

**MINUTES
MAY 25, 2021**

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:

None

ANNOUNCEMENTS:

None

ORDINANCES FIRST READING

ORDINANCE #2021-10 –First Reading

BOND ORDINANCE NO. 2021-11

BOND ORDINANCE PROVIDING FOR ADA IMPROVEMENTS TO BOROUGH HALL, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 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 \$200,000, said sum being inclusive of all appropriations heretofore made therefor, including \$93,610 grant funds expected to be received from the Monmouth County Community Development Block Grant (CDBG) Program. 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 \$200,000, 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 Americans with Disabilities Act (ADA) improvements to Borough Hall, 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 \$200,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$200,000, 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 fifteen (15) 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 \$200,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$40,000 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.

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

RESOLUTIONS

RESOLUTION #2021-128

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 May 18, 2021 be ratified and approved.

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

RESOLUTION #2021-129
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 May 18, 2021.

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

RESOLUTION #2021-130
A RESOLUTION TO ADOPT 2021 MUNICIPAL BUDGET

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

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of:

1. General Revenues		
Surplus Anticipated	08-100	491,500.00
Miscellaneous Revenues Anticipated	13-099	2,617,908.00
Receipts from Delinquent Taxes	15-499	48,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	07-190	2,842,245.40
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I DISTRICTS ONLY: Item 6, Sheet 42	07-195	.00
Item 6(b), Sheet 11 (N.J.S. 40a:4-14)	07-191	.00
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only		.00
4. To be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191	.00
Total Revenues	13-299	5,999,653.40

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	XXXXXX	XXXXXXX
Within CAPS@	XXXXXX	XXXXXXX
(a+b) Operations Including Contingent	34-201	4,207,290.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	572,500.00
(g) Cash Deficit	46-885	

Excluded from CAPS@	XXXXXX	XXXXXXXX
(a) Operations - Total Operations Excluded from CAPS	34-305	370,780.00
(c) Capital Improvements	44-999	171,500.00
(d) Municipal Debt Service	45-999	542,100.00
(e) Deferred Charges - Municipal	46-999	20,000.00
(f) Judgments	37-480	
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	
(g) Cash Deficit	46-885	
(k) For Local School District Purposes	29-410	
(m) Reserve for Uncollected Taxes	50-899	115,483.40
6. SCHOOL APPROPRIATIONS - TYPE I SCHOOL DISTRICTS ONLY (N.J.S. 40a:4-13)	07-195	
Total General Appropriations	34-499	5,999,653.40

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

RESOLUTION #2021-131
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 #2021-132
A RESOLUTION TO APPROVE BILLS AND PAYROLL (5-16-2021 to 5-31-2021)

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

BE IT RESOLVED, That bills and payroll totaling \$147,420.95 be approved for payment; and,
BE IT FURTHER RESOLVED, That the May 31, 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:
Mayor McLaughlin stated that at the last Commissioner’s Meeting it was stated that residents believed they were being unsubscribed from the Borough Eblast email list. The Borough Offices

investigated the complaints and discovered that the residents in questions were either never on the list to begin with or were still on the list. The Borough never unsubscribes anyone from the list. It should be clarified that the Allenhurst Police Department and the Allenhurst Borough Offices use the same distribution list and the same email system. If you are receiving emails from the Police Department you are on the same eblast list. If there is any doubt, or any questions, please call the Borough Offices and speak with Patty or Donna.

The Mayor stated that since things are getting back to normal the plan is to go back to Borough Hall for meetings. Also, the Borough may go to once a month meetings in the summer. All changes will be notice in the paper and on the website. The Borough Administrator reminded everyone that the June 8th meeting was moved to June 10th due to election day.

The Mayor stated that the Borough is interested in forming a Shade Tree Commission. What this commission would do is regulate trees in the town and would relieve the Borough of liability for the trees.

The Mayor also stated that the Borough will be sending out a newsletter.

OPEN PUBLIC HEARING:

Mr. Joseph Cattán, of Spier Avenue, asked if changing of meetings is allowed. Comm. McLoughlin responded that if everything is properly noticed. He also stated if residents would rather two meeting a month, they can voice their opinion and the Commissioners would take that into consideration.

Mr. Cattán also asked about the Bond Ordinance that is being introduced at this meeting. The Mayor explained the Bond Ordinance is for a CDBG grant that the Borough received to do improvements at the Borough Hall. The improvements include a new ADA ramp and repairs to the entrance of Borough Hall. The Borough was awarded a grant of \$93, 000. A bond ordinance, for \$200,000, was done to cover the money that the Borough will be reimbursed by the County when the project is completed. Mr. Cattán asked what the soft costs of \$40,000 were for. The Mayor stated they are for the legal fees for the Bond Attorney and Engineer costs for the project. The Bond Ordinances are always taken out for more to cover the soft costs and other unanticipated costs. Comm. McLoughlin stated, to be fair, nothing in government costs the same as in the private sector. Municipalities are subject to NJ contract law which includes a public bid process and prevailing wage.

Mr. Cattán also asked about the school number of zero on the budget. The Mayor advised that the figure in the Budget represents the fact that there is no change required to the tax levy for the school budget.

There being no further business or comments, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 7:41 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 8:15 PM. Motion carried.