

MINUTES
January 26, 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:

Public Notice from the NJ DEP regarding the Proposed FFY21 Priority System, Intended Use Plan (IUP) and Project Priority List Documents for the Clean Water and Drinking Water Financing Programs.

ANNOUNCEMENTS:

New Borough Website/Online Tax and Sewer Payments are available. There is a \$1.95 for an ACH transaction and if paying by credit card fees will apply. The Mayor commented that the Borough Administrator did a great job on the new website.

ORDINANCES

ORDINANCES FINAL READING

ORDINANCE #2021-01 – Final Reading

ORDINANCE #2021-01

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 “*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)*” be and is hereby revised and amended to read as follows:

Section 1.

The salaries to be paid to elected and appointed officials, and employees of the Borough of Allenhurst, County of Monmouth (excepting members of the Police Department) and the time and payment for same is hereby affixed as follows:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Borough Clerk	\$30,000.00	\$90,000.00
Borough Administrator	\$10,000.00	\$60,000.00
Commissioner	\$1,500.00	\$3,000.00
Mayor	\$1,750.00	\$5,000.00
Dep. Borough Clerk/ Dep. Treasurer/ Administrative Assistant	\$20,000.00	\$60,000.00
Admin/Finance Clerk/Beach Membership Administrator	\$20,000.00	\$80,000.00
Administrative Clerk	\$12 per hour	\$28 per hour

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Records Coordinator	\$2,500.00	\$5,000.00
Public Works CDL Drivers	\$27,000.00	\$80,000.00
Public Works Supervisor	\$50,000.00	\$130,000.00
Building and Grounds Supervisor	\$30,000.00	\$60,000.00
Full-time Communication Officer	\$22,000.00	\$50,000.00
Part-time Communication Officer	\$12.00 per hour	\$20.00 per hour
TAC Officer	\$2,000.00	\$4,000.00
Deputy Emergency Management Police Coordinator	\$1,500.00	\$4,000.00
Emergency Management Administrator	\$1,500.00	\$4,000.00
SLEO I	\$12.00 per hour	\$15.00 per hour
SLEO II	\$14.00 per hour	\$20.00 per hour
Mechanic	\$1,000.00	\$2,000.00

- A. A clothing and maintenance allowance in the amount of \$600.00 annually shall be provided to all full-time DPW employees. Said allowance shall be paid annually on November 15th and shall be pro-rated accordingly.
- B. A clothing and maintenance allowance in the amount of \$375.00 annually shall be provided to all full-time Communication Officers. Said allowance shall be paid bi-annually on June 15th and December 15th and shall be pro-rated accordingly.

Section 2.

The following described officials shall receive annual compensation not to exceed the amounts hereafter set forth:

<u>POSITION</u>	<u>MAXIMUM</u>
Tax Assessor	\$10,000.00
Tax Collector	\$10,000.00
Municipal Court Judge	\$25,000.00
Code Official	\$10,000.00
Zoning Officer	\$25,000.00
Recycling Coordinator	\$5,000.00
Right-To-Know Coordinator	\$1,500.00
Assistant Right-To-Know Coordinator	\$1,500.00
Clean Communities Coordinator	\$500.00
Certified Pool Operator	\$2,500.00
Assistant Pool Operator	\$500.00
Planning Board Secretary	\$15,000.00
Sewer Operator	\$7,500.00
Treasurer	\$2,500.00
Special Event Fire Inspector (part time as needed)	\$50.00/hr
Webmaster	\$1,000.00

Section 3.

That temporary, casual, or seasonal employees hereinafter enumerated in this section shall be paid salaries or compensation as prescribed herein, based upon length of service and to be fixed by resolution of the Board of Commissioners:

<u>POSITION</u>	<u>MAXIMUM</u>
<u>Beach Club / DPW</u>	
Beach Club Manager, Salary	\$25,000.00
Beach Club Assistant Manager, Salary	\$17,000.00
Preseason Membership Staff	\$25 per hour
Lifeguard Supervisor	\$25 per hour
Recreation Supervisor, per season	\$8,000.00
Swim Coach, per season	\$3,000.00
Lifeguards	\$17.00 per hour
Gate, Cabana, Deck, Poolside Supervisors	\$16.00 per hour
Office/Finance Staff	\$20.00 per hour
Gate Security Staff	\$15.00 per hour
Cabana Staff	\$15.00 per hour
Deck Staff	\$15.00 per hour
Poolside Staff	\$15.00 per hour
Recreation Staff	\$15.00 per hour
Maintenance	\$20.00 per hour
Pool Cleaner	\$50.00 per hour not to exceed 2 hours without approval
Beach Rake	\$22.00 per hour
Bus Driver	\$20.00 per hour
Laborers	\$25.00 per 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 January 1, 2021.

There was no response to the Mayor’s request for public comments.

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

ORDINANCES FIRST READING

ORDINANCE #2021-02 – First Reading

BOND ORDINANCE NO. 2021-02

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO SPIER AVENUE, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,000 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. McLoughlin

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 \$450,000, said sum being inclusive of all appropriations heretofore made therefor, including \$175,000 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 \$450,000, 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 Spier Avenue, 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 \$450,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$450,000, 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 \$450,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$112,500 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.

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

RESOLUTION #2021-41
A RESOLUTION TO RATIFY AND APPROVE MINUTES

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

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

BE IT RESOLVED, That the Clerk dispense with the reading of the Regular Meeting of January 12, 2021.

RESOLUTION #2021-43
RESOLUTION AUTHORIZING HIRING OF FINANCIAL
CONSULTANT TO ASSIST WITH REDEVELOPMENT

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

WHEREAS, the services will be funded from the Escrow created by and between the Borough and Power Station at Allenhurst, LLC, thus funds will be available to pay for the services of the Consultant; and

NOW, THEREFORE, BE IT RESOLVED, by the Borough of Allenhurst that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length; and

BE IT FURTHER, RESOLVED that NW Financial Group, LLC be and is hereby appointed to provide financial services relating to the Redevelopment for a period not to exceed twelve (12) months, and/or until the services are no longer required; and

BE IT FURTHER, RESOLVED that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution, and

BE IT FURTHER RESOLVED that the Mayor be and is hereby authorized to execute such documents or agreement(s) as may be necessary to memorialize the agreement with NW Financial Group, LLC in conformance with the terms set forth herein; and

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the Coaster as required by law within ten (10) days from the date hereof; and,

BE IT FURTHER RESOLVED that the Clerk and shall maintain a copy of this resolution, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

RESOLUTION #2021-44
A RESOLUTION TO APPOINT DEP CONSULTANT

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

WHEREAS, the Borough of Allenhurst has a need to acquire the services of a DEP Consultant to advise on DEP matters and the Board of Commissioners has elected to proceed

pursuant to the provisions of *N.J.S.A. 19:44A-20.5* respecting the award of professional contracts and the procedures set forth therein; and,

WHEREAS, the Borough Administrator/Clerk, Donna Campagna has determined and certified in writing that the value of the acquisition may exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is for 1 year or less; and

WHEREAS, John (Jack) M. Van Dalen of the firm of Van Dalen Brower, LLC, has indicated that they will act as DEP Consultant at a fee set forth in an Agreement on file with the Borough Administrator/Clerk; and,

WHEREAS, John (Jack) M. Van Dalen of the firm of Van Dalen Brower, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that John (Jack) M. Van Dalen of the firm of Van Dalen Brower, LLC, has not made any reportable contribution to a political or candidate committee for any presently sitting elected Commissioner of the Borough of Allenhurst in the previous one year, and that the contract will prohibit John (Jack) M. Van Dalen of the firm of Van Dalen Brower, LLC from making any reportable contributions through the term of the contract, and

WHEREAS, The Certified Financial Officer has certified that funds for this purpose shall be provided for the first three months of 2021 in the 2021 Temporary Budget and funds for the balance of 2021 will be provided for in the budget for the year 2021 when finally adopted;

NOW THEREFORE, BE IT RESOLVED that the Commissioners of the Borough of Allenhurst hereby authorizes the Mayor and Borough Administrator/Clerk to enter into a contract with John (Jack) M. Van Dalen of the firm of Van Dalen Brower, LLC, as described herein; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and,

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the Coaster as required by law within ten (10) days from the date hereof; and,

BE IT FURTHER RESOLVED that the Borough Administrator/Clerk shall maintain a copy of this resolution, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #2021-45

AUTHORIZE AGREEMENT FOR ANIMAL CONTROL SERVICES

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

WHEREAS, the Borough of Allenhurst is in need of Animal Control Services for the 2021 calendar year; and,

WHEREAS, Associated Humane Society, Inc., 124 Evergreen Avenue, Newark, NJ 07714, has offered to provide public health services to the Borough's residents at the annual cost of \$2,400.00; and,

WHEREAS, the Borough of Allenhurst wishes to enter into an agreement with Associated Humane Society, Inc, for the 2021 calendar year for the provision of Animal Control Services to Borough of Allenhurst residents.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth that an agreement with Associated Humane Society, Inc., be and the same is hereby approved and authorized and the Mayor and Clerk authorized to execute the agreement for the same.

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

RESOLUTION #2021-46

A RESOLUTION TO APPROVE MEMBER IN ALLENHURST FIRE DEPARTMENT

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

WHEREAS, The Membership Committee of Allenhurst Fire Department has received an application for membership from Kevin K. Huff; and,

WHEREAS, The Membership Committee has advised the Board of Commissioners that Kevin K. Huff is acceptable for membership;

NOW, THEREFORE, BE IT RESOLVED, That Kevin K. Huff 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

A RESOLUTION TO CONFIRM RETIREMENT BENEFITS

WHEREAS, Veronica Dahl has filed for retirement from the P.E.R.S. effective February 1, 2021; and,

WHEREAS, Pursuant to the Public Employee's Retirement System and the Borough's Personnel Policy, employees who retire from the P.E.R.S. with the required number of years of service; are entitled to certain benefits; and,

WHEREAS, Veronica Dahl meets the retirement system requirements;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, the following retirement benefits be confirmed:

1. Medical Benefits for Retiree and Spouse, through the NJ State Health Benefits Program, effective February 1, 2021 until the death of the retiree.
2. Accumulated Sick Days:
Days accumulated through January 31, 2021: 31.5
Benefit: 31.5 days @\$320.92/day = \$10,108.98
To be paid on February 15, 2021
3. Accumulated and earned vacation.
Vacation earned from January 1, 2020 through December 31, 2020: 3 days
3 x 2020 rate of pay at \$320.92 = \$962.76
Total due for earned vacation: \$962.76 to be paid on 2/15/2021

BE IT FURTHER RESOLVED, These benefits may be adjusted prior to the February 1, 2021 retirement date as required.

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

A RESOLUTION TO CONFIRM PURCHASES

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:

ALLENHUSRT GARDEN CLUB	REIMB - CONCRETE POTS	1,200.00
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VOTE: Comm. McLoughlin-AYE; Comm. Bolan-AYE; Mayor McLaughlin-AYE

A RESOLUTION TO APPROVE EXECUTIVE SESSION

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 #2021-50

A RESOLUTION TO APPROVE BILLS AND PAYROLL (1-8-2021 to 1-31-2021)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payroll totaling \$309,375.44 be approved for payment; and,

BE IT FURTHER RESOLVED, That the January 26, 2021 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 Mayor thanked the New Fire Department Member for volunteering.

The Mayor also stated that he was on a County call during the week and it was reported that the county will be receiving 2000 more COVID vaccines per week with the hope that these amounts will further increase.

OPEN PUBLIC HEARING:

Comm. McLoughlin asked if there have been any thoughts as to whether or not the Borough will be able to host an Easter Egg Hunt this year. The Mayor advised, and all concurred, that it was too early to make that determination and we would have to wait to see what the COVID situation is further down the road.

There being no further business or comments, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 7:40 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 8:27 pm. Motion carried.