

**MINUTES**  
**July 26, 2016**

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding and Commissioners Bolan answering the roll call. Commissioner McLoughlin arrived at 8:38 pm. Also in attendance was the Borough Clerk and Assistant Administrator.

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

## Monmouth County Library Annual Report

Ocean Township Ordinance amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance

## Information from JCP&L on the proposed Monmouth County Reliability Project

JCPL Annual Universal Service Fund compliance filing to establish appropriate level for the 2016/2017 USF Program year

Resolution from Township of Middletown expressing its opposition to proposed JCP&L Monmouth Reliability Project.

## ORDINANCES

Offered By: Mayor McLaughlin

Seconded By: Comm. Bolan

# ORDINANCE #2016-09

# AN ORDINANCE TO AMEND CHAPTER VII, PARKING REGULATIONS, OF THE CODIFIED ORDINANCES OF THE BOROUGH OF ALLENHURST

## RESOLUTION #1

## A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**BE IT RESOLVED,** That the minutes of the regular meeting held July 12, 2016, be ratified and approved.

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

## RESOLUTION #2

## A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That the Clerk dispense with the reading of the minutes of the regular meeting held July 12, 2016.

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

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

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**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:

Burke Contracting LLC – Additional patching of the wall of ABC - \$1,950  
Grove Radiator Warehouse Inc. – Repairs to garbage truck - \$1954.80  
GTBM Inc. – Maintenance agreement for mobile police computers - \$1312.56  
Home Depo – Monthly purchases at ABC - \$2,591.28  
Monarch Electric – New Lights at club and various electric at ABC - \$3,116  
Santander Leasing LLC – Annual firetruck payment - \$83,114.92  
The Greenhouse – New flower pots and plants at ABC - \$1,163

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

**RESOLUTION #4**  
**A RESOLUTION TO APPROVE SPECIAL EVENTS PERMIT DATE CHANGE**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, The Board of Commissioners had approved at the regular meeting held July 12, 2016, a permit by Allenhurst Garden Club, a non-profit organization, for an event to be held on Friday, July 22, 2016, at the Allenhurst Beach Club; and,

**WHEREAS**, A request for a date change to July 29<sup>th</sup> has been made; and

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners that approval is given for the request to change the date to July 29<sup>th</sup>.

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

**RESOLUTION #5**  
**APPROVE RAFFLE LICENSE**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, that a On-Premise 50/50 raffle license, #16-02, be granted to Catholic Charities, which raffle shall be held on Friday, September 16, 2016, from 7:00 PM to 11:00 PM, at the Allenhurst Beach Club Restaurant, One Ocean Place, Allenhurst.

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

**RESOLUTION #6**  
**A RESOLUTION TO RESCIND PAID FIREFIGHTER CONTRACT**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, A contract was awarded to JHH Services, LLC for firefighter/maintenance services at the regular meeting held July 12, 2016; and,

**WHEREAS**, JHH Services, LLC has notified the Board that he will not be renewing his contract with the Borough;

**NOW, THEREFORE, BE IT RESOLVED**, Action taken by the Board on July 12, 2016 is hereby rescinded.

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

**RESOLUTION #7  
A RESOLUTION TO AUTHORIZE CLERK TO ADVERTISE FOR BIDS**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That the Borough Clerk be and she is hereby authorized to publish and receive bids for the following:

Allen Avenue Park Improvements

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

**RESOLUTION #8  
A RESOLUTION TO ENGINEER CERTIFICATE**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, A contract was awarded to Black Rock Enterprises, LLC for Improvements to Allen Avenue; and,

**WHEREAS**, The Borough Engineer has reviewed the project and recommended payment as provided for in Engineer's Certificate #2, which is on file in the Clerk's office;

**WHEREAS**, Funds for this purpose shall be provided 2016-01 Allen Avenue Paving Bond;

**NOW, THEREFORE, BE IT RESOLVED**, That Black Rock Enterprises be compensated in the amount of \$175,911.97 for work done in accordance with Engineer's Certificate #2.

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

**RESOLUTION #9  
A RESOLUTION FOR RENEWAL OF MEMBERSHIP  
IN THE  
MONMOUTH MUNICIPAL JOINT INSURANCE FUND**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, Allenhurst Borough is a member of the Monmouth Municipal Joint Insurance Fund; and

**WHEREAS**, said renewed membership terminates as of December 31, 2016 unless earlier renewed by agreement between the Municipality and the Fund; and

**WHEREAS**, the Municipality desires to renew said membership;

**NOW THEREFORE, BE IT RESOLVED** as follows:

1. Allenhurst Borough agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall by and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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

**RESOLUTION #10**  
**A RESOLUTION TO DISBAND THE BEACH COMMITTEE**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, A Beach Advisory committee was formed January 26, 2016; and,  
**WHEREAS**, The Board of Commissioners finds that the Beach Advisory Committee has not adhered to their mission statement;

**NOW THEREFORE, BE IT RESOLVED**, By the Board of Commissioners that the Beach Advisory Committee be disbanded.

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

**RESOLUTION #11**  
**A RESOLUTION TO APPROVE REFUND OF MERCANTILE LICENSE FEE**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, A mercantile license was granted to Jason Cohen on June 7, 2016 to operate Smuthie Bowl Corp.; and

**WHEREAS**, Smuthie Bowl Corp decided not to conduct business in the Borough of Allenhurst;

**NOW, THEREFORE, BE IT RESOLVED**, That the mercantile license fee of \$25 be refunded to Mr. Cohen.

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

**RESOLUTION #12**  
**A RESOLUTION TO APPROVE REFUND OF SPECIAL EVENTS PERMIT FEES**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, Special events permits were granted to the following:

1. Doris Klimowicz
2. Kevin and Maryann Rogers
3. Julia Peterpaul

**WHEREAS**, The Board decided at the regular meeting held July 12, 2016 to waive the special events permit fees for beach club members for cabana/beach parties for the 2016 season;

**NOW, THEREFORE, BE IT RESOLVED**, That the special events permit fee of \$100 be refunded to Doris Klimowicz, Kevin and Maryann Rogers and Julia Peterpaul.

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

**RESOLUTION #13**  
**A RESOLUTION TO CONSIDER SPECIAL EVENTS PERMIT APPLICATION**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, The Board of Commissioners of the Borough of Allenhurst have adopted Ordinance #2015-07 concerning permits for special events; and,

**WHEREAS**, A permit application has been filed by William Gilman, an Allenhurst Beach Club member, for an after-hours event to be held at the Allenhurst Beach Club, Cabana P-28, on Saturday, August 27, 2016, from 7 PM to 11:00 PM; and,

**WHEREAS**, The Chief of Police has reviewed the application and has required that

under-age drinking be prohibited and monitored;

**NOW, THEREFORE, BE IT RESOLVED**, That a permit be granted/denied to Mr. Gilman for an after-hours event to be held at the Allenhurst Beach Club, Cabana P-28, on Saturday, August 27, 2016, from 7:00 PM to 11:00 PM.

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

#### **RESOLUTION #14**

##### **A RESOLUTION TO APPROVE RACE IN BOROUGH OF ALLENHURST**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, Split Second Racing have requested permission to run a portion of their Triathlon through the Borough of Allenhurst on Sunday, August 28, 2016; and,

**WHEREAS**, A route has been provided which will take the marathon down Ocean Avenue, starting at approximately 6:30 AM and ending at approximately 10:00 AM and a Certificate of Insurance for this event will be provided; and,

**WHEREAS**, The Police Chief has reviewed the information given for this event and has recommended approval of same;

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

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

#### **RESOLUTION #15**

##### **A RESOLUTION TO APPROVE EXECUTIVE SESSION**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**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 legal/personnel matters which are exempt from the public meeting under the Sunshine Law.

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

#### **RESOLUTION #16**

##### **A RESOLUTION TO APPROVE BILLS & PAYROLL (7/16/16 – 7/31/16)**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That bills and payrolls totaling \$320,354.30 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That the July 26th consolidated bill list be attached hereto and made a part thereof.

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

#### **RESOLUTION #17**

##### **A RESOLUTION TO CONSIDER MORATORIUM WAIVER REQUESTS**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

Mr. Mizrahi from 300 Main Street LLC appeared before the Board regarding a moratorium waiver request for an installation of an air conditioner in the front window. He was advised by the Board that he would need to contact the zoning officer and go before the planning board. They would not be able to vote on this resolution at this time.

### **ITEMS FOR DISCUSSION**

Dave Howarth, Borough Engineer, presented the project plans for the Allen Avenue Park. The project will start mid-September and is estimated to take two months to complete. Bids for the project will be published on July 28, 2016.

Donna Campagna, Assistant Administrator discussed the DOT railroad project. NJ Transit is going to do renovations to Corlies and Spier Avenue Railroad crossings. They would also like to close the Allen Avenue railroad crossing. The Borough must respond to their findings within 30 days. The Assistant Administrator will respond and set up a meeting with the DOT to further discuss with the Board.

The Fire Dept. Hummer was mentioned. Discussions on this subject were deferred to the next meeting. The Board would like John Hansen from the fire department to attend the next meeting to discuss.

Applications from two co-principals were reviewed, Fisher and Sullivan, both were approved.

Joyce Sharkey had requested the board to re-review her co-principal request as well as her submitted petition. The board once again denied her request. Comm. Bolan stated that although her story was compelling, this was the exact reason they instituted the cabana rules so that cabanas would not go on for perpetuity. They once again advised that she follow the path suggested at the last meeting and join one of her children. Once they were a member for 5 years she could apply for co-principal.

### **PUBLIC HEARING**

Tim Moriarty stated that he still sees people bringing glass beer bottles from Mr. C's. Wynn Phillips, Beach Club Manager, will discuss the situation again with the restaurant.

Jim Markey from JCPL acknowledged his appreciation for Lori Osborn, Borough Clerk. He thanked her for her professionalism and service over the years.

There being no further business, Comm. McLoughlin moved, seconded by Mayor McLaughlin that the meeting move to executive session at 9:00 PM. Motion carried.

After reconvening, Comm. McLoughlin moved, seconded by Mayor McLaughlin that the meeting be adjourned at 9:40 PM.

Lori L. Osborn  
Clerk-Administrator