

MINUTES
July 23, 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 from NJ Transit regarding the Fiscal Year 2019 Request for Federal Financial Assistance.

ANNOUNCEMENTS:

Mayor McLaughlin commended Lisa Griffin for the Illumination Event. There were many compliments and it was a great event.

PRESENTATION

Matt Mariano, of the Borough Engineer's office, discussed that the Borough will be applying for a Monmouth County Community Development Block Grant (CDBG). The proposed project will include the following items at the Allenhurst Borough Hall, 125 Corlies Avenue, Allenhurst:

1. Demolition Concrete Steps, Platform and Wooden Ramp
2. Roof Downspout Improvements
3. Install New Concrete Steps and Platform
4. Update Wooden Handicap Ramp ADA Standards
5. Column Footing Repair

A concern of the Borough Engineer is that the Borough Hall is listed on the State Registry of Historic Places and, therefore, must comply with the guidelines of the State Historic Preservation Office (SHPO). As such, the ramp must be replaced "in-kind" as well as the rails. The plan is to repurpose the railing to ensure compliance with the historic guidelines and to defray some costs. The Borough did receive a CDBG Grants in 2003 for the ramp at Borough Hall.

The total cost of the project will be \$143,750. The estimated construction cost of \$115,000 will be funded by this grant. The remaining \$28,750 will be funded at the expense of the Borough. The scale and scope of the project will depend on the grant monies received.

The Mayor asked for questions; there were no questions from the public. The Board of Commissioners were all in agreement with the project

ORDINANCES – FINAL READING

ORDINANCE 2019-07– 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 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.

Carried to August 13, 2019 meeting.

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

ORDINANCE 2019-08– FINAL READING

ORDINANCE #2019-08

AN ORDINANCE REVISING CHAPTER X OF THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST ENTITLED “BEACH REGULATIONS.”

Offered By: Comm. McLoughlin

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 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, subsection “10-1.6 g” be supplemented by the addition of the following subsection “1”:

1. Additional weeks may be added to the program at the discretion of the Recreation Director. In the event they are added, cost for participation in the additional weeks will be one hundred (\$100.00) dollars for the first child and ninety (\$90.00) dollars per child for additional children from the same family. Any Field trips during the additional week(s) may be subject to an additional charge.

And, it is further

ORDAINED that except as herein above provided, the remainder of Chapter X, BEACH

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

There were no public comments.

RESOLUTIONS

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

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

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

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

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

<u>Court Account</u>	<u>Amount</u>	<u>Date</u>
General Court #2579	\$ 6.00	10/10/2018
General Court #2584	\$ 2.00	11/14/2018
General Court #2593	\$ 1.00	1/7/2019

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

Security		
Gryta, Ava	\$9.00	per hour
Schwab, Garrett	\$9.00	per hour
Sarbello, Sophia	\$9.00	per hour

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

RESOLUTION #2019-183

A RESOLUTION SETTING FORTH THE RATE OF INTEREST TO BE CHARGED ON DELINQUENT TAXES AND THE EXTENSION OF THE GRACE PERIOD FOR ONLY THE THIRD TAX QUARTER OF 2019

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

WHEREAS, the State of New Jersey was late in adopting a state budget and the County may not supply a tax rate to the Borough of Allenhurst until mid-July or later which **may** delay the mailing of the 2019 tax bills until late July or early August and,

NOW THEREFORE BE IT RESOLVED, an interest free period authorized pursuant to RS 54:4-67, (PL 1994 Chapter 72) or the twenty-fifth calendar day after the date that the tax bills for the third installment are mailed. If payment for the third installment 2019 tax quarter is received after the twenty-fifth calendar day beyond the mailing date of the final 2019 tax bills, interest at the rate of eight (8%) percent per annum will be charged on the first \$1,500.00 of the delinquency and eighteen (18%) percent per annum on any amount in excess of \$1,500.00 from August 1, 2019 to the date of payment and,

NOW THEREFORE BE IT FURTHER RESOLVED that this resolution is to be effective for the third installment of 2019 tax quarter and does not affect past or future tax quarters and shall apply only if tax bills are mailed out late.

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

RESOLUTION 2019-184

AWARD CONTRACT FOR PURCHASE OF AN AUTOMATIC FINGERPRINT SYSTEM

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

WHEREAS, There is a need to purchase Automatic Fingerprint System and Printer for the Allenhurst Police Department, and,

WHEREAS, Funds for this purpose shall be provided for in account called "Police Equipment", Account #9-01-44-860-235, and the CFO has so certified;

WHEREAS, The purchase will be made Indemnity Identity & Security USA, LLC, holder of State of New Jersey Livescan Contract #A81520, with a contract renewed through 1/30/2022 under contract #T3083, in the amount of \$12,116.00; and,

NOW, THEREFORE, BE IT RESOLVED, That Clerk/Administrator be and is hereby authorized to sign an agreement with Indemnity Identity & Security USA, LLC for total purchase price of \$12,116.00.

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

RESOLUTION #2019-185

A RESOLUTION TO APPROVE MEMBER IN ALLENHURST FIRE DEPARTMENT/FIRST AID SQUAD

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

WHEREAS, The Membership Committee of Allenhurst Fire Department has received applications for membership from Corey C. Schade; and,

WHEREAS, The Membership Committee has advised the Board of Commissioners that Corey C. Schade is acceptable for membership;

NOW, THEREFORE, BE IT RESOLVED, That Corey C. Schade is approved for membership in Allenhurst Fire Department, pending a criminal history check; and,

BE IT FURTHER RESOLVED, That the Borough Clerk be and is hereby authorized to execute the necessary paperwork on behalf of the aforementioned applicants.

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

RESOLUTION #2019-186

A RESOLUTION TO APPROVE RAFFLE LICENSE

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

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a non-draw raffle license, #RA-04-2019, be granted to the Allenhurst Fire Department, No. 1,

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

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

NOW THEREFORE, be it resolved as follows:

1. The Allenhurst Borough agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

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

NOW, THEREFORE, BE IT RESOLVED, That Commissioner Terrence Bolan be and he is hereby appointed Deputy Mayor for July 28, 2019, together with all of the duties and responsibilities of that title.

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

BE IT RESOLVED, That the following refund of ABC fees be approved:
Griffin, Lisa –Overpayment of Fees - \$154.78

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

NOW, THEREFORE, BE IT RESOLVED, That the following contracts are hereby confirmed:

HOME DEPOT	MONTHLY PURCHASES	\$2,056.54
MICHAEL CARUSO	MUSIC AT ABC	\$1,200.00
BELMAR PAINT	ABC PAINT	\$3,829.06
FISHERMAN SUPPLY	LIFEGUARD SUPPLIES	\$2,264.60

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

RESOLUTION #2019-191
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 #2019-192
A RESOLUTION TO APPROVE BILLS (7/1/2019 to 7/15/2019)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills totaling \$505,142.47 be approved for payment; and,
BE IT FURTHER RESOLVED, That, the July 15, 2019 consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION:

1. Special Event Request from Lindsay Horowitz – Birthday Party
Location: Cabana – P27, Date: 8/30/2019, Number of People – 50, Entertainment: DJ, Hours: 7pm to 11:pm, No Tent, No Alcohol - **Approved with notice of noise reduction in accordance with the Ordinance.**
2. Special Event Request from Frank J. Fischer – Graduation Party
Location: Cabana - P12, Date: 8/3/2019, Number of People – Less than 50, Entertainment: DJ, Hours: 7pm to 11:30pm, No tent, Alcohol will be served. – **Approved with the amendment that the DJ will play only until 9pm and the party will end at 11pm. Also approved with notice of noise reduction in accordance with the Ordinance.**
3. Special Event Request from Frank J. Fischer – End of Summer Beach Party
Location: Cabana – P12, Date: 8/31/2019, Number of People: Over 50, Entertainment: DJ, Hours 7PM to 11:30PM, No tent, Alcohol will be served. – **Approved with notice of noise reduction in accordance with the Ordinance.**
4. Special Event Request from Isaac E. Ashkenazi – Fundraiser for Safe Foundation
Location: His Home – 1A Elberon Ave, Date 8-17-2019, Number of People: Approx. 500, Hours: 9PM to 2AM, Tent – Yes (two small covering the food), No Alcohol.
Requesting to set up Stage, Sound, and Lighting on the beach.
Several small and secure fire pits on the beach
Chairs and blankets on beach for audience to sit.
Parking – pending approval will be utilizing the Loch Arbour beach parking. Also, pending approval, they will be using the gated entrance to Loch Arbour beach so the attendee will enter the event from the beach.
Music and Art festival promoting awareness of substance abuse, alcoholism, drug addiction, compulsive gambling, and recovery from these sicknesses. – **Approved pending clarification on size of fire pit, notice of noise reductions in accordance with the Ordinance, and with the request that lights be directed in a fashion as to not disturb neighbors.**

PUBLIC COMMENTS

Tim Moriarity asked about the John Deer Tractor and loudness. The Mayor said it is an older model and there have been no other complaints.

Mayor also stated that the Zoning Officer is having a “Meet and Greet” on Wednesday, July 24 at 7:30pm at the Borough Hall.

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

After reconvening, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 9:30 PM. Motion carried.

Donna M. Campagna, RMC
Borough Clerk/Administrator

CERTIFICATION

I, Donna M. Campagna, Borough Clerk/Administrator, do hereby certify this to be a true and exact copy of a Resolution adopted by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, at a meeting held on July 23, 2019.

Donna M. Campagna
Borough Clerk/Administrator