

MINUTES
AUGUST 23, 2011

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

The meeting was called to order at 7:30 P.M. with a salute to the flag.

Mayor McLaughlin announced that the notice requirements of R.S. 10:4-18 had been satisfied by delivering the required notice to the Coaster, posting the notice on the board in Borough Hall and filing a copy of said notice with the Borough Clerk.

COMMUNICATIONS

Notice of Public Hearing from New Jersey Natural Gas regarding approval of extension of Energy Efficiency Programs and the associated cost recovery mechanics.

Notice of Public Hearing from JCP&L regarding Universal Service Fund.

Notice of Public Hearing from JCP&L regarding Basic Generation Service.

Notice from Township of Ocean concerning amendment to their Land Development Ordinance.

RESOLUTION #1

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the minutes of the regular meeting of August 9, 2011, be ratified and approved.

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

RESOLUTION #2

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the Clerk dispense with the reading of the minutes of the regular meeting of August 9, 2011.

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

RESOLUTION #3

A RESOLUTION TO APPROVE 2010 AUDIT REPORT

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, The Annual Report of Audit for the year 2010 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the

governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, The members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, Such resolution of certification shall be adopted by the governing body no later than forty-five days after receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, All members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

"R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, That the governing body of the Borough of Allenhurst, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

RESOLUTION #4

RESOLUTION TO TRANSFER SEASONAL EMPLOYEES

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following employees be transferred within the Beach Club to the Departments indicated below:

Catherine McIver to Security at \$7.25/hr.
Taylor McDonnell to Security at \$7.25/hr.
Samantha Conti to Security at \$8.00/hr.
Jeff Mansfield to Security at \$9.00/hr.

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

RESOLUTION #5

A RESOLUTION TO AUTHORIZE REFUND

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That a refund be issued to Noelle Belmont in the amount of \$582.00 as Taylor and Connor McDonnell are employees at the Allenhurst Beach Club.

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

RESOLUTION #6

A RESOLUTION TO APPROVE CHAPTER 159

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

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

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

Section 1

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2011 in the sum of \$1,405.14, which item is now available as revenue from 2009 Recycling Tonnage Grant pursuant to the provisions of Statute; and,

Section 2

BE IT FURTHER RESOLVED, That a like sum of \$1,405.14 be and the same is hereby appropriated under the caption of 2009 Recycling Tonnage Grant.

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

RESOLUTION #7

A RESOLUTION TO APPROVE FIREFIGHTERS

Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

WHEREAS, The Membership Committee of Allenhurst Fire Co. #1 has received applications for membership from the following:

Murray Choueka
Thomas Maggio
Christopher Brown; and,

WHEREAS, The Membership Committee has advised the Board of Commissioners that the applicants are acceptable for membership;

NOW, THEREFORE, BE IT RESOLVED, That the above-mentioned applicants are approved for membership in Allenhurst Fire Co. #1, pending criminal history checks; and,

BE IT FURTHER RESOLVED, That the Borough Clerk be and is hereby authorized to execute the necessary paperwork on behalf of the aforementioned applicants.

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

RESOLUTION #8

A RESOLUTION TO APPROVE BILLS AND PAYROLL (08/16/11 - 08/31/11)

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That bills and payrolls totaling \$806,067.82 be approved for payment; and,

BE IT FURTHER RESOLVED, That the August 23rd consolidated bill list be attached hereto and made a part thereof.

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

RESOLUTION #9

A RESOLUTION TO CONSIDER MORATORIUM WAIVER REQUESTS

David Larkin spoke for Mr. & Mrs. Luthin, stating they have been concentrating on inside work so as not to disturb anyone. There is still a lot to be done.

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, The Borough has received requests for the waiver of the provisions of the construction moratorium; and,

WHEREAS, The Board of Commissioners has reviewed the waiver requests; and,

WHEREAS, Under the provisions of granting approval for a waiver, the following provisions shall be adhered to:

1. No construction activities prior to 8:00 AM or after 5:00 PM daily.
2. No construction activities on weekends.
3. No dumpsters on property or heavy equipment permitted. No construction debris on outside of property. No pods permitted.

NOW, THEREFORE, BE IT RESOLVED, That the following requests for waiver of the provisions of the construction moratorium are hereby considered:

1. Catherine & John Luthin – 535 Main Street
Install approximately 12 new or replacement windows, construct new wood frame stoop and handicap ramp, re-convert partially enclosed covered porch, plus minor interior renovations such as new handicap accessible bathroom, new office, new outlets and new lighting.

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

Comm. McLoughlin announced that an emergency waiver was granted to Mr. and Mrs. Griffin, 114 Corlies Avenue, for a leaking roof.

PUBLIC HEARING

Mayor McLaughlin spoke about the tax bills, stating the municipal rate went up less than a ½ penny. Unfortunately, the County walloped them with a 4.5 cent increase. They have no control over this. The County tax is based on the town's equalized assessed value. He stated he will be putting out a letter to residents explaining this

Tim Moriarty, West Allenhurst, stated that at the last meeting, he talked about getting the Beach Club rules printed.

Mayor McLaughlin stated they have had some discussions on this issue. They will come up with Rules of Conduct. They will have them for next season.

Mr. Moriarty stated that the general rules in the booklet have things that don't apply any more. It should be updated. He thought when the meetings were first proposed, they were going to be Beach Club meetings. He asked if they could have a Beach Club meeting in the Fall or Winter.

Mayor McLaughlin stated that is the gist of these meetings at the Club. People are not showing up. He got some feedback this year about setting up a steering committee. Mr. Moriarty stated that there was a committee in 1987 or 1989 to address issues.

Sandra DeMurley stated that if there is another town meeting at the firehouse or Beach Club, she would appreciate microphones as she has trouble hearing what people are talking about.

OTHER BUSINESS

There was a discussion on the lifeguard station we may be receiving from Long Branch. Mayor McLaughlin stated he would like to discuss the location with Planning Board members. They will be meeting to determine costs for rehabilitation and grants which may help them with this.

The Board of Commissioners discussed the Best Practices Checklist. They reviewed the answers provided by the Chief Finance Officer and Borough Administrator and were happy with the answers as a whole. There are still some things which the Board will look into implementing, but they were satisfied with this report.

There being no further business, the meeting adjourned to caucus and did not reconvene.

Lori L. Osborn, RMC
Clerk-Administrator