

MINUTES
November 22, 2016

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding and Commissioner Bolan answering the roll call. Commissioner McLoughlin was not able to attend. Also in attendance was the Borough Acting Clerk/Administrator 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

Resolution from The Board of Freeholders of the County of Monmouth, authorizing the NJ Association of Counties to file a complaint with the NJ Council on Local Mandates that the Criminal Justice Reform Act NJSA 2A:162-15 constitutes an Unfunded State Mandate in violation of Article VIII, Section II, Paragraph 5 of the NJ Constitution.

Resolution in support of a complete Streets policy for Allentown Borough.

Proposed Budget for the Monmouth Municipal Joint Insurance Fund.

Resolution from The Board of Freeholders of the County of Monmouth, opposing the proposal permitting general public to utilize housing units at Naval Weapons Station Earle.

Notice of public hearing from the Village of Loch Arbour planning board on the revised Village of Loch Arbour Master Plan which will be held on November 30th at 7:30.

Resolution from the NJ Conference of Mayors in support of Senate Bill s-2254 and assembly bill A-3821 which affirms the language and legislative intent of the Fair Housing Act.

Postcard from the Vignone Family thanking the Borough and DPW for the Halloween party.

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 October 25, 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 October 25, 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:

Burke Constructing - repairs to wall and sidewalk at ABC	\$3,650.00
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Realty Appraisal – Tax court appearance	\$1,000.00
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VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #4
**A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF
POOL PUMP MOTOR**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, There is a need for a new pool pump motor at the ABC Beach Club; and,

WHEREAS, The following quotes were received:

Manufacturers Edge -	\$9,250.00
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Lockwood's Electrical Motor Service -	\$9,780.00
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Pilot Electric -	\$9,689.00
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WHEREAS, Fund for this purpose will be provided for in the Capital Account known as 2016-02, known as ABC Improvements Misc, and the Chief Financial Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That a contract be awarded to Manufacturers Edge, lowest of three quotations received in the amount of \$9,250.00 for the purchase of a new pool pump motor.

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

RESOLUTION #5
A RESOLUTION TO APPROVE ENGINEER CERTIFICATE

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 Final Engineer's Certificate #4, 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 \$6,084.34 work done in accordance with Final Engineer's Certificate #4.

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

RESOLUTION #6
A RESOLUTION TO APPROVE RAFFLE LICENSE

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a non-draw raffle license, #17-01, be granted to the Allenhurst Fire Department, No. 1, which raffle shall be held on Friday, January 1, 2017, from Noon to 5:00 PM, at the Allenhurst Fire House, 318 Hume Street, Allenhurst.

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

RESOLUTION #7
A RESOLUTION TO CONFIRM BAN

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Clerk requested rates for a Bond Anticipation Note, which is due on November 10, 2016; and,

WHEREAS, One rate was submitted;

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst confirms the sale of a Bond Anticipation Note in the amount of \$2,165,700 to Oppenheimer & Company, for a period of twelve months commencing on November 10, 2015 and maturing on November 9, 2017, at an interest rate of 2.00%; and,

BE IT FURTHER RESOLVED, That the Mayor and Borough Officials have been authorized to sign the closing documents for said Bond Anticipation Notes.

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

RESOLUTION #8
A RESOLUTION TO TRANSFER APPROPRIATIONS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following 2016 appropriations be transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Beach SW	Legal OE	\$25,600.00
Gasoline	Legal OE	\$10,000.00
Garbage & Trash S&W	Elections OE	\$ 3,038.00
Garbage & Trash S&W	Planning Board S&W	\$ 2,584.00
Garbage & Trash S&W	Planning Board OE	\$ 611.00
Garbage & Trash S&W	Garbage & Trash OE	\$ 4,179.00
Admin S&W	Legal OE	\$ 6,100.00

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

RESOLUTION #9
A RESOLUTION AUTHORIZING THE EXECUTION OF
PROFESSIONAL SERVICES CONTRACT WITH
WILLIAM E. ANTONIDES & CO. FOR TEMPORARY
CHIEF FINANCIAL OFFICER SERVICES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst's ("Borough") Chief Financial Officer ("CFO") is temporarily unable to perform her duties, in order to comply with the requirements of N.J.S.A. 40A:9-140.10, the Borough must appoint a temporary chief financial officer; and

WHEREAS, N.J.S.A. 40A:9-140.10 permits municipalities to temporarily fulfill the requirement for a chief financial officer by appointment of a private entity to perform said duties for a term of no more than two consecutive one-year terms, subject to the approval of the Director of the Division of Local Government Services in the Department of Community Affairs; and

WHEREAS, Edward J. Simone, C.P.A., R.M.A., P.S.A. of William E. Antonides & Co. has submitted a proposal dated November 21, 2016, a copy of which is attached hereto and incorporated herein by reference, to provide temporary chief financial officer services in the absence of the Borough's CFO; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) authorizes the execution of professional services contracts without competitive bidding; and

WHEREAS, Edward J. Simone, C.P.A., R.M.A., P.S.A. of William E. Antonides & Co. has completed and submitted a Business Entity Disclosure Certification, a Stockholder Disclosure Form, and a Political Contribution Form which certified that the firm has not made any reportable contributions to a political or candidate committee or the elected officials of the Borough of Allenhurst in the previous one (1) year period, and that the contract will prohibit the firm from making any reportable contribution through the term of the contract, as required by state law; and

WHEREAS, the acting Borough Clerk/Administrator has Certified, in writing, that sufficient funds are available for this purpose under the 2016 budget of the Borough of Allenhurst, a copy of which certificate shall be annexed to the original of this resolution.

NOW THEREFORE, BE IT RESOLVED by 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, Edward J. Simone, C.P.A., R.M.A., P.S.A. of William E. Antonides & Co. be engaged to provide temporary chief financial officer services for the Borough of Allenhurst, as specified in the proposal of November 21, 2016 at a cost of \$4,000.00 per month (pro-rated for any portion of a month); and

BE IT FURTHER RESOLVED that, Edward J. Simone, C.P.A., R.M.A., P.S.A. of William E. Antonides & Co. be engaged to prepare the annual financial statement and annual debt statement of the Borough of Allenhurst for a cost of \$7,500 and \$825, respectively and to provide accounting services as specified in the proposal of November 21, 2016 for a cost not to exceed \$10,000.00; and

BE IT FURTHER RESOLVED that the Mayor is authorized to execute, and the acting Clerk to attest to an agreement between the Borough of Allenhurst and Edward J. Simone, C.P.A., R.M.A., P.S.A. of William E. Antonides & Co. to carry out the foregoing on a form approved by the Borough Attorney; and

BE IT FURTHER RESOLVED that the acting Clerk is hereby directed to cause to be published once in the official newspaper a brief notice stating the nature, duration, service and amount of the contract, and that the resolution and contract are on file and available for inspection in the office of the acting Clerk.

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

RESOLUTION #10

A RESOLUTION TO APPROVE BILLS & PAYROLL (11/1/16- 11/30/16)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$ 913,227.56 be approved for payment; and,

BE IT FURTHER RESOLVED, That November 22, 2016, 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 Acting Borough Clerk discussed that the Tree Lighting event will take place on Saturday December 3rd. The event will start at the Firehouse at 3:00 pm with Santa, make your own ornaments, cookies and hot chocolate and an appearance by Bia. There will then be a hayride at 4:30 to the tree lighting with carolers. The tree will be lit at 5:00 followed by an appearance of the Dancers from the Studio. There will also be a fire-pit with marshmallows to roast.

The Acting Borough Clerk discussed whether or not the Borough should change the noise ordinance for the munition project at the beach by the Army Cor of Engineers because they would like to start at 7 am. The Commissioners said the 7:00 am should not be a problem since there are not many residents down by the beach at this time of year. If it becomes a problem the Borough will revisit the issue.

PUBLIC HEARING

Tim Moriarty asked if all the members at the beach club have pictures yet and if not could the Borough deny them entrance into the club. Mayor McLoughlin responded that the Borough would be policing it this year. Members will have to get their pictures by a certain prescribed date then they will not be allowed in. All security entrances should be able to take pictures. The Borough will also work with our Technology representative to see if the pictures can be audited beforehand to determine who still does not have pictures.

Tim Moriarty asked if the Borough had wifi in its budget for the beach club for 2017. The Acting Borough Clerk responded that it is currently being looked into and if it is not too costly it will be put into the budget.

Tim Moriarty asked if anything else has been done with the Butcher Shop. The Acting Borough Clerk stated that there were some garbage and health violations that DPW were currently dealing with and after that is settled a letter will go out strongly recommending that they attend a public meeting to discuss all the issues.

Tim Moriarty asked if the Borough could put umbrellas or canopies up on the rooftop. Mayor McLoughlin responded that it is too windy and could be a hazard. He also stated they looked into Pergolas but that would be over the weight requirement.

There being no further comments, public hearing was closed.

There being no further business or, Mayor McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 8:15 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 9:30 PM. Motion carried.

Donna M. Campagna
Acting Borough Clerk/Administrator

