

BOROUGH OF ALLENHURST
MINUTES
November 28, 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:

None

ANNOUNCEMENTS:

The Christmas Tree Lighting will take place on December 3rd at 5pm.

ORDINANCES FIRST READING:

Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

ORDINANCE 2017-14

AN ORDINANCE AMENDING CHAPTER IX, ENTITLED BUILDING AND HOUSING, OF THE BOROUGH OF ALLENHURST TO ADD A NEW ARTICLE ENTITLED PORTABLE STORAGE UNITS.

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

RESOLUTIONS

RESOLUTION #2017-256

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 November 14, 2017, be ratified and approved.

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

RESOLUTION #2017-257

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 November 14, 2017.

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

RESOLUTION #2017-258

A RESOLUTION TO APPROVE AN AMENDMENT TO THE AGREEMENT WITH ALLENHURST PBA LOCAL NO. 57

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

WHEREAS, the Borough of Allenhurst, in the County of Monmouth, and State of New

Jersey, a Municipal Corporation of the State of New Jersey, (hereinafter called the "Borough") and P.B.A. Local No. 57 of the Borough of Allenhurst, Police Department Section (hereinafter called the "Association") entered into an Agreement effective on January 1, 2017 (hereinafter "Agreement") setting the terms and conditions of employment of the Officers of the Association through December 31, 2019; and

WHEREAS, the Borough identified a need to address compensation issues for potential "new hires," which the Agreement did not address and which the Borough had not contemplated at the time the Agreement was entered; and

WHEREAS, the Borough notified the Association, in accordance with the New Jersey Employer-Employee Relations Act, of its desire to change or modify the Agreement ONLY as specifically set forth in a written Amendment to Agreement (hereinafter "Amendment"); and

WHEREAS, Local 57 has advised the Borough that the proposed Amendment was ratified by the membership as of November 14, 2017.

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 the Borough of Allenhurst hereby ratifies the Amendment to Agreement with Local 57, which is attached hereto and incorporated herein by reference; and

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to execute the ratified Amendment to Agreement with Allenhurst PBA Local No. 57, which Amendment shall run for a term concurrent with the Contract with the PBA, expiring on December 31, 2019; and,

BE IT FURTHER RESOLVED, that said Amendment to Agreement be filed with the Acting Borough Clerk.

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

RESOLUTION #2017-259

RESOLUTION TO APPOINT McMANIMON, SCOTLAND & BAUMANN, LLC TO ACT AS REDEVELOPMENT COUNSEL FOR THE BOROUGH

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, in light of the sale of certain parcels in the Borough that have been designated as areas in need of redevelopment, the Borough of Allenhurst has a need to acquire the services of a Special Counsel for Redevelopment, and the Board of Commissioners has elected to proceed pursuant to the provisions of N.J.S.A. 19:44A-20.5 respecting the award of professional contracts and the procedures set forth therein; and

WHEREAS, the Acting Borough Clerk / Administrator, Donna Campagna has determined and certified in writing that the value of the acquisition will likely exceed \$17,500; and,

WHEREAS, the anticipated term of this contract shall be for such time as is necessary to complete the redevelopment proceedings; and

WHEREAS, McManimon, Scotland & Baumann, LLC has indicated that they will act as the Borough's Special Redevelopment Counsel in accordance with the terms of a proposed agreement, a copy of which is made a part hereof by reference, at the rates set forth therein; and

WHEREAS, McManimon, Scotland & Baumann, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that McManimon, Scotland & Baumann, LLC and the principals thereof, have not made any reportable contribution to a political or candidate committee for any presently sitting elected Commissioner of the Borough of Allenhurst in the previous one year, and that the contract will prohibit McManimon, Scotland & Baumann, LLC and the principals thereof from making any reportable contributions through the term of the Agreement, and

WHEREAS, Funds for this purpose shall be provided for the first three months of 2018 in the 2018 Temporary Budget and funds for the balance of 2018 will be provided for in the budget for the year 2018 when finally adopted;

NOW THEREFORE, BE IT RESOLVED that the Commissioners 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 the Mayor and Clerk be and are hereby authorized to enter into the Agreement with McManimon, Scotland & Baumann, LLC as described and incorporated herein by reference; and

BE IT FURTHER RESOLVED, that that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the Coaster as required by law within ten (10) days from the date hereof; and

BE IT FURTHER RESOLVED that the Clerk shall maintain a copy of this Resolution, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #2017-260

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 January 30, 2018; 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 \$1,931,600 to the County of Monmouth, commencing on November 8, 2017 and maturing on January 30, 2018, at an interest rate of 1.48%; 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 #2017-261

RESOLUTION AFFIRMING OPEN SPACE PROJECT IS COMPLETE

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 Borough of Allenhurst entered into a Municipal Open Space Program Grant Agreement with the County of Monmouth on February 15, 2015 that provided \$140,000.00 for Allen Avenue Open Space Improvements under Application No. 14-17 that required certain conditions be met by the Borough of Allenhurst prior to receipt of the aforesaid funds; and

WHEREAS, the Monmouth County Park System requires a certified copy of a resolution of the governing body determining that the project aforesaid was finally complete and a closing statement of "Final Change Order" adopted by the governing body.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borough of Allenhurst that all conditions of the February 15, 2015 Grant Agreement have been satisfied by the Borough of Allenhurst and that the project has been completed; and

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

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

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

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

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

RESOLUTION #2017-266
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:

Edwards Tire – Tires for Brush Truck	\$4,802.80
State of NJ – Department of Environmental Protection – Remediation Fee for Fire House	\$5,240.00

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

RESOLUTION #2017-267
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 # 2017-268
A RESOLUTION TO APPROVE BILLS & PAYROLL (11/16/2017-11/30/2017)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$157,069.47 be approved for payment; and,

BE IT FURTHER RESOLVED, That the November 29, 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:

The Mayor performed the swearing-in ceremony for Patrolman Williams.

Mayor McLaughlin discussed that the Borough hired a re-development attorney for the JCP&L property. The Borough will conduct a special meeting on Tuesday, December 5th at 7:30 at Borough Hall with the potential buyers. The purpose of the meeting is for the potential buyers to present their plan.

Mayor McLaughlin also discussed that the Borough has not heard anything as of yet regarding the

closing of the Alan Avenue crossing.

PUBLIC COMMENTS:

Gail Gannon stated that she saw a sign that Spellbinders had a liquidation sale. Ms. Gannon asked if there were any restrictions on the property as to what it could be used for. Mayor McLaughlin stated that the Borough has an ordinance on accepted uses for commercial property. Ms. Gannon can contact Borough Hall to request a copy.

Tim Moriarity asked if the Borough made any determination on the feral cat situation. The Borough Clerk stated they are still working on it and should have a plan by next meeting. Mr. Moriarity also asked if there were any new plans budgeted for the Beach Club. The Borough Clerk stated there are many new improvements planned and will be discussed in future meetings.

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

After reconvening, Commissioner McLoughlin moved, seconded by Mayor McLaughlin that the meeting be adjourned at 8:50 PM. Motion carried.

Donna M. Campagna
Acting Borough Clerk/Administrator