

**BOROUGH OF ALLENHURST  
MINUTES  
JANUARY 9, 2018**

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 absent. 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:**

Resolution from The Board of Chosen Freeholders of the County of Monmouth enacting modifications to the annual collection rate for the Monmouth County Open Space, Recreations, Floodplain Protection, and Farm land and Historic Preservation Trust Fund.

Letter from the Monmouth County Department of Human Services – Division of Health and Addiction Services regarding Chief Michael Schneider’s faithful contributions as a volunteer for the 12-Hour Intoxicated Driver Resource Center (IDRC). Chief Schneider presents to the class approximately three time per month. The letter states that his law enforcement and community perspective are irreplaceable and well received by the participants.

Public notice from NJAW regarding its petition to change the levels of its purchased water adjustment clause and purchased waste water treatment adjustment clause.

**ANNOUNCEMENTS:**

None

**ORDINANCES – FIRST READING**

**ORDINANCE #2017-01 – SALARIES – FIRST READING**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

**ORDINANCE#2018-01**

**AN ORDINANCE TO AMEND THE ORDINANCE ENTITLED, "AN ORDINANCE FIXING THE SALARIES OF ALL APPOINTED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ALLENHURST IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY (EXCEPTING MEMBERS OF THE POLICE DEPARTMENT)"**

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

**RESOLUTION #2018-01**

**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 of December 12, 2017 be ratified and approved.

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

**RESOLUTION #2018-02**

**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 of December 12, 2017.

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

**RESOLUTION #2018-03  
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 January 1, 2018, through December 31, 2018:

Borough Administrator	Donna M. Campagna
Deputy Borough Clerk	Veronica Dahl
Code Official	Robert Simmen, III
Fire Official	Robert Simmen, III
Borough Treasurer	Kevin Rogers
Public Works Supervisor	Douglas Caron
Recycling Coordinator	Douglas Caron
Deputy Borough Treasurer\Finance Clerk\Beach	
Membership Administrator	Veronica Dahl
Communications Coordinator	Patricia Lynch
Mercantile License Officer	Donna M. Campagna
Municipal Court Admin.	Robin Deibert
Deputy Court Administrator	Mary Ellen Supon
Violations Clerk	Mary Ellen Supon
Zoning Officer	Christopher Rogers
Planning Board Secretary	Gina Kneser
Community Development Rep.	Donna M. Campagna
Dep. Comm. Development Rep.	Veronica Dahl
Public Agency Compliance Officer	Donna M. Campagna
Personnel Officer	Donna M. Campagna
Fund Commissioner (JIF)	Donna M. Campagna
ADA Compliance Officer	Donna M. Campagna
Assessment Search Officer	Donna M. Campagna
Tax Search Officer	Carla Tomas
Tax Collector	Carla Tomas
Tax Assessor	Peter Barnett
Sewer System Operator	Paul Quinn
TAC Officer	Jason Henry
Deal Lake Representative	Bruce Fromer
Alt. Deal Lake Representative	Anthony Mauro
Right to Know Coordinator	Paul Quinn
Certified Pool Operator	Marc Heitmueller
Certified Pool Operator	Jimmy Vandervort
Sewer Collector	Donna M. Campagna
Bus Driver	William Parlman

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

**RESOLUTION #2018-04  
A RESOLUTION TO APPOINT EMERGENCY MANAGEMENT COUNCIL**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the following be appointed to the Allenhurst Local Emergency Planning Council (LEPC) for a term, expiring December 31, 2018:

Elected Officials

David J. McLaughlin	Mayor/Director of Public Safety - OEM Coordinator
Christopher J. McLoughlin	Deputy Mayor/Director of Finance
Terrence Bolan	Commissioner/Director Public Works
<u>Police, Fire, Emer. Mgt, First Aid, Health, Environmental, Hospital, Public Works</u>	
Michael Schneider	Deputy Emer. Mgt. Co-ord./Chief of Police

Michael Schneider	Police Coordinator. Police Sgt.
James Rogers	Deputy Coordinator
Donna M. Campagna	Clerk-Administrator
Richard Heitmeuller	EMS Coordinator/FAS Captain
Douglas Caron	Superintendent of Public Works
Jason Henry	TAC Officer
William Reng	Fire Coordinator/Fire Chief
David A. Henry	Health Coordinator/Health Officer
<u>Broadcast &amp; Print Media</u>	
Patricia Lynch	Public Information Officer
<u>Community Groups</u>	
Peter Genovese	Board of Education Secretary-Administrator

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

### **RESOLUTION #2018-05** **A RESOLUTION TO CONFIRM PLANNING BOARD MEMBERS**

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

**BE IT RESOLVED**, That the following are hereby appointed members of the Planning Board for the terms indicated:

Class I Member

David J. McLaughlin which term commenced on January 1, 2017 and terminate on May 20, 2020 or such earlier date as the Mayor's official tenure ends.

Class II Member (1 Year Term)

Kevin G. Rogers for a term expiring December 31, 2018

Class III Member (1 Year Term)

Christopher J. McLoughlin for a term expiring December 31, 2018

Class IV Members (4 Year Terms)

Larry Gruner for a 3 Year Term expiring December 31, 2021

Frieda Shalam for a term expiring December 31, 2019

Bernie Costello for a term expiring December 31, 2019

Joseph Tomaino for a term expiring December 31, 2019

Geraldine Greer Varley for a term expiring December 31, 2018

Samuel Boyd for a term expiring December 31, 2018

Alternate Members (2 Year Term)

Robert Scalley as Alternate #1, for a term expiring December 31, 2019

Anthony Mauro as Alternate #2, for a term expiring December 31, 2018

Mark Horowitz as Alternate #3, for a term expiring December 31, 2020

Designation of Board Member who meets the qualifications of a Class A member of a Historic Preservation Commission pursuant to N.J.S.A. 40:55D-107 et seq. (1 Year Term)

Joseph Tomaino for a term expiring December 31, 2018

Designation of Board Member who meets the qualifications of a Class B member of a Historic Preservation Commission pursuant to N.J.S.A. 40:55D-107 et seq. (1 year Term)

Geraldine Greer Varley for a term expiring December 31, 2018

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

### **RESOLUTION #2018-06** **A RESOLUTION TO APPOINT BOROUGH ATTORNEY**

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

**WHEREAS**, the Borough of Allenhurst has a need to acquire the services of a Borough Attorney for 2018 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 Borough Administrator/Clerk, Donna Campagna has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is for 1 year; and

**WHEREAS**, Birdsall & Laughlin, LLC have indicated that they will act as Borough Attorney at a fee set forth in an Agreement on file with the Borough Administrator/Clerk; and,

**WHEREAS**, Birdsall & Laughlin, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Barbara Birdsall & David Laughlin of Birdsall & Laughlin, LLC, 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 Barbara Birdsall and David Laughlin of Birdsall & Laughlin from making any reportable contributions through the term of the contract, and

**WHEREAS**, The Certified Financial Officer has certified that 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 hereby authorizes the Mayor and Borough Administrator/Clerk to enter into a contract with Birdsall & Laughlin, LLC, as described herein; and,

**BE IT FURTHER RESOLVED**, 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 Borough Administrator/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 #2018-07**  
**A RESOLUTION TO APPOINT BOROUGH ENGINEER**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough of Allenhurst has a need to acquire the services of a Borough Engineer for 2018 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 Borough Administrator/Clerk, Donna Campagna has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is for 1 year; and

**WHEREAS**, Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc., has indicated that they will act as Borough Engineer at a fee set forth in an Agreement on file with the Borough Administrator/Clerk; and,

**WHEREAS**, Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc., has 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 Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc. from making any reportable contributions through the term of the contract, and

**WHEREAS**, The Certified Financial Officer has certified that 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 hereby authorizes the Mayor and Borough Administrator/Clerk to enter into a contract with Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc., as described herein; and,

**BE IT FURTHER RESOLVED**, 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 Borough Administrator/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 #2018-08**  
**A RESOLUTION TO APPOINT AUDITOR**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough of Allenhurst has a need to acquire the services of a Borough Auditor for 2018 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 Borough Administrator/Clerk, Donna Campagna has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is for 1 year; and

**WHEREAS**, Robert A. Hulsart, CPA, RMA of the firm of Robert A. Hulsart and Company, has indicated that they will act as Borough Auditor at a fee set forth in an Agreement on file with the Borough Administrator/Clerk; and,

**WHEREAS**, Robert A. Hulsart, CPA, RMA of the firm of Robert A. Hulsart and Company, has completed and submitted a Business Entity Disclosure Certification which certifies that Robert A. Hulsart, CPA, RMA of the firm of Robert A. Hulsart and Company, has 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 Robert A. Hulsart, CPA, RMA of the firm of Robert A. Hulsart and Company from making any reportable contributions through the term of the contract, and

**WHEREAS**, The Certified Financial Officer has certified that 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 hereby authorizes the Mayor and Borough Administrator/Clerk to enter into a contract with Robert A. Hulsart, CPA, RMA of the firm of Robert A. Hulsart and Company, as described herein; and,

**BE IT FURTHER RESOLVED**, 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 Borough Administrator/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 #2018-09 RESOLUTION TO APPOINT BOND ATTORNEY**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough of Allenhurst has a need to acquire the services of a Bond Attorney for 2018 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 Borough Administrator/Clerk, Donna Campagna has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

**WHEREAS**, the anticipated term of this contract is for 1 year; and

**WHEREAS**, Meghan Bennett Clark of Gluckwalrath LLP, have indicated that they will act as Borough Bond Attorney at a fee set forth in an Agreement on file with the Borough Administrator/Clerk; and,

**WHEREAS**, Meghan Bennett Clark of Gluckwalrath LLP, has completed and submitted a Business Entity Disclosure Certification which certifies that Meghan Bennett Clark of Gluckwalrath LLP, has 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 Meghan Bennett Clark of Gluckwalrath LLP from making any reportable contributions through the term of the contract, and

**WHEREAS**, The Certified Financial Officer has certified that 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 hereby authorizes the Mayor and Borough Administrator/Clerk to enter into a contract with Meghan Bennett Clark of Gluckwalrath LLP, as described herein; and,

**BE IT FURTHER RESOLVED**, 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 Borough Administrator/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 #2018-10  
A RESOLUTION TO APPOINT PROFESSIONALS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There exists a need for professional services for the year 2018; and,

**WHEREAS**, the Certified Financial Officer has certified that 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, and the Treasurer has so certified; and,

**WHEREAS**, These appointments are being made without competitive bidding because the appointments involve members of recognized professions, licensed and regulated by law, pursuant to NJSA 40A:11-5;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst that the Mayor and Borough Clerk be and they are hereby authorized and directed to engage the services of the following professionals:

Municipal Prosecutor:  
Assistant Prosecutor  
Borough Physicians  
Chief Public Defender

James Carton IV, Esq.  
Jason Shamy, Esq.  
Meridian Occupational Health  
David Gardner, Esq.

for a term commencing January 1, 2018, through and including December 31, 2018; and,

**BE IT FURTHER RESOLVED**, That these appointments are contingent upon approval of professional contracts from each appointee; and,

**BE IT FURTHER RESOLVED**, That the Borough Clerk be and he is authorized and directed to publish this resolution in accordance with NJSA 40A:11-1.

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

**RESOLUTION #2018-11  
A RESOLUTION TO APPOINT TAX SEARCH OFFICER**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, By the Commissioners of the Borough of Allenhurst, that Carla Tomas, the Certified Tax Collector of the Borough of Allenhurst, be and hereby is designated as the Tax Search Officer of the Borough to make and certify Certificates of Searches of the Borough Liens as may be required under and by virtue of NJSA 54:5-11 and to become effective January 1, 2018.

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

**RESOLUTION #2018-12  
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 indicated his willingness to provide temporary chief financial officer services in the absence of the Borough's CFO for the period of January 1, 2018 through December 31, 2018; 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 Borough Clerk/Administrator has Certified, in writing, that sufficient funds for this purpose shall be provided for the first six 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** 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, for the period of January 1, 2018 through December 31, 2018 at a fee set forth in an Agreement on file with the Borough Clerk/Administer; and,

**BE IT FURTHER RESOLVED** that the Mayor is authorized to execute, and the Borough Clerk/Administrator 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 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 Borough Clerk/Administrator 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 #2018-13**

#### **A RESOLUTION TO AUTHORIZE CONTRACT FOR IT SERVICES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There is a need for hardware and system software support services for Borough computers located in the Administration offices and the Police Department; and,

**WHEREAS**, Ellicott Network Consultants, LLC, have inventoried the Borough's hardware and software systems and have provided a quote of \$5,493.70 for maintenance and support services in accordance with a proposal filed in the Borough Clerk's office; 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 a contract be awarded to Ellicott Network Consultants, LLC, on their quote of \$2,316.50 for the Administrative Department and \$3,177.20 for the Police Department for the year 2018.

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

#### **RESOLUTION #2018-14**

#### **A RESOLUTION TO AUTHORIZE CONTRACT FOR IT SERVICES OF ABC**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There is a need Information Technology service and support for the Allenhurst Beach Club; and,

**WHEREAS**, Roy Childers DBA Crabnet, LLC, has provided a quote of \$3,600.00 for maintenance services in accordance with a proposal filed in the Borough Clerk's office; 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 a contract be awarded to Roy Childers DBA Crabnet, LLC, on their quote of \$3,600.00 for the Allenhurst Beach Club for the year 2018.

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

**RESOLUTION #2018-15**  
**A RESOLUTION TO AUTHORIZE CONTRACT FOR WEBSITE MAINTENANCE SERVICES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There is a need for Website maintenance for the Allenhurst Borough website; and,

**WHEREAS**, Rich Heitmueller, has provided a quote of \$599.00 for Website Maintenance services in accordance with a proposal filed in the Borough Clerk's office; 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 a contract be awarded to Rich Heitmueller, on his quote of \$599.00 for Website Maintenance for the Allenhurst Borough website for the year 2018.

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

**RESOLUTION 2018-16**  
**AUTHORIZE AGREEMENT FOR NURSING SERVICES, VNA HEALTH GROUP, INC.**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough of Allenhurst is in need of supplemental public health services for the 2017 calendar year; and,

**WHEREAS**, VNA Health Group, 176 Riverside Ave., Red Bank, NJ 07701, an independent contractor, has offered to provide public health services to the Borough's residents at the annual cost of \$604.00; and,

**WHEREAS**, the Borough of Allenhurst wishes to enter into an agreement with VNA Health Group, for the 20167calendar year for the provision of supplemental public health services to Borough of Allenhurst residents.

**NOW, THEREFORE BE IT RESOLVED**, by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth that an agreement with VNA Health Group, an independent contractor, be and the same is hereby approved and authorized and the Mayor and Clerk authorized to execute the agreement for the same.

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

**RESOLUTION 2018-17**  
**RESOLUTION TO AUTHORIZE A GRACE PERIOD FOR PROPERTY TAX PAYMENTS AND SET THE INTEREST RATE FOR DELINQUENT PROPERTY TAX PAYMENTS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, property taxes are due and payable according to law, on the first of February, May, August and November of the calendar year; and,

**WHEREAS**, pursuant to the provisions of N.J.S.A. 54:4-67, the governing body of the Borough of Allenhurst has determined that it is appropriate to set a grace period for the payment of taxes until the 5th day of February, May, August and November after which the payments shall become delinquent with interest due and payable from the first day of the quarter; and,



**WHEREAS**, Chapter 75, P.L. 1991, provides for a six percent flat penalty at the close of the fiscal year to be charged on delinquencies over \$10,000; delinquencies being defined as all unpaid property taxes and municipal charges;

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Allenhurst, the Tax Collector is authorized to charge interest on delinquent taxes from the date that same were first due and payable at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

**BE IT FURTHER RESOLVED**, that the Board of Commissioners of Allenhurst authorizes the Tax Collector to charge a six (6%) percent flat penalty at the close of 2017 on delinquencies over \$10,000.

**BE IT FURTHER RESOLVED** that this Resolution shall take effect immediately.

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

#### **RESOLUTION 2018-18**

#### **A RESOLUTION TO ESTABLISH A YEAR END PENALTY TO SIX (6%) PERCENT TO BE CHARGED ON THIRD PARTY LIENS ON DECEMBER 31 OF EACH YEAR WHEN THE AMOUNT PAID BY THE LIEN HOLDER IS IN EXCESS OF \$10,000.00**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement of discount for the late payment of taxes as provided by law; and,

**WHEREAS**, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on property that fails to pay the delinquency prior to the end of the calendar year; and,

**WHEREAS**, NJSA 54:4-67 permits the governing body to fix a penalty of 6% to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. If any fiscal year delinquency in excess of \$10,000.00 is paid by the third party lien holder of an outstanding tax sale certificate, the holder or purchaser shall be entitled to receive the amount of the penalty as part of the amount required to redeem such certificate of sale providing the payment is made by the tax lien holder prior to the end of the fiscal year. If the holder of the outstanding tax sale certificate does not make the payment in full prior to the end of the fiscal year, then the holder or purchaser shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall inure to the benefit of the municipality. The penalty so fixed shall not exceed 6% of the amount of the delinquency with respect to each most recent fiscal year only;

**NOW, THEREFORE, BE IT RESOLVED**, By the Commissioners of the Borough of Allenhurst, That the Tax Collector has the authority to fix a 6% year end penalty to all third party tax sale certificates in excess of \$10,000.00 that have been paid in full by the lien holder prior to the end of the fiscal year and if not paid in full, the lien holder shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall be inure to the benefit of the municipality for the 2018 tax year and to become effective immediately.

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

#### **RESOLUTION #2018-19**

#### **A RESOLUTION TO AUTHORIZE TAX SALE LIENS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There remains on the records of the Borough of Allenhurst delinquent taxes, sewer utility charges and other municipal charges owing as of December 31, 2017; and,

**WHEREAS**, The statutes of the State of New Jersey, expressly NJSA 54:5 et seq., provide for the enforcement and collection of such delinquencies through a tax lien sale; and,

**WHEREAS**, The Tax Collector is empowered by statute to conduct and preside over the sale of liens;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, a Municipal Corporation of the State of New Jersey, that the Borough Tax Collector is authorized to conduct a tax lien sale for 2017 delinquent taxes, sewer utility

charges and other municipal charges on or before December 31, 2017 and to become effective January 1, 2018.

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

**RESOLUTION #2018-20**  
**RESOLUTION AUTHORIZING BOROUGH OF ALLENHURST TO CHARGE TAX**  
**SALE COSTS**  
**FOR PREPARING AND ADVERTISING TAX SALE LIST**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, by the Commissioners of the Borough of Allenhurst that pursuant

NJSA 54:5-38 the office of the Tax Collector is to charge a tax sale cost fee of 2% of the amount listed for sale but not less than \$15.00 and not more than \$100.00 dollars for each tax sale item that appears on the Tax Sale List 50 (fifty) days prior to the date of the Tax Sale. The fee is to be charged on all tax sale items that are paid in full prior to the tax sale to become effective January 1, 2018.

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

**RESOLUTION #2018-21**  
**A RESOLUTION TO APPROVE INTEREST RATE ON DELINQUENT SEWER**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED,** That upon the recommendation of the Borough Sewer Collector, interest at the rate of eight per centum (8%) per annum be charged on the first \$1,500.00 of the delinquency and eighteen per centum (18%) per annum on any amount in excess of \$1,500.00 be charged on the first quarterly installment of sewer charges for the year 2018 after February 1, 2018 and on the second quarterly installment after May 1, 2018 and on the third quarterly installment after August 2, 2018 and on the fourth quarterly installment after November 1, 2018 provided that no interest shall be charged if payment of any installment is made within the thirtieth calendar day following the date upon which the same became payable and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency as provided for in NJSA 54:4-67; and,

**BE IT FURTHER RESOLVED,** As to tax sale certificates, the Sewer Collector is hereby directed to collect 2% when the sewer charges, interest and costs shall exceed the sum of \$200.00. When the sewer charges, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$ 10,000.00, such additional sum shall be equal to 6% of such amount paid as provided for in NJSA 54:5-61 and shall become effective immediately.

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

**RESOLUTION #2018-22**  
**A RESOLUTION TO APPROVE MEETING DATES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That pursuant to the Open Public Meetings Act, the Board of Commissioners of the Borough of Allenhurst adopts the following schedule of meetings for the year 2018, said meetings to be held at Borough Hall, 125 Corlies Avenue, on the dates listed at 7:30 P.M., unless otherwise indicated:

January 23	May 22	September 25
February 13	June 12	October 9
February 27	June 26	October 23
March 13	July 10	November 27
March 27	July 24	December 11
April 10	August 14	January 8, 2019

April 24  
May 8

August 28  
September 11

**BE IT FURTHER RESOLVED**, That the Borough Clerk be and she is hereby authorized to publish this resolution in accordance with the Open Public Meetings Act.

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

**RESOLUTION #2018-23**  
**A RESOLUTION TO APPROVE NEWSPAPERS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the Coaster and the Asbury Park Press be designated as the official newspapers for the insertion of legal notices for the Borough of Allenhurst.

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

**RESOLUTION #2018-24**  
**A RESOLUTION TO APPROVE UNEXPENDED BALANCES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, NJSA 40:A-4, The Local Budget Law, permits budget appropriations to be reserved for expenditures that are now encumbered prior to the close of the fiscal year, or for those undetermined charges from 2017 that will be paid in 2018;

**NOW, THEREFORE, BE IT RESOLVED**, That the Board of Commissioners of the Borough of Allenhurst hereby reserve all unexpended balances from the 2017 Budget for all unpaid claims for 2017.

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

**RESOLUTION #2018-25**  
**A RESOLUTION TO APPROVE DEPOSITORIES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, Pursuant to Chapter 8, Laws of 1982, the Borough of Allenhurst is required to adopt a Cash Management Plan, including the Designation of a Depository or Depositories;

**THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, that Kearny Bank and State of New Jersey Cash Management Fund be and are designated as official depository of Borough funds; and,

**BE IT FURTHER RESOLVED**, That the funds of the Borough shall be invested in interest bearing accounts. The Chief Finance Officer shall see that minimum funds shall be maintained in any non-interest bearing account in such amounts as the Chief Finance Officer shall deem necessary to provide the orderly transition of business by the Borough and to take advantage of any services provided to the Borough by the depository through maintenance of minimum balances in said accounts where the Chief Finance Officer deems it in the best interest of the Borough to do so.

All other monies shall be invested in interest bearing accounts, in investments in which municipal funds may lawfully be invested or in the State of New Jersey Cash Management Fund in such accounts and at such times, from time to time, and the Chief Finance Officer shall deem in the best interest of the Borough; and,

**BE IT FURTHER RESOLVED**, That the Auditor receive a copy of this resolution.

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

**RESOLUTION #2018-26**  
**A RESOLUTION TO APPROVE CASH MANAGEMENT PLAN**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, N.J.S.A. 40A: 5-14 requires that every local unit adopt a Cash Management

Plan, and

**WHEREAS**, the primary objectives of the plan are to preserve the safety of Public funds, seek investment instruments that offer liquidity and maximize interest revenue through authorized legal depositories and approved investment instruments,

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Council of the Borough of Allenhurst, County of Monmouth, State of New Jersey the following Cash Management Plan for the Borough of Allenhurst be adopted.

## **BOROUGH OF ALLENHURST** **CASH MANAGEMENT PLAN**

### **INTRODUCTION**

The New Jersey Local Fiscal Affairs Law, N.J.S.A 40A: 5-14 requires that every local unit adopt a Cash Management Plan and shall deposit its funds pursuant to that plan. The primary objective of the plan are to preserve the safety of public funds, seek investment instruments that offer liquidity and maximize interest revenue through the use of authorized legal depositories and approved investment instruments.

### **I. AUTHORITY**

a. Borough Council of the Borough of Allenhurst, County of Monmouth.

b. Delegation of Authority Authority to implement the investment program is granted to the Chief Financial Officer. The Chief Financial Officer shall act in accordance with the requirements of the Cash Management Plan, New Jersey Statutes and proper use of internal controls. No other persons may engage in investment transactions except for those subordinate officials of the Chief Financial Officer.

### **II. STATEMENTS OF POLICY**

It shall be the policy of the Borough of Allenhurst, County of Monmouth to adopt a Cash Management Plan, and to authorize the Chief Financial Officer to administer said Plan, for the purpose of deposit and investment of the maximum of available funds in interest bearing instruments. The investment instruments shall be safe, liquid and offer market yields.

Safety of principal is the foremost objective of the Cash Management Plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital.

The utilized investment instruments shall remain sufficiently liquid to meet all operating cash requirements that may be reasonably anticipated.

Investments shall be planned with the objective of attaining a market rate, while taking into account legal restriction, risk and liquidity. Return on investment is secondary importance compared to safety.

### **III. DEFINITIONS**

Arbitrage refers to the rules and regulation governing the issuance of Bonds or Notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Service, regulation 1.103.

Cash Management Fund is the New Jersey Cash Management Fund. This Fund is one of a number of funds invested by the New Jersey Division of Investments of the Department of Treasury under the jurisdiction of the State Investment Council. The Fund is authorized to receive the invest local unit funds pursuant to N.J.S.A. 40A:5-14.

Certificate of Eligibility is the certification issued by the New Jersey Department of Banking. Division of Banking that a public depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

Compensating Balance Account is a bank account at an eligible depository which pays no interest or interest lower than 2 of 1 percent maximum, in return for specific services, for

example check sorting, payroll services, wire transfers and other services.

Eligible Public Depositories is a Banking or Savings and Loan Association with a current certificate of eligibility from the State Banking Department. The Borough of Allenhurst shall designate said depositories, by resolution of the governing body on January 1<sup>st</sup> of each year in accordance with N.J.S.A. 40A: 5-14.

Eligible Securities are those investment instruments authorized by N.J.S.A. 40A: 5-15.1.

Interest Bearing Account is an account or time deposit in an eligible public depository, earning interest, or any deposit in the State of New Jersey Cash Management Fund.

## **II. STANDARD OF CARE**

1. The standard of prudence to be sued by those delegated to effect investment transactions on behalf of the Borough of Allenhurst shall be the prudent person standard. Investments shall be made with judgment and care, under circumstances the prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs. Investments shall not be for speculation.

2. Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their eligibility to make impartial decisions. Employees shall disclose any material interest in financial institutions which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Borough of Allenhurst.

3. The Chief Financial Officer is responsible for establishing and maintaining internal controls. The controls should ensure that the assets of the Borough of Allenhurst are protected from loss, theft or misuse.

## **V. PROCEDURES FOR RECEIPT OF MONIES**

### **5. Department Procedures**

1. Department Directors will ensure that a receipt is issued in duplicate for all transactions. A copy of the receipt shall be given to the paying party and the duplicate maintained by the issuing department. The receipts shall be pre-numbered, or sequentially numbered if computer generated.
2. All monies collected or received from any source by or on behalf of the Borough, Department, or any Board thereof, shall be forwarded to the Division of Accounts and Control within forty-eight (48) hours of receipt.
3. The Division of Accounts and control will prepare collected revenues for deposit to the designated legal depository.
4. All monies received shall be placed in a secure place until forwarded for deposit.
5. The Department/Division Director shall file with the Chief Financial Officer a monthly report of all monies received in the manner prescribed. The report also will include year-to-date amounts received.
6. No department, division, or agency shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is included in the prohibition.

### **6. Chief Financial Officer**

1. All monies collected or received from any source by or on behalf of the Borough shall be deposited within forty-eight (48) hours of receipt of designated banks.

2. Ensure that all monies deposited are in an interest bearing account(s).
3. Where compensating balances are used to offset bank expenses, an agreement between the bank(s) and the Borough shall be executed and reviewed annually.
4. The Chief Financial Officer shall make recommendations of legal public depositories to the Allenhurst Borough Council who shall by resolution designate said depositories at the annual reorganization meeting of the Council. The list of authorized depositories may be amended at any time during the year.
5. Maturity of Investments-Investments shall be limited to maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of the State Statute or promulgated regulation.
6. Investment Securities - The Chief Financial Officer has the responsibility to determine which investments instruments are best suited for the Borough. However, the Chief Financial Officer shall be authorized only to invest in securities permitted by New Jersey State Statute. No investment shall be made in any depository that does not meet current Federal minimum standard for Leverage Ratio, Tier 1 and Tier 2 Capital Ratio.

Presently, a local unit may permit investments in such institutions as permitted in Section 4 of P.L. 1970, Chapter 236 (6.17:19-44) and other instruments specified as follows:

Mutual Funds backed by the United States Government Obligations

United States Treasury Bills (T-Bills)

Municipal Bonds or Notes

Commercial Bank Deposits and Certificates of Deposit

Repurchase Agreements

Investment in Savings and Loan Associations

United States Government Agency and Instrumentality Obligations

State of New Jersey Cash Management Fund

School District Obligations

All designated depositories must conform to all applicable State statutes concerning depositories of public funds, and all depositories shall obtain the highest amount possible F.D.I.C. and /or F.S.L.I.C. coverage for all municipal assets.

## **VI. FUNDS EXCLUDED FROM INVESTING**

The following types of funds are not required to be placed in interest bearing account:

Petty cash funds

Cash drawn from a Federal Agency under a letter of credit which has to be paid out within 5 working days to a vendor.

3. Deposit, retainage, or amounts posted by way of bond, held by the local unit for such things as faithful performance, if the local unit would be required by law to pay back any interest earned to the provider of the deposit, except where the local unit is required by law or court decision to invest the funds.

## **VII. BOROUGH AUDITOR**

1. The Borough investment practices and the agreement of banking services and compensation thereof shall be reviewed by the Borough Auditor as part the annual audit, as required by the N.J. S. A 40A:5-4. Where a conflict exists between this Cash Management Plan and State statute the applicable statute shall govern.

## **VIII. SURETY BONDS**

1. The Chief Financial Officer shall be covered by a surety bond. During the annual audit the municipal Auditor shall examine said bond to determine that proper coverage is in effect.

2. Staff members of the Division of Accounts and Control shall be covered by a Public Employee Faithful Performance Bond (Blanket Bond) in the minimum of \$10,000.00.

- a. The Chief Financial Officer in accordance with N.J.S. A. 40A:5-14 shall prepare a written monthly investment report and submit same to the Borough Council.

The summary report will be prepared in the manner which will allow the Borough Council and the administration to ascertain whether investment activities during the reporting period have conformed to the Cash Management Plan. The report shall set forth each organization holding local unit funds, the amount securities purchased or sold, class or type of securities purchased, book value, earned income, fee incurred, and market value of all investments as of the report date. Such written report shall be included in the minutes of a regular Borough meeting.

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

### **RESOLUTION #2018-27**

#### **RESOLUTION AMENDING AUTHORIZING EXECUTION OF CORPORATE RESOLUTION FORMS AND SIGNATURE CARDS REQUIRED BY DEPOSITORIES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED** that the following resolution is essential for the operation of the Borough of Allenhurst, County of Monmouth, State of New Jersey, for the year 2018. All disbursements from the Borough accounts, other than those separately listed below, shall be by check only, signed by any three (3) of the following five persons authorized to sign:

Mayor, Deputy Mayor, Treasurer, Deputy Treasurer and Administrator/Borough Clerk

Disbursements from the Township's Municipal Court accounts shall be by check only, signed by any (2) of the following 3 persons authorized to sign:

Judge, Court Administrator and Deputy Court Administrator

**BE IT FURTHER RESOLVED** that the above individuals are hereby authorized and directed to execute the corporate resolution forms and signature cards required by the depositories named by the Board of Commissioners.

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

### **RESOLUTION #2018-28**

#### **A RESOLUTION TO ESTABLISH 2018 TEMPORARY BUDGET**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, NJSA 40A:4-19 of the Local Budget Act provides that (where any commitments, contracts or payments are to be made prior to the final adoption of the 2018 Budget) temporary appropriations should be made for the purpose and amounts required in the manner and time herein provided; and

**WHEREAS**, the date of this resolution is within the first 30 days of January 2018; and

**WHEREAS**, 26.25% of the total appropriations in the 2018 budget exclusive of any appropriations for debt service, relief of the poor and capital improvements is \$1,210,237.25 for current fund and \$76,250.00 for sewer utility;

**NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made:

<u>DEPARTMENT</u>		<u>TOTAL</u> <u>APPROPRIATIONS</u>
ADMIN PERMANENT	S/W	27,250.00
ADMIN MISC.	O/E	8,000.00
FINANCE PERMANENT	S/W	16,500.00
FINANCE MISC.	O/E	16,250.00
TAX COLL PART-TIME	S/W	1,400.00
TAX COLLECTOR MISC.	O/E	50.00
DIR. REV & FIN PART-TIME	S/W	375.00
TAX ASSESS PART-TIME	S/W	1,500.00
ASSESSOR MISC.	O/E	175.00
LEGAL MISC.	O/E	40,000.00
TAX APPEALS MISC.	O/E	3,750.00
ENG. MISC.	O/E	8,000.00
PLANNING BD PART-TIME	S/W	3,000.00
PLANNING BD. MISC.	O/E	2,000.00
CODE ENF. PART-TIME	S/W	1,825.00
CODE ENF. MISC.	O/E	0.00
FIRE SAFETY PART-TIME	S/W	1,100.00
FIRE SAFETY MISC.	O/E	125.00
WORKER'S COMP. MISC.	O/E	93,200.00
GROUP INS. MISC.	O/E	163,000.00
UNEMPL. MISC.	O/E	2,750.00
OTHER INS.	O/E	77,000.00
POLICE PERMANENT	S/W	420,000.00
POLICE MISC.	O/E	23,500.00
911 MISC.	O/E	0.00
OEM PART-TIME	S/W	0.00
OEM MISC.	O/E	50.00
DEAL LAKE MISC.	O/E	2,750.00
MAYOR, PART TIME	S/W	500.00
F. D. MISCELLANEOUS	O/E	7,000.00
FIRE INTERLOCAL MISC.	O/E	8,800.00
AID TO VOLUNTEER		
AMBULANCE	O/E	500.00
MUNC. PROSECUTOR P/T	S/W	3,500.00
PERMANENT INTERLAKEN	S/W	30,750.00
BD OF ED INTER S & W	S/W	6,292.00
CELEBRATION MISC.	O/E	0.00
STREET & ROADS MISC.	O/E	2,000.00
GARB & TRASH PERM	S/W	76,500.00
GARBAGE & TRASH MISC.		
LANDFILL	O/E	6,000.00
PERMANENT SNOW S & W	S/W	920.25
SNOW MISC.	O/E	1,275.00
PUB. BLDGS MISC.	O/E	6,500.00
PUBLIC BLDGS P/T	S/W	375.00
LANDFILL INTERLOCAL MISC.	O/E	8,500.00
MAIN. MV MISC.	O/E	8,000.00
BD OF HEALTH MIS.	O/E	3,250.00
SOCIAL SERVICES MISC.	O/E	0.00
Bloodporne Pathogens Misc.	O/E	0.00
PARKS & PLAYGROUNDS MISC.	O/E	0.00
BEACH WAGES	S/W	0.00
BEACH MISC.	O/E	25,000.00
ELECTRIC MISC.	O/E	4,250.00
STREET LIGHTING MISC.	O/E	0.00
TELEPHONE MISC.	O/E	7,000.00
WATER MISC.	O/E	4,500.00
NAT. GAS MISC.	O/E	6,000.00
FIRE HYDRANT MISC.	O/E	3,750.00



GASOLINE MISC.	O/E	14,000.00
RECYCLING MISC.	O/E	5,000.00
	O/E	0.00
OASI MISC.	O/E	31,000.00
DCRP	O/E	500.00
ANIMAL CONTROL MISC.	O/E	0.00
MUNCIPAL COURT S & W	S/W	23,000.00
COURT MISC.	O/E	1,625.00
Public Defender	O/E	400.00
TOTAL GENERAL APPROPRIATIONS		<u><u>1,210,237.25</u></u>
<b>SEWER UTILITY</b>		
S & W PERMANENT	S/W	26,000.00
SEWER MISC.	O/E	47,000.00
OASI MISC.	O/E	1,500.00
SUI MISC	O/E	1,750.00
		<u><u>76,250.00</u></u>
<b>TOTAL 2018 TEMPORARY BUDGET</b>		<u><u>1,286,487.25</u></u>

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

**RESOLUTION #2018-29**  
**AUTHORIZING INCENTIVE TO EMPLOYEES WHO WAIVE HEALTH BENEFITS**  
**COVERAGE WHERE EMPLOYEE IS ELIGIBLE FOR OTHER COVERAGE**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough of Allenhurst (“Borough”), as a participating member of the State Health Benefits Program, is permitted to offer an incentive to any full time employee to waive the health benefits coverage offered by the Borough where the employee is eligible for any other health care coverage, and;

**WHEREAS**, the Mayor & Commissioners have determined that it is in the best interests of the Borough to offer any employee who waives the coverage offered by the Borough, 25 percent of the amount saved by the Borough, or \$5,000, whichever is less. The amount saved by the Borough shall be determined by deducting the employee’s contribution from the premium that would have been due for said employee’s coverage, had the employee not chosen to waive coverage.

**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 shall provide payment in lieu of benefits to qualified employees who elect to waive the State Health Benefits Program in favor of electing other coverage said employee(s) is eligible for. Payment shall be in the amount of 25 percent of the amount saved by the Borough, or \$5,000, whichever is less. Payment to be made upon completion of the required forms and will be payable on an annual basis (*or pro-rata, should the employee leave Borough employment prior to year’s end*) on or about December 31<sup>st</sup> of the year in which the savings were realized by the Borough.

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

**RESOLUTION #2018-30**  
**A RESOLUTION TO HIRE SEASONAL EMPLOYEES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the following be hired:

Beach Rake/Seasonal DPW

Donald Deibert

\$20.00/hr.

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

**RESOLUTION #2018-31**  
**A RESOLUTION TO AUTHORIZE BIDS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the Borough Clerk be and she is hereby authorized and directed to receive bids for the “Allenhurst Beach Club Pool Deck Improvements Phase II.

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

**RESOLUTION #2018-32**  
**A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF POLICE VEHICLE**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There is a need to replace a Borough police vehicle, and the Police Chief has requested the purchase of a 2018 Ford Interceptor with Utility Police Package; and,

**WHEREAS**, Funds for this purpose shall be provided for in the account known a Police, O.E., and the CFO has so certified;

**WHEREAS**, The purchase will be made through Winner Ford, holder of State Contract #88728 at a total vehicle and Utility Police Package of \$34,094.40; and,

**NOW, THEREFORE, BE IT RESOLVED**, That Clerk/Administrator be and is hereby authorized to sign an agreement with Winner Ford for the purchase of a 2018 Ford Interceptor with Utility Police Package, at a total purchase price of \$34,094.40

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

**RESOLUTION #2018-33**  
**A RESOLUTION AUTHORIZING SALE BY PUBLIC AUCTION OF MUNICIPALLY OWNED SURPLUS PROPERTY**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough of Allenhurst, County of Monmouth, State of New Jersey does hereby authorize the sale by Public Auction of municipally owned personal property no longer needed for Borough use as set forth below; and,

**WHEREAS**, the auction is subject to the following conditions of sale:

1. Terms shall be set forth in the required advertisement;
2. The Borough of Allenhurst reserves the right to reject all bids where the highest bid is not acceptable and reserves the right to reject the highest bidder;
3. Everything is sold “AS IS, WHERE IS, HOW IS”. The Borough of Allenhurst makes no representation of condition or performance of any equipment and provides no implied or expressed warranty or guarantee of operation on any equipment. There is no recourse through the Borough of Allenhurst subsequent to sale;
4. The successful bidder must make a payment of 100% of the bid price, which shall be paid in full at time of bid;

5. The successful bidder must remove item(s) within 10 days between the hours of 8am and 2pm. Items not removed will be discarded by the Director of Public Works.

**WHEREAS**, The surplus property includes the following:

<b>ITEM</b>	<b>VIN/IDENTIFICATION #</b>
1990 BMY M92 DUMP TRUCK	NLOTX92900233
1988 ELGIN SWEEPER TRUCK	S6628D
1991 INTERNATIONAL PICKUP	1HTSDZ7R4MH324133
1991 BMY M93 EXPANDABLE VAN	3400230
1994 BLUEBIRD SCHOOL BUS	1BAAGCSA5RF059329
CUSHMAN SCOOTER PARTS	VINS 21082,11438 & NA
1991 TRAK INTERNATIONAL 6000 FORK LIFT	M1328
1989 INTERNATIONAL DUMP TRUCK	1HTLDTVN0KH626081
FUEL TANK TRANSFER PUMP WITH HOSE &NOZZLE	
FUEL TANK TRANSFER PUMP WITH HOSE &NOZZLE	
FUEL TANK TRANSFER PUMP WITH HOSE &NOZZLE	
FUEL TANK TRANSFER PUMP WITH HOSE &NOZZLE	
CLEAN WATER PUMP TRAILER MOUNTED	
1989 INTERNATIONAL DUMP TRUCK	1HTSDTVROLH211830
UTILITY TRAILER	1631
GENERATOR 10KW - #RZC01640	
AIR COMPRESSOR MC 2A	
TRAILER MOUNTED POWER WASHER W/HOSES & ATTACHMENTS	
GREEN TRAILER M105A2	640087
2002 FORD EXPLORER WAGON	1FMZU72EX2UB48631
1979 AMERLAFR FIRE TRUCK	CE6497

**NOW, THEREFORE, BE IT RESOLVED**, that the above listed municipal motor vehicles and equipment shall be exposed to public sale to the highest bidder by online auction at [www.usgovbid.com](http://www.usgovbid.com) beginning January 20, 2018 at 9:00am and begins to close on January 25, 2018 at 7:00pm. Inspections are to take place January 24<sup>th</sup> from 10 am to 2 pm at 315 Hume Street.

**BE IT FURTHER RESOLVED**, US Gov Bid is an approved vendor by the state to provide online auction services for the sale of surplus personal property by a municipality and is hereby authorized to conduct this auction.

**BE IT FURTHER RESOLVED**, that notice of this auction shall be published in the Coaster Newspaper.

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

**RESOLUTION #2018-34**  
**A RESOLUTION TO TRANSFER APPROPRIATIONS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the following 2017 appropriations be transferred:

<b><u>FROM</u></b>	<b><u>TO</u></b>	<b><u>AMOUNT</u></b>
ADMIN S&W	SOCIAL SERVICES OE	\$104

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

**RESOLUTION #2018-35**  
**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:

A&R Communications – Radios for DPW	\$2,069.00
Deal Lake Commission – Dues	\$2,750.00
Edwards Tire – New Tires for Fire Truck	\$3,909.60
F&C Automotive – Supplies/Parts DPW	\$1,526.70
Garden State Roofing - Roof Repair Police Antenna	\$2,500.00
Mazza Recycling – Bulky Wast	\$1,618.85
Realty Appraisal – Appeals Steinberg/Haber	\$2,800.00
Sidney Wooley, LLC – New entrance door at Fire House	
As per State Fire Inspector	\$2,130.00
Home Depot – Various	\$1,295.73

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

**RESOLUTION #2018-36**  
**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 #2018-37**  
**A RESOLUTION TO PAY BILLS & PAYROLL (01/01/18 - 01/15/18)**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That bills and payrolls totaling \$355,106.17 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That the January 10th consolidated bill list be attached hereto and made a part thereof.

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

**RESOLUTION 2018-38**  
**RESOLUTION PROVIDING FOR THE ISSUANCE AND**  
**SALE OF \$5,220,000 GENERAL OBLIGATION BONDS,**  
**SERIES 2018 OF THE BOROUGH OF ALLENHURST, IN**  
**THE COUNTY OF MONMOUTH, NEW JERSEY AND**  
**PROVIDING FOR OTHER DETAILS OF SAID BONDS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, New Jersey (the “Borough”), has heretofore adopted eight bond ordinances (defined below) authorizing bonds to finance part of the cost of various projects or improvements in said Borough; and

**WHEREAS,** The Monmouth County Improvement Authority (the “Authority”) adopted its 2017 Governmental Pooled Loan Revenue Bond Resolution authorizing, among other things, the issuance of its revenue bonds (the “Authority Bonds”) in order to permanently finance outstanding bond anticipation notes and unfunded bond ordinances of various municipalities (the “Authority Loan Program”); and

**WHEREAS,** the Borough desires to participate in the Authority Loan Program, and pursuant to the Authority Loan Program, to issue and sell its bonds pursuant to bond ordinances heretofore adopted by the Borough, to the Authority in an aggregate principal amount of \$5,220,000 and it is deemed advisable and in the best interests of the Borough to issue the aggregate principal amount of \$5,220,000 pursuant to the Local Bond Law, constituting Chapter 2 of Title 40A of the Revised Statutes of New Jersey; NOW, THEREFORE,

**BE IT RESOLVED BY BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY** (not less than two-thirds of all members thereof affirmatively concurring) that:

**SECTION 1. Authority for Resolution.** Pursuant to the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes (the "Act"), the Borough has previously adopted the following bond ordinances (collectively, the “Ordinances”) on the dates indicated, which Ordinances authorized the issuance of bonds in the amounts indicated, and the Borough has determined to issue at this time, pursuant to said Ordinances, the following amount of bonds:

<u>Ord. Number</u>	<u>Date Adopted</u>	<u>Purpose</u>	<u>Amount of Bonds Authorized</u>	<u>Useful Life</u>	<u>Bonds to be Issued</u>
2013-02/ 2014-10	03/12/13, 08/12/14	Various Capital Improvements and Capital Acquisitions, as amended	\$5,950,000	31.21 years	\$2,721,837
2015-05	02/24/15	Acquisition of Public Works Equipment	\$332,500	5 years	\$307,928
2015-06	03/10/15	Improvements to Allen Avenue Park	\$190,000	15 years	\$175,960
2015-11	06/23/15	Beach Club & Park Improvements	\$570,000	15 years	\$527,879
2015-13	08/11/15	Improvements and Repairs to Well Point System	\$950,000	20 years	\$879,798
2016-01	02/23/16	Road Improvements to Allen Avenue	\$180,000	20 years	\$166,699
2016-02	02/23/16	Improvements to Allenhurst Beach Club	\$475,000	15 years	\$439,899

**SECTION 2. Authorization of Bonds.** In accordance with the Act, there shall be issued bonds of the Borough in the aggregate principal amount of \$5,220,000 pursuant to the Ordinances set forth in Section 1 above (hereinafter referred to as the “Bonds”). The Bonds shall constitute a single issue and shall be designated "General Obligation Bonds, Series 2018".

**SECTION 3. Determination of Average Period of Usefulness.** It is hereby determined and stated that the average period of usefulness of the several purposes for which the Bonds are to be issued under the Ordinances described in Section 1 above, according to their respective lives, as determined in said Ordinances, taking into consideration the respective amounts of bonds to be issued for said several purposes, is a period of 23.86 years, computed from the date of said Bonds.

**SECTION 4. Description of the Bonds.**

(a) **Terms of the Bonds.** The Bonds will be issued in fully registered form to the Authority. The Bonds shall be dated and shall bear interest from their date of delivery (which is expected to be February 1, 2018) at the rates, and shall mature, subject to prepayment as herein provided, on January 15 in the year and in the principal amount set opposite such year in the following table:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rate</u>
2019	\$175,000	4.00%
2020	175,000	5.00
2021	180,000	5.00
2022	190,000	5.00
2023	200,000	5.00
2024	205,000	5.00
2025	220,000	5.00
2026	230,000	5.00

2027	240,000	5.00
2028	250,000	5.00
2029	265,000	5.00
2030	280,000	4.00
2031	290,000	4.00
2032	300,000	4.00
2033	310,000	4.00
2034	325,000	4.00
2035	340,000	4.00
2036	345,000	3.00
2037	350,000	3.00
2038	350,000	3.00

(b) Payment of Principal of the Bonds. The Bonds as to principal, will be payable on the fifteenth day of the month immediately preceding the due date therefor at the corporate trust office of U.S. Bank National Association (the “Trustee”).

(c) Interest Rate Per Annum and Interest Payment Date. The Bonds shall bear interest at the respective interest rates per annum which are set forth in the table above and such interest shall be payable at the corporate trust office of the Trustee on the January 1 and July 1 prior to each January 15 and July 15 until maturity or earlier prepayment, commencing on July 15, 2018.

#### SECTION 4. Prepayment of the Bonds.

(a) Redemption of the Bonds. The Bonds shall be subject to prepayment prior to their stated maturities on the terms and in the manner set forth in the Authority’s 2017 Governmental Pooled Loan Revenue Bond Resolution, adopted on November 9, 2017 (the “Authority Bond Resolution”).

(b) Notice of Prepayment. Notice of prepayment shall be given as set forth in the Authority Bond Resolution.

SECTION 5. Form of Bonds. Subject to the provisions of this resolution, the Bonds shall be in substantially the form set forth in Exhibit A hereto, with such omissions, insertions, endorsements and variations as may be required by the circumstances and be required or permitted by this resolution or as may be consistent with this resolution and necessary or appropriate to conform to the rules and requirements of any governmental authority or any usage or requirement of law with respect thereto.

SECTION 6. Award of the Bonds; Approval of the Bond Purchase Agreement. The Bonds shall be sold to the Authority, at a purchase price of \$5,752,866.70 (representing the principal amount of the Bonds plus the original issue premium of \$532,866.70), from which shall be netted the Borough’s share of the costs of issuance of the Authority, including but not limited to the County guaranty premium and the underwriters’ discount. The terms and conditions of such sale shall be set forth in a Bond Purchase Agreement, to be dated on or about January 11, 2018 (the “Bond Purchase Agreement”), in substantially the form attached hereto as Exhibit B and which by this reference is made a part hereof as if set forth in full herein. Settlement for the Bonds shall be made in immediately available funds on February 1, 2018, or on such other date as may be agreed to by the Borough and the Authority. The Mayor, Business Administrator or Chief Financial Officer of the Borough are each hereby duly authorized to execute and deliver the Bond Purchase Agreement on behalf of the Borough and such execution and delivery shall constitute the acceptance by the Borough of the Authority’s offer to purchase the Bonds.

SECTION 7. Disclosure Information. The Mayor, the Business Administrator and the Chief Financial Officer, as well as the Borough Clerk or Deputy Clerk, auditor, bond counsel and other officers, agents and employees of the Borough are authorized, if necessary, to prepare and distribute information (the “Disclosure Information”) with respect to the Borough for use by the Authority in connection with the issuance and sale of the Authority Bonds in such form as may be approved by the Mayor, the Business Administrator and/or the Chief Financial Officer. The Business Administrator and/or Chief Financial Officer is hereby authorized to deem final the Disclosure Information provided to the Authority for inclusion in the Preliminary Official Statement for purposes of Rule 15c2-12 of the Securities and Exchange Commission.

SECTION 8. Approval of Continuing Disclosure Agreement. The Continuing Disclosure Agreement to be entered into between the Borough and the Authority's bond trustee (the "Continuing Disclosure Agreement"), in substantially the form attached hereto as Exhibit C and which by this reference is made a part hereof as if set forth in full herein, is hereby approved. The Mayor, Business Administrator or Chief Financial Officer of the Borough are each hereby authorized to execute and deliver the Continuing Disclosure Agreement on behalf of the Borough and such execution and delivery shall constitute acceptance by the Borough of the obligations thereunder.

SECTION 9. Execution of Bonds. Said Bonds shall be executed in the name of the Borough by the manual or facsimile signatures of the Mayor and the Chief Financial Officer and the corporate seal of the Borough shall be affixed thereto, or imprinted or reproduced thereon and shall be attested by the manual or facsimile signature of the Clerk or Deputy Clerk of the Borough.

SECTION 10. Pledge of Borough. The full faith and credit of the Borough, in the County of Monmouth, State of New Jersey is hereby pledged for the payment of the principal of and interest on the Bonds and said Bonds shall be general obligations of the Borough payable as to principal and interest from *ad valorem* taxes which may be assessed on the taxable property within said Borough without limitation as to rate or amount.

SECTION 11. Tax Matters.

(a) Investment of Proceeds of Bonds. The Borough will make no use of the proceeds of the Bonds which would cause the Bonds to be arbitrage bonds; and the Borough hereby imposes on itself and all officers having custody or control of the proceeds of the Bonds, throughout the term of the Bonds, the obligation to comply with applicable requirements of Section 148 of the Internal Revenue Code of 1986, as amended (the "Code") and Regulations Sections 1.148-0 through 1.148-11 and 1.150-1 and 1.150-2, and all other applicable regulations of the Internal Revenue Service, so that the Bonds will not be or become arbitrage bonds.

(b) Tax Covenants. In order to maintain the exclusion from gross income for federal income tax purposes of interest on the Bonds and the Authority Bonds, and for no other purpose, the Borough covenants to comply with each applicable requirement of the Code, applicable to the Bonds, and any technical corrections thereto applicable to the Bonds, and the Borough covenants not to take any action or fail to take any action which would cause the interest on the Bonds or the Authority Bonds to lose the exclusion from gross income for federal income taxation purposes under Section 103 of the Code.

The Borough covenants and agrees with the Authority that the Borough shall not take any action or omit to take any action, which action or omission, if reasonably expected on the date of initial issuance and delivery of the Bonds, would cause the Bonds or the Authority Bonds to be "private activity bonds" or "arbitrage bonds" within the meaning of Sections 141(a) and 148, respectively, of the Code, or any successor provision.

(c) Bonds Not Federally Guaranteed. The Borough covenants that it will take no action which would cause the Bonds to be federally guaranteed (within the meaning of Section 149(b) of the Code).

SECTION 12. Upon the date of issue of the Bonds, the Business Administrator and/or Chief Financial Officer is hereby authorized and directed as of said date of issue, to execute and deliver to the Authority (a) an arbitrage certification with respect to the Bonds under and for the purpose of Section 148 of the Internal Revenue Code of 1986, as amended, and (b) an accompanying opinion of GluckWalrath LLP, Bond Counsel to the Borough as of said date of issue with respect to said arbitrage certification for the purposes of said Section 148.

SECTION 13. The proceeds of the Bonds shall be applied in the amounts and for the purpose provided in Section 1 hereof.

SECTION 14. The Mayor, the Business Administrator and the Chief Financial Officer are hereby authorized, as is the Borough Clerk or Deputy Clerk, to execute all documents and certificates necessary for the sale and delivery of said Bonds.

SECTION 15. Additional Acts. On behalf of the Borough, the Mayor, the Business Administrator and the Chief Financial Officer are authorized and directed to take all steps which are necessary or convenient to effectuate the terms of this bond resolution with respect to the issuance, sale and delivery of the Bonds, including, but not limited to, any determinations required by this bond resolution and the execution of closing documentation.

SECTION 16. Effective Date. This resolution shall take effect upon adoption hereof.

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

### **ITEMS TO DISCUSS**

The Borough Administrator discussed the upcoming projects at the beach club. Bids have been advertised for the concrete around the pool and will be awarded next meeting. The Bids for the new pavilions will be advertised at the beginning of February.

The Mayor asked the Borough Administrator how many tickets had been issued for snow removal. The Borough Administrator responded that approximately 42 tickets were issued.

The Mayor asked the status of the street light on Ocean Avenue and the light on the side of the Restaurant. The Borough Administrator responded that the street light is on order and the electrician is still trying to locate a similar light for the restaurant.

Commissioner McLoughlin asked if the Fire Chief could get estimates for the apron at the firehouse as well as fixing the pipes due to freeze ups. Rich Heitmuller, EMS Chief, said he will tell Will Reng to look into it.

The Mayor commended the DPW for the great job they did in the snow storm.

### **PUBLIC COMMENTS**

Tim Moriarity asked if the frigid temperatures got rid of the feral cat problem. Both Commissioner McLoughlin and the Mayor stated that they have not recently seen any cats around. The Borough is still working on the Feral Cat Ordinance and contract with the Humane Society.

There being no further comments, public hearing was closed.

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

After reconvening, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 8:45 PM. Motion carried.

Donna M. Campagna, RMC  
Borough Clerk/Administrator