

MINUTES
July 28, 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 present. 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.

COMMUNICATIONS:

None

ANNOUNCEMENTS:

The Mayor asked that residents be careful walking in the streets and to use sidewalks and cross walks whenever possible.

ORDINANCES – FINAL READING

FINAL READING – ORDINANCE #2020-12

ORDINANCE NO.: 2020-12

**AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER XI OF THE MUNICIPAL CODE OF THE
BOROUGH OF ALLENHURST TO ADDRESS
INSPECTIONS OF TEMPORARY STRUCTURES.**

Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst believes it to be in the best interests of the health, safety, and welfare of the residents of the Borough to amend Chapter XI of the Borough Code to provide for the inspection of certain temporary structures as may be erected in the Borough from time to time:

NOW THEREFORE, BE IT ORDAINED, by Board of Commissioners of the Borough of Allenhurst in the County of Monmouth, New Jersey that Chapter XI be and is hereby amended to add section 11-2 et seq. “Inspection of Temporary Structures” as follows:

11-2 Inspection of Temporary Structures

11-2.1 Inspections of Temporary Structures on 1 & 2 Family Properties. Inspection of Tents above 100 square feet, Recreational or Flame Producing Structures or Temporary Structures of any kind, requiring solid, liquid or gas fired appliances, installed upon any 1 & 2 family property will be conducted by the Special Event Borough Fire Sub Code Official.

11-2.2 Appointment of Special Event Borough Fire Sub Code Official. The Board of Commissioners of the Borough of Allenhurst shall appoint a “Special Event Fire Sub Code Official” who shall be licensed by the State of New Jersey, Department of Community Affairs and qualified to perform such inspections on 1 & 2 family properties within the Borough. Said inspector will be appointed for a period of one-year (1 year) and shall be compensated as established in the Salary Ordinance of the Borough, as amended from time to time.

11-2.3 Inspection Fees for Special Event and Residential Fire Inspections not covered by the Municipal Building Department as per the Uniform Construction Code (UCC). The minimum fee(s) for non UCC Fire Inspections will be as follows:

a.	An Application Fee shall be paid for processing each Special Event and Residential Fire Inspection Application.	\$10.00
b.	Tents above 100 square feet to 1,000 square feet	\$100.00
c.	Tents 1,001 square feet to 2,000 square feet	\$150.00
d.	Tents 2001 square feet to 3,000 square feet	\$200.00
e.	Fire Pits (Requires a current property survey including fuel source(s) and lot coverage calculations of the pit and any surrounding masonry coverage.)	\$50.00
f.	Built-in Grills (Requires a current property survey including fuel sources)	\$50.00
g.	Miscellaneous gas or solid fuel appliances	Fees will be determined by the type of inspection required.

Fees include inspections up to two (2) hours; inspections over two hours will require a \$50.00 additional fee for each hour or any part of an hour over two (2) hours. Fees are to be paid by the Homeowner upon completion of the inspection.

11-2.4 Special Event Permit Conditions and/or Zoning Approval may be required in addition to a Special Event and Residential Fire Inspection application.

11-2.5 Ten Days (10) notice is required for all inspections covered under this ordinance.

REPEALER. All other sections and subsections of the aforementioned ordinance not specifically amended by this Ordinance, shall remain in full force and effect.

INCONSISTENT ORDINANCES. All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

AND IT IS FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

There were no public comments.

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

FINAL READING – ORDINANCE #2020-13

ORDINANCE #2020-13

AN ORDINANCE TO AMEND THE ORDINANCE ENTITLED, "AN ORDINANCE FIXING THE SALARIES OF ALL APPOINTED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ALLENHURST IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY (EXCEPTING MEMBERS OF THE POLICE DEPARTMENT)"

Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, COUNTY OF MONMOUTH, AS FOLLOWS:

SECTION I. That Ordinance No.: 2020-01 entitled AAn ordinance fixing the salaries of all appointed officials and employees of the Borough of Allenhurst in the County of Monmouth and State of New Jersey (excepting members of the police department)@ be and is hereby revised and amended to add the new position of ASpecial Event Fire Inspector@ to those already listed in Section 3 thereof:

POSITION	MAXIMUM
<u>Administrative</u>	
Special Event Fire Inspector (part time/as needed)	\$50.00/hour

SECTION II. All Ordinances, or parts of ordinances, in conflict with the within Ordinance or portions of same, are hereby repealed to the extent of their inconsistency.

SECTION III. The within Ordinance shall take effect twenty (20) days after adoption and publication according to law and shall be retroactive to July 1, 2020.

There were no public comments.

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

RESOLUTIONS

RESOLUTION #2020-181

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 July 14, 2020 be ratified and approved.

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

RESOLUTION #2020-182

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 Regular Meeting of July 14, 2020.

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

RESOLUTION #2020-183

A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst has a need to hire seasonal employees to serve as summer staff for the Allenhurst Beach Club and public beach; and

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst that the following people be hired for the 2020 summer season commencing May 23, 2020:

George Michals	Poolside	\$10.30	Hour
Ashley Pape	Security	\$10.30	Hour
Luke LaCorte	Deck	\$10.30	Hour

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

RESOLUTION #2020-184

RESOLUTION OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY, EXTENDING THE CONDITIONAL DESIGNATION OF POWER STATION AT ALLENHURST, LLC AS REDEVELOPER OF THE PROPERTY KNOWN AS BLOCK 18, LOT 1 AND BLOCK 21, LOTS 5, 6, AND 7 ON THE TAX MAPS OF THE BOROUGH AND AUTHORIZING THE EXECUTION OF A SECOND AMENDMENT TO THE CONDITIONAL REDEVELOPER'S AGREEMENT WITH RESPECT THERETO

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 Board of Commissioners (the “**Commissioners**”) of the Borough of Allenhurst, in the County of Monmouth, New Jersey (the “**Borough**”) designated certain property fronting on Main Street or Deal Lake as an area in need of redevelopment (the “**Redevelopment Area**”); and

WHEREAS, in October 2006, the Commissioners duly adopted a redevelopment plan for the Redevelopment Area entitled “Main Street Redevelopment Plan”, which was amended in November 2007 (collectively, and as the same may be amended and supplemented from time to time, the “**Redevelopment Plan**”); and

WHEREAS, the Redevelopment Law authorizes the redevelopment entity to arrange or contract for the planning, construction or undertaking of any development project or redevelopment work in an area designated as an “area in need of redevelopment” pursuant to N.J.S.A. 40A:12A-8; and

WHEREAS, the Borough has been designated as the “redevelopment entity” for the Redevelopment Area; and

WHEREAS, Power Station at Allenhurst, LLC (“**Power Station**” and, together with the Borough, the “**Parties**”) is the fee simple record title owner of that certain real property located within the Redevelopment Area formally identified on the official tax maps of the Borough as Block 18, Lot 1, and Block 21, Lots 5, 6, and 7 and commonly known as 312-324 Hume Street and 520-523 Main Street, respectively (collectively, the “**Property**”); and

WHEREAS, Power Station is a developer with resources and experience suitable for the proposed redevelopment of the Property; and

WHEREAS, on December 10, 2019, by Resolution No. 2019-266, the Commissioners of the Borough adopted a resolution (i) designating Power Station at Allenhurst, LLC as conditional redeveloper of the Redevelopment Area, subject to the successful negotiation of a redevelopment agreement and (ii) authorizing the execution of a conditional redeveloper’s agreement; 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 #2020-180-187

A RESOLUTION TO APPROVE BILLS (7-16-2020 to 7-31-2020)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills totaling \$289,051.07 be approved for payment; and,
BE IT FURTHER RESOLVED, That the July 31, 2020 consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION

-Special Event Permit Request – Gilmore **APPROVED – for any time after 5pm on 9/13/2020.**

Place: Beachfront in front of Mr. C's

Date and Time: Sunday, September 13, 2020 5:30/6.

Description of Event: Irish hand fasting ceremony. Should last around half hour from start to finish – followed by photos which should last another 40 to 60 minutes.

No Alcohol, Tent, or Music.

-Varley, Gerry Ann – ABC Membership

Mrs. Varley read a statement relaying that she felt the suspension of her Beach Membership was unnecessary and did not agree that she exhibited behavior that warranted the Council's actions. The Council held to the terms of the suspension. Mrs. Varley may not return to the Allenhurst Beach Club until August 2.

PUBLIC COMMENTS

Joseph Cattan – Asked if the Council would considered a moratorium on landscaping with power tools on the weekends. Comm. McLoughlin stated that he thought it was a good idea and that it could be discussed. Comm. McLoughlin stated that it could be difficult for people who mow their own lawns if it was prohibited to do so on the weekends.

Alek Koshchek (Beach Club Member) stated that she observed people eating and drinking in the pool at the Allenhurst Beach Club. She stated that she was told by the Assistant Manager that the only prohibition was glass in the pool. The Mayor advised that there no eating or drinking was allowed in the pool. The Mayor will be sure to clarify the rules with Beach Club Management.

Brad Comer (Beach Club Employee) asked the Commissioners for assistance with resolving a trespasser issue at the Club. The Mayor stated that the issue is being discussed and that it will be taken care of.

Frieda Shalam (120 Spier) stated that there have been car thefts in town and she was concerned. Chief Schneider stated that he was aware of a car theft by the beachfront about a month ago. This vehicle had the key fob inside the car. The chief stressed that resident must lock their cars and remove the fobs. There have been recent thefts in surrounding communities and all involved key fobs being left inside the car.

Ms. Shalam expressed concern that residents should not be chasing after a car that is in the process of being stolen, as that is dangerous. Chief Schneider stated that he will include a warning for resident to refrain from this behavior in an email eblast.

There being no further business or comments, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 8:11 PM. Motion carried.

After reconvening, Commissioner McLoughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 9:05 PM. Motion carried.

Donna M. Campagna, RMC
Borough Clerk/Administrator