

**September 8, 2020**

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 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.

CLERK.

**COMMUNICATIONS:**

Public Hearing Notice from NJ Transit regarding virtual public hearings, to be held on October 13, 2020, to gather information and receive comments from interested parties regarding the Senior Citizen and Disabled Residents Transportation Assistance Program.

## **ANNOUNCEMENTS:**

None

## ORDINANCES

## **ORDINANCES – FINAL READING**

**BOND ORDINANCE NO. 2020-14**

**BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO OCEAN PLACE, APPROPRIATING \$400,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$400,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Offered By: Mayor McLaughlin

Seconded By: Comm. Bolan

BE IT ORDAINED by the BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Allenhurst, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$400,000, said sum being inclusive of all appropriations heretofore made therefor, including \$115,000 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT). No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$400,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of various improvements to Ocean Place, including, but not limited to, curb replacement, drainage improvements, and pavement milling and reconstruction, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$400,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$400,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to

time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$400,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$150,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

There were no public comments.

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

**ORDINANCES**  
**ORDINANCES – FIRST READING**

**CAPITAL ORDINANCE NO. 2020-15**

**CAPITAL ORDINANCE PROVIDING FOR WATER/SEWER UTILITY IMPROVEMENTS, AND APPROPRIATING \$26,000 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Offered By: Mayor McLaughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, New Jersey (the “Borough”) has determined to provide for Water/Sewer Utility improvements, and

**WHEREAS**, the Borough has available \$26,000 in the Borough’s Capital Improvement Fund.

**NOW, THEREFORE, BE IT ORDAINED** by the BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as Water/Sewer Utility improvements to be undertaken in and by the Borough. For the improvements or purposes described in Section 2, there is hereby appropriated \$26,000, said sum being inclusive of \$26,000 from the Borough’s Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of Water/Sewer Utility improvements, including sewer pump replacement, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefor on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2020 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$5,200 for engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied to direct payment of the cost of the improvements within the appropriation herein authorized.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

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

**RESOLUTIONS**

**RESOLUTION #2020-206**

**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 August 25, 2020 be ratified and approved.

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

**RESOLUTION #2020-207**

**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 Regular Meeting of August 25, 2020.

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

**RESOLUTION #2020-208**

**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:  
Michael Fanini –Overpayment of Fees - \$330.00 – Member Number 12

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

**RESOLUTION #2020-209**

**A RESOLUTION TO AWARD CONTRACT FOR HVAC AT RESTAURANT**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, There is a need for a new HVAC Unit at the Restaurant; and,  
**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;  
**WHEREAS**, The following quotes were received from the following vendors and are on file with the Borough Clerk:

C&C Air	\$30,099.22
Oceanside Service	\$37,793.00
Environmental Air Systems, Inc.	\$130,000.00

**THEREFORE, BE IT RESOLVED**, That a contract be awarded to C&C Air for a cost of \$30,099.22, the lowest of three quotes received for a new HVAC Unit at the Restaurant.

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

**RESOLUTION #2020-210**

**A RESOLUTION TO APPROVE MEMBER IN ALLENHURST FIRE DEPARTMENT**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, The Membership Committee of Allenhurst Fire Department has received an application for membership from Randy A. Thorne; and,  
**WHEREAS**, The Membership Committee has advised the Board of Commissioners that Randy A. Thorne is acceptable for membership;  
**NOW, THEREFORE, BE IT RESOLVED**, That Randy A. Thorne 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. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2020-211**

**A RESOLUTION TO APPOINT RECORDS COORDINATOR**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, Alison Gavin, Records Coordinator, had tendered her resignation effective September 1, 2020; and,  
**WHEREAS**, The Mayor and Board of Commissioners thank her for her service; and,  
**WHEREAS**, The Board of Commissioners has determined to make an appointment to the position of Records Coordinator;  
**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, as follows:  
Kelly Bartlett, be and she is hereby appointed Records Coordinator commencing at 12:01 AM, on September 1, 2020 and terminating December 31, 2020, at an annual salary of \$5,000.00 to be prorated from September 1<sup>st</sup> through December 31<sup>st</sup>; and,

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

**RESOLUTION #2020-212**  
**A RESOLUTION TO HIRE FINANCE CLERK**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, In anticipation of the retirement of the Finance Clerk, the Borough Administrator interviewed candidates for the position; and,

**WHEREAS**, After careful consideration, the Borough Administrator decided upon a candidate for the position; and,

**NOW, THEREFORE, BE IT RESOLVED**, That Noel Benkoil be hired as Finance Clerk, at an annual salary of \$51,000 commencing September 21, 2020 to be prorated from September 21<sup>st</sup> through December 31<sup>st</sup>.

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

**RESOLUTION #2020-213**  
**A RESOLUTION TO APPROVE LIQUOR LICENSE RENEWAL**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, The following business has made an application for the renewal of their liquor license for the 2020-2021 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, 2020 through and including June 30, 2021, with no special conditions.

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

**RESOLUTION #2020-214**  
**A RESOLUTION TO APPROVE 2019 AUDIT**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**WHEREAS**, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

**WHEREAS**, The Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS**, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

**WHEREAS**, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments

Recommendations and,

**WHEREAS**, The members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body; and,

**WHEREAS**, Such resolution of certification shall be adopted by the governing body no later than forty-five days after receipt of the annual audit, as per the regulations of the Local Finance Board; and,

**WHEREAS**, All members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

**WHEREAS**, Failure to comply with the promulgations of the Local Finance Board of the

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

**RESOLUTION #2020-218**

**A RESOLUTION TO APPROVE BILLS (9-1-2020 to 9-15-2020)**

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That bills totaling \$273,113.82 be approved for payment; and,  
**BE IT FURTHER RESOLVED**, That the September 15, 2020 consolidated bill list be attached hereto and made a part thereof.

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

**ITEMS FOR DISCUSSION**

The Zoning Officer discussed the possibility of amending the special event ordinance, or in some other way, compelling those that have large parties to arrange for either private trash pickup after the party or to pay a fee for the DPW workers to collect the extraordinary amount of trash. After events this summer, the DPW workers have needed to continue to pick-up trash on days that are not scheduled trash days. Additionally, the tipping fees are higher the more trash that is taken to the dump. As these are private, personal events, the zoning officer feels that the population as a whole should not have to foot that bill. Comm. Bolan concurred with the Zoning Officer's assessment and asked that the Zoning Officer look into preparing a draft ordinance.

Comm. Bolan complemented the staff and management of the Allenhurst Beach Club on a job well done during a very different summer. The Mayor concurred and extended kudos to all.

The Mayor also wanted to alert residents that JCP&L is going to be some tree trimming along Deal Lake. The exact timing of the work is not yet known. There will be branches trimmed, as well as trees removed. JCP&L is going to replace all trees that are removed. The Board of Commissioners will discuss where to place those trees.

**PUBLIC COMMENTS**

There were no public comments.

There being no further business or comments, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 7:39 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 8:23 PM. Motion carried.

Donna M. Campagna, RMC  
Borough Clerk/Administrator