

BOROUGH OF ALLENHURST
AGENDA
April 10, 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 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:

1. Red Bank Resolution #18-90 advocating for common sense gun safety legislation and improved reporting and management of persons of risk.
2. Fair Haven Borough Resolution 2018-84 advocating for common sense gun safety legislation and improved reporting and management of persons of risk.

ANNOUNCEMENTS:

None

ORDINANCES FINAL READING:

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2018-04
CALENDAR YEAR 2018

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

There was no response to Mayor McLaughlin's request for public comments.

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

ORDINANCE #2018-05

**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)"**

There was no response to Mayor McLaughlin's request for public comments.

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

RESOLUTIONS

RESOLUTION #2018-106

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the minutes of the regular meeting held March 27, 2018, be ratified and approved.

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

RESOLUTION #2018-107

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

BE IT RESOLVED, that the Clerk dispense with the reading of the minutes of the regular meeting held March 27, 2018.

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

RESOLUTION #2018-108

A RESOLUTION TO APPOINT EMERGENCY MANAGEMENT COUNCIL

Offered By:

Seconded By:

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

Police, Fire, Emer. Mgt, First Aid, Health, Environmental, Hospital, Public Works

Michael DiBona

Deputy Emer. Mgt. Co-ord

Michael Schneider

Police Coordinator

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

RESOLUTION #2018-109

A RESOLUTION TO APPROVE SALARIES FOR 2018

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, as follows:

Michael DiBona, be and he is hereby appointed the OEM coordinator beginning May 1st 2018 and terminating December 31, 2018, at an annual salary of \$3,000.00 to be prorated from May 1, 2018 through December 31, 2018.

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

RESOLUTION #2018-110

RESOLUTION SUPPORTING THE 2018 *UDRIVE. UTEXT. UPAY* DISTRACTED DRIVER CRACKDOWN – APRIL 1 – 21, 2018

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2015 alone distracted driving-related crashes resulted in 3,477 deaths and 391,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in more than 750,000 crashes between 2011-2015; and

WHEREAS, the State of New Jersey will participate in the nationwide *Distracted Driving 2018 Crackdown* from April 1-21, 2018 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is *UDrive. UText. UPay*; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Allenhurst declares its support for the Distracted Driving 2018 Crackdown both locally and nationally from April 1-21, 2018 and pledges to increase awareness of the dangers of distracted driving.

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

RESOLUTION #2018-111
A RESOLUTION TO AWARD CONTRACT FOR POOL CLEANING

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, The Borough has been using a professional pool cleaning service to clean the pools at the Allenhurst Beach Club four days per week; and,

WHEREAS, The following quotes were received and are on file with the Acting Borough Clerk:

MVP Power washing
Ocean Power washing
Job Done Right Home Improvements and Powerwashing

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;

THEREFORE, BE IT RESOLVED, That a contract be awarded to MVP Painting and Power Washing, the lowest of three quotes received for cleaning the Allenhurst Beach Club pools four days a week at the following rates:

Maintenance of salt water swimming pool (4 days/week)	\$176.72/per cleaning
Additional cleaning of concrete decks as requested	36.41/per cleaning
Overnight pump adjustment	75.00 per call out
Main Pool Stain Removal (Non Acidic) (2x/week)	174.14 per cleaning
Baby Pool Stain Removal (Non Acidic) (2x/week)	67.83 per cleaning
Pre-Season Initial Cleaning (Both Pools)	688.50
Steam Cleaning of Fiberglass Gutter	598.00 per cleaning

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

RESOLUTION #2018-112
A RESOLUTION TO APPROVE TEMPORARY EMERGENCY APPROPRIATIONS

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, An emergency has arisen with respect to operating expenses in various departments, and no adequate provision was made in the 2018 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose above mentioned; and,

WHEREAS, The total emergency temporary resolutions adopted in the year 2018 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$454,677.01 ;

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members of the governing body affirmatively concurring), that in accordance with the provisions of N.J.S.A. 40A:4-20:

- | | |
|--|-------------|
| 1. Emergency appropriations be and the same are hereby made for the following: | |
| Admin S&W | \$2,085.00 |
| Admin OE | \$ 410.00 |
| Finance S&W | \$2085.00 |
| Tax Collector S&W | \$ 203.00 |
| Dir. Of Rev and Finance | \$ 62.50 |
| Tax Assess S&W | \$ 237.00 |
| Planning Bd P/T | \$ 334.00 |
| Fire Safety P/T | \$ 170.00 |
| Group Ins OE | \$40,720.00 |
| Mayor P/T | \$ 11.00 |
| Fire Dept OE | \$ 241.00 |
| Fire Interlocal | \$1,061.00 |
| Permanent Interlake S&W | \$4,441.00 |

Bd of Ed S&W	\$3,000.00
DPW S&W	\$4,877.00
Public Bldg P/T	\$ 11.00
Beach S&W	\$1,460.00
Telephone OE	\$288.00
PERS	\$131,530.82
P&F	\$ 234,835.00
DCRP	\$ 199.00
Municipal Ct S&W	\$3,866.00
Sewer S&W	\$4,761.00

2. That said emergency temporary appropriations will be provided for in the 2018 budget under the above-mentioned titles.

3. That one certified copy of this resolution be filed with the Director of Local Finance.

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

RESOLUTION #2018-113
RESOLUTION AUTHORIZING SETTLEMENT OF PETITION FOR PERMANENT
REMOVAL OF CMFO AND REVOCATION OF CMFO CERTIFICATE

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, Christine L. Brown is the tenured Certified Municipal Financial Officer (“CMFO”) of the Borough; and

WHEREAS, the Borough brought a Petition seeking the Removal of Ms. Brown’s tenure pursuant to N.J.S.A. 40A:9-140.9 and Revocation of Ms. Brown’s Chief Financial Certification Pursuant to N.J.S.A. 40A:9-140.12 for the reasons set forth in the Verified Petition, which is pending before the Office of Administrative Law under OAL Docket No.: CLG 02705-2018S and Agency Reference No.: DLGS-CERT-18-1, (hereinafter referred to as the “Petition”); and

WHEREAS, the Ms. Brown denied the allegations presented in the Verified Petition, and Ms. Brown and Borough now desire to settle fully and finally the issues raised in the Verified Petition; and

WHEREAS, the Borough Council has determined that it is in the best interests of the community to promptly resolve the Verified Petition by means of a Separation Agreement with Ms. Brown.

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 settlement of the pending Verified Petition brought by the Borough in accordance with the terms set forth in the Separation Agreement and Release attached hereto and made a part hereof by reference, be and is hereby authorized and approved; and

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to execute the Separation Agreement and Release on behalf of the Borough and Borough Counsel is hereby authorized to withdraw the Verified Petition seeking Revocation of Ms. Brown’s Chief Financial Certification Pursuant to N.J.S.A. 40A:9-140.12 and file such other documents as may be required by the Office of Administrative Law to conclude the Petition.

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

RESOLUTION #2018-114
A RESOLUTION TO CONFIRM PURCHASES

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

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:

Grainger – New Water Fountain	-	\$ 1,460.98
NJ Fire Equipment – New Hoses ofr 8190	-	\$ 2,361.45
Power DMS – Software for Police Dept.	-	\$ 2,125.00

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

RESOLUTION #2018-115
A RESOLUTION TO APPROVE EXECUTIVE SESSION

Offered By: Comm. Bolan Seconded By: Mayor McLaughlin

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 #2018-116
A RESOLUTION TO APPROVE BILLS & PAYROLL (4/1/2018-4/15/2018)

Offered By: Comm. Bolan Seconded By: Mayor McLaughlin

BE IT RESOLVED, That bills and payrolls totaling \$ 627,173.84 be approved for payment; and,

BE IT FURTHER RESOLVED, That April 15, 2018 consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION

Beach Club Questions:

1. Jill Pesciotta (Locker A-9) wishes to transfer her locker to the Grazi Family of 236 Elberon Avenue. David Grazi has been in the locker with Mrs. Pesciotta from 5 years.
Determination: Approved
2. Ginger Koar wishes to transfer her locker to Terrence Bolan of 313 Spier. He has been in the locker for 19 years. Ginger has consented.
Determination: Approved
3. Additionally, Terry Bolan would like permission to have 10 people in his locker this summer.
Determination: Approved
4. Linnington – Mr. Linnington would like to know why his daughter would be charged non-resident rates this summer. The daughter Ashley owns a home in Interlaken. Mr. Linnington states that Ashley will be spending “the majority of the summer” in the Linnington’s home in Allenhurst. Ashley’s in-laws are staying in the Interlaken house this summer. Last year Ashley was charged resident rates, as she was living in the Linnington’s home in Allenhurst during construction on her Interlaken home.
Determination: Linnington’s must come to the next Council Meeting to explain.

The Mayor gave updated information on the Railroad Crossing. Congressman Pallone met with the Transportation Commissioner. Congressman Pallone told the Mayor that there are new people in charge with the November election and at this time it doesn’t seem to be a high priority item. Congressman Pallone will keep us posted is anything changes.

PUBLIC COMMENTS

There was a lengthy discussion about the Feral Cat situation in town by Patty Englert. She has experienced many issues with the feral cats that has resulted in numerous health and financial issues. She would like the town to address the problem and do something about it. The Mayor told Mrs. Englert that he was very sympathetic to her issues but wanted to know what she would like the Borough to do and if she had any suggestions. The Mayor stated that the Borough is working on an ordinance but with research and taking to other towns it is very hard to enforce. The Feral Cat situation is not just isolated to Allenhurst and many towns are experiencing the same issues. The Borough has contacted the humane Society. They will not trap the cats and get rid of them. They will offer a Trap, Neuter and Release program which is not an easy process. The Humane Society will be coming to a future meeting to discuss the program in more detail with the Borough. Commissioner Bolan told Mrs. Englert that it could also be a self-help problem and she could, independent of the Borough, research options to dispose of any cats which are on her private property. Mayor McLaughlin closed the conversation stating the Borough will send a notice to all residents not to feed the cats. The Borough will continue to work on an ordinance and have the Humane Society come to a future meeting to discuss the program they offer.

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 8:30 PM. Motion carried.

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

Donna M. Campagna, RMC
Borough Clerk/Administrator