

MINUTES
November 10, 2020

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding with Commissioner McLoughlin and Commissioner Bolan answering the roll call. 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:

- Resolution from the Township of Frelinghuysen, Count of Warrant, supporting high speed internet accessibility.
- Notice of Hearing for The Township of Ocean Sewerage Authority's Connection Fee Hearing to be held on December 1, 2020.

ANNOUNCEMENTS:

- The November 24th Board of Commissioner's meeting has been cancelled.
- Thank you to the Fire Department for the Halloween Truck Run. The Mayor stated it was a nice substitute since the Borough was unable to have its normal celebrations.
- The Allenhurst Garden is selling Allenhurst Centennial Mugs. Proceeds will go directly to the Garden Club to purchase pots and flowers that will beautify the town. They can be purchased at Shore Antique Center and Dani Risi in town.

ORDINANCES – FINAL READING

ORDINANCE #2020-16
AN ORDINANCE REVISING THE BOROUGH CODE OF
THE BOROUGH OF ALLENHURST, CHAPTER XXVI
SUBSECTION 3-2 ENTITLED ZONING MAP

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise a portion of its existing Borough Code concerning the Development Regulations, section 26.3-2, to provide an updated Zoning Map;

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 be and is hereby revised to delete the existing subsection 26-3-2 entitled Zoning Map and replace it with the following:

26-3-2 The boundaries of each of the districts are established as shown on the map entitled "Borough Zoning Map" prepared by Leon S. Avakian, Inc. Dated August 26, 2020 which accompanies and is hereby made a part of this chapter. The Zoning Map referred to herein can be found on file in the office of the Borough Clerk.

And, it is further

ORDAINED that except as herein above provided, the remainder of Chapter XXVI entitled ADevelopment Regulations 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 the Mayor's request for questions or comments.

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

RESOLUTIONS

RESOLUTION #2020-247

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 October 27, 2020 be ratified and approved.

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

RESOLUTION #2020-248

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 October 27, 2020.

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

RESOLUTION 2020-249

A RESOLUTION CERTIFYING REVIEW OF THE LOCAL GOVERNMENT BEST PRACTICES CHECK LIST

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Department of Community Affairs requires the Administrator and Chief Financial Officer of every municipality to have certified the Local Government Best Practices Check List; and

WHEREAS, the Check List has been certified by the Administrator and Chief Financial Officer and a copy thereof has been received by each member of the Governing Body; and

WHEREAS, the members of the Governing Body have personally reviewed the Local Government Best Practices Check List; and

WHEREAS, such resolution of certification shall be adopted by the governing body; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Allenhurst, hereby states that it has reviewed the checklist and ratifies the Chief Financial Officer's filing of the Best Practice Check List to the Department of Communities Affairs on November 3, 2020.

BE IT FURTHER RESOLVED that certified copies are provided to: Division of Local Government Services, Administrator/Clerk, and Municipal Auditor

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

RESOLUTION #2020-250

A RESOLUTION TO APPOINT DEPUTY CLERK, DEPUTY REGISTER AND DEPUTY TREASURER

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, pursuant to N.J.S.A 40A:9-135 the governing body of any municipality may provide for the appointment of a Deputy Municipal Clerk; and

WHEREAS, the governing body of any municipality may also appoint a Deputy Registrar and Deputy Treasurer; and

WHEREAS, there exists a need for the appointment of Deputy Municipal Clerk, Deputy Treasurer and Deputy Registrar in the Borough of Allenhurst due to the impending retirement of Veronica Dahl; and

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst that Patricia Lynch be and is hereby appointed Deputy Clerk, Deputy Registrar and Deputy Treasurer.

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

RESOLUTION #2020-251

**A RESOLUTION APPOINTING A DESIGNATED EMPLOYER REPRESENTATIVE
AND ALTERNATIVE DESIGNATED EMPLOYER REPRESENTATIVE**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the U.S. Department of Transportation Commercial Driver's License ("CDL") regulations require organizations with one or more CDL require organizations with one or more CDL drivers to designate at least one individual with the responsibility to make formal decisions regarding the drug and alcohol testing program, and this person shall be called the Designated Employer Representative (DER); and

WHEREAS, the DER must be an employee of the municipality, must have a complete understanding of the CDL drug and alcohol testing procedure and the employer's policies, and must be available to received confidential test results and other communications concerning testing of employees; and

WHEREAS, the DER must be authorized to take immediate action to remove employees from safety-sensitive duties if test results warrant that action in compliance with federal laws;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Allenhurst does hereby appoint Paul Quinn as its Designated Employer Representative and Donna M. Campagna as its Alternative Designated Employer Representative.

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

RESOLUTION #2020-252

**RESOLUTION AUTHORIZING BONDS AGGREGATING THE
PRINCIPAL SUM NOT TO EXCEED \$1,476,000 AUTHORIZED BY FOUR
BOND ORDINANCES HERETOFORE ADOPTED TO FINANCE PART OF
THE COST OF VARIOUS GENERAL IMPROVEMENTS IN THE
BOROUGH OF ALLENHURST, COUNTY OF MONMOUTH, NEW
JERSEY INTO ONE CONSOLIDATED ISSUE OF BONDS AND
PROVIDING FOR THE FORM, MATURITIES, SALE AND OTHER
DETAILS OF SAID CONSOLIDATED ISSUE**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

(See Attachments)

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

RESOLUTION #2020-253

**RESOLUTION APPROVING SHARED SERVICES AGREEMENT WITH THE
TOWNSHIP OF HOLMDEL FOR CHIEF FINANCIAL OFFICER SERVICES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst ("Allenhurst") and the Township of Holmdel ("Holmdel") have negotiated the terms of a shared services agreement, pursuant to which Holmdel shall provide Allenhurst with Chief Financial Officer services, upon the terms substantially set forth in the shared services agreement on file at the Borough Clerk's office and incorporated by reference, subject to the final review and approval of the Borough Attorney; and

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et seq. (the "Act"), authorizes local units in the State of New Jersey to enter into agreements with any other local unit to provide or receive any service that each local unit participating in the agreement is empowered to provide or receive in its own jurisdiction; and

WHEREAS, N.J.S.A. 40A:9-140.10 requires each municipality to have a Chief Financial Officer and expressly permits the same to be fulfilled by the sharing of a Chief Financial Officer pursuant to a shared services agreement entered into under the Act.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Allenhurst hereby approves entry into a shared services agreement with the Township of Holmdel, consistent with the foregoing.

BE IT FURTHER RESOLVED that pursuant to the terms of the shared services agreement, Allenhurst hereby appoints Wayne Sibilia, who is and shall continue to be an employee of Holmdel, to act as its Chief Financial Officer pursuant to the terms of the shared services agreement with the Township of Holmdel; and

BE IT FURTHER RESOLVED that the Mayor and Borough Administrator are hereby authorized to execute the shared services agreement as approved by the Borough Attorney.

BE IT FURTHER RESOLVED that the Borough Administrator is hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

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

RESOLUTION #2020-254

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	Menorah	\$1,699
C & C Air	Air Purifier – Mr. C's	\$1,500
Edwards Tires	Tires for Garbage Truck	\$1,169

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

RESOLUTION #2020-255

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 #2020-256

A RESOLUTION TO APPROVE BILLS (11-1-2020 to 11-15-2020)

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

BE IT RESOLVED, That bills totaling \$332,033.88 be approved for payment; and,
BE IT FURTHER RESOLVED, That the November 15, 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

-The Zoning Officer discussed some recent issues that JCP&L has had accessing their equipment on properties within the Borough. There are instances where property improvements have been made and access to utility equipment has been impaired or made impossible. The Zoning Officer advised that he will be bringing the issue up with the Planning Board to consider amending our ordinances and incorporating a requirement in future Planning Board Applications a requirement to allow for access to utilities.

-Richie Heitmeuller, of the Allenhurst Fire Department, discussed the plans for a Holiday celebration to coincide with the tree lighting on Main Street on December 5th. For the Santa

Run, the Fire Department will have Santa come and distribute gifts in a manner similar to what was done at Halloween, with gifts handed to the children and no other interaction. The Fire Department expressed concern about the distribution of Hot Cocoa as it lends to people crowding around the area of distribution. The Mayor and Comm. Bolan expressed their desire to find a way to continue with the Cocoa distribution and said they would hand out if the Fire Department is not comfortable. The Borough Administrator will follow up with the OEM Coordinator and see what is possible.

-The Mayor thanked the DPW for all their hard work. The street cleaning and clearing of storm drains has been great.

-Best Practices – The Borough Administrator reported to the Board of Commissioners that The Best Practices Checklist has been scored. The Borough scored 44.5 which is in excess of the required score and should qualify for state funding.

PUBLIC COMMENTS

Mr. Cattan, of Spier Avenue, asked for a status on the street light that is still out at corner by his home. The Police Chief stated that he speaks to JCP&L weekly regarding the issue. The Mayor asked the Chief to follow up again and impress upon them that this is a public safety issue and the fact that this light has been out for two years is unacceptable.

Mr. Cattan also asked about the status of the ordinance change to prohibit power tools on Sundays. The Mayor advised that the Borough Attorney is drafting an amendment to the noise ordinance and it should be completed shortly.

Mr. Cattan also asked about the status of changes to the summer moratorium procedures. The Mayor advised that the plan is to allow people to do general repairs for leaks, appliance delivery and other minor repairs without requiring a call to the Borough Hall. The moratorium is meant to prohibit actual construction, not regular repairs. Should a resident be unsure if an activity is permitted, they are welcome to call the Borough offices.

There being no further business or comments, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 7:49 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 8:21pm. Motion carried.

Donna M. Campagna

Donna M. Campagna, RMC
Borough Clerk/Administrator