

**MINUTES**  
**August 9, 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 and McLoughlin answering the roll call. Also in attendance was the Borough Clerk, Borough Attorney 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.

**ORDINANCE #2016-09-Final Reading**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

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

There was no response to Mayor McLaughlin's request for public comments.

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 held July 26, 2016, 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 July 26, 2016.

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

**RESOLUTION #3**  
**A RESOLUTION TO CONFIRM 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 for these purposes are provided for in various accounts within the current budget, and the CFO has so certified; and,

All Traffic Solutions – Speed Signs - \$4,295  
Home Depo – Monthly purchases - \$1,382.37  
Monmouth Board of Elections – Municipal election expenses - \$1,691.65  
Monarch Electric – Parking lights at restaurant - \$1,668.30  
Party Perfect Rentals – Rides at beach August 28<sup>th</sup> - \$1,350  
Supplies for member's party \$2,033  
Wicker Plus Imports- Picnic tables for beach club \$3,000

**RESOLUTION #4**  
**A RESOLUTION TO AWARD CONTRACT FOR CATERING OF**  
**MEMBERS PARTY**

**RESOLUTION #5**  
**A RESOLUTION TO ENDORSE SUBMISSION OF**  
**RECYCLING TONNAGE GRANT APPLICATION**

**NOW, THEREFORE, BE IT RESOLVED,** By the Board of Commissioners of the Borough of Allenhurst, that Allenhurst hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Douglas Caron, Recycling Coordinator, to ensure that the application is properly filed;

and,

**BE IT FURTHER RESOLVED**, That the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

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

**RESOLUTION #6**  
**A RESOLUTION TO HIRE SEASONAL EMPLOYEES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the following be hired as employees for the 2016 beach season:

**Cabana Attendant**

Gavin McDonnell	\$ 6.00/hr.
Ricky Wade	\$6.00/hr.

**Deck Attendants**

Brian Campagna	\$6.00/hr.
Dan O'Neil	\$6.00/hr.
Connor Laken	\$6.00/hr.

**Poolside**

Henry Vaccaro	\$10.00/hr.
Christopher Mueller	\$10.00/hr.

**Office Manager**

John Selden	\$13.00/hr.
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VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #7**  
**A RESOLUTION TO CONSIDER SPECIAL EVENTS PERMIT APPLICATION**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**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 Frank Fischer, an Allenhurst Beach Club member, for an after-hours event to be held at the Allenhurst Beach Club, Cabana Z-12, on Saturday, September 3, 2016, from 7 PM to 11:30 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. Fischer for an after-hours event to be held at the Allenhurst Beach Club, Cabana 12, on Saturday, September 3, 2016, from 7:00 PM to 11:30 PM.

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

**RESOLUTION #8**  
**A RESOLUTION TO CONSIDER SPECIAL EVENTS PERMIT APPLICATION**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**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 Mark McLaughlin, an Allenhurst Beach Club member, for an after-hours event to be held at the Allenhurst Beach Club, Cabana P-28, on Saturday, August 27th, 2016, from 8 PM to 12:00 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. McLaughlin for an after-hours event to be held at the Allenhurst Beach Club, Cabana P-28, on Saturday, August 27th, 2016, from 8:00 PM to 11:00 PM.

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

#### **RESOLUTION #9**

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

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**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 Susan Wade, an Allenhurst Beach Club member, for an after-hours event to be held at the Allenhurst Beach Club, Cabana Z-6, on Friday, August 12th, 2016, from 8 PM to 12:00 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 Sue Wade for an after-hours event to be held at the Allenhurst Beach Club, Cabana 6, on Friday August 12, 2016, from 8:00 PM to 11:00 PM.

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

#### **RESOLUTION #10**

##### **A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF JITNEY FOR PUBLIC WORKS DEPARTMENT**

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

**WHEREAS**, The Public Works Director has advised the Board of Commissioners that the Borough is in need of a utility vehicle (jitney), for use by the Borough's Public Works Department; and,

**WHEREAS**, The Public Works Director has received a quote from Cherry Valley Tractor Sales for a Kubota RTV-X1100CWL-H 4 WD Utility Vehicle, at a price of \$26,540.00; and,

**WHEREAS**, Cherry Valley Tractor Sales is a member of the MRESC, a Co-op recognized by the State of New Jersey, and this item is being purchased under Contract #65MCESCCPS; 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 a Kubota RTV-X1100CWL-H 4 WD Utility Vehicle be purchased from Cherry Valley Tractor Sales at a cost of \$26,540.00.

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

#### **RESOLUTION #11**

##### **A RESOLUTION TO APPROVE 2015 AUDIT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

**WHEREAS**, The Annual Report of Audit for the year 2015 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

**WHEREAS**, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the

sections of the annual audit entitled:

General Comments

Recommendations and,

**WHEREAS,** The members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body; and,

**WHEREAS,** Such resolution of certification shall be adopted by the governing body no later than forty-five days after receipt of the annual audit, as per the regulations of the Local Finance Board; and,

**WHEREAS,** All members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

**WHEREAS,** Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

"R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE, BE IT RESOLVED,** That the governing body of the Borough of Allenhurst, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

#### **RESOLUTION #12**

##### **A RESOLUTION TO APPROVE BILLS & PAYROLL (8/1/16 – 8/15/16)**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED,** That bills and payrolls totaling \$837,135.16 be approved for payment; and,

**BE IT FURTHER RESOLVED,** That the August 9th consolidated bill list be attached hereto and made a part thereof.

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

#### **RESOLUTION #13**

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

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

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

**RESOLUTION #14**  
**A RESOLUTION TO CONSIDER MORATORIUM WAIVER REQUESTS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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

**WHEREAS**, The Board of Commissioners has reviewed same; and,

**WHEREAS**, Under the provisions of granting approval for a waiver for the period ending 5 PM on August 23, 2016, 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 dumpsters on property or heavy equipment permitted. No construction debris on outside of property.

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

1. Amanda McGovern  
Replace floorboards and tile in bathroom due to flea infestation  
Seven day request.

The requestor did not attend meeting to present case; request denied

2. Madeline Fiore  
Replace side door on garage in back of property  
Replace/repair windows on 3<sup>rd</sup> Floor  
Replace wood rot board by front steps  
Three day request

Request is considered maintenance and not an emergency; request denied.

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

**ITEMS TO DISCUSS**

The traffic light that was damaged last year was discussed. The Assistant Administrator presented two design options. It was decided to go with the design that looked most like the old light and pole.

The snack bar contract discussion was deferred to executive session.

The co-principal application for Larry Grunner was discussed and approved.

**PUBLIC HEARING**

Mrs. McGinnis discussed the wedding that was held at Mr. C's on Friday August 5<sup>th</sup>. She said it was very loud. She stated to have music till midnight is too late. She didn't call the police because she did not want to ruin someone's wedding. Donna Claus also stated she heard the music was very loud also. Mayor McLaughlin informed her the board would be discussing the situation in executive session. Mrs. McGinnis also stated that she asked her cabana boy to sweep her cabana, put up an umbrella and two chairs and open the cabana on the weekends. When she went down on Friday she thought it was a mess because there was sand in the cabana and her chairs were in a teepee in front of her cabana. Mayor McLaughlin explained that the cabana boys sweep the cabanas every morning but sometimes sand gets in when kids are running or playing by the cabana. He also told her that all the chairs are in a teepee because not everyone comes down every day and to open them all would not be efficient. He also asked if she tipped her cabana boy. Mrs. McGinnis replied she had in the beginning of the season. Mayor McLaughlin told Mrs. McGinnis that the board would be reviewing and working on the cabana attendant's responsibilities as people are expecting far too much from them.

Tim Moriarty stated that there was a race the past weekend and that they closed off Ocean Avenue. Mayor McLaughlin informed Mr. Moriarty that is was Deal's race. All of the race's that are run through Allenhurst are usually put on the Borough's website and an email blast is sent to residents.

Mark Horowitz asked about the dog park. Commissioner Bolan told Mr. Horowitz the Borough would be looking at it as part of their Park project. Mr. Horowitz also asked if the Borough had the data for the radar speed sign. Mayor McLaughlin stated he would talk to the chief and get back to him

Michelle Rogers stated that the stop signs on Page don't seem to work as people are not stopping and was wondering how the speed bumps worked. Mark Horowitz stated that they kind of work but mostly people speed then slow down and break when they get to the speed bump. She also asked about a traffic light on Corlies and Norwood. The Mayor stated that the county owns that road and they will be asking them again to do a study.

Mark Horowitz also stated that he is noticing a feral cat problem in the general areas of town. Mayor McLaughlin asked if he knew how many and if anyone was feeding them. Mr. Horowitz said he estimated about 10-15 cats but did not know who was feeding them. He also stated that if these cats start to have kittens it could become a problem. Mrs. McGinnis echoed her sentiments about the cats. Mr. Horowitz said that Eatontown was doing a pilot program to spay the cats. Lori Osborn, Borough Clerk stated that the Borough does not have a contract with the humane society to do this and it would be an added expense. Comm. Bolan asked the Assistant Administrator to look into the program that Eatontown is doing.

There being no further comments, public hearing was closed.

There being no further comments or any further business, the meeting adjourned to Executive Session. The meeting adjourned at 9:56 pm. Motion carried

Lori L. Osborn, RMC  
Clerk-Administrator