

MINUTES
August 10, 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

ORDINANCE 2021-12 – Final Reading will be at 8/24/2021 Meeting

ORDINANCE #2021- 12

**AN ORDINANCE OF THE BOROUGH OF ALLENHURST, IN THE
COUNTY OF MONMOUTH, NEW JERSEY RESCINDING AND
VACATING ORDINANCE #2021-05 THAT ADOPTED AN AMENDED
MAIN STREET REDEVELOPMENT PLAN PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW**

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 *ARedevelopment Law*), the Borough of Allenhurst (the "Borough") designated certain property fronting on Main Street and Deal Lake as an area in need of redevelopment; and

WHEREAS, in accordance with the provisions of the Redevelopment Law, the Borough enacted the "Main Street Redevelopment Plan" in October 2006, as amended in November 2007 for the Redevelopment Area; and

WHEREAS, the Borough amended and restated the Redevelopment Plan by Ordinance 2021-05 to, *inter alia*, permit a townhouse development on the east side of Main Street, modify the 2007 Redevelopment Plan by proposing the demolition (rather than adaptive reuse) of the Art Deco former Jersey Central Power & Light (JCP&L) buildings along the west side of Main Street and revise the concept for the redevelopment of the former JCP&L barn site on the east side of Main Street to permit new construction; and

WHEREAS, Ordinance #2021-05 was adopted upon second reading on April 13, 2021; and

WHEREAS, on June 28, 2021 the Borough received written correspondence from Fair Share Housing Center ("FSHC") notifying the Borough of FSHC's intention to intervene in the action filed by the Allenhurst Taxpayers Association, Inc. to assert a cross-claim alleging, among other things, a constitutional violation by the Borough relative to the Borough's obligation to provide a realistic opportunity for affordable housing if the Amended Redevelopment Plan adopted via Ordinance #2021-05 is not revised to include a 20% affordable housing set-aside (the "Affordable Housing Obligation"); and

WHEREAS, any attempt to address Fair Share Housing Center's concerns will require the Amended Redevelopment Plan to be substantially revised.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, New Jersey (not less than a majority of the full authorized membership thereof affirmatively concurring), as follows:

1. That the above recitals are incorporated herein as though more fully set forth herein at length, and
2. Ordinance #2021-05 be and is hereby rescinded and vacated as the Amended Redevelopment Plan will have to be substantially revised to address, among other things, the Affordable Housing Obligation, and
3. To the extent that Ordinance #2021-05 superseded the prior, November 2007 Redevelopment Plan, the same is hereby reinstated in its entirety, and shall be considered to remain in full force and effect, and
4. If any part of this Ordinance shall be deemed invalid, such parts shall be severed

- and the invalidity thereof shall not affect the remaining parts of this Ordinance, and
5. This Ordinance shall take effect in accordance with applicable law.

RESOLUTIONS

RESOLUTION #2021-175

A RESOLUTION TO APPOINT ACTING PLANNING BOARD SECRETARY

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Board of Commissioners have determined to appoint Donna M. Campagna to the position of Acting Planning Board Secretary.

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, as follows:

Donna M. Campagna, be and she is hereby appointed Acting Planning Board Secretary commencing on August 21, 2021.

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

RESOLUTION #2021-176

A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following be hired for the 2021 summer season commencing on May 29, 2021:

Charlie Raynor	Security	\$11.10	Hour
Michael Poniros	Deck	\$11.10	Hour

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

RESOLUTION #2021-177

A RESOLUTION TO APPROVE BIKE RIDE IN BOROUGH OF ALLENHURST

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Center in Asbury Park have requested permission to host a portion of their annual Fundraising Bike Ride through the Borough of Allenhurst on Saturday, September 25, 2021; and,

WHEREAS, A route sheet has been provided which will take the bike ride down Ocean Avenue, starting at approximately 9:00 AM and ending at approximately 12:00 pm and a Certificate of Insurance for this event will be provided; and,

WHEREAS, The Police Chief has reviewed the information given for this event and has recommended approval of same;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, that approval is hereby given to the Center in Asbury Park to run a portion of their annual Fundraising Bike Ride through Allenhurst on September 25, 2021.

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

RESOLUTION #2021-178

A RESOLUTION TO JOIN WITH THE COUNTY OF MONMOUTY AND APPLY FOR A LEAP IMPLEMENTATION GRANT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the State of New Jersey has appropriated \$10 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the COUNTY OF MONMOUTH and Participating Local Units propose to enter into a shared services agreement, but face certain expenses associated with implementation

that present a burden to the local units; and

WHEREAS, the purpose of this shared services agreement is to provide the technical benefits the County receives through our high resolution aerial imagery service Nearmap to all fifty-three (53) municipalities in the County, free of charge for two years, which will benefit the residents of all participating local units; and

WHEREAS, this service will provide high resolution, high quality imagery, as well as a complete set of countywide images three times a year through a web-based interface that allows the user to view the most recent images online; and

WHEREAS, municipal governments will use this to do the following:

- Measure size and footprints of buildings
- Determine property boundaries, setbacks and buffers
- Evaluate environmental conditions and potential development impacts
- Estimate capital investments
- Post disaster damage assessment
- Hazard mitigation assessments
- Search and rescue; and

WHEREAS, the COUNTY OF MONMOUTH has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Allenhurst, that the Borough of Allennurst does hereby join with COUNTY OF MONMOUTH in applying for a LEAP Implementation Grant in the amount of \$250,000.00 to support implementation of this shared service.

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

RESOLUTION #2021-179

A RESOLUTION TO APPROVE RACE IN BOROUGH OF ALLENHURST

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Safe Foundation have requested permission to host a portion of their Fundraising 5K Run through the Borough of Allenhurst on Sunday, August 29, 2021; and,

WHEREAS, A route sheet has been provided which will take the run down Page Avenue and Elberon Avenue, starting at approximately 8:30 AM and ending at approximately 12:00 pm and a Certificate of Insurance for this event has been provided; and,

WHEREAS, The Police Chief has reviewed the information given for this event and has recommended approval of same;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, that approval is hereby given to The Safe Foundation to run a portion of their through Allenhurst on August 29, 2021.

Approved with the condition that the race course is cleared by 10am.

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

RESOLUTION #2021-180

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; Comm. McLaughlin-AYE

RESOLUTION #2021-181

A RESOLUTION TO CONSIDER MORATORIUM WAIVERS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Borough has received several requests for the waiver of the provisions of the construction moratorium; and,

WHEREAS, The Board of Commissioners has reviewed the waiver requests; and,

WHEREAS, Under the provisions of granting approval for a waiver for the period ending 5 PM on **August 24, 2021**, the following provisions shall be adhered to:

1. No construction activities prior to 8:00 AM or after 5:00 PM daily.
2. No construction activities on weekends.
3. No construction activities on Sunday, July 4, 2021.
4. No dumpsters on property or heavy equipment permitted. No construction debris on outside of property

NOW, THEREFORE, BE IT RESOLVED, That the following requests for waiver of the provisions of the construction moratorium are hereby approved:

1. McGovern, Amanda – 108 Corlies Avenue

15 Days from 8am to 5pm.

- Emergency Repair Work – Roof/Roof Drainage Corrective work due to damage from significant water damage that occurred during a rainstorm on 7/6/2021. The damage has left a large extent of the home un-occupiable. Interior corrective work can not begin until roof and roof drainage corrected.

Extension APPROVED through 8/31/2021 with following guidelines

- Trucks in the driveway, not in the street
- Days of work approved must be completed consecutively from the start date, no weekends.
- The hours of work will be 8am to 5pm
- The homeowners, or their representative, must inform the Zoning Officer of the start date.

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

RESOLUTION #2021-182

A RESOLUTION TO APPROVE BILLS AND PAYROLL (8-1-2021 to 8-15-2021)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payroll totaling \$542,202.50 be approved for payment; and,

BE IT FURTHER RESOLVED, That the August 15, 2021 consolidated bill list be attached hereto and made a part thereof.

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

MORATORIUM DISCUSSION

Amanda Costanzo of 108 Corlies presented her Moratorium Waiver Application. The Board of Commissioners advised that the only work that would be approved is that which would protect the home from further intrusion of water. Other items listed in the waiver application would have to wait until after Labor Day. Ms. Constanzo will email the Borough Administrator and Zoning Officer to let them know when work is going to be done.

Al Cabasso, of Corlies Avenue spoke stating that he had no objection to the Waiver Application from Mrs. Constanzo. Mr. Cabasso did state that he felt that he wished there was displayed equal concern regarding noise from other sources than construction during the summer. He expressed much gratitude to all those that work and service the Borough, but sometimes the noise from music at parties is excessive.

ITEMS FOR DISCUSSION

The Mayor stated that National Night out was a success and thank the Police for planning a wonderful event. He also thanked the DPW for all their assistance.

The Mayor also announced that there would be additional beach replenishment happening in the near future. The Borough does not yet have all the details but it should begin in the fall.

The Mayor stated that the Borough is considering a Dumpster Ordinance When the ordinance is available it will be on the website.

OPEN PUBLIC HEARING:

There being no further business or comments, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 8:03 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 8:54 PM. Motion carried