

MINUTES
May 28, 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 Bolan answering the roll call. Commissioner McLoughlin was not in attendance. Also in attendance was the Borough Clerk/Administrator and Borough Attorney.

COMMUNICATIONS:

- Deal Ordinance No.1195 Amending Development Regulations
- Millstone Resolution 19-121 Opposing New Jersey Becoming a Sanctuary State

ANNOUNCEMENTS:

Commendation of Sargent Lipari, Patrolman Edson and Patrolman Coeyman by Chief Schneider

ORDINANCES – FINAL 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. Bolan

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, Porte-coch-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.

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

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

RESOLUTIONS

RESOLUTION #2019-136

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 of May 14, 2019 be ratified and approved.

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

RESOLUTION #2019-137

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 special meeting of May 14, 2019.

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

RESOLUTION #2019-138

A RESOLUTION TO APPROVE ABC REFUNDS

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following refund of ABC fees be approved:
Rogers, Chris – Member #754 – Overpayment of Fees - \$380

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

RESOLUTION #2019-139

A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF TRUCK

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, There is a need to replace a Department of Public Works Truck, and the Public Work Supervisor has requested the purchase of a 2019 Ford F550; and,

WHEREAS, Funds for this purpose shall be provided for in the account known as 2018-15 Various Capital Improvements, and the CFO has so certified;

WHEREAS, The purchase will be made through National Fleet Auto Group, holder of State Contract NJPA 120716-NAF at a total price of \$88,226.33; and,

NOW, THEREFORE, BE IT RESOLVED, That Clerk/Administrator be and is hereby authorized to sign an agreement with National Fleet Auto Group for the purchase of a 2019 Ford Ford F550, at a total purchase price of \$88,226.33.

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

RESOLUTION 2019-140

AWARD CONTRACT FOR PURCHASE OF FURNITURE

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, There is a need to purchase Office Equipment for the police, and,

WHEREAS, Funds for this purpose shall be provided for in account called Police OE, and the CFO has so certified;

WHEREAS, The purchase will be made BFI, holder of State Contract Global ESCNJ 17/18-16 of \$5,211.87; and,

NOW, THEREFORE, BE IT RESOLVED, That Clerk/Administrator be and is hereby authorized to sign an agreement with BFI for total purchase price of \$5,211.87.

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

RESOLUTION #2019-141

RESOLUTION AUTHORIZING HIRING OF FINANCIAL CONSULTANT TO ASSIST WITH REDEVELOPMENT

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

	<u>RESIDENT NAME</u>	<u>MEMBER ID</u>	<u>LOCKER #</u>	<u>ADDRESS</u>	<u>DATE ON LIST</u>
1	MARCH, JOAN	62	Z-21	5 CEDAR	7/18/2007
2	MAURO, ANTHONY	193	G-03	314 CORLIES	7/8/2009
3	SILVERMAN, MICHAEL	646	C-17	108 CEDAR	7/13/2009
4	GRIFFIN, JANEL	40	H-07	8 CEDAR	7/28/2009
5	SWEARER/FORBES, PAT	276	J-23	214 ALLEN	8/21/2009
6	CAUFIELD, KATHY & JIM	73	L-12	2 SPIER	8/26/2009
7	DWECK, JOSEPH & RACHEL	683	D-38	117 ALLEN	8/18/2010
8	PETTI, MARIE & MICHELLE	626	E-06	310 CORLIES	2/1/2011
9	MYER, ROSE	164	K-2	413 ALLEN	3/15/2011
10	KAMAJI, ALAIN	784	G-08	228 SPIER	6/1/2011

	&PASCALE				
11	BEEGLE, JEAN & DR. WILLIAM	143	B-04	212 CEDAR	6/15/2012
12	SENET, NANCY	215	A-14	218 ELBERON	2/4/2013
13	STERNBERG, DENNIS & RANDI	335	D-24	1 CEDAR	2/20/2013
14	GLYNN, TOM & DINA	26	Z-29	312 ELBERON	2/20/2013
15	COHEN, JOE	767	E-36	4 CEDAR AVENUE	2/28/2013
16	CABASSO, LAVERNE AND ALAN	82	G-15	19 CORLIES	3/4/2013
17	BARNATHAN, JOSEPH	1024	G-20	55 NORWOOD	4/23/2013
18	TURTEL, PENNY & LARRY	1008	M-19	225 ALLEN	7/10/2013
19	BLANCO, EDWARD & BETH SUE	1004	D-29	310 SPIER	7/18/2013
20	BRAITLING, SHAUN & REBECCA	693	C-32	308 HUME	9/3/2013
21	AZIZO, BARBARA	474	G-27	9 CEDAR	10/9/2013
22	RYAN, PATRICIA & STEPHEN	118	B-03	118 CORLIES	3/24/2014
23	MICHALS, STEHPANIE	600	C-15	311 CORLIES	6/16/2014
24	SABBAGH, ROBIN	747	F-34	101 CORLIES	6/24/2014
25	KAMIN, JACK	747	F-34	306 ALLEN	7/7/2014
26	CATTAN, JOE	647	E-35	29 SPIER	7/7/2014
27	DWECK, ELI	800	F-03	303 ALLEN	7/16/2015
28	GABBAY, JOSEPH	797	F-24	25 CEDAR	8/15/2014
29	PELUSO, SAM	11	L-07	313 CEDAR	9/15/2014
30	AYERS, VICTOR & URSULA	793	M-12	238 ELBERON	11/17/2014
31	ADES, MAURICE	1018	E-29	10 ALLEN	12/19/2014
32	GIALANELLA, MRS.	181	K-19	215 SPIER AVE	3/31/2015
33	TAWIL, VICTOR & MRS.	611	F-09	107 CEDAR	4/1/2015
34	MISHAN, BARBARA	749	G-09	206 SPIER	4/20/2015
35	LEVY, DANIELLA	1037	G-25	5 SPIER	5/4/2015
36	SHALAM, MAURICE	441	P-C	205 PAGE	5/12/2015
37	BETESH, STEVEN	577	E-31	4 SPIER AVE	7/28/2015
38	MIZRAHI, RONALD	658	L-22	303 CORLIES	8/17/2015
39	CHERA, CAROL & ISSAC	362	G-21	203 ALLEN	8/25/2015
40	ANTEBY, HYMIE & REINA	766	E-21	303 NORWOOD	3/1/2016
41	HABERT, LEAH	665	F-32	302 ALLEN	6/16/2016
42	FELDMAN, GARY	1074	H-14	108 NORWOOD	6/24/2016
43	BEYDA, ROCHELLE	651	H-15	209 NORWOOD	7/11/2016
44	COHEN, SUSAN & ELLIOT	650	E-08	211 SPIER	7/14/2016
45	HABER, LILLIAN & DOUGLAS	744	E-30	30 SPIER	8/11/2016
46	HIDARY, STEVEN	1048	F-31	118 ALLEN	9/7/2016
47	MCNAMARA, JOHN	283	G-14	503 PAGE	2/1/2017
48	RACANIELLO, GERALDINE	228	B-15	111 ALLEN AVEN	4/11/2017
49	TOMAINO, KATHY & JOHN	1078	L-07	212 SPIER AVE	5/5/2017
50	MOSSERI, SOLOMON	704	F-22	231 CORLIES	6/23/2017
51	HIDARY, EDDIE	1048	G-09	233 CORLIES	10/30/2017
52	ABBATTIELLO,	761	J-19	17 ELBERON	3/27/2018

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

Offered By: Comm. Bolan Seconded By: Mayor McLaughlin

DECK		
Gironda, Jake - Supervisor	\$12.00	per hour
Alto, Dale	\$9.00	per hour
Lowe, Hunter	\$9.00	per hour
Lowe, Hyatt	\$9.00	per hour
SECURITY		

