

MINUTES
February 26, 2019

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Commissioner McLoughlin presiding and Commissioner Bolan answering the roll call. Mayor McLaughlin was not in attendance. 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.

Commissioner McLoughlin 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:

None

ANNOUNCEMENTS:

-Paper Shredding Event in Allenhurst – 11-16-2019 – 9am to 1pm
-Breakfast with Easter Bunny at Firehouse – 4-13-2019 – 9am to 11:00 with Egg Hunt at 11:30am in Railroad Park.

ORDINANCES – FINAL READING

ORDINANCE #2019-03

**AN ORDINANCE DIRECTING THE ALLENHURST
DEPARTMENT OF PUBLIC WORKS TO INSTALL AND
MAINTAIN ALL SIGNS ASSOCIATED WITH THE
MUNICIPAL PUBLIC ACCESS PLAN.**

Offered By: Mayor McLaughlin

Seconded By: Chris McLoughlin

WHEREAS, the New Jersey Department of Environmental Protection requires all communities that contain tidal waters to provide for public access; and

WHEREAS, existing and future signage for public access is required at all public access locations identified in the Borough of Allenhurst's Municipal Public Access Plan; and

WHEREAS, installation and maintenance of signage is a requirement of N.J.A.C. 7:7E-8.11(t).

NOW THEREFORE, BE IT ORDAINED by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that:

1. The Allenhurst Department of Public Works is named as the entity to install and maintain all signage in accordance with the Municipal Public Access Plan in the Borough of Allenhurst, and

2. The Allenhurst Department of Public Works be and is hereby directed to create the required "Public Access Sign(s)" and to post the same at appropriate locations so as to identify the Public Access points in accordance with the Municipal Public Access Plan, which shall also set forth any "restrictions" that may apply, and

3. Such signs shall be posted at the entrance of the designated beach access points as set forth in the Municipal Public Access Plan, and

4. This Ordinance shall take effect in accordance with applicable law.

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

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

ORDINANCES – FIRST READING

ORDINANCE #2019-02

**AN ORDINANCE REVISING CHAPTER X OF THE
BOROUGH CODE OF THE BOROUGH OF ALLENHURST
ENTITLED "BEACH REGULATIONS."**

Offered By: Mayor McLaughlin

Seconded By: Chris McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise certain portions of its existing Borough Code

concerning the Beach Regulations to address the needs of the community;

NOW THEREFORE, BE IT ORDAINED by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented as follows:

Chapter X be and is hereby revised to delete the existing subsection “10-1.6” entitled “Service and Use Charges” and replace it with the following:

10-1.6 Service and Use Charges.

Each facility is limited to two (2) families. Each family consists of no more than three (3) generations, (grandparents, parents, children). Additional families may be added for a facility surcharge of \$250.00 or \$125.00 for those over age sixty-five (65) and older.

a. Resident Charges.

No.	Service	Fees, if paid on or before May, 10th	Fees, if paid after May, 10th
1.	Non-shower bathhouse	\$1,150.00	\$1,400.00
2.	A/B Shower bathhouse	\$1,537.50	\$1,787.50
3.	Shower bathhouse	\$1,437.50	\$1,687.50
4.	Cabana	\$2,875.00	\$3,125.00
Facilities Use Charge Per Person:			
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$50.00	\$50.00
7.	Age 5 and over	\$75.00	\$75.00
8.	Age 65 and older	\$50.00	\$50.00
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

b. Nonresident Charges.

No.	Service	Fees, if paid on or before May, 10th	Fees, if paid after May, 10th
1.	Non-shower bathhouse	\$1,725.00	\$1,975.00
2.	A/B Shower bathhouse	\$2,500.00	\$2,750.00
3.	Shower bathhouse	\$2,300.00	\$2,550.00
4.	Cabana	\$5,750.00	\$6,000.00
Facilities Use Charge Per Person:			
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$145.00	\$145.00
7.	Age 5 and over	\$250.00	\$250.00
8.	Age 65 and older	\$150.00	\$150.00
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

c. Guest Charges. Each individual bathing guest (age 3 and older) using a member’s bathhouse or cabana –one (1) guest pass per day; Children, age 3 and under will be admitted, no charge.

These 2019 Guest passes will be valid for guests during the 2019 season only, when accompanied by a registrant of the Allenhurst Beach Facilities.

2019 Guest tickets will be sold individually, at the discretion of the governing body, for \$15.00 per Guest ticket. Individual 2019 Guest tickets are good for one individual, for one day’s admission. Said Individual 2019 Guest tickets will only be valid during the 2019 season.

Packages of 2019 Guest tickets will be sold in groups of ten (10) passes for \$150.00. If purchased on or before May 31, 2019, the packages of 2019. Guest tickets will be sold at the discount price of \$130.00. There is no limit on the number of packages that may be purchased but, be advised that they are **only valid during the 2019 season**.

d. Combination Charges: Where there is a joint tenancy by an Allenhurst resident registrant and a nonresident in any of the accommodations referred to in paragraphs a. and b. hereof, the rates for said accommodations will be as follows:

No.	Service	Fees
1.	Non-shower bathhouse	*\$1,437.50
* Resident Pays, \$575.00 ; Non-Resident Pays, \$862.50		
2.	A/B Shower bathhouse	*\$2,018.75
* Resident Pays, \$768.75 ; Non-Resident Pays, \$1,250.00		
3.	Shower bathhouse	*\$1,868.75
* Resident Pays, \$718.75 ; Non-Resident Pays, \$1,150.00		
4.	Cabana	*\$4,312.50
* Resident Pays, \$1,437.50 ; Non-Resident Pays, \$2,875.00		

e. Catamaran & Kayak Storage Fees

1. There shall be a “Catamaran storage fee” of two hundred (\$200.00) dollars for the “season” for those wishing to store a Catamaran at the Allenhurst Beach Club, during the “season.” Space for Catamarans is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Catamaran, at the Allenhurst Beach Club except during the “season.”

2. There shall also be a “Kayak storage fee” of one hundred (\$100.00) dollars for the “season” for those wishing to store a kayak at the Allenhurst Beach Club, during the “season.” Space for Kayaks is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Kayak, at the Allenhurst Beach Club except during the “season.”

f. There shall be assessed a fifty (\$50.00) dollar activity fee per facility. All monies from this fee shall go towards activities planned at the Allenhurst Beach Club.

g. A recreation program shall be established which shall be open to all children who are members of the Allenhurst Beach Club between the ages of five (5) years and twelve (12) years at the discretion of the Recreation Director. The program shall run for seven (7) weeks, during the Beach Club season from 10:00 a.m. to 3:00 p.m., Monday through Friday and will not run on those days the Beach Club is closed for inclement weather or any other unforeseen circumstance.

The cost for participation in this program will be four hundred and ninety-five (\$495.00) dollars for the first child and four hundred and twenty five (\$425.00) dollars per child for additional children from the same family. Field trips may be subject to an additional charge at the discretion of the governing body.

And, it is further

ORDAINED that except as herein above provided, the remainder of Chapter X, BEACH REGULATIONS, shall remain unaltered and in full force and effect; and it is further

ORDAINED that the provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part; and it is further

ORDAINED, That this Ordinance shall take effect after publication and adoption according to law.

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

RESOLUTIONS

RESOLUTION #2019-67

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the minutes of the special meeting of February 12, 2019 be ratified and approved.

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

RESOLUTION #2019-68

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 special meeting of February 12, 2019.

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

RESOLUTION #2019-69

A RESOLUTION TO APPROVE MARATHON IN BOROUGH OF ALLENHURST

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, Pacers Events, LLC and the Novo Nordisk New Jersey Marathon and Half Marathon have requested permission to run a portion of their annual marathon through the Borough of Allenhurst on Sunday, April 28, 2019; and,

WHEREAS, A parade route has been provided, which will take the marathon down Ocean Avenue, starting at approximately 7:30 AM and ending at approximately 11:30 AM and a Certificate of Insurance for this event has been; and,

WHEREAS, The Police Chief has reviewed the information given for this event and has recommended approval of same;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, that approval is hereby given to Pacers Events and the Novo Nordisk New Jersey Marathon and Half Marathon to run a portion of their marathon through Allenhurst on April 28, 2019.

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

RESOLUTION #2019-70

RESOLUTION AUTHORIZING EASEMENT TO STATE OF NEW JERSEY IN COMPLIANCE WITH THE MUNICIPAL PUBLIC ACCESS PLAN

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst is required by the State of New Jersey to provide a Municipal Public Access Plan (AMPAP) consistent with the Coastal Zone Management Rules established in N.J.A.C. 7:7-16.9; and

WHEREAS, the Borough, in consultation with the Borough Engineer, has determined where to locate the MPAP access points and associated Easement.

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 by the Borough of Allenhurst that the Mayor be and is hereby authorized to execute an Easement to the benefit of the State of New Jersey to provide for MPAP location as set forth in the descriptions prepared by the Borough Engineer. A copy of said Easement is attached hereto and made a part hereof by reference.

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

RESOLUTION #2019-71

A RESOLUTION TO APPOINT CODE OFFICIAL

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst must appoint a person to perform the duties of the Code Official for 2019; and

WHEREAS, The Board of Commissioners has determined that it is in the best interests of the Borough to appoint Joseph McGrath to the position of Code Official for the Borough of Allenhurst.

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 Joseph McGrath, be and he is hereby appointed Code Official for the Borough of Allenhurst commencing on March 1, 2019 and terminating December 31, 2019, at an annual salary of \$5,000.00 to be prorated from March 1st through December 31st.

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

**RESOLUTION #2019-72
A RESOLUTION TO APPOINT FIRE OFFICIAL**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst must appoint a person to perform the duties of the Fire Official for 2019; and

WHEREAS, The Board of Commissioners has determined that it is in the best interests of the Borough to appoint Robert Simmen to the position of Fire Official for the Borough of Allenhurst.

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 Robert Simmen, be and he is hereby appointed Fire Official for the Borough of Allenhurst commencing on March 1, 2019 and terminating December 31, 2019, at an annual salary of \$4,000.00 to be prorated from March 1st through December 31st.

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

**RESOLUTION #2019-73
RESOLUTION AWARING CONTRACT TO WHIRL
CORPORATION, INC. FOR CONSTRUCTION OF NEW
PAVILION AT THE ALLENHURST BEACH CLUB**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst advertised for bids for a construction project identified as the "New Pavilion at the Allenhurst Beach Club" and received bids on February 21, 2019; and

WHEREAS, the low numerical bidder is Whirl Corporation, Inc. with a bid in the amount of \$118,967.00; and

WHEREAS, the Borough's Engineer has recommended an award to the low bidder; and

WHEREAS, the Borough Clerk has certified by her attached Certification that monies are available for said purpose;

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 a Contract be and is hereby awarded to Whirl Corporation, Inc. in the amount of \$118,967.00 for construction of the New Pavilion at the Allenhurst Beach Club pursuant to the plans and specifications bearing the same title and in accordance with Whirl's submitted proposal; and

BE IT FURTHER RESOLVED that the award of the contract be and hereby is conditioned upon the Contractor providing the required insurance coverages, contract documents, and surety bond(s) as called for in the specifications in a form satisfactory to the Borough and its Attorney; and

BE IT FURTHER RESOLVED by the Borough that the Mayor and/or the Borough Clerk/Administrator be and are hereby authorized to execute all necessary documents in connection herewith.

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

RESOLUTION #2019-74
A RESOLUTION TO AWARD CONTRACT FOR INSTALLATION OF FOOTINGS
FOR PAVILION AT THE ALLENHURST BEACH CLUB

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, Marc Heitmueller, Facilities Supervisor has secured the following quotes for the installation of Footing for the Pavilion at the Allenhurst Beach Club;

DEMAC Concrete Inc.	\$15,100.00
Siragusa Construction Co. LLC	\$18,300.00
Burke Contracting, LLC	\$19,500.00

WHEREAS, Funds for this purpose are available in the appropriation entitled “2015-11 ABC and Park Improvements”, and the Chief Finance Officer has so certified;

THEREFORE, BE IT RESOLVED, That a contract be awarded DEMAC Concrete Inc., in the amount of \$15,100.00, the lowest of the three quotes received.

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

RESOLUTION #2019-75
A RESOLUTION AUTHORIZING THE BOROUGH OF ALLENHURST
TO ENTER INTO A JOINT PURCHASING AGREEMENT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS *N.J.S.A. 40A:11-11(10)* authorizes contracting units to establish a Joint Purchasing System and to enter into a Joint Purchasing Agreement for its administration; and

WHEREAS the City of Long Branch, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Joint Purchasing System for the provision and performance of goods and services; and

WHEREAS, on January 1, 2019 the governing body of the City of Long Branch, County of Monmouth, State of New Jersey duly considered participation in a Joint Purchasing System for the provision and performance of goods for Police Department Equipment for Training Purposes, including but not limited to Simunitions Equipment.

WHEREAS, the following towns: the City of Long Branch and the Borough of Allenhurst, Borough of Deal, Borough of Eatontown, Borough of Fair Haven, Borough of Little Silver, Borough of Monmouth Beach, Township of Ocean, Borough of Oceanport, Borough of Rumson, Borough of Sea Bright, Borough of Shrewsbury, Borough of West Long Branch, and the Monmouth University Police Department.

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This Resolution shall be known and may be cited as the Joint Purchasing Resolution of the Borough of Allenhurst

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-10* the Board of Commissioners of the Borough of Allenhurst is hereby authorized to enter into a Joint Purchasing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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

RESOLUTION #2019-76
A RESOLUTION TO HIRE FULL-TIME DISPATCHER

Seconded By: Comm. Bolan

WHEREAS, There is a need for a Full-Time Dispatcher;

THEREFORE, BE IT RESOLVED, That the following are hereby hired as a Full-Time Dispatcher starting March 1, 2019:

Full-Time Dispatcher

James Dougherty

\$22,000/year

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

RESOLUTION #2019-77

A RESOLUTION TO APPROVE TEMPORARY EMERGENCY APPROPRIATIONS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, An emergency has arisen with respect to operating expenses in various departments, and no adequate provision was made in the 2019 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 2019 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,816.00;

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:

Finance O&E

\$1,707.00

Ambulance

\$1,099.00

2. That said emergency temporary appropriations will be provided for in the 2019 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 #2019-78

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. Campbell Supply Company, Inc. | Fire Truck Repairs | \$2,153.73 |
| 2. Home Depot | Monthly Purchases | \$1,578.00 |
| 3. Mike Chambers Oakhurst | ElecRepairs/Restaurant | \$2,125.00 |
| 4. Staples | Supplies All Dept | \$1,932.44 |

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

RESOLUTION #2019-79

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 #2019-80
A RESOLUTION TO APPROVE BILLS & PAYROLL (2/15/2019 to 2/28/2019)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$170,908.85 be approved for payment; and,

BE IT FURTHER RESOLVED, That, the February 28, 2019 consolidated bill list be attached hereto and made a part thereof.

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

ITEMS TO DISCUSS

Mr. C's Party Request – Sunday, September 1, 2019 – 8:30AM to 12:30PM for 100 people. The requestor of the party is Eli Yedid of 1 Allen Avenue – Request was denied. Per the lease agreement no parties are permitted during the summer season. Additionally, Labor Day weekend will be too busy with Club Members.

PUBLIC COMMENTS

Mayor McLaughlin asked if the tennis courts will be empty in the summer. The Borough Administrator will ask the DPW Supervisor. The Borough is looking to provide Valet Service at the Beach Club and the tennis courts could be used to park cars. The Valet Company will be responsible for all operations. The company will provide the Borough with a proposal.

Mayor McLaughlin discussed the closing of the Railroad Crossing at Allen Avenue. The Mayor had a discussion with Senator Gopal who stated that the only thing the DOT would do is help the Borough with an IBANK Loan. The Borough would also be responsible for the yearly maintenance costs of the crossing. The Borough will get more information on the IBANK loan and send a letter out to residents in the future discussing the options.

The zoning officer discussed various issues with 105 Cedar. There is a new management company that is in charge of the property. The management company will present the Borough's requests to the bank.

There being no further business or comments, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 8:03PM. Motion carried.

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

Donna M. Campagna, RMC
Borough Clerk/Administrator