

MINUTES
October 11, 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 Administrator/Acting 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.

COMMUNICATIONS

Notice of Proposed Membership Dues increase from the NJ State League of Municipalities.

Resolution of the Borough of Sea Bright urging revenue sharing between NJ casinos, Monmouth Park and the NJ horseracing industry.

Resolution of the Borough of Freehold opposing the November 8, 2016 ballot initiative in supporting Freehold Raceway as a gambling venue and/or revenue sharing between NJ Casinos, Freehold Raceway and the NJ horseracing industry.

Notice of Public Hearing for JCPL proposed increase in the Company's Rider SBC – Societal Benefits Charge to recover costs incurred during 2012, 2013, and 2014 under the Demand Side Factor, Uncollectable Accounts Charge and Nuclear Decommissioning Costs components of the Company's SBC.

Ordinance #2281 and #2282 from the Township of Ocean amending and supplementing Chapter 21 of the Comprehensive Land Development Ordinance.

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 September 27, 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 September 27, 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:

Billows Electric Supply – LED lights	\$1,462.08
Street light head	\$1,565.00
Mazza & Sons Inc. – Recycling	\$1,389.28

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

RESOLUTION #4
A RESOLUTION TO APPROVE PURCHASE OF AN ELGIN PELICAN STREET
SWEeper FOR PUBLIC WORKS DEPARTMENT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Public Works Director has advised the Board of Commissioners that the Borough is in need of a street sweeper and,

WHEREAS, The Public Works Director has received an offer from the Township of Ocean to purchase an Elgin Pelican Sweeper for a fee of \$7,000 that the Township of Ocean no longer needed and,

WHEREAS, In Accordance with 40A:11-6.1, the Allenhurst QPA found it impractical to get additional quotes for a used piece of equipment already priced by another government and in that an equivalent piece of equipment would not be available elsewhere 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 Elgin Pelican Sweeper be purchased from the Township of Ocean at a cost of \$7,000.

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

RESOLUTION #5
A RESOLUTION TO APPROVE SOCIAL AFFAIR PERMIT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That a Social Affair Permit be granted to the Greater Ocean Chamber of Commerce for an affair to be held on February 22, 2017, from 5:00 PM to 8:00 PM, at the Shore Antique Center, 413 Allen Avenue, Allenhurst, NJ; and

BE IT FURTHER RESOLVED, That the Chief of Police and the Borough Clerk are hereby authorized and directed to execute the application for said Social Affair Permit.

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

RESOLUTION #6
A RESOLUTION TO APPOINT SECRETARY TO THE PLANNING BOARD

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

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

WHEREAS, The Board of Commissioners has determined to make an appointment to the position of Secretary to the Planning Board;

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

Joy More, be and she is hereby appointed Secretary to the Planning Board for a term of four months commencing at 12:01 AM, September 1, 2016 and terminating December 31, 2016, at an annual salary of \$7,803.00 to be prorated from September 1st through December 31st.

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

RESOLUTION #7
A RESOLUTION TO APPOINT ALTERNATE PROSECUTORS

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following officials of the Borough of Allenhurst are hereby appointed Alternate Prosecutors effective October 11, 2016, through December 31, 2016:

Michael J. Lynch
Sean Kean
Jason Shamy
Susan DeSimone
Paul Granick
Brian Wilton

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

RESOLUTION #8
A RESOLUTION TO APPROVE CHAPTER 159

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, Said Director may also approve the insertion of an item of appropriation for equal amount;

Section 1

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$1,221.79, which item is now available as revenue from Body Armor Replacement Fund pursuant to the provisions of Statute; and,

Section 2

BE IT FURTHER RESOLVED, That a like sum of \$1,221.79 be and the same is hereby appropriated under the caption of Body Armor Replacement Fund.

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

RESOLUTION #9
A RESOLUTION TO APPROVE HALLOWEEN CURFEW

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Commissioners are of the opinion that it is necessary for the protection of property and the citizens of the Borough of Allenhurst that regulations and restrictions be imposed during the Halloween period, in order to prevent vandalism and to preserve law and order in the Borough of Allenhurst during said period of time;

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

I. That no persons under the age of 18 years shall be permitted in any public place, public street, or public property in the Borough of Allenhurst between the hours of 8:00 P.M. and 6:00 A.M., prevailing time, on each and every day during the period from October 30 through October

31, 2016, inclusive, unless such person shall, during said hours, be returning from work, night school, fraternity, church, social or school meeting, or en route to and returning from a physician's office or dentist's office where treatment is to be rendered or has been rendered by such physician or dentist, or is accompanied by his or her guardian or parent over the age of 18 years.

That during said hours and days, no person shall wear any appliance for the purpose of covering any portion of his or her face, or partial mask, in any public place, public street or public property in the Borough of Allenhurst.

II. That all persons, regardless of age, excepting those who are attending minor children, who shall participate in the traditional Halloween activity of "Trick or Treat", within the Borough of Allenhurst on October 31, 2016, shall be in costume, and, shall curtail all "Trick or Treat" activities by 8:00 PM on this date.

That any person who is a parent, guardian or standing in loco parents of any person under the age of 18 years who permits, consents or allows any person under the age of 18 years to violate the provisions of this resolution of any part thereof, shall likewise be guilty of a violation of this resolution.

That any person who shall violate this resolution shall be subject upon conviction to a fine not exceeding \$200.00 or imprisonment of not more than 30 days, or both, in the discretion of the Municipal Court of the Borough of Allenhurst.

This resolution and proclamation shall take effect immediately upon adoption and approval according to law.

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

RESOLUTION #10
A RESOLUTION TO APPROVE BILLS & PAYROLL (10/1/16 – 10/15/16)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$ 243,281.90 be approved for payment; and,

BE IT FURTHER RESOLVED, That October 11th, 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 results of Best Practices worksheet that was sent out by the state were discussed. The Borough scored a 25 which is high enough to still receive state aid. The Borough Administrator/Acting Clerk highlighted two areas which were longevity and health care waivers. As of 2017 the Borough will eliminate longevity and roll it into the salaries of everyone who qualifies. Any new employees will not be eligible. The Borough will also look into offering health care waivers for employees that opt out of healthcare to help keep healthcare costs down. The Commissioners had no further questions. The Borough Administrator/Clerk and CFO will certify the worksheets and file them with the state.

The donation of the first aid vehicle was discussed. The first aid squad would like the Borough to donate back the Ford Explorer so they can sell it since it is no longer used. Dave Laughlin, Borough Attorney, stated that because the Borough has owned it for 10 years they cannot just donate it back and thinks it needs to go to public auction. The First Aid Squad asked if it could be treated as a government entity and therefore the Borough would be allowed to donate it back. The Borough Attorney will investigate to see if the First Aid could be constituted as a government entity. If it cannot, the Borough will look into putting the first aid vehicle for public auction and donating the funds back to the First Aid.

The Vendor sign in front of Borough Hall was discussed. It had already been taken down as requested by other vendors. DPW will look into putting up a business bureau sign instead.

PUBLIC HEARING

Mark Horowitz asked about a Dog Park. He said he had asked about it a few times before. Donna Campagna, Administrator/Acting clerk stated that at this time it is not included in the park projects. She also stated it is not as easy as it seems to put up a fence and make a dog park. The Borough needs to look into insurance issues, the cost of maintenance and how many Allenhurst dogs will actually use the park as opposed to other towns. The Borough will investigate it further with the upcoming park projects to ascertain if it is feasible.

Mr. Horowitz also asked about whether there was more information about putting a traffic light on Corlies and Norwood. Mayor McLaughlin stated that the Department of Transportation said the accident reports did not warrant it. Mr. Horowitz asked if the Borough could petition them again. Mayor McLaughlin stated that they did a speed analysis and the highest speed was 30-35 mph and there were no major accidents. The Mayor will get a copy of the reports and email them to Mr. Horowitz.

Tim Moriarty asked about the noise ordinance brought up at a previous meeting and if the Borough decided where the noise readings would be taken from. Mayor McLaughlin stated that going forward they will be taken from the place where the noise is occurring. Mr. Moriarty also stated that he noticed the beach club chairs were on Mr. C's deck. Mark Heitmuller from DPW stated that they have since been put away.

The Butcher Block Steakhouse was discussed. The Administrator/Acting Clerk stated that she had reached out a few times to the manager to attend a meeting. The manager had told her they could not attend this month due to the Jewish Holidays. She also stated that they had not yet renewed their mercantile license and a third letter had gone out. Comm. Bolan asked her going forward to send out a letter requesting they attend and also to let them know if they do not renew the mercantile license they will be in violation.

There being no further business, the meeting adjourned to executive session at 8:20 PM. After reconvening, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting adjourn at 9:25 PM. Motion carried.

Donna M. Campagna
Administrator/Acting Borough Clerk