RESOLUTION TO SET SPECIAL MEETING DATE**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

**BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, that a special meeting be set for July 19, 2011, at 7:30 PM, at the Allenhurst Firehouse, 318 Hume Street, Allenhurst, NJ, for the purpose of discussing a possible merger with the Village of Loch Arbour.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #16**

**A RESOLUTION TO APPROVE BILLS AND PAYROLL (06/16/11 - 06/30/11)**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That bills and payrolls totaling \$133,362.90 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That the June 28<sup>th</sup> consolidated bill list be attached hereto and made a part thereof.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #17**

**A RESOLUTION TO CONSIDER MORATORIUM WAIVER REQUESTS**

Catherine Luthin. 535 Main Street, stated it would take about 2 months to complete the work at the office. They need to build a handicapped ramp and put in a handicapped bathroom per building code. They need to make some internal improvements to carve out office space. They will be replacing some of the windows. There is an enclosed porch they would like to remove to take the building back to its original character. The steps will also have to be replaced.

Mayor McLaughlin asked if they could hold off on the porch work until after the moratorium and Mrs. Luthin stated that would not be a problem.

There was no response to a request for public comments or questions.

Comm. McLoughlin asked that the dumpster be kept in the rear, out of view.

William Gannon spoke for 301 Main Street, stating they are finishing the bank for Central

Jersey on the first floor and an office for an attorney on the second. The outside work is 95% finished. He understood that they would have to return every two weeks until they are finished. He stated the bank did receive a Temporary Certificate of Occupancy. He also stated that the clock was fixed to the cheers of the audience.

There was no response to a request for public comments or questions.

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, The Borough has received requests for the waiver of the provisions of the construction moratorium; and,

**WHEREAS**, The Board of Commissioners has reviewed the waiver requests; and,

**WHEREAS**, Under the provisions of granting approval for a waiver for the period ending 5 PM on July 12, 2011, the following provisions shall be adhered to:

1. No construction activities prior to 8:00 AM or after 5:00 PM daily.
2. No construction activities on weekends.
3. No construction activities on Monday, July 4, 2011.
4. Dumpsters are only permitted in the rear of the property. No construction debris on outside of property. No pods permitted.

**NOW, THEREFORE, BE IT RESOLVED**, That the following requests for waiver of the provisions of the construction moratorium are hereby considered:

1. Catherine & John Luthin – 535 Main Street  
Install approximately 12 new or replacement windows, construct new wood frame stoop and handicap ramp, re-convert partially enclosed covered porch, plus minor interior renovations such as new handicap accessible bathroom, new office, new outlets and new lighting.
2. Main 301, LLC – 301 Main Street  
Completion of interior fit out of first floor bank and law office. Both offices are scheduled to be open July 1<sup>st</sup> or ASAP. Second floor existing offices are connected to common fire sprinkler, electric and water.

VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

### **PUBLIC HEARING**

Mary Catherine Mahon stated she made her decision on the cabana and she would like her own for next year.

Mayor McLaughlin stated that the borough lost Ben Aydin, owner of Allenhurst Cleaners. He will be missed. He stated some of the folks in town are putting together a journal for him.

Tim Moriarty, West Allenhurst, stated there used to be signs at the Beach Club so that everyone knew the rules. The younger employees do not know the rules. The only thing they have now is the book.

Mayor McLaughlin stated that could be done.

Comm. Bolan asked if there were any specific rules not being followed and Mr. Moriarty stated that on Sunday they were very busy. Chairs were taken down to the beach. It is just common sense type things that new members do not know.

Debbie Higgins announced that the Borough will host a movie night on July 9<sup>th</sup> on Main Street. She showed the Commissioners the poster she had made. She has also written some press releases. She also stated that she will be filming another segment of her movie in the park. She stated some people have asked her about the shuttle. If it is a failure, it is because people do

not know about it. People are also asking her about having movies on the beach.

Harry from Buy Rite asked if he could have two more 15 minute parking spaces.

The Commissioner stated they could designate two spaces south of Buy Rite by the substation.

There being no further comments or any further business, Comm. McLoughlin moved, seconded by Comm. Bolan, that the meeting be adjourned. Motion carried.

Lori L. Osborn, RMC  
Clerk-Administrator