

MINUTES

May 14, 2019

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 adopted by the Monmouth County Board of Chosen Freeholders on April 18, 2019 opposing the Williams/NESE Raritan Bay Pipeline
- Resolution 127-2019 from the Borough of Eatontown Declaring Eatontown a “Stigma Free Community”

ANNOUNCEMENTS:

None

ORDINANCES – FINAL READING

ORDINANCE #2019-05

CALENDAR YEAR 2019

MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK

(N.J.S.A. 40A: 4-45.14)

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Board of Commissioners of the Borough of Allenhurst in the County of Monmouth finds it advisable and necessary to increase its CY 2019 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 1.0% increase in the budget for said year, amounting to \$45,452.16 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Board of Commissioners hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2019 budget year, the final appropriations of the Borough of Allenhurst shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 1.0%, amounting to \$45,452.16 and that the CY 2019 municipal budget for the Borough of Allenhurst be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption; and,

BE IT 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,

BE IT FURTHER ORDAINED, that the Ordinance shall take effect after publication and adoption according to 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 #2019-06

AN ORDINANCE REVISING THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST, CHAPTER XXVI, SUBSECTION 26-11.1 ET SEQ, KNOWN AS THE “HISTORIC PRESERVATION REGULATIONS OF THE BOROUGH OF ALLENHURST”

Offered By: Mayor McLaughlin

Seconded By: Comm. 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 Chapter XXVI, Subsection 26-11.1, et seq. known as the “Historic Preservation Regulations of the Borough of Allenhurst”;

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:

- I.** Chapter XXVI, Subsection 11.5 be and is hereby revised to delete the definitions of “Alteration, major,” and “Alteration, minor,” and to revise the following definitions to read as follows:
“*Application*” shall mean the formal request by a property owner to the Planning Board for review of an activity, implicating this Ordinance.
“*Cost estimate*” shall mean a written estimate of the costs, prepared by an architect, engineer or contractor licensed in the State of New Jersey, broken down by category of work, for any proposed architectural alteration, or demolition.
- II.** Chapter XXVI, Subsection 11.8 entitled “Historic Review Process” be and is hereby revised to delete the current subsection a. in its entirety, and replace it with the following:
 - a. Requirement for a Certificate of Appropriateness.
 1. A Certificate of Appropriateness is required in the District for the following actions:
 - (a) A change, rehabilitation, restoration, reconstruction, improvement or alteration to the exterior of a building, accessory building or garage, which would modify the architectural elements of the building or structure as follows:
 - i. Effecting the design/shape/pitch or existence of the roof including, but not limited to, main roofs, dormers, roofs of bay or cantilevered windows, pediments/parapets, towers, porches, cupolas, Portecoch-eres, balconies;
 - ii. Alteration of, or changes to, windows, including demotion of non-linear (e.g. oval, palladian, etc.) window frame outlines;
 - iii. Alteration of the traditional predominant substance/texture/finish of a building (e.g. changing from wood siding to stucco, stucco to brick, from wood material to composite material, any existing wall surface to a different wall surface).
 - (b) Additions to any building, accessory building or garage as defined herein;
 - (c) Demolition of any building, accessory building or garage as defined herein;
 - (d) New construction;

(e) Exceptions: There is no requirement for a Certificate of Appropriateness (“COA”) in, *inter alia*, the following circumstances:

- i. A COA shall NOT be required for the mere replacement of roofing material, re-shingling or other roof repair work, where the same does NOT alter the design/shape/pitch of any roof, as such efforts are considered “maintenance” work;
- ii. A COA shall NOT be required for the replacement, repair or reconstruction of any architectural feature (i.e. windows [*size must be the same as original, change in size requires a COA*], railings, balustrades, decking, exterior flooring on porches, columns, column capital & column base replacement [*must be same size and profile, change in size and/or profile requires a COA*], etc.) that is “in-kind” such that the final replaced or repaired feature will appear (i.e. *it need not be of identical material, just similar “appearance”*) substantially the same as it did before the work in question;
- iii. A COA shall NOT be required for the resurfacing of driveways so long as the resurfacing material is “in-kind” and/or consistent with materials permitted in the Design Guidelines, and the work will not increase the impervious coverage at the property.

2. Any applicant undertaking a change to the exterior of any building, accessory building or garage as indicated in paragraph 1 above, shall first complete and submit an application for a Zoning Permit and Impervious Coverage Determination to the Zoning Officer. After receiving the determinations from the Zoning Officer, the applicant shall then file an application for a Certificate of Appropriateness and/or a General Application to the Planning Board.

3. The Construction Official shall not issue a building permit for a exterior change to any building, accessory building or garage, as indicated in paragraph 1 above, nor shall any construction occur in the case where a construction permit is not required, prior to review by the Planning Board and the issuance of a Certificate of Appropriateness and issuance of any required variances, except in the case of an ordinary repair (as defined herein), or an emergency repair (as defined herein) or in the event of the Board's failure to act in the time prescribed in N.J.S.A. 40:55D-111. 26-11.8 Historic Review Process.

III. Chapter XXVI, Subsection 11.8 entitled “Historic Review Process” be and is hereby revised to delete the current subsection c. 3. in its entirety, and replace it with the following:

3. Any application for an alteration or a demolition as required by 26-11.8(a) above or for any other relief from the Developmental Regulations of the Borough of Allenhurst shall require the applicant to advertise and give public notice to owners of property within two hundred (200) feet of the proposed project, in accordance with the procedure for development applications. The applicant shall be responsible for sending out the appropriate notices and shall be responsible for paying the cost of the proceedings. On the date of the hearing, the applicant shall be required to provide the Planning Board with an Affidavit of Mailing and an Affidavit of Publication as proof of fulfilling the notification and advertisement requirements specified herein.

IV. Chapter XXVI, Subsection 11.8 entitled “Historic Review Process” be and is hereby revised to delete the current subsection c. 4. in its entirety.

And, it is further

ORDAINED that except as herein above provided, the remainder of Chapter XXVI, subsection 11.1 et seq. entitled ““Historic Preservation Regulations of the Borough of Allenhurst,” shall remain unaltered and in full force and effect; and it is further

ORDAINED that the provisions of these ordinances 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 these ordinances 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

ORDINANCE #2019-07

AN ORDINANCE OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY ADOPTING THE AMENDED AND RESTATED MAIN

**STREET REDEVELOPMENT PLAN PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, on November 15, 2004, in accordance with the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the “**Redevelopment Law**”), the Borough of Allenhurst (the “**Borough**”) designated certain property fronting on Main Street or Deal Lake as an area in need of redevelopment (as further described in the Redevelopment Plan defined below, the “**Redevelopment Area**”); and

WHEREAS, in accordance with the provisions of the Redevelopment Law, the Borough enacted the “Main Street Redevelopment Plan” dated October 2006, as amended November 2007 (the “**Initial Redevelopment Plan**”) for the Redevelopment Area; and

WHEREAS, the Borough wishes to amend and restate the Redevelopment Plan to encourage redevelopment within the Redevelopment Area given evolving market conditions; and

WHEREAS, in accordance with the Redevelopment Law, the Borough has prepared a proposed amended plan, being the Main Street Redevelopment Plan, Amended March 2019, prepared by Heyer, Gruel & Associates (the “**Proposed Amended Plan**”), and in accordance with *N.J.S.A. 40A:12A-7(e)*, referred the Proposed Amended Plan to the Planning Board for review, comment and recommendations, if any, by Resolution #2019-62 adopted on February 12, 2019; and

WHEREAS, the Planning Board after due consideration of the Proposed Amended Plan at a duly noticed and constituted public meeting held on March 19, 2019, determined that the Proposed Amended Plan is generally consistent with the Borough’s Master Plan, except that the Master Plan provides for the retention of the allocation of land uses in the Initial Redevelopment Plan, which the Planning Board requested the Committee review, and recommended that the Mayor and Board of Commissioners enact the Proposed Amended Plan, subject to certain recommended revisions which are set forth in a letter from the Planning Board Attorney dated March 20, 2019 (the “**Proposed Revisions**”),

NOW, THEREFORE, BE IT ORDAINED, by the Commissioners of the Borough of Allenhurst that the statements contained in the foregoing preambles be and are hereby incorporated into this Ordinance as if more fully set forth herein at length; and

BE IT FURTHER ORDAINED, that the Commissioners hereby concur with the following Proposed Revisions and have incorporated those revisions into the version of the plan amendment attached hereto as **EXHIBIT A**, being the Main Street Redevelopment Plan, Amended April 2019, prepared by Heyer, Gruel & Associates (the “**Amended Plan**”):

1. Page 17 was revised to remove the requirement for a specific type of fence,
2. Page 17 was revised to provide that the parking spaces for the Eastside housing units be set at a depth of 20 feet,
3. Page 12 was revised to reflect that the square footage for the units on the Westside be calculated based on net square footage,
4. Page 13 was revised to reflect that all wireless, solar arrays and other utilities equipment on the roof of the Westside building be set back 10 feet to screen the same from visibility from the street; and
5. Pages 14 and 17 were revised to include language to indicate that all exhibits and conceptual drawings are illustrative and not deemed as an approval of same,
6. Page 13 was revised to provide that any roof structure on the Westside be set back and shielded to prevent visibility from the street,
7. Page 24 was revised to delete the reference to the plumbing supply company as the reference was outdated and no longer relevant,
8. Page 16 was revised to reflect that each townhome cluster be comprised of no more than four units,
9. An analysis was conducted to determine whether the water treatment plant should be considered a historic aspect of the community within the plan and it was determined that it is not necessary to be included in the Plan as it is addressed in other documents,
10. The Borough commissioned a review of the Plan by a traffic engineer and as a result of that review the number of permitted units in the Townhouse District was reduced from 31 to 28, a requirement for visitor parking spaces in the Townhouse district at a rate of 0.5 spaces per unit was added, the maximum permitted impervious coverage was increased from 65% to 70% to account for the increased parking requirement, the permitted 5% deviation provision was removed to require strict adherence to the RSIS “Mid-Rise” standard, variances from the parking standards by the Planning Board are

prohibited and any relief associated with parking must be addressed as a plan amendment; and

BE IT FURTHER ORDAINED, that the Commissioners do not concur with the following Proposed Revisions and have not incorporated those revisions into the Amended Plan attached hereto as **EXHIBIT A**, for the following reasons:

1. The Amended Plan does not include a provision that requires the courtyard depicted in the Westside remain at the proposed size because in order to provide design flexibility and to increase the potential parking yield of a redevelopment project, a reduction of the courtyard area as depicted (7,500 square feet) is permitted and the requirement to build within the existing footprint is eliminated, the required minimum area of the courtyard is 5,000 square feet,
2. The subdivision for lots 3 and 4 has not been perfected because the subdivision is a legal requirement of the sale of the property and it is not necessary to modify the Plan as the subdivision will be perfected in due course,
3. The Amended Plan does not require a buffer on Main Street adjacent to the Eastside housing because it is the intent of the Amended Plan to create an active Main Street corridor and so curb cuts are not permitted along Main Street and it is the intent of the concept to have residences and a publicly accessible plaza area facing Main Street and a landscaped buffer along Main Street would detract from an active corridor, and further street trees are mandated in the Amended Plan and it is anticipated that there would be front yard landscaping as part of any development that will enhance and beautify the corridor; and

BE IT FURTHER ORDAINED, that the Committee has reviewed the allocation of land uses within the Initial Redevelopment Plan, and believes that the change in allocation of uses in the Amended Plan is necessary to effectuate the redevelopment of the Redevelopment Area due to evolving residential construction trends and the passage of time since the adoption of the Initial Redevelopment Plan without redevelopment occurring and to provide for transit-oriented residential uses that will complement the existing land uses in the Borough while advancing the Master Plan goals of:

- (1) Assuring the appropriate availability for affordable housing,
- (2) Advancing the historic preservation of the Borough,
- (3) Attracting new businesses to the Borough, and
- (4) Implementing and/or revising the 2007 Redevelopment Plan; and

BE IT FURTHER ORDAINED, that the Amended Plan attached hereto as **EXHIBIT A**, is hereby enacted; and

BE IT FURTHER ORDAINED, by the Commissioners that the zoning map of the Borough of Allenhurst is hereby amended to incorporate the provisions of the Amended Plan, and to delineate the boundaries of the Redevelopment Area, as amended by the Amended Plan; and,

BE IT FURTHER ORDAINED, that the Amended Plan shall supersede the Initial Redevelopment Plan in all respects; and

BE IT FURTHER ORDAINED, by the Commissioners that all of the provisions of the Amended Plan shall supersede the applicable development regulations of the Borough's municipal code; and

BE IT FURTHER ORDAINED, if any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect immediately; and

BE IT FURTHER ORDAINED, that the Clerk shall maintain a copy of this Ordinance on file in her office and make the same available for public inspection during regular business hours; and

BE IT FURTHER ORDAINED, that the Clerk shall provide a copy of this Ordinance to the Monmouth County Planning Board.

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

RESOLUTIONS

RESOLUTION #2019-121

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 April 23, 2019 be ratified and approved.

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

RESOLUTION #2019-122
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 April 23, 2019.

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

RESOLUTION #2019-123
A RESOLUTION TO HIRE SEASONAL EMPLOYEES

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

BE IT RESOLVED, That the following be hired for the 2019 summer season commencing on dates indicated:

PRE-SEASON			Commencing on
Gironda, Jake	\$12.00	per hour	5/1/2019
Becker, Steven	\$12.00	per hour	5/13/2019
McLaughlin, Christian	\$12.00	per hour	5/13/2019
McDonnell, Gavin	\$12.00	per hour	5/13/2019
Nelson, Emily	\$12.00	per hour	5/13/2019
BEACH/SNOW PLOW			
Deibert, Donald	\$20.00	per hour	5/1/2019

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

RESOLUTION #2019-124a
A RESOLUTION TO HIRE SEASONAL EMPLOYEES

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

BE IT RESOLVED, That the following be hired for the 2019 summer season commencing on May 25, 2019:

LIFEGUARDS		
Cullen, John - Head Lifeguard	\$14,000.00	Prorated per season
Chambrovich, Patrick	\$12.00	per hour
McLaughlin, Mike	\$13.00	per hour
Shuler, Jake	\$12.00	per hour
Richter, Daniella	\$12.00	per hour
Cascaes, Kyle	\$12.00	per hour
Whitt, Megan	\$12.00	per hour
Shaw, Brendan	\$12.00	per hour
Cohen, Andrew	\$12.00	per hour
Conti, Cole	\$13.50	per hour
Francisco, Paul	\$10.50	per hour
Bartlett, Tyler	\$10.50	per hour
Hoyle, Max	\$10.50	per hour
Kipnis, Brenden	\$13.50	per hour
Longo, Alysa	\$10.50	per hour

Wade, Haley	\$10.50	per hour
Bartlett, Morgan	\$10.50	per hour
Tisony, William	\$10.50	per hour
Richter, Jamie	\$10.50	per hour
Leys, Maggie	\$10.50	per hour
Lowe, Holden	\$9.00	per hour
Rice, Lila	\$9.00	per hour
Costanzo, Dylan	\$9.00	per hour
Glynn, Tommy	\$9.00	per hour
PeterPaul, William	\$9.00	per hour
Mannion, Dylan	\$9.00	per hour
Silverberg, Justin	\$9.00	per hour
Michals, Olivia	\$9.00	per hour - Pool Trainee/Part time
Hoyle, Reece	\$9.00	per hour - Pool Trainee/Part time
Constanzo, Christopher	\$9.00	per hour - Pool Trainee/Part time
Krenkel, Elizabeth	\$9.00	per hour - Pool Trainee/Part time
Steward, Dylan	\$9.00	per hour - Pool Trainee/Part time
DECK		
Gironda, Johnathan	\$9.00	per hour
Mehr, Shane	\$9.00	per hour
Becker, Steven	\$9.00	per hour
Cascaes, Michael	\$9.00	per hour
Traettino, Michael	\$9.00	per hour
Traettino, Frank	\$9.00	per hour
Aquaviva, Edmond	\$9.00	per hour
Kostandinos, Poniros	\$9.00	per hour
Kicher, Michael	\$9.00	per hour
Mishkin, Ryan	\$9.00	per hour
CABANAS		
McLaughlin, Christian	\$9,000.00	Prorated per season
McIver, Cameron	\$9.00	per hour
Bradshaw, Derek	\$9.00	per hour
McDonnell, Gavin	\$9.00	per hour
Seldon, Thomas	\$9.00	per hour
Mueller, Christopher	\$9.00	per hour
Portway, Thomas	\$9.00	per hour
Reid, Sean	\$9.00	per hour
Wade, Richard	\$9.00	per hour
Xianghao, Jiang	\$9.00	per hour
POOLSIDE		
LaCort, Luke	\$9.00	per hour
Reid, Michael	\$9.00	per hour
Papageorge, George	\$9.00	per hour
Michals, Spencer	\$9.00	per hour
Myer, Stephen	\$9.00	per hour
Michals, Logan	\$9.00	per hour
Vaccaro, Henry	\$9.00	per hour
Scerbo, Michael	\$9.00	per hour
Campagna, Brian	\$9.00	per hour
Hawes, Hayden	\$9.00	per hour
SECURITY		
Wade, Devin	\$15.00	per hour
Dunlap, Ryan	\$11.00	per hour

Lamb, Margaret	\$9.00	per hour
Kipnis, Catrina	\$9.00	per hour
Buell, Kelli	\$9.00	per hour
Dunlap, Ashley	\$9.00	per hour
Sita, Katherine	\$9.00	per hour
Falcone, Christian	\$9.00	per hour
Ranucci, Sofia	\$9.00	per hour
Horowitz, Michael	\$9.00	per hour
Harrington, Brandon	\$9.00	per hour
Walsh, Juliene	\$9.00	per hour
Roarty, Lucy	\$9.00	per hour
Medvitz, Sean	\$9.00	per hour
Manfredi, Riley	\$9.00	per hour
O'Neill, Grace	\$9.00	per hour
Wantroba, Amber	\$9.00	per hour
Comer, Brad	\$9.00	per hour
RECREATION		
Parkhill, Victoria	\$11.00	per hour
Beiswanger, Maggie	\$11.00	per hour
Beiswanger, Katie	\$11.00	per hour
Harvey, Mary Catherine	\$9.00	per hour
Horowitz, Michaela	\$9.00	per hour
Sacco, Sydney	\$9.00	per hour
Gilmartin, Paige	\$9.00	per hour
Gilmartin, Griffin	\$9.00	per hour
Hallman, Julia	\$9.00	per hour
Bartlett, Kelly	\$9.00	per hour
MAINTENANCE		
Deressa, Tesfaye	\$13.00	per hour

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

RESOLUTION #2019-124b
A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By: Mayor McLaughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following be hired for the 2019 summer season commencing on May 25, 2019:

CABANAS		
McLoughlin, Ryan	\$9.00	per hour

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

RESOLUTION #2019-124c
A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT RESOLVED, That the following be hired for the 2019 summer season commencing on May 25, 2019:

RECREATION		
Bolan, Clare	\$11.00	per hour
Bolan, Shannon	\$9.00	per hour

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

RESOLUTION #2019-125
A RESOLUTION TO APPROVE ABC REFUNDS

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

BE IT RESOLVED, That the following refund of ABC fees be approved:
Frank Manfredi – Member #1019 – Employee Charged - \$155.00
Kathleen Swearer – Member #276 – Overpayment - \$3.00
Robert Wade – Member #1000 – Employee Charged - \$ 330.00
Donna Campagna – Member 583 – Overpayment - \$330.00
Amy Schechner – Member#75 – Overpayment - \$250

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

RESOLUTION #2019-126
A RESOLUTION TO APPROVE ENGINEER CERTIFICATE #1

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

WHEREAS, A contract was awarded to Whirl Construction, Inc. for the New Pavilion at the Allenhurst Beach Club and,
WHEREAS, The Borough Engineer has reviewed the project and recommended payment as provided for in Engineer's Certificate #1, which is on file in the Clerk's office;
WHEREAS, Funds for this purpose shall be provided through the "2015-11 ABC and Park Improvements", and the CFO has so certified;
NOW, THEREFORE, BE IT RESOLVED, That Whirl Construction, Inc. be compensated in the amount of \$58,293.83 for work done in accordance with the Engineer's Certificate #1.

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

RESOLUTION 2019-127
AWARD CONTRACT FOR PURCHASE OF FLOORING

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

WHEREAS, There is a need to replace a the carpeting in the Municipal Offices, and,
WHEREAS, Funds for this purpose shall be provided for in the account known as Ordinance 2018-15 Various Capital Improvements, and the CFO has so certified;
WHEREAS, The purchase will be made through Flooring Concepts of NJ, LLC, holder of State Contract #121715 (Sourcewell) of \$12,917.96; and,
NOW, THEREFORE, BE IT RESOLVED, That Clerk/Administrator be and is hereby authorized to sign an agreement with Flooring Concepts of NJ, LLC for the purchase of carpeting for the Municipal Offices, at a total purchase price of \$12,917.76.

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

RESOLUTION #2019-128
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 2019 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 \$35,706.47; 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 2019 Ford Interceptor with Utility Police Package, at a total purchase price of \$35,706.47.

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

RESOLUTION #2019-129
GOVERNING BODY CERTIFICATION OF COMPLIANCE WITH THE
UNITED STATES EQUAL EMPLOYMENT OPPORTUNITY COMMISSION’S
“Enforcement Guidance on the Consideration of Arrest and Conviction Records in
Employment Decisions Under Title VII of the Civil Rights Act of 1964”

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

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit’s hiring practices comply with the United States Equal Employment Opportunity Commission’s “Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964,” *as amended*, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit’s hiring practices as they pertain to the consideration of an individual’s criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the *BOARD OF COMMISSIONERS* of the *BOROUGH OF ALLENHURST*, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit’s hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

RESOLUTION #2019-130
A RESOLUTION TO AWARD CONTRACT ELECTRIC FOR THE NEW PAVILION
AT THE ALLENHURST BEACH CLUB

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

WHEREAS, There is a need for the installation of an Electric for the New Pavilion at the Allenhurst Beach Club; and,

WHEREAS, The following quotes were secured:

R. Sullivan Electric, Inc..-	\$ 3,750.00
Mike Chambers’ Oakhurst. -	\$ 8,410.00
Conrad Electric . -	\$ 5,400.00

WHEREAS, Funds for this purpose will be provided for in the capital account known as “2015-11 ABC & Park Improvements Misc 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 R. Sullivan Electric, Inc, on their quote of \$3,750 for the installation of Electric for the New Pavilion at the Allenhurst Beach Club.

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

RESOLUTION #2019-131
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 \$268,091.45;

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:

CURRENT FUND		TEMPORARY EMERGENCY
MUNICIPAL CLERK	S/W	49,935.00
MUNICIPAL CLERK	O/E	16,462.00
FINANCE ADMINISTRATION	S/W	49,649.00
FINANCE ADMINISTRATION	O/E	11,551.00
TAX COLLECTOR	S/W	3,000.00
TAX COLLECTOR	O/E	200.00
DIRECTOR OF REV & FINANCE	S/W	750.00
TAX ASSESSOR	S/W	3,025.00
ENGINEERING	O/E	17,000.00
PLANNING BOARD	S/W	8,917.00
PLANNING BOARD	O/E	14,000.00
CODE ENF. OFFICIAL	S/W	7,003.00
CODE ENF. OFFICIAL	O/E	300.00
BUREAU OF FIRE SAFETY	S/W	2,000.00
BUREAU OF FIRE SAFETY	O/E	500.00
WORKERS COMP INS	O/E	93,510.22
EMPLOYEE GROUP INSURANCE	O/E	298,376.00
OTHER INSURANCE	O/E	61,894.66
POLICE	S/W	482,000.00
POLICE	O/E	33,383.00
MAYOR'S OFFICE	S/W	823.45
AID TO VOL. AMBULANCE	O/E	1,999.00
FIRE INTERLOCAL	O/E	19,500.00
MUN. PROSECTOR	O/E	6,539.00
INTERLOCAL - SCHOOL BUS DRIVER	O/E	16,186.00
CELEBRATION OF PUBLIC EVENTS	O/E	382.00
PUBLIC WORKS	S/W	152,004.00
PUBLIC BUILDINGS AND GROUNDS	O/E	14,403.00
DIRECTOR OF PUBLIC BUILDINGS	S/W	750.00
INTERLOCAL - GARBAGE AND TRASH	O/E	15,000.00
VEHICLE MAINT.	O/E	18,500.00
PUBLIC HEALTH	O/E	8,973.00
MAINT. OF PARKS	O/E	5,637.00
BEACH	S/W	1,500.00
BEACH	O/E	71,056.00
ELECTRICITY	O/E	14,130.00
TELEPHONE	O/E	16,279.00
WATER	O/E	7,100.00
FIRE HYDRANT	O/E	8,469.00
PERS	O/E	129,735.00
DCRP	O/E	2,030.00
PFRS	O/E	264,720.00
MUNICIPAL COURT	S/W	43,174.00
MUNICIPAL COURT	O/E	3,617.00
		<u>1,975,962.33</u>

TEMPORARY

<u>SEWER OPERATING</u>		<u>EMERGENCY</u>
SEWER	S/W	54,088.00
SEWER	O/E	92,836.00
		<u><u>146,924.00</u></u>

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 #2019-132
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. Burke Contracting, LLC	\$7500.00	Repair of Well Points
2. Campbell Supply, Co., Inc.	\$12,844.85	Repairs to Fire Vehicles
3. Central Jersey Equipment	\$2,373.93	Repair to John Deere
4. Demac Concrete	\$15,100.00	Footings for New Pavilion
5. Demac Concrete	\$1,800.00	Stamped concrete

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

RESOLUTION #2019-133
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 #2019-134
A RESOLUTION TO ADOPT 2019 MUNICIPAL BUDGET

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

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of:

- (a) \$ 2,753,585.16 (Item 2 below) for municipal purposes:

SUMMARY OF REVENUES

1. General Revenues		
Surplus Anticipated	08-100	300,000.00
Miscellaneous Revenues Anticipated	13-099	2,602,571.99
Receipts from Delinquent Taxes	15-499	24,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	07-190	2,753,585.16
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I DISTRICTS ONLY: Item 6, Sheet 42	07-195	.00
Item 6(b), Sheet 11 (N.J.S. 40a:4-14)	07-191	.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		.00
4. To be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	.00
Total Revenues	13-299	5,680,157.15

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXXX
Within CAPS@	XXXXXX	XXXXXXXX
(a+b) Operations Including Contingent	34-201	4,147,625.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	564,800.00
(g) Cash Deficit	46-885	
Excluded from CAPS@	XXXXXX	XXXXXXXX
(a) Operations - Total Operations Excluded from CAPS	34-305	247,547.99
(c) Capital Improvements	44-999	161,000.00
(d) Municipal Debt Service	45-999	430,700.00
(e) Deferred Charges - Municipal	46-999	30,812.46
(f) Judgments	37-480	

(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	
(g) Cash Deficit	46-885	
(k) For Local School District Purposes	29-410	
(m) Reserve for Uncollected Taxes	50-899	97,671.70
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40a:4-13)	07-195	
Total General Appropriations	34-499	5,680,157.15

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

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

RESOLUTION #2019-135

A RESOLUTION TO APPROVE BILLS & PAYROLL (5/1/2019 to 5/15/2019)

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

BE IT RESOLVED, That bills and payrolls totaling \$923,150.22 be approved for payment; and,

BE IT FURTHER RESOLVED, That, the May 15, 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

1. Request from Doris Klimowicz for a Graduation Park at the Beach Club at the Cabanas – June 2, 2019. 7pm to 11pm. 75-100 people. Tables. No tent. No BBQ.
- Request was approved. A "Special Events Permit Application" must be submitted. There will be no fee associated with the permit. Ms. Klimowicz will be instructed to coordinate with the beach club manager on the specific details of the party.

The Commissions stated that going forward for the protocol for requests by members for parties at the Allenhurst Beach Club will be as follow:

- For parties of less than 50 people, the member must obtain approval from the Beach Club Manager and coordinate regarding the details. No Permit will be required.
- For parties of over 50 people a special events permit must be submitted to the Borough Offices. The request will be reviewed for approval at a council meeting. No Fee will be required. After approval, the member must coordinate with the Beach Club Manager on the specific details of the party.

2. Request from Mr. C's for a party on a Thursday in July – date to be determined, beginning at 10PM for 75 to 100 guests.
Not approved – more information is required and will be requested.
3. Mr. C's has a party already booked for September 14 at 6pm for 75 to 100 people. As this is two weeks past Labor Day it was assumed the club would be closed.
Not approved – request must be made in writing as per the lease agreement.
4. Hedge/ Fence Ordinance
There was a brief discussion regarding the Hedge Ordinance. The Borough Administrator received correspondence from Ms. Falcone, as resident, requesting enforcement of the hedge ordinance. The Mayor asked the Borough Administrator and the Zoning Officer to look into it. The Commissioners are looking into possible revisions to the Hedge/Fence Ordinances. The Borough Attorney will be coordinating with the planning board and zoning official as is necessary to rewrite the ordinance.

PUBLIC COMMENTS

Mayor McLaughlin discussed that he was contacted by John Moore of the Deal Lake Commission. The Commission is petitioning local towns to allow the Deal Lake Commission to televise their meetings. The Commissioners said that if our Deal Lake Commission representative has no objections a resolution will be done at the next meeting.

Tim Moriarty asked if the issue of overnight parking in the street is still going to be addressed. The Mayor stated that parking will be reviewed and evaluated as part of redevelopment.

The Borough Administrator asked when Power House LLC will begin demolition and if permits have been applied for. Joe Castelucci, of Power House LLC stated that they had not yet applied for permits but plan to do so soon. The Commissioners asked that Power House LLC keep the Borough Administrator informed of progress so that she may field any questions.

Commissioner Bolan asked Power House LLC how they would feel about the Borough constructing a Monopole at the west side of the building. Power House LLC did not love the idea but concede that it is Borough Property. Mike Abboud, of Power House LLC suggested that the Borough consider doing something similar to one in Sea Bright, as it is self-contained. The Mayor asked the Borough Administrator to follow-up with Sea Bright. The Commissioners will look into other options.

There being no further business or comments, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 8:00 PM. Motion carried.

After reconvening, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 9:50 PM. Motion carried.