

**MINUTES
SEPTEMBER 8, 2015**

The Meeting of the Board of Commissioners was held on the above date 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.

**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 held August 25, 2015, 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 held August 25, 2015.

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

**RESOLUTION #3
A RESOLUTION TO CONFIRM CONTRACTS AND PURCHASES**

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 shall be provided for various appropriations within the current account;
NOW, THEREFORE, BE IT RESOLVED, That the following contracts are hereby confirmed:

Lanigan – (2) Police Vests - \$1,599.30 (grant)
NJ Fire Equipment – New Hose for ABC - \$1,169.60
Oceanside Service – Replace Air Conditioner Condenser at Firehouse - \$3,119.00
Oriental Trading – Member Party - \$1,208.81
Bob Nelson Plumbing and Heating – repairs at ABC and Municipal Building - \$1,015.00

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

RESOLUTION #4

A RESOLUTION TO REFUND OVERPAYMENT OF TAXES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Board of Commissioners of the Borough of Allenhurst has received from the Tax Court of New Jersey a judgment reducing the assessment on certain property for the years indicated; and,

WHEREAS, The taxes on the indicated property for the years indicated are overpaid;

NOW THEREFORE BE IT RESOLVED that the Finance Department is hereby authorized to issue an individual check, as shown below, charging taxes for the years indicated in the total amount of \$13,929.82.

BLOCK	LOT	OWNER	YEAR	AMOUNT
26	2	The Irwin Law Firm Attorney Trust	2012	\$5,147.78
		Account, F.B.O.	2013	\$5,012.51
		505 Cedar Ave., LLC, c/o	2014	\$3,769.53
		Centurion, 80 Main Street, Suite 410		
		West Orange, NJ 07052		

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

RESOLUTION #5

A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF LEAF MACHINE

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Public Works Director has advised the Board of Commissioners that the Borough's leaf machine is not working and cannot be repaired due to its age, and it is his recommendation that a new unit be purchased; and,

WHEREAS, The Public Works Director has received a quote from Old Dominion Brush Co., Inc., for an ODB Trailer Mounted Vacuum Debris Collector, Model #SCL800TM14, at a price of \$35,986.00; and,

WHEREAS, Old Dominion Brush Co., Inc. is a member of the National Joint Powers Alliance, a Co-op recognized by the State of New Jersey, and this item is being purchased under Contract #060612-ODB; and,

WHEREAS, Funds for this purpose are available in the Capital Account, known as 2015-05, Purchase of Equipment for Public Works, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That an ODB Trailer Mounted Vacuum Debris Collector, Model #SCL800TM14, be purchased from Old Dominion Brush, at a cost of \$35,986.00.

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

RESOLUTION #6

A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF SNOW PLOW

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, There is a need for snowplow blades and the Public Works Director has received the following quotes:

Trius, Inc.

1. Western 8 ½ ft. pro plus snow plow with rubber deflector complete installed on 2003 Ford F350 dump - \$5,151.00
2. Western 10 ft. heavyweight Unimount with rubber deflector complete installed on 2007 International 4300 - \$7,582.00

Monmouth Truck

1. Boss snow plow installed on Ford dump - \$5,475.00
2. Boss snow plow installed on 2007 International 4300 - \$8,389.00

R & H Spring & Truck Repair, Inc.

1. SnowDogg plow with deflector - \$4,434.72
2. SnowDogg Extreme Duty snowplow with deflector - \$6,121.96; and,

WHEREAS, After examining the different plows, it is the recommendation of the Public Works Director that the Borough purchase the Western snow plows as they are of a superior quality to the SnowDogg plow and are lower in price than the Boss snow plow; and,

WHEREAS, Funds for this purpose are available in the Capital Account, known as 2015-05, Purchase of Equipment for Public Works, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That the above-mentioned equipment be purchased from Trius, Inc., for a total cost of \$12,733.00

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

RESOLUTION #7

A RESOLUTION TO AUTHORIZE PERSONNEL CAUCUS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, State law permits the exclusion of public in certain circumstances; and,

WHEREAS, The Board of Commissioners of the Borough of Allenhurst finds that such circumstances currently exist; and,

WHEREAS, The Board of Commissioners will make public, minutes of the closed session when confidentiality no longer exists;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners that they are hereby authorized to enter into closed session to discuss personnel matters which are exempt from the public meeting under the Sunshine Law.

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

RESOLUTION #8

A RESOLUTION TO PAY BILLS & PAYROLL (9/01/15 - 9/15/15)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$251,698.44 be approved for payment; and,

BE IT FURTHER RESOLVED, That the September 8th consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION

Mayor McLaughlin stated he wanted to talk about extending the Beach Club season. Wynn Phillips has proposed letting the cabanas stay open on a self-serve basis through the end of the month. They will keep the showers on and the bathrooms open. They will give everyone a key and they can open their cabanas and take out their own trash.

Comm. McLoughlin asked if that posed a danger with people copying their keys.

Mayor McLaughlin stated they could get a list of people interested and Steve and Marc could open the cabanas in the morning and lock them at night.

Comm. Bolan asked if this would be for weekends only and Mayor McLaughlin answered during the week also. Comm. McLoughlin asked about the main club.

After a short discussion and concerns about liability, it was decided the main club would remain closed. The cabanas will remain open until the 27th when everything will have to be cleaned out.

Ms. Osborn asked about lifeguard requirements and Comm. Bolan stated they do not have to have lifeguards, but they will have to notify people that there will be no lifeguards.

Mary Pat Fischer stated it was a great idea. It will be nice to come down and use the facility.

Ms. Fischer asked about cabana people being able to leave items and Mayor McLaughlin explained that the cabanas have to be empty in case of weather emergencies when they will have to move them.

There was a discussion on rooftop events in which Comm. McLoughlin stated the applicant will have to arrange for cleanup and security. Comm. Bolan stated he disagreed. They only have that latitude when the Club is open. Otherwise, there are issues with the Club being closed.

Mayor McLaughlin stated there are also concerns with bringing tables and chairs up and damaging the elevator.

Comm. Bolan stated that transferring it to the restaurant is the key.

Mayor McLaughlin stated he thought it could be done independently.

Comm. McLoughlin stated the bathrooms are a big issue.

Ms. Osborn stated the outside bathrooms will be closed and the furniture will be stored in the basement.

The Commissioners decided to bring the issue up again in the Spring and Comm. McLoughlin stated that in the interim, the answer will be no.

Comm. Bolan agreed, stating they should hear from the tenant first, before making any decisions.

The Board next discussed the rent for the restaurant and the Administrator was directed to pro-rate it for the month of June. Comm. Bolan stated the tenant should have the right to be heard concerning rent. They have had lighting problems and there are other punch list items that have not yet been resolved.

PUBLIC HEARING

Bob Scally stated the Borough should not give back money to the tenants and Mayor McLaughlin stated they are not giving back money. Comm. McLoughlin stated they are not charging for the month they did not have the restaurant.

Bradley Comer, Beach Security, reported a security bust. Mayor McLaughlin told Brad he was doing a good job. The Commissioners stated they would follow up on it.

Mr. Phillips stated he double-nailed that member yesterday for eight tickets. He will deal with him when he sees him.

Comm. McLoughlin stated he should not be allowed back until he comes before the Board of Commissioners. Mr. Phillips stated he did not think that was necessary.

Comm. Bolan asked if the security kids were letting them in and Mr. Phillips answered, no. Comm. Bolan asked if there was a rule that all children of members must be members. Ms. Osborn agreed that was a rule.

Mr. Phillips stated that people try to buck the system.

Comm. Bolan stated that people doing it with intent tick him off.

Tim Moriarty asked if the Board made any progress in finding out if the restaurant has a liquor license for the upstairs deck. Comm. Bolan stated that is one of the things they were talking about and why they are only going to do parties through Mister C's. Whether or not it is licensed is their problem.

Mr. Scally asked about the hedge letters that were sent out. He asked what happens if they don't comply, do they have to come to court?

Comm. McLoughlin stated they can comply or they can come before the Planning Board and ask for a variance. If they do nothing, they will get a summons.

Jack Falack, Beach Club member, stated he had a problem with one of the employees at the security booth a couple of weeks ago. The way he acted was not him. Comm. McLoughlin asked if the staff member was a problem. One of the people there was his daughter. Mr. Falack stated he had a problem with himself. He had had a tough day. He was getting ready for his wife's memorial. He is seeing a psychiatrist to deal with his grief. He is not an angry person. He was devastated after the incident. He doesn't know himself to be that way. His Psychiatrist wanted him to work on everything, including this angry incident. He just wanted to apologize. He is so sorry people had to witness this.

Comm. Bolan stated he knows it is a tough thing to apologize in front of everyone. However, because they have to publish the agenda, this matter should be scheduled. He wants to give an opportunity to invite people involved in this situation. They should have an opportunity to speak as well. He advised Mr. Falack to wait a month or so. Time will be on everyone's side.

Mr. Falack stated he understood and would come back for his appeal. He just felt it would be best for everyone if he apologized.

Ms. Osborn stated she had scheduled him for the October 13th meeting.

There being no further comments or any other business, the meeting adjourned to caucus and did not reconvene.

Lori L. Osborn, RMC
Clerk-Administrator