

MINUTES
September 13, 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 and Borough Attorney.

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.

Mayor McLaughlin administers the Oath of Office to Administrator/Acting Municipal Clerk Donna Campagna.

COMMUNICATIONS

An invitation to Concord Energy Services presentation on energy aggregation and cocktail party on September 14th.

A notice from JCPL regarding their notice of filing and public hearing for Basic Generation Service Charges procured by JCPL on behalf of its Default Electric Service Customers and Notice of Proposed Recovery through its BGS Charge of Costs Resulting from Statewide Auction for Basic Generation Service.

A Resolution adopted by the Board of Chosen Freeholders of the County of Monmouth on August 24, 2016 supporting Monmouth Park as a viable location for the operation of a casino.

A notice from Loch Arbor advising that the Public Hearing which was previously scheduled for August 29, 2016 for Historic Preservation has been rescheduled for September 21, 2016.

An invitation from the Clean Ocean Action inviting the Borough to participate in their 31st Annual Fall Beach Sweeps on Saturday, October 22, 2016.

A letter from Lou Parisi from Loch Arbor praising Doug Caron and his crew for the efficiency and dedication they gave servicing the Village over the past years.

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 23, 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 23, 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:

Christina Pritzlaff- 80% of Yoga receipts - \$2,536

Donna Campagna- Municipal Clerk Classes - \$2,245

ESI equipment – Service Contract for Equipment - \$1,815.90

Grainger – Additional trash cans for ABC - \$1,053.50

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

RESOLUTION #4
A RESOLUTION TO AWARD CONTRACT FOR ALLEN AVENUE OPEN SPACE IMPROVEMENTS

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, The Clerk advertised for bids for the construction of the Allen Avenue Park; and,

WHEREAS, The following 4 bids were received:

Precise Inc.	\$297,175.00
Wallace Bros. Inc.	307,642.50
Bird Construction	344,600.00
T.R. Weniger	437,150.00

WHEREAS, The Borough Attorney and Borough Engineer have reviewed the bids for compliance and recommend the contract be awarded to Precise Inc., the lowest bidder; and

WHEREAS, Funds for this purpose are available in the appropriation entitled “2015-06 Allen Avenue Park Improvements”, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That a contract be awarded to Precise Inc., the lowest of four bidders on their total bid of \$297,175.00, for construction of the Allen Avenue Park Project.

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

RESOLUTION #5
A RESOLUTION TO HIRE PART TIME OFFICE STAFF

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following be hired as Part Time Office Staff:

Patty Lynch \$ 16.00/hr.

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

RESOLUTION #6
A RESOLUTION TO CONFIRM HIRE OF SEASONAL EMPLOYEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following be confirmed as a hired employee for the 2016 beach season:

Charles Asaro \$6.00/hr.

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

RESOLUTION #7
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 Samantha Santoro, an Allenhurst Beach Club member, for an after-hours event that was held at the Allenhurst Beach Club, Cabana P-22 , on Sunday, September 4, 2016, from 7 PM to 11:00 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 Samantha Santoro for an after-hours event held at the Allenhurst Beach Club, Cabana P-22, on Sunday, September 4, 2016, from 7:00 PM to 11:00 PM.

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 Reagan Toomey, an Allenhurst Beach Club member, for an after-hours event that was held at the Allenhurst Beach Club, Cabana Z-33 , on Saturday, August 27, 2016, from 7 PM to 10:00 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 Reagan Toomey for an after-hours event held at the Allenhurst Beach Club, Cabana Z-33, on Saturday August 27, 2016, from 7:00 PM to 10:00 PM.

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

RESOLUTION #9
A RESOLUTION TO APPOINT OFFICIALS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following officials of the Borough of Allenhurst are hereby appointed effective 12:01 AM, Thursday, September 1, 2016, through December 31, 2016:

Mercantile License Officer
Community Development Rep.

Donna Campagna
Donna Campagna

Public Agency Compliance Officer
Personnel Officer
Fund Commissioner (JIF)
ADA Compliance Officer
Assessment Search Officer
Sewer Collector

Donna Campagna
Donna Campagna
Donna Campagna
Donna Campagna
Donna Campagna
Donna Campagna

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

RESOLUTION #10
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 \$368,867 be approved for payment; and,

BE IT FURTHER RESOLVED, That the September 13, consolidated bill list be attached hereto and made a part thereof.

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

RESOLUTION #11
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/contractual matters which are exempt from the public meeting under the Sunshine Law.

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

ITEMS FOR DISCUSSION

The dates for the Halloween Parade and Christmas Tree Lighting were discussed. The dates approved were October 29th with a rain date of October 30th for the Halloween Parade and December 4th for the Christmas Tree Lighting. A newsletter and email blast with all the information will go out to all the residents.

The purchase of the street sweeper from Ocean Township was discussed. Ocean Township will sell their street sweeper that they were going to auction off to Allenhurst Borough. The Mayor asked Doug Carron, the DPW supervisor, if it was a good deal and Mr. Caron responded that a similar one sold for around \$98,000. Mr. Caron will contact Ocean Township to inspect the sweeper and get the necessary documents for purchase.

The application from John Duffy making his daughter Megan Young co-principal was discussed and approved.

The rescinding of the donation of the Humvee to the fire department was discussed. The fire company would like to take back the donation and title of the Humvee and sell it. The proceeds would go back to the fire department. Dave Laughlin, Borough attorney, stated that the Borough could rescind the donation and transfer title once a buyer is found. The buyer will also have to present proof of insurance prior to the transfer of title and rescinding of the donation.

The noise ordinance was deferred to the public hearing

PUBLIC HEARING

Brad Comer, Allenhurst beach club security, stated that he had 214 trespassers this season. Mr. Comer also stated that many members were missing pictures and he volunteered to help figure out who needs to come in and get their pictures taken. The Borough Administrator told Brad to stop in on his break and they could work on the project. Mayor McLaughlin thanked Mr. Comer for the great job he did this season.

Kim Mehr stated that there was a drone that was flying very low and hung over her property. She asked what the Borough's policy was or if there was an ordinance on drones. The Borough Attorney stated that drones are guided by the FAA. Comm. Bolan stated the next time it happens she should call the police. Gerry Ann Varley also stated that she had seen the drone. Doug Carron stated that he actually met some of the people flying the drones and that they were real estate people taking pictures.

Kim Mehr also stated that she was very upset about the Butcher Block Steakhouse and that they were not being good neighbors. She said on several instances the volume in the restaurant was very loud and there were cars parked all over the place and blocking her driveway and that the restaurant was almost like a night club. They have also had a few ceremonies that were very loud. She stated that she had never complained before but the party they had on August 30th was very loud. This was the first time she called the police even though she thought the noise over the past two years had been excessive. She stated that the music on the night of the August 30th, which was a weeknight, was like a whaling sound and went on till at least 10:45. She said after calling the police, the music went off for 10 minutes then went back on. She said the police had told her that they had numerous complaints and they issued a summons but could not do anything else. The police took the noise reading from Mrs. Mehr's house which is what the ordinance states to do.

Comm. Bolan stated that he had also personally made a complaint. Comm. Bolan stated that the police need to take proper protocol to deal with this situation. The police are following the state wide ordinance regarding noise which states that the noise reading is taken from the complainant's property. He stated that the Commissioners will work with the police on the protocol.

Mr. Bahri said the noise from the Butcher Block Steakhouse was unbearable. He said he has gone to the restaurant and asked the owner to turn the music down and that he does nothing. Mr. Bahri said this has gone on this year and last. He also stated that the traffic is bad and that the cars are parked everywhere. He has had to call the police 3-4 times about the cars and also has had a car towed. Mr. Bahri said he has had to leave on Saturday and Sunday nights because it is so loud.

The Mayor and the Commissioners said that they will ask the Restaurant owners to attend the next meeting to discuss the complaints to come up with a solution. Kim Mehr asked if they could come to the meeting. Mayor McLoughlin stated yes and told her to call the Borough Administrator to find out the date of the meeting.

Mark Horowitz voiced his concern about the overall noise level in town. He stated it seems like a night club from 3 pm to 6 pm every day. Mr. Horowitz thought the Borough had bought a hand held device to measure the noise. Comm. Bolan stated the Borough had and currently it's a protocol issue as the noise reading is done from the person who complains house. They will work with the police on tweaking the policy to have the noise reading be done from the place it is originating from.

There was a lengthy discussion and complaints from beach club from members. Members present were Dana Griggs, Barbara Silverman, Karen Stewart, Gerri Ann Varley, Pat McGinnis, Maryjo Rogers, Patty Masgay, Mike Griggs, Larry Nasgay, Lisa Williams, Theresa Santoro, Ralph Williams and Brian Williams. Complaints addressed were management and the unprofessionalism of management, cabana boys and their responsibilities, conditions of the cabanas, pool, deck and lockers, garbage on the beach by the daily entrance side, employees not wearing uniforms, cabana service procedures, after hour procedures, drainage by the lockers, lifeguards on phone, trespassing and the club closing on labor day.

The Commissioners and the Mayor stated that they would talk to management about the feedback they received at the meeting. The Commissioners will discuss how to figure out a better way to do things and tweak the process. Mayor McLoughlin said they will need to work on job descriptions as well as member expectations. The Mayor also discussed that the Borough is looking at a 5-year infrastructure plan with the beach club to cure some of the drainage and locker issues as well as a plan to deal with the free beach in Deal that created some of the trespassing and garbage issues. They will also address the issues brought up this evening. The Mayor stated although the members made some valid points at times members have a “Country Club” mentality. He reminded everyone that the beach club is a municipal owned facility much like a community pool and not a country club. Going forward he asked if members had complaints and concerns that they could not resolve with the beach club management to call Borough Hall and talk with the Administrator.

Brian Williams stated he received a letter from the Administrator regarding his beach club member being suspended regarding an incident that occurred on August 29, 2016. Comm. Bolan stated that he heard that there was a verbal altercation between Mr. Williams and Mark. Comm. Bolan also stated that Wynn Phillips, beach club manager, asked Mr. Williams to call and discuss the issue with him. Mr. Williams had never called Mr. Phillips therefore it was recommended he be suspended. Comm. Bolan advised Mr. Williams to contact Mr. Phillips regarding the situation as there appears to be a misunderstanding. If they work out the situation suspension would be lifted.

There being no further business, Comm. McLoughlin moved, seconded by Mayor McLaughlin that the meeting move to executive session at 9:45 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 10:20 PM.