

**MINUTES**  
**June 11, 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:**

- Notice of Public Hearing to be held on June 27, 2019 to obtain public input on the Monmouth County Division of Transportation's FY 2020 grant funding.

**ANNOUNCEMENTS:**

- Reminder to all residents: All small brush, branches, leaves, etc. must be containerized. Loose debris left at the curb will not be picked up. This will be strictly enforced.

**ORDINANCES – FINAL READING**

**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: Comm. McLoughlin

Seconded By: Comm. Bolan

**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

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

Carried to July 9, 2019 meeting.

## RESOLUTIONS

## A RESOLUTION TO RATIFY AND APPROVE MINUTES

Seconded By: Comm. Bolan

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

## A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Seconded By: Comm. Bolan

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

## A RESOLUTION TO APPROVE ABC REFUNDS

Seconded By: Comm. Bolan

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

## A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Seconded By: Comm. Bolan

<b>Bus Driver</b>		
Inquilli, Antoinette	\$20.00	per hour
<b>Substitute Bus Driver</b>		
Rhodes, Doug	\$20.00	per hour
<b>DPW</b>		
Boynton, Tariek	\$15.00	per hour
<b>Security</b>		



**WHEREAS,** The following business has made an application for the renewal of their liquor license for the 2019-2020 licensing year:

**Hot Ice, Inc., 413-415 Main Street, Allenhurst, NJ - License No. 1301-44-003-005**

**WHEREAS,** The Applicant has fulfilled all statutory obligations regarding such renewal;  
and,

**NOW, THEREFORE, BE IT RESOLVED,** By the Board of Commissioners of the Borough of Allenhurst that the Plenary Retail Distribution License No. 1301-44-003-005 owned by Hot Ice, Inc., is hereby renewed for the term of July 1, 2019 through and including June 30, 2020, with no special conditions.

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

**RESOLUTION #2019-156**

**RESOLUTION TO ADOPT THE REGULATIONS OF PL 2016, CH 29 – ELECTRONIC FUNDS TRANSFER AND VENDOR CERTIFICATIONS (NJAC 5:30-PA.6)**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, on August 18, 2016 the State of NJ legislature adopted PL 2016, Ch 29 which would allow local units to 1) utilize standard electronic funds transfer technologies and 2) greater flexibility on when to require a vendor certification prior to paying claims; and

**WHEREAS**, the Local Finance Board adopted the rules and regulations that the local units must adhere to in order to enact the provisions of the law; and

**WHEREAS**, N.J.A.C. 5:30-9A.6 allows that municipalities may by resolution set forth the circumstances when they will or will not require a vendor (claimant) signature on a purchase order; and

**WHEREAS**, the Chief Financial Officer has determined that the following circumstances be applied with respect to this act

<b>Vendor Signature Required (stamp, fax electronic or wet is acceptable)</b>	<b>Vendor Signature not Required (rule language)</b>
Employee Reimbursements	Vendors who are paid through EFT technologies
For services provided exclusively and entirely by an individual or professional service	Vendors who do not provide certifications part of the normal course of business
Refund of municipal revenue	Debt Service
Retiree reimbursements	Non Municipal Taxes
Individual /sole proprietor or single member LLC	Utilities regulated by tariff
Any situation deemed necessary by the CFO or his designee	

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners of the Borough of Allenhurst that the above vendor claimant circumstances recommended by the Chief Financial Officer be enacted effective June 4, 2019.

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

**RESOLUTION #2019-157**

## A RESOLUTION TO AWARD CONTRACT FOR DECORATIVE OUTDOOR SEASONAL LIGHTS FOR WINTER SEASON

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, There is a need for Decorative Outdoor Seasonal Lights; and,

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

Rileighs Outdoor Decor	\$11,063.00
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Bronner's	\$14,190.00
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Temple Display	\$15,092.00
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**WHEREAS**, Funds for this purpose will be provided for in the capital account known as “Ord 2018-15 Various Capital Improvements”, Account # C-04-55-981-005, 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 Rileighs Outdoor Decor, on their quote of \$11,063.00 for Decorative Outdoor Lights.

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

**RESOLUTION #2019-158**

**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:

Amazon Capital Services Inc.	Recreation Supplies	\$1,016.45
Billows Electric	New Fans for Pavilion	\$2,480.67
Mark Woszczak Mechanical	Emergency Sewer Repair	\$2,550.00
CPC Screening	ABC Uniforms	\$1,578.50
889 Snack, LLC	Return of Escrow	\$3,000.00
Yes Graphic	Lifeguard Sweatshirts/Tees	\$1,464.90

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

**RESOLUTION #2019-159**

**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 #2019-160**

**A RESOLUTION TO CONSIDER MORATORIUM WAIVERS**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, The Borough has received several requests for the waiver of the provisions of the construction moratorium; and,

**WHEREAS**, The Board of Commissioners has reviewed the waiver requests; and,

**WHEREAS**, Under the provisions of granting approval for a waiver for the period ending 5 PM on July 14, 2019, the following provisions shall be adhered to:

1. No construction activities prior to 8:00 AM or after 5:00 PM daily.
2. No construction activities on weekends.
3. No construction activities on Thursday, July 4, 2019.
4. No dumpsters on property or heavy equipment permitted. No construction debris on outside of property

**NOW, THEREFORE, BE IT RESOLVED**, That the following requests for waiver of the provisions of the construction moratorium are hereby approved/denied:

Frieda Shalam – 120 Spier Avenue for 2 weeks from 8am to 5pm for the following work:

Needs to lay stone around pool deck and install new kitchen cabinets and appliances. Work could not be completed due to Norwood Avenue being closed off for two weeks blocking access to her property.

Extension TABLED until next meeting. Homeowner was advised to obtain the 200FT Notification List from the Borough Offices.

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

#### **RESOLUTION #2019-161**

#### **A RESOLUTION TO APPROVE BILLS & PAYROLL (6/1/2019 to 6/15/2019)**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That bills and payrolls totaling \$313,530.38 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That, the June 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**

- Special Event Request from Younique Yoga to hold a Vendor Fair in the Park on Main Street on June 29 from 1pm to 6pm. There will be approximately 10 Vendors. Vendors will include mostly crafts – Candles, wall art etc. They plan to charge \$20 per table.

**Request was denied.** The Borough is no longer allowing businesses to use the parks for special events. Borough Administrative will suggest that the merchant, and their vendors, participate in National Night Out.

- Special Event Request from the Seldens to hold a party at the Cabanas on June 22.

**Request was approved.** The Borough Administrator will direct the Seldens to be in contact with the Beach Club Manager for specifics of the event.

#### **PUBLIC COMMENTS**

Jim Caufield commented that there is a water problem in front of 120 Spier along Norwood Avenue. The Mayor stated that the Department of Transportation needs to be contacted and he will have the Borough Engineer look at it.

Mr. Caufield also asked if Veterans were allowed on Allenhurst beaches for free. The Mayor advised that there is no charge for daily passes on the beach for Veterans. This does not pertain to the Allenhurst Beach Club itself.

There being no further business or comments, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 7:45 PM. Motion carried.

After reconvening, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 9:10 PM. Motion carried.