

MINUTES
August 23, 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.

COMMUNICATONS

Village of Loch Arbor notice that it is conducting a hearing on the addition of a Historic Preservation Element to their Master Plan.

Invitation from the Monmouth County Park System for the Monmouth County September 11th Memorial Ceremony

New Jersey Natural Gas notice for public hearings

ORDINANCES

Ordinance #2016-06 – Solid Waste Management – Final Reading

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2016-06
AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XVI
(SOLID WASTE MANAGEMENT) OF THE CODE OF THE BOROUGH OF
ALLENHURST.

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 August 9, 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 August 9, 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,

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

Office Business Systems – Phone recording maint. contract for police thru 2019 - \$2,787

Monmouth Building Center – Additional paint for beach club & borough hall - \$1,280.63

R. Sullivan Electric – Various electrical projects at beach club - \$2,175

Schindler Elevator Corp. – Key switch installations - \$1,984
Maintenance agreement - \$2,380

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

RESOLUTION #4
A RESOLUTION TO APPOINT CLERK/ADMINISTRATOR

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, Lori L. Osborn, Clerk/Administrator, will be retiring from municipal employment on September 1, 2016; and,

WHEREAS, The Board of Commissioners has determined to make an appointment to the positions of Clerk & Administrator;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, as follows:

1. Donna M. Campagna, be and she is hereby appointed acting Borough Clerk for a term of one year commencing at 12:01 AM, September 1, 2016 and terminating August 31, 2017, at an annual salary of \$54,000.00.

2. Donna M. Campagna, be and she is hereby appointed Borough Administrator, to fill the unexpired term, commencing at 12:01 AM, September 1, 2016, through 12:00 AM, December 31, 2016, at an annual salary of \$36,000.00.

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

RESOLUTION #5
**A RESOLUTION TO TRANSFER BALANCE OF
PLANNING BOARD ESCROW FEES TO CURRENT ACCOUNT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, Fees have been placed in the Planning Board Escrow Account; and,

WHEREAS, The applications have been completed and all expenses have been paid, leaving a balance;

THEREFORE, BE IT RESOLVED, That the following balances be transferred to the Borough's current account:

<u>Address</u>	<u>Fee</u>	<u>Amount</u>
10 Allen Avenue	Balance of Pool Permit Fee	\$ 135.00

4 Spier Avenue	Balance of Special Mtg. Fees	1,110.00
40 Ocean Avenue	Balance of Special Mtg. Fees	1,562.00
125 Cedar Avenue	Pool Permit Fee	500.00

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

RESOLUTION #6
A RESOLUTION TO APPROVE APPLICATION FOR OPEN SPACE GRANT

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, the Monmouth County Board of Chosen Freeholders has approved an Open Space Trust Fund and established a Municipal Open Space Program to provide Program Grant funds in connection with municipal acquisition of lands for County park, recreation, conservation and farmland preservation purposes, as well as for County recreation and conservation development and maintenance purposes; and

WHEREAS, the Governing Body of the Borough of Allenhurst desires to obtain County Open Space Trust Funds in the amount of \$125,000 to fund Railroad Plaza Park Improvements, Lake Drive, Lot 3, Block 31; and

WHEREAS, the total cost of the project including all matching funds is \$300,000; and;

WHEREAS, the Borough of Allenhurst is the owner of and controls the project site.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST THAT:

1. Donna M. Campagna, Clerk/Administrator or her successor is authorized to (a) make an application to the County of Monmouth for Open Space Trust Funds, (b) provide additional application information and furnish such documents as may be required for the Municipal Open Space Grants Program and (c) act as the municipal contact person and correspondent of the above named municipality; and
2. The Borough of Allenhurst is committed to this project and will provide the balance of funding necessary to complete the project as described in the grant application in the form of non-county matching funds as required in the Policy and Procedures Manual for the Program; and
3. If the County of Monmouth determines that the application is complete and in conformance with the Monmouth County Municipal Open Space Program and the Policy and Procedures Manual for the Municipal Grants Program adopted thereto, the municipality is willing to use the approved Open Space Trust Funds in accordance with such policies and procedures, and applicable federal, state, and local government rules, regulations and statutes thereto; and
4. Donna M. Campagna Clerk/Administrator or her successor is hereby authorized to sign and execute any required documents, agreements, and amendments thereto with the County of Monmouth for the approved Open Space Trust fund; and
5. This resolution shall take effect immediately.

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

RESOLUTION #7

A RESOLUTION TO APPROVE INTERLOCAL AGREEMENT WITH TOSA

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, N.J.S.A. 40:8A-1, et seq., authorizes any municipality to enter into a contract with another municipality for any services which any party to the agreement is empowered to render within its own jurisdiction; and,

WHEREAS, The Borough of Allenhurst and the Township of Ocean desire to enter into an agreement whereby the Township of Ocean will provide jet-vac and TV services to the Borough of Allenhurst through December 31, 2016, and it shall automatically renew for additional terms of one (1) year for a maximum of seven (7) years, unless either party provides the other with written notice as per the contract;

NOW, THEREFORE, BE IT RESOLVED, By the Board Commissioners of the Borough of Allenhurst that the Mayor and Borough Administrator be and they are authorized and directed to sign the aforesaid Interlocal Service Agreement between the Borough of Allenhurst and the Township of Ocean in accordance with the terms of the Agreement which is on file in the Borough Clerk's office.

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

RESOLUTION #8

A RESOLUTION TO CONFIRM 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 had been filed by Trish Bartlett, an Allenhurst Beach Club member, for an after-hours event that was held at the Allenhurst Beach Club, Cabana Z-4, on Saturday, August 20th, 2016, from 6 PM to 12:00 PM; and,

WHEREAS, The Chief of Police had reviewed the application and had required that under-age drinking be prohibited and monitored;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners hereby confirm the granting of a permit to Trish Bartlett for an after-hours event held at the Allenhurst Beach Club, Cabana Z-4, on Saturday, August 20th, 2016, from 6:00 PM to 11:00 PM.

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

RESOLUTION #9

RESOLUTION REJECTING BIDS FOR THE IMPROVEMENTS TO ALLEN AVENUE PARK

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst advertised on July 28, 2016 for bids for Improvements to Allen Avenue Park and on August 18, 2016, it received two bids on the project; and

WHEREAS, the Borough's Engineer had prepared an estimate for the projected costs of the Improvements to the Allen Avenue Park which estimate was between \$280,000.00 and \$300,000.00; and

WHEREAS, two bids were received by the Borough, one from Bird Construction in the amount of \$368,470.00, and one from Precise Construction, Inc. in the amount of \$367,900.00, both of which are at least \$65,000.00 above the Borough's Engineer's cost estimate for the project (see N.J.S.A. 40A:11-13.2(a)), and which substantially exceeds the Borough's appropriation for the project (see N.J.S.A. 40A:11-13.2(b)); and

WHEREAS, in light of the excessive bid amount of the two bids received, the Borough will consider a revision to the specifications before it seeks to proceed with the project (see N.J.S.A. 40A:11-13.2(d)).

NOW THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allenhurst that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length; and

BE IT FURTHER RESOLVED that in accordance with N.J.S.A. 40A:11-13.2 and N.J.S.A. 40A:11-24(a), the bids received on August 18, 2016 for the Improvements to Allen Avenue Park project be and are hereby rejected as they are substantially over the estimated amount of the project and the Borough and its representatives are hereby authorized to return the bid bonds submitted by the bidder.

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Allenhurst that its representatives be and hereby are authorized to amend the specifications and the Borough Clerk is hereby authorized to advertise for bids for the Improvements to the Allen Avenue Park project with bids to be received on September 9, 2016.

BE IT FURTHER RESOLVED by the Governing Body of the Borough of Allenhurst that its representatives be and hereby are authorized to execute all necessary documents in connection herewith.

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

RESOLUTION #10 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:

Lifeguards

Jaime Richter \$ 9.00/hr.

Lila Rice \$ 9.00/hr.

RESOLUTION #11 A RESOLUTION TO APPROVE BILLS & PAYROLL (8/15/16 – 8/31/16)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$243,161.95 be approved for payment; and,

BE IT FURTHER RESOLVED, That the August 23rd consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION

The Assistant Administrator discussed replacing the traffic head lights for the existing traffic poles to match the lights that will go on the new traffic pole. The total cost for 3 sets of 3 lights would be \$8,275. The Board of Commissioners voted to keep the existing lights.

Dave Howarth from Leon S. Avakin's office discussed the application for the Monmouth County Municipal Open Space Grant Program. The Grant funds for Projects for the purpose for the development of park, recreation, and open space. Monmouth County will fund up to 50% of eligible project costs. The Borough plans to apply for the development of Railroad Plaza Park. The total cost of the project will be \$250,000. Mr. Howarth presented the plans for the park that included handicap accessible fitness equipment, handicap accessible, playground equipment, handicap accessible rubber safety surface, handicap accessible swing set, landscaping materials and plantings, irrigation system and park benches.

The application for Co-Principal for the Rawson cabana was reviewed. Kate Torregrossa, her daughter whose has been a member for over 5 years was approved.

The Restaurant lease was discussed. Ms. Karen Marzulli and Mr. Chic Perrotto had been advised to attend but did not. Comm. Bolan stated that Ms. Marzulli and Mr. Perrotto did not comply with their lease terms and did not address in their email to the Borough the concerns set forth in the letter sent to them by the Borough Attorney regarding the lease. Specifically, that they intend to have future parties and have not formally requested it in writing to the Board 45 days prior nor pay the fee. Comm. McLaughlin asked if the Borough can freeze future parties. Comm. Bolan stated they do not have any future parties as they have not requested them or given a check to the Borough as per the lease terms. The Board asked Dave Laughlin, the Borough Attorney, to address the situation in a letter to be sent to Ms. Marzulli and Mr. Perrotto.

PUBLIC HEARING

Maryann Dowling asked if the Beach Club would be open for Indian summer this year. Comm. Bolan stated that the Beach Club had only been open for Indian summer a few years and it was not cost beneficial as not many members signed up and also that staffing had been an issue, as most of the employees were back at school. Mayor McLaughlin asked Mark Heitmueller, Assistant Beach Manager, if they could open the cabanas during the week and Mr. Heitmueller stated they could. Teresa Santoro stated that most of the summer you can't get in the pool because it is too cold and at this time of year it is gorgeous and would like to see it remain open. Mayor McLaughlin stated he would poll the lifeguards to see if they were available to keep the pool open during week before clean out day. Comm. Bolan stated he thinks that is a security issue and "a fool's errand" to keep the pool open. The Beach club manager had previously discussed his concerns about this with the Commissioners and Comm. Bolan felt the Borough should listen to his recommendation. Comm. Bolan said the date of the club closing was in the beach club application book and we should abide by it. He recommended it should be self-serve only at the beach. It was decided that the pool would be closed and that the cabana members could put their name on a list to have their cabana unlocked at 10 and locked at 5 with no other cabana services during the week before the clean out weekend of September 10th. The locker members could continue to wall their chairs at the beach. Clean out day will remain the weekend of September 10th.

Tim Moriarty stated that he still sees glasses and bottles coming out of Mr. C's to the beach club. Mayor McLaughlin asked Mark Heitmueller if this is an ongoing issue. Mr. Heitmueller stated that it happens on a few occasions but mostly when people come out from the interior bar. As soon as the beach club staff see the glass they give them a paper cup. Comm. Bolan asked the Borough Attorney to address the situation in the letter he is writing to Mr. Marzulli and Mr. Perrotto at Mr. C's that they would be held responsible if glass continues to be carried out to the club.

Testimonial

Mayor McLaughlin stated that it was a sad night due to the Borough Clerk/Administrator, Lori Osborn was retiring and this was her last meeting. He said she has been in the position since 2004 and has done an amazing job. He stated he gives her so much credit as a lifelong government employee starting out in Neptune and then coming to Allenhurst Borough in 1990 as the Planning Board Secretary. Mayor McLaughlin said she didn't always have an easy task dealing with the board. He also stated that she was many times put in stressful situations with snow storms and hurricane Sandy and always came in to work. She has also been involved in many projects for the Borough including a lot of red tape with the replacing of cabanas and adding new ones, the 10 year fire contract with Loch Arbor and Interlaken and the new garbage contract with Interlaken along with numerous other tasks. Mayor McLaughlin stated that personally she has become a friend and thanked her for the terrific service she has done.

Comm. McLoughlin stated that Lori has worked long thankless nights in her position. He said after he took his position, three days later the current Clerk/Administrator left and threw a lot of responsibility at Lori and she handled it like a "Major League shortstop player." He personally thanked her for all she has done.

Comm. Bolan stated that this was the most people he saw at a meeting in 8 years. He said most times there are hardly anyone at the meetings which means Lori was doing her job since no one was complaining. He stated the best indication of a good manager is that people stay in their

positions for a long time and don't complain which is truly the case in Allenhurst and credited to Lori's leadership. Comm. Bolan said Lori was able to manage this board with their hair brained ideas and was always the voice of reason. He stated this was no easy task and he was going to miss her.

Lori Osborn stated that she had appreciated her time in Allenhurst and felt she accomplished a lot in her years here. She is definitely going to miss it but is happy to start a new chapter in her life.

There being no further business, Comm. McLoughlin seconded by Comm. Bolan that the meeting be adjourned at 8:24 PM. Motion carried.

Donna M. Campagna
Clerk-Administrator