

**BOROUGH OF ALLENHURST
MINUTES
October 24, 2017**

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding and Commissioner McLoughlin and Commissioner Bolan answering the roll call. Also in attendance was the Acting Borough 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 Acting Borough Clerk.

COMMUNICATIONS:

Resolutions from Neptune City, Sea Bright, Aberdeen, and Ocean Township urging the Legislature to reject Senate Bill Nos. 1045 and 1046 amending the Open Public Meetings Act (OPMA) and the Open Public Records Act (OPRA) and to draft new legislation to modernize OPMA and OPRA and provide municipalities and their clerks with resources to effectuate these changes and benefit the public.

Resolution from the Township of Shrewsbury supporting the construction of a Monmouth County recycling facility.

Resolution adopted by the Monmouth County Board of Chose Freeholders opposing any tax reform proposal eliminating State and Local Tax (SALT) deduction.

ANNOUNCEMENTS:

Successful Halloween Parade – The Mayor thanked the DPW and the Borough Office for the wonderful job done at the Halloween Parade.

RESOLUTIONS

RESOLUTION #2017-238

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 17, 2017, be ratified and approved.

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

RESOLUTION #2017-239

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 17, 2017.

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

RESOLUTION #2017-240

**A RESOLUTION EXPRESSING OPPOSITION TO LEGISLATIVE PROPOSALS
REGARDING THE OPEN PUBLIC MEETINGS ACT AND OPEN PUBLIC RECORDS
ACT**

Offered By: Comm. McLoughlin Seconded By: Comm. Bolan

WHEREAS, the New Jersey Senate Budget and Appropriations Committee took action on Senate Bill Nos. 1045 and 1046, which amend the Open Public Meetings Act and Open Public Records Act, respectively, on June 29, 2017; and,

WHEREAS, The committee released the bills to the full Senate without recommendation because the bills are unnecessary, unpopular with the public, and would result in significant financial and administrative burdens on municipalities; and,

WHEREAS, the bills fail to adequately protect taxpayers, municipalities and, especially, Municipal Clerks from abusive, harassing, and purposefully confrontational individuals who submit voluminous requests for no legitimate reason; and,

WHEREAS, the legislation would expand the Open Public Meeting Act to create impractical and burdensome requirements with respect to subcommittees and working groups established by the entire Governing Body, which would effectively limit the ability of small groups of local official discussing issues of public concern for the purposes of informing the Governing Body; and,

WHEREAS, under the bills, the responsibilities of municipal clerks who the Legislature has already loaded with responsibility beyond the scope of their office, would be stretched even further than current law requires without a single dollar of additional resources provided to, or authorized to be collected by, municipalities; and,

WHEREAS, the bills would impose a financial burden on municipalities that would not be offset by a revenue source other than the property tax, making the bills unfunded mandates prohibited by the New Jersey Constitution; and,

WHEREAS, some municipalities are more equipped than others to meet the burdens that would be imposed by Senate Bill Nos. 1045 and 1046, however, without assistance of any kind from the States or the courts, every municipality would be on its own to meet the myriad new requirements of the law.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Allenhurst, that the Legislature is strongly urged to reject Senate Bill Nos. 1045 and 1046 and draft new legislation to modernize OPRA and OPMA while providing municipalities and clerks with the resources to effectuate these changes for the benefit of the public.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be filed with the legislative sponsors of Senate Bill Nos. 1045 and 1046 and Assembly Bill Nos. 2697 and 2699, the Speaker of the General Assembly, the President of the Senate, and the Governor and all parties are urged to listen to the concerns of local officials and prevent Senate Bill Nos. 1045 and 1046 from becoming law.

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

RESOLUTION 2017-241

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, 2017, 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, 2017, 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 #2017-242
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:

Electro Maintenance – Sewer Service Call	\$1065.00
--	-----------

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

RESOLUTION #2017-243
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

RESOLUTION # 2017-244
A RESOLUTION TO APPROVE BILLS & PAYROLL (10/15/2017-10/31/2017)

Offered By: Comm. McLoughlin Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$211,405.39 be approved for payment; and,

BE IT FURTHER RESOLVED, That the October 31, 2017 consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION

Mayor McLaughlin reminded everyone about the Halloween Curfew.

Mayor McLaughlin discussed the meeting with the Department of Transportation Commissioner. The meeting had been arranged by congressman Pallone who has been advocating on the behalf of the Borough to keep the Railroad crossing at Allen Avenue open. The Mayor thanked Congressman Pallone for arranging, facilitating and arguing points on the Borough's behalf against the closing of the crossing. The DOT commissioner was given packets, prepared by the Borough, of letters from residents, neighboring towns, the Police and Fire Chiefs, as well as the Board of Commissioners, opposing the closing. Also included were the redevelopment plan and the JCP&L bid package. The main point presented to the Commissioner was the redevelopment of JCP&L.

Mayor McLaughlin felt it was a successful meeting and the Commissioners concurred. If nothing else the Mayor and Commissioners felt there would be a good chance that they may delay the closing in order to see the impact of the JCP&L redevelopment.

The Bamboo ordinance was briefly discussed. The Borough Attorney will look into what other towns are doing and draft an ordinance.

There was a brief discussion on the feral cat situation in the Borough. The Borough Administrator will research options and present them to the Board at a later date.

PUBLIC COMMENTS

Bob Scally asked how many people from the state attended the DOT meeting. The Mayor responded that there were 4 people from the state.

Mr. Scally also asked what the Bamboo issue was. Mayor McLaughlin explained there were some complaints about out of control Bamboo and the Borough was looking into an ordinance.

There being no further business or comments, Commissioner McLoughlin moved, seconded by Commissioner Bolan that the meeting move to executive session at 8:50 PM. Motion carried.

After reconvening, Commissioner McLoughlin moved, seconded by Mayor McLaughlin that the meeting be adjourned at 9:40 PM. Motion carried.

Donna M. Campagna
Acting Borough Clerk/Administrator