

**BOROUGH OF ALLENHURST**  
**MINUTES**  
**October 23, 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 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 Borough Clerk.

**COMMUNICATIONS:**

- Resolution from the Borough of Deal prohibiting the sale of Marijuana and Marijuana paraphernalia for recreational purposes anywhere in the Borough.
- Notice from the Township of Ocean Sewerage Authority regarding the December 4, 2018 public hearing on proposed adjustments to its connection fee Schedule.

**ANNOUNCEMENTS:**

Thank you to DPW, Fire Dept and EMS for successful Halloween Fest

**ORDINANCES FIRST READING**

**BOND ORDINANCE NO. 2018-14**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO CEDAR AVENUE, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$500,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT ORDAINED by the BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Allenhurst, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$500,000, said sum being inclusive of all appropriations heretofore made therefor, including \$336,000 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT). No down payment is hereby required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$500,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of various improvements to Cedar Avenue, including, but not limited to, pavement reconstruction, partial curb replacement, driveway aprons, handicap ramps, and drainage improvements, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$500,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$500,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$500,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$100,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

**BOND ORDINANCE NO. 2018-15**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT ORDAINED by the BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Allenhurst, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$500,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$25,000 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$475,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of various capital improvements and the acquisition of various capital equipment, including, but not limited to, the acquisition of a public works truck with a plow and sander, new updated street signs, and a digital sign for the Borough, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$475,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$500,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$500,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$25,000 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10.81 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$475,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$75,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

## **RESOLUTIONS**

### **RESOLUTION #2018-235**

#### **A RESOLUTION TO RATIFY AND APPROVE MINUTES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the minutes of the regular meeting held October 9, 2018, be ratified and approved.

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

### **RESOLUTION #2018-236**

#### **A RESOLUTION TO DISPENSE WITH READING OF MINUTES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, that the Clerk dispense with the reading of the minutes of the regular meeting held October 9, 2018.

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

### **RESOLUTION #2018-237**

#### **A RESOLUTION TO AUTHORIZE TRANSPORTATION TRUST FUND GRANT AGREEMENT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2019; and

**WHEREAS**, the Borough of Allenhurst is desirous of submitting an application under this program for the following purpose:

- Improvements to Corlies Avenue from Monmouth County Bridge O-12 to Ocean Place (Atlantic Oceanfront)

**NOW, THEREFORE, BE IT RESOLVED** by the Borough Commissioners of Allenhurst, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

**FURTHER BE IT RESOLVED** that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-Corlies Avenue - 00569 to the New Jersey Department of Transportation on behalf of the Borough of Allenhurst; and

**FURTHER BE IT RESOLVED** that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Allenhurst and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

#### **RESOLUTION #2018-238**

#### **A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF NEW 18' HEXAGON STRUCTURE AT RAILROAD PLAZA PARK**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, The Borough has been awarded an open space grant to construct a new playground; and,

**WHEREAS**, A new 18' steel hexagon shelter is being purchased as part of the project; and,

**WHEREAS**, Funds for this purpose shall be provided for in the account known as 2017-13 RR Park Improvements Phase II (C-04-55-973-218), and the CFO has so certified;

**WHEREAS**, The purchase will be made through RCP Shelters, Inc., holder of State Contract #16-FLEET-00121 at a total price of \$13,426.00; and,

**NOW, THEREFORE, BE IT RESOLVED**, That Clerk/Administrator be and is hereby authorized to sign an agreement with RCP Shelters, Inc. for the purchase of a new 18' steel hexagon shelter, at a total purchase price of \$13,426.00.

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

#### **RESOLUTION #2018-239**

#### **A RESOLUTION TO AWARD CONTRACT FOR INSTALLATION OF NEW SHELTER AT RAILROAD PLAZA PARK**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There is a need for installation of new shelter at in Railroad Plaza Park; and,

**WHEREAS**, The following quotes were secured:

Thor Construction Group LLC	\$ 15,000.00
Down to Earth Landscaping, Inc.	\$ 15,500.00
Whirl Construction, Inc.	\$ 19,600.00

**WHEREAS**, Funds for this purpose will be provided for in the capital account known as "2017-13 RR Park Improvements Phase II (C-04-55-973-218)", and the Chief Finance Officer has so certified;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, that a contract be awarded to Thor Construction Group, LLC , on their quote of \$15,000.00 for Installation a new shelter in Railroad Plaza Park.

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

**RESOLUTION 2018-240**  
**A RESOLUTION CERTIFYING REVIEW OF THE LOCAL GOVERNMENT BEST PRACTICES CHECK LIST**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Department of Community Affairs requires the Administrator and Chief Financial Officer of every municipality to have certified the Local Government Best Practices Check List; and

**WHEREAS**, the Check List has been certified by the Administrator and Chief Financial Officer and a copy thereof has been received by each member of the Governing Body; and

**WHEREAS**, the members of the Governing Body have personally reviewed the Local Government Best Practices Check List; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body; and

**NOW, THEREFORE, BE IT RESOLVED**, that the Borough of Allenhurst, hereby states that it has reviewed the checklist and ratifies the Chief Financial Officer's filing of the Best Practice Check List to the Department of Communities Affairs on October 23, 2018.

**BE IT FURTHER RESOLVED** that certified copies are provided to: Division of Local Government Services, Administrator/Clerk, Chief Financial Officer, and Municipal Auditor

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

**RESOLUTION 2018-241**  
**A RESOLUTION TO APPROVE HALLOWEEN CURFEW**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, The Commissioners are of the opinion that it is necessary for the protection of property and the citizens of the Borough of Allenhurst that regulations and restrictions be imposed during the Halloween period, in order to prevent vandalism and to preserve law and order in the Borough of Allenhurst during said period of time;

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

I. That no persons under the age of 18 years shall be permitted in any public place, public street, or public property in the Borough of Allenhurst between the hours of 8:00 P.M. and 6:00 A.M., prevailing time, on each and every day during the period from October 30 through October 31, 2018, inclusive, unless such person shall, during said hours, be returning from work, night school, fraternity, church, social or school meeting, or en route to and returning from a physician's office or dentist's office where treatment is to be rendered or has been rendered by such physician or dentist, or is accompanied by his or her guardian or parent over the age of 18 years.

That during said hours and days, no person shall wear any appliance for the purpose of covering any portion of his or her face, or partial mask, in any public place, public street or public property in the Borough of Allenhurst.

II. That all persons, regardless of age, excepting those who are attending minor children, who shall participate in the traditional Halloween activity of "Trick or Treat", within the Borough of Allenhurst on October 31, 2018, shall be in costume, and, shall curtail all "Trick or Treat" activities by 8:00 PM on this date.

That any person who is a parent, guardian or standing in loco parents of any person under the age of 18 years who permits, consents or allows any person under the age of 18 years to violate the provisions of this resolution of any part thereof, shall likewise be guilty of a violation of this resolution.

That any person who shall violate this resolution shall be subject upon conviction to a fine not exceeding \$200.00 or imprisonment of not more than 30 days, or both, in the discretion of the Municipal Court of the Borough of Allenhurst.

This resolution and proclamation shall take effect immediately upon adoption and approval according to law.

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

**RESOLUTION 2018-242**  
**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;  
**NOW, THEREFORE, BE IT RESOLVED**, That the following contracts are hereby confirmed:

- |  |           |                |
|--|-----------|----------------|
| 1. BELMAR PAINT AND DECORATING PROJECT | \$1471.40 | PAINT FOR ABC  |
| 2. NJ FIRE EQUIPMENT DEPT.             | \$2104.20 | HOSES FOR FIRE |

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

#### **RESOLUTION #2018-243**

##### **A RESOLUTION TO APPROVE EXECUTIVE SESSION**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, State law permits the exclusion of public in certain circumstances; and,  
**WHEREAS**, The Board of Commissioners of the Borough of Allenhurst finds that such circumstances currently exist; and,

**WHEREAS**, The Board of Commissioners will make public, minutes of the closed session when confidentiality no longer exists;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners that they are hereby authorized to enter into closed session to discuss legal/contractual matters which are exempt from the public meeting under the Sunshine Law.

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

#### **RESOLUTION #2018-244**

##### **A RESOLUTION TO APPROVE BILLS & PAYROLL (10/16/2018 to 10/31/2018)**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That bills and payrolls totaling \$161,846.13 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That October 31, 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**

The Mayor thanked the DPW, Fire and EMS, and Borough Hall staff for the great job with the Halloween Fest.

#### **PUBLIC COMMENTS**

No Public Comments

There being no further business or comments, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 8:40 PM. Motion carried.

After reconvening, Commissioner Bolan moved, seconded by Comm. Bolan that the meeting be adjourned at 9:05 PM. Motion carried.

Donna M. Campagna, RMC  
Borough Clerk/Administrator