

MINUTES
January 11, 2022

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding with Commissioner answering the roll call. Commissioner Bolan 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:
None

ORDINANCES
ORDINANCES FIRST READING

ORDINANCE #2022-01 – First Reading - TABLED UNTIL THE JANUARY 25, 2022 MEETING

ORDINANCE #2022-01

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)"

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

SECTION I. That Ordinance No.: 2021-01 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/Administrator	\$40,000.00	\$150,000.00
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
Finance Clerk/Beach Membership Administrator	\$20,000.00	\$80,000.00
Part-Time Office Staff	\$12 per hour	\$28 per hour
Records Coordinator	\$2,500.00	\$6,500.00
Registrar	\$1,000.00	\$1,000.00

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Deputy Registrar	\$500.00	\$500.00
Public Works	\$27,000.00	\$80,000.00
Public Works Forman	\$500.00	\$2,000.00
Public Works Superintendent/Sewer Operator	\$50,000.00	\$130,000.00
Building and Grounds Supervisor	\$30,000.00	\$60,000.00
Full-time Communication Officer	\$27,040.00	\$50,000.00
Part-time Communication Officer	\$13.00 per hour	\$20.00 per hour
TAC Officer	\$2,000.00	\$4,000.00
Emergency Management Police Coordinator	\$1,500.00	\$4,000.00
Emergency Management Administrator	\$1,500.00	\$4,000.00
SLEO I	\$13.00 per hour	\$15.00 per hour
SLEO II	\$15.00 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	\$25,000.00
Zoning Inspector	\$10,000.00
Recycling Coordinator	\$2,000.00
Right-To-Know Coordinator	\$1,500.00
Assistant Right-To-Know Coordinator	\$1,500.00
Board of Health Officer	\$2,500.00
Clean Communities Coordinator	\$1,000.00
Certified Pool Operator	\$1,000.00
Planning Board Secretary	\$16,000.00
Sewer Collector	\$4,000.00

<u>POSITION</u>	<u>MAXIMUM</u>
Treasurer	\$2,500.00
Special Event Fire Inspector (part time as needed)	\$50.00/hr.
Webmaster	\$1,000.00

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, 2022.

Tabled until the January 25, 2022 Meeting.

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

ORDINANCES FIRST READING
ORDINANCE #2022-02 – First Reading

ORDINANCE #2022-02
AN ORDINANCE AMENDING AND SUPPLEMENTING
THE BOROUGH CODE OF THE BOROUGH OF
ALLENHURST, CHAPTER XXVI ENTITLED
“DEVELOPMENTAL REGULATIONS OF THE BOROUGH
OF ALLENHURST”

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 portions of its existing Borough Code concerning the Development Regulations, to address escrows and costs for reviewing applications, making zoning determinations and conducting inspections to assure that approved projects are constructed according to the approved plans, by amending section 26-8.1.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter 26 of the Borough Code of the Borough of Allenhurst, be and is hereby amended and supplemented as follows:

SECTION 1. The existing §26-8.1(c) is hereby deleted in its entirety and replaced with the following:

c. Application and Escrow Fee Schedule.

	Type of Application	Application Fee	Escrow Amount
Subdivisions			
1.	Sketch Plat	\$150.00	\$500.00
2.	Preliminary Plat	\$300.00 + \$100.00 per lot	\$3000.00 + \$100.00 per lot
3.	Final Plat	\$100.00	\$1500.00 + \$100.00 per lot
Site Plans			
1.	Preliminary	\$500.00	\$3000.00
2.	Final	\$300.00	\$500.00
Variance Relief			
1.	Special Question or Interpretation	\$300.00	\$500.00
2.	Hardship	\$300.00	\$1000.00
3.	Use	\$500.00	\$1000.00
4.	Signs Only	\$150.00	\$300.00
Certificate of Appropriateness			
1.	Application	\$500.00	\$1500.00

2.	Application for new construction	\$1000.00	\$4000.00
3.	COA Compliance Inspections	\$0.00	\$2200.00
Additional Fees			
1.	Construction permit in bed of mapped street or drainage right-of-way or lacking street frontage	\$300.00	\$500.00
2.	Special meeting Costs	\$1500.00	\$1000.00
3.	Official Map Appeals	\$200.00	\$500.00
4.	Determination of percentage of impervious surface	\$100.00	No Escrow
5.	Zoning Determination	\$450.00	No Escrow
6.	Zoning Determination for Fence ONLY	\$150.00	No Escrow
7.	Zoning Determination for Driveways/Patios/PCD ONLY	\$150.00	No Escrow
8.	Zoning Determination for Generators/AC Condensers ONLY	\$150.00	No Escrow
9.	Zoning Determination, resubmission due to incompleteness	\$150.00	No Escrow
10.	Zoning Inspection	\$165.00	No Escrow
11.	Zoning re-inspection due to incompleteness	\$105.00	No Escrow
12.	Pool Permit Application per §26-5.11	\$200.00	\$1000.00
13.	Drainage System Application	\$200.00	\$1000.00

SECTION 2. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 3. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

SECTION 4. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption according to law.

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

RESOLUTIONS

RESOLUTION #2022-01

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the minutes of the Regular Meeting of December 21, 2021 be ratified and approved.

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

RESOLUTION #2022-02

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the Clerk dispense with the reading of the Regular Meeting of December 21, 2021.

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

RESOLUTION #2022-03

A RESOLUTION TO APPOINT OFFICIALS

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following officials of the Borough of Allenhurst are hereby appointed effective January 1, 2022, through December 31, 2022:

ADA Compliance Officer	Donna M. Campagna
Administrative Assistant	Patricia Lynch
Assessment Search Officer	Donna M. Campagna
Borough Clerk/Administrator	Donna M. Campagna
Borough Treasurer	Kevin Rogers
Certified Pool Operator	Marc Heitmueller
Certified Pool Operator	Mike Powers
Chief Financial Officer	Wayne Silbia
Code Official	Michael Mulcahy
Community Development Rep.	Donna M. Campagna
Alternate Community Development Rep.	Patricia Lynch
Deal Lake Representative	Bruce Fromer
Deal Lake Representative – Alternate	Anthony Mauro
Dep. Comm. Development Rep.	Patricia Lynch
Deputy Borough Clerk	Patricia Lynch
Deputy Borough Treasurer	Patricia Lynch
Finance Clerk/Beach Membership Administrator	Noel Benkoil
Fund Commissioner (JIF)	Donna M. Campagna
Board of Health Officer	Donna M. Campagna
Mercantile License Officer	Donna M. Campagna
Personnel Officer	Donna M. Campagna
Planning Board Secretary	Alison Gavin
Public Agency Compliance Officer	Donna M. Campagna
Public Works Superintendent/Sewer Operator	Marc Heitmueller
Public Works Foreman	Richard Duchatkiewicz
Qualified Purchasing Agent	Barbara Kovelesky
Recycling Coordinator	Marc Heitmueller
Registrar	Donna M. Campagna
Deputy Registrar	Patricia Lynch
Right to Know Coordinator	James Vandervort
Assistant Right to Know Coordinator	Miguel Castillo
Clean Communities Coordinator	Donna M. Campagna
Sewer Collector	Noel Benkoil
Sewer System Operator	Marc Heitmueller
Building and Grounds Supervisor	James Vandervort
Mechanic	James Vandervort
TAC Officer	Jason Henry
Tax Assessor	Gail Scaglione
Tax Collector	Carla Tomas
Tax Search Officer	Carla Tomas
Zoning Inspector	Michael Mulcahy

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

RESOLUTION #2022-04
A RESOLUTION TO APPOINT EMERGENCY MANAGEMENT COUNCIL

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following be appointed to the Allenhurst Local Emergency Planning Council (LEPC) for a term, expiring December 31, 2022:

<u>Elected Officials</u>	
David J. McLaughlin	Mayor/Director of Public Safety - OEM Coordinator
Christopher J. McLoughlin	Deputy Mayor/Director of Finance
Terrence Bolan	Commissioner/Director Public Works
<u>Police, Fire, Emer. Mgt, First Aid, Health, Environmental, Hospital, Public Works</u>	
Michael Schneider	Deputy Emer. Mgt. Co-ord.
Michael DiBona	Police Coordinator.
James Rogers	Deputy Coordinator
Donna M. Campagna	Clerk-Administrator/ OEM Administrator
Carla Ward	EMS Coordinator/FAS Captain
Marc Heitmueller	Superintendent of Public Works
Jason Henry	TAC Officer
Michael Powers	Fire Coordinator/Fire Chief
David A. Henry	Health Coordinator/Health Officer
<u>Broadcast & Print Media</u>	
Patricia Lynch	Public Information Officer
<u>Community Groups</u>	
Peter Genovese	Board of Education Secretary-Administrator

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

RESOLUTION #2022-05
A RESOLUTION TO CONFIRM PLANNING BOARD MEMBERS

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED That the following are hereby appointed members of the Planning Board for the terms indicated:

Class I Member
David J. McLaughlin which term commenced on May 5, 2020 (NUNCPRO TUNC) and terminate on May 7, 2024 or such earlier date as the Mayor’s official tenure ends.

Class II Member (1 Year Term)
Kevin G. Rogers for a term expiring December 31, 2022

Class III Member
Christopher J. McLoughlin which term commenced on May 5, 2020 (NUNCPRO TUNC) and terminate on May 7, 2024 or such earlier date as the Deputy Mayor’s official tenure ends.

Class IV Members (4 Year Term)
Frieda Shalam for a term expiring December 31, 2024
Bernie Costello for a term expiring December 31, 2024
Joseph Tomaino for a term expiring December 31, 2023
Geraldine Greer Varley for a term expiring December 31, 2022
Richard Cumisky for a term expiring December 31, 2022

Alternate Members
Kris Hotchster as Alternate #1, for a term expiring December 31, 2022
Steven Ryan as Alternate #2, for a term expiring December 31, 2022
Mark Horowitz as Alternate #3, for a term expiring December 31, 2022

Designation of Board Member who meets the qualifications of a Class A member of a Historic Preservation Commission pursuant to N.J.S.A. 40:55D-107 et seq. (1 Year Term)
Joseph Tomaino for a term expiring December 31, 2022

Designation of Board Member who meets the qualifications of a Class B member of a Historic Preservation Commission pursuant to N.J.S.A. 40:55D-107 et seq. (1 year Term)
Geraldine Greer Varley for a term expiring December 31, 2021

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

RESOLUTION #2022-06
RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL SERVICES

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, the Borough of Allenhurst has a need to obtain the following Professional Services, and their services will be provided as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

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

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, each of the following business entities have completed and submitted a Business Entity Disclosure Certification which certifies that they have has not made any reportable contributions to a political or candidate committee serving individually or collectively as the Board of Commissioners in the Borough of Allenhurst in the previous one year, and that the contract will prohibit each 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 2022 in the 2022 Temporary Budget and funds for the balance of 2022 will be provided for in the budget for the year 2022 when finally adopted;,

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Borough of Allenhurst hereby authorize the following appointments, and:

Borough Attorney	Birdsall & Laughlin, LLC
Borough Engineer	Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc.,
Borough Auditor	Robert A. Hulsart, CPA, RMA
	of the firm of Robert A. Hulsart
Borough Bond Counsel	Meghan Bennett Clark of Gluckwalrath
Redevelopment Attorney	McManimon, Scotland & Baumann, LLC
DEP Consultant	John (Jack) M. Van Dalen
	Of the firm Van Dalen Brower, LLC
Financial Consultant for Redevelopment	NW Financial Group, LLC
Animal Control Services	Associated Humane Society
Recording and Transcription Services	State Shorthand Reporting

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

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 appointees, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #2022-07
A RESOLUTION TO APPOINT PROFESSIONALS

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, There exists a need for professional services for the year 2022; and,

WHEREAS, the Certified Financial Officer has certified that funds for this purpose shall be provided for the first three months of 2022 in the 2022 Temporary Budget and funds for the balance of 2022 will be provided for in the budget for the year 2022 when finally adopted, and the Treasurer has so certified; and,

WHEREAS, These appointments are being made without competitive bidding because the appointments involve members of recognized professions, licensed and regulated by law, pursuant to NJSA 40A:11-5;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst that the Mayor and Borough Clerk be and they are hereby authorized and directed to engage the services of the following professionals:

Municipal Prosecutor:	James Carton IV, Esq.
Assistant Prosecutor	Jason Shamy, Esq.

Borough Physicians
Chief Public Defender
Deputy Public Defender
Technology Management
Technology Management for Beach Club

Meridian Occupational Health
David Gardner, Esq.
Jason A. Volet, Esq.
Ellicot Network Consulting
Crabnet, LLC

for a term commencing January 1, 2022, through and including December 31, 2022; and,

BE IT FURTHER RESOLVED, That these appointments are contingent upon approval of professional contracts from each appointee; and,

BE IT FURTHER RESOLVED, That the Borough Clerk be and he is authorized and directed to publish this resolution in accordance with NJSA 40A:11-1.

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

RESOLUTION #2022-08

**A RESOLUTION TO AUTHORIZE CONTRACT FOR CLEANING SERVICES FOR
THE BOROUGH HALL AND POLICE DEPARTMENT**

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, there exists a need for professional services for Cleaning Services for the Borough Offices and the Police Department; and

WHEREAS, funds are available for this purpose and Local Public Contracts Law (N.J.S.A. 40A-11-1 et seq.) permits the award of a contract less than 15% of the bid threshold with competitive bidding.

WHEREAS, the Certified Financial Officer has certified that funds for this purpose shall be provided for the first three months of 2022 in the 2022 Temporary Budget and funds for the balance of 2022 will be provided for in the budget for the year 2022 when finally adopted, and the Treasurer has so certified; and,

NOW THEREFORE BE IT RESOLVED, by the Mayor and Board of Commissioners of the Borough of Allenhurst that Emerald Domestic Services be hereby awarded the contract for 2022 Cleaning Services at the annual cost of \$2400.

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

RESOLUTION 2022-09

**RESOLUTION TO AUTHORIZE A GRACE PERIOD FOR PROPERTY TAX
PAYMENTS AND SET THE INTEREST RATE FOR DELINQUENT PROPERTY TAX
PAYMENTS**

Offered By: Seconded By:

WHEREAS, property taxes are due and payable according to law, on the first of February, May, August and November of the calendar year; and,

WHEREAS, pursuant to the provisions of N.J.S.A. 54:4-67, the governing body of the Borough of Allenhurst has determined that it is appropriate to set a grace period for the payment of taxes until the 5th day of February, May, August and November after which the payments shall become delinquent with interest due and payable from the first day of the quarter; and,

WHEREAS, Chapter 75, P.L. 1991, provides for a six percent flat penalty at the close of the fiscal year to be charged on delinquencies over \$10,000; delinquencies being defined as all unpaid property taxes and municipal charges;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst, the Tax Collector is authorized to charge interest on delinquent taxes from the date that same were first due and payable at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Allenhurst authorizes the Tax Collector to charge a six (6%) percent flat penalty at the close of 2022 on delinquencies over \$10,000.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

RESOLUTION 2022-10

A RESOLUTION TO ESTABLISH A YEAR END PENALTY TO SIX (6%) PERCENT TO BE CHARGED ON THIRD PARTY LIENS ON DECEMBER 31 OF EACH YEAR WHEN THE AMOUNT PAID BY THE LIEN HOLDER IS IN EXCESS OF \$10,000.00

Offered By:

Seconded By:

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement of discount for the late payment of taxes as provided by law; and,

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on property that fails to pay the delinquency prior to the end of the calendar year; and,

WHEREAS, NJSA 54:4-67 permits the governing body to fix a penalty of 6% to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. If any fiscal year delinquency in excess of \$10,000.00 is paid by the third party lien holder of an outstanding tax sale certificate, the holder or purchaser shall be entitled to receive the amount of the penalty as part of the amount required to redeem such certificate of sale providing the payment is made by the tax lien holder prior to the end of the fiscal year. If the holder of the outstanding tax sale certificate does not make the payment in full prior to the end of the fiscal year, then the holder or purchaser shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall inure to the benefit of the municipality. The penalty so fixed shall not exceed 6% of the amount of the delinquency with respect to each most recent fiscal year only;

NOW, THEREFORE, BE IT RESOLVED, By the Commissioners of the Borough of Allenhurst, That the Tax Collector has the authority to fix a 6% year end penalty to all third party tax sale certificates in excess of \$10,000.00 that have been paid in full by the lien holder prior to the end of the fiscal year and if not paid in full, the lien holder shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall be inure to the benefit of the municipality for the 2022 tax year and to become effective immediately.

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

RESOLUTION #2022-11

A RESOLUTION TO AUTHORIZE TAX SALE LIENS

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, There remains on the records of the Borough of Allenhurst delinquent taxes, sewer utility charges and other municipal charges owing as of December 31, 2021; and,

WHEREAS, The statutes of the State of New Jersey, expressly NJSA 54:5 et seq., provide for the enforcement and collection of such delinquencies through a tax lien sale; and,

WHEREAS, The Tax Collector is empowered by statute to conduct and preside over the sale of liens;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, a Municipal Corporation of the State of New Jersey, that the Borough Tax Collector is authorized to conduct a tax lien sale for 2021 delinquent taxes, sewer utility charges and other municipal charges on or before December 31, 2022 and to become effective January 1, 2022.

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

RESOLUTION #2022-12

RESOLUTION AUTHORIZING BOROUGH OF ALLENHURST TO CHARGE TAX SALE COSTS

FOR PREPARING AND ADVERTISING TAX SALE LIST

Offered By:

Seconded By:

BE IT RESOLVED, by the Commissioners of the Borough of Allenhurst that pursuant NJSA 54:5-38 the office of the Tax Collector is to charge a tax sale cost fee of 2% of the amount listed for sale but not less than \$15.00 and not more than \$100.00 dollars for each tax sale item

that appears on the Tax Sale List 50 (fifty) days prior to the date of the Tax Sale. The fee is to be charged on all tax sale items that are paid in full prior to the tax sale to become effective January 1, 2022.

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

RESOLUTION #2022-13

A RESOLUTION TO APPROVE INTEREST RATE ON DELINQUENT SEWER

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That upon the recommendation of the Borough Sewer Collector, interest at the rate of eight per centum (8%) per annum be charged on the first \$1,500.00 of the delinquency and eighteen per centum (18%) per annum on any amount in excess of \$1,500.00 be charged on the first quarterly installment of sewer charges for the year 2022 after February 1, 2022 and on the second quarterly installment after May 1, 2022 and on the third quarterly installment after August 2, 2022 and on the fourth quarterly installment after November 1, 2022 provided that no interest shall be charged if payment of any installment is made within the thirtieth calendar day following the date upon which the same became payable and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency as provided for in NJSA 54:4-67; and,

BE IT FURTHER RESOLVED, As to tax sale certificates, the Sewer Collector is hereby directed to collect 2% when the sewer charges, interest and costs shall exceed the sum of \$200.00. When the sewer charges, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$ 10,000.00, such additional sum shall be equal to 6% of such amount paid as provided for in NJSA 54:5-61 and shall become effective immediately.

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

RESOLUTION #2022-14

A RESOLUTION TO APPROVE MEETING DATES

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That pursuant to the Open Public Meetings Act, the Board of Commissioners of the Borough of Allenhurst adopts the following schedule of meetings for the year 2022, said meetings to be held at Borough Hall, 125 Corlies Avenue, on the dates listed at 7:30 P.M., unless otherwise indicated:

January 25	June 14	September 20
February 15	June 28	October 18
March 8	July 12	November 1
March 22	July 26	November 29
April 12	August 9	December 13
May 3	August 23	January 10, 2023
May 24	September 6	

BE IT FURTHER RESOLVED, That the Borough Clerk be and she is hereby authorized to publish this resolution in accordance with the Open Public Meetings Act.

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

RESOLUTION #2022-15

A RESOLUTION TO APPROVE NEWSPAPERS

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the Coaster and the Asbury Park Press be designated as the official newspapers for the insertion of legal notices for the Borough of Allenhurst.

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

RESOLUTION #2022-16
A RESOLUTION TO APPROVE UNEXPENDED BALANCES

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, NJSA 40:A+-4, The Local Budget Law, permits budget appropriations to be reserved for expenditures that are now encumbered prior to the close of the fiscal year, or for those undetermined charges from 2021 that will be paid in 2022;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby reserve all unexpended balances from the 2021 Budget for all unpaid claims for 2021.

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

RESOLUTION #2022-17
RESOLUTION AUTHORIZING PRE-PAYMENT OF CERTAIN BILLS FOR 2022

Offered By:

Seconded By:

WHEREAS, the Borough of Allenhurst has budgeted funds for payment of recurring obligations including, utilities, payroll, debt service, governmental fees and other statutory payments, insurance, and for the advertising, printing and mailing costs of the Borough; and

WHEREAS, timely payment of these items occasionally become due out of time for placement on the next available list of bills and claims, thus inadvertently causing said obligations to be in arrears because of the schedule of Council meetings; and

WHEREAS, the Borough's Chief Financial Officer and Borough Attorney have advised that the governing body may provide for the pre-payment of these items, so that they may be paid in a timely manner to avoid incurring penalties.

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 by the Borough of Allenhurst that the Chief Financial Officer and/or Borough Clerk/Administrator be and are hereby authorized and directed to make pre-payment of the following items prior to the same appearing on the next meeting's list of bills and claims:

1. All Utilities (electric, gas, water, sewer, telephone, cellular telephone, gasoline, diesel fuel, internet providers, and such other regular services as the Borough receives).
2. Borough payroll and payroll agencies.
3. Debt service as evidenced by pre-authorized bonds and/or notes.
4. Health, dental and other insurance premiums and/or claims.
5. Governmental fees and other statutory payments (school, county, sewage authority, state and county fees).
6. Bills pertaining to the advertising, printing and mailing costs of the Borough.
7. Third party fees collected through pre-authorized credit/debit card processing.
8. Bills where vendor discounts, or savings of Taxpayer funds, are granted for timely payment.
9. Inter-fund Obligations.
10. Purchase of investments.
11. Other items with written authorization of the Chief Financial Officer and/or Borough Clerk/Administrator.

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

RESOLUTION 2022-18
A RESOLUTION CERTIFYING COMPLIANCE WITH
N.J.S.A. 40a:4-5, AS AMENDED BY P.L. 2017, C.183.

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964", as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012)

before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Local Government Services in the New Jersey Department of Community Affairs; and;

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body on file with the Municipal Clerk;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Board of Commissioners of the Borough of Allenhurst, that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

RESOLUTION #2022-19

A RESOLUTION TO APPROVE DEPOSITORIES

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, Pursuant to Chapter 8, Laws of 1982, the Borough of Allenhurst is required to adopt a Cash Management Plan, including the Designation of a Depository or Depositories;

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that Kearny Bank and Manasquan Saving Bank and State of New Jersey Cash Management Fund be and are designated as official depository of Borough funds; and,

BE IT FURTHER RESOLVED, That the funds of the Borough shall be invested in interest bearing accounts. The Chief Finance Officer shall see that minimum funds shall be maintained in any non-interest bearing account in such amounts as the Chief Finance Officer shall deem necessary to provide the orderly transition of business by the Borough and to take advantage of any services provided to the Borough by the depository through maintenance of minimum balances in said accounts where the Chief Finance Officer deems it in the best interest of the Borough to do so.

All other monies shall be invested in interest bearing accounts, in investments in which municipal funds may lawfully be invested or in the State of New Jersey Cash Management Fund in such accounts and at such times, from time to time, and the Chief Finance Officer shall deem in the best interest of the Borough; and,

BE IT FURTHER RESOLVED, That the Auditor receive a copy of this resolution.

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

RESOLUTION #2022-20

A RESOLUTION TO APPROVE CASH MANAGEMENT PLAN

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40A: 5-14 requires that every local unit adopt a Cash Management Plan, and

WHEREAS, the primary objectives of the plan are to preserve the safety of Public funds, seek investment instruments that offer liquidity and maximize interest revenue through authorized legal depositories and approved investment instruments,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allenhurst, County of Monmouth, State of New Jersey the following Cash Management Plan for the Borough of Allenhurst be adopted.

BOROUGH OF ALLENHURST **CASH MANAGEMENT PLAN**

INTRODUCTION

The New Jersey Local Fiscal Affairs Law, N.J.S.A 40A: 5-14 requires that every local unit adopt a Cash Management Plan and shall deposit its funds pursuant to that plan. The primary objective of the plan are to preserve the safety of public funds, seek investment instruments that offer liquidity and maximize interest revenue through the use of authorized legal depositories and approved investment instruments.

I. AUTHORITY

- a. Borough Council of the Borough of Allenhurst, County of Monmouth.
- b. Delegation of Authority Authority to implement the investment program is granted to the Chief Financial Officer. The Chief Financial Officer shall act in accordance with the requirements of the Cash Management Plan, New Jersey Statutes and proper use of internal controls. No other persons may engage in investment transactions except for those subordinate officials of the Chief Financial Officer.

II. STATEMENTS OF POLICY

It shall be the policy of the Borough of Allenhurst, County of Monmouth to adopt a Cash Management Plan, and to authorize the Chief Financial Officer to administer said Plan, for the purpose of deposit and investment of the maximum of available funds in interest bearing instruments. The investment instruments shall be safe, liquid and offer market yields.

Safety of principal is the foremost objective of the Cash Management Plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital.

The utilized investment instruments shall remain sufficiently liquid to meet all operating cash requirements that may be reasonably anticipated.

Investments shall be planned with the objective of attaining a market rate, while taking into account legal restriction, risk and liquidity. Return on investment is secondary importance compared to safety.

III. DEFINITIONS

Arbitrage refers to the rules and regulation governing the issuance of Bonds or Notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Service, regulation 1.103.

Cash Management Fund is the New Jersey Cash Management Fund. This Fund is one of a number of funds invested by the New Jersey Division of Investments of the Department of Treasury under the jurisdiction of the State Investment Council. The Fund is authorized to receive the invest local unit funds pursuant to N.J.S.A. 40A:5-14.

Certificate of Eligibility is the certification issued by the New Jersey Department of Banking. Division of Banking that a public depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

Compensating Balance Account is a bank account at an eligible depository which pays no interest or interest lower than 2 of 1 percent maximum, in return for specific services, for example check sorting, payroll services, wire transfers and other services.

Eligible Public Depositories is a Banking or Savings and Loan Association with a current certificate of eligibility from the State Banking Department. The Borough of Allenhurst shall designate said depositories, by resolution of the governing body on January 1st of each year in accordance with N.J.S.A. 40A: 5-14.

Eligible Securities are those investment instruments authorized by N.J.S.A. 40A: 5-15.1.

Interest Bearing Account is an account or time deposit in an eligible public depository, earning interest, or any deposit in the State of New Jersey Cash Management Fund.

IV. STANDARD OF CARE

1. The standard of prudence to be sued by those delegated to effect investment

transactions on behalf of the Borough of Allenhurst shall be the prudent person standard. Investments shall be made with judgment and care, under circumstances the prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs. Investments shall not be for speculation.

2. Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their eligibility to make impartial decisions. Employees shall disclose any material interest in financial institutions which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Borough of Allenhurst.

3. The Chief Financial Officer is responsible for establishing and maintaining internal controls. The controls should ensure that the assets of the Borough of Allenhurst are protected from loss, theft or misuse.

V. PROCEDURES FOR RECEIPT OF MONIES

Department Procedures

1. Department Directors will ensure that a receipt is issued in duplicate for all transactions. A copy of the receipt shall be given to the paying party and the duplicate maintained by the issuing department. The receipts shall be pre-numbered, or sequentially numbered if computer generated.
2. All monies collected or received from any source by or on behalf of the Borough, Department, or any Board thereof, shall be forwarded to the Division of Accounts and Control within forty-eight (48) hours of receipt.
3. The Division of Accounts and control will prepare collected revenues for deposit to the designated legal depository.
4. All monies received shall be placed in a secure place until forwarded for deposit.
5. The Department/Division Director shall file with the Chief Financial Officer a monthly report of all monies received in the manner prescribed. The report also will include year-to-date amounts received.
6. No department, division, or agency shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is included in the prohibition.

Chief Financial Officer

1. All monies collected or received from any source by or on behalf of the Borough shall be deposited within forty-eight (48) hours of receipt of designated banks.
2. Ensure that all monies deposited are in an interest bearing account(s).
3. Where compensating balances are used to offset bank expenses, an agreement between the bank(s) and the Borough shall be executed and reviewed annually.
4. The Chief Financial Officer shall make recommendations of legal public depositories to the Allenhurst Borough Council who shall by resolution designate said depositories at the annual reorganization meeting of the Council. The list of authorized depositories may be amended at any time during the year.
5. Maturity of Investments-Investments shall be limited to maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of the State Statute or promulgated regulation.
6. Investment Securities - The Chief Financial Officer has the responsibility to determine which investments instruments are best suited for the Borough. However, the Chief Financial Officer shall be authorized only to invest in securities permitted by New Jersey State Statute. No investment shall be made in any depository that does not meet current Federal minimum standard for Leverage Ratio, Tier 1 and Tier 2 Capital Ratio.

Presently, a local unit may permit investments in such institutions as permitted in Section 4 of P.L. 1970, Chapter 236 (6.17:19-44) and other instruments specified as follows:

Mutual Funds backed by the United States Government Obligations
United States Treasury Bills (T-Bills)
Municipal Bonds or Notes

Commercial Bank Deposits and Certificates of Deposit
Repurchase Agreements
Investment in Savings and Loan Associations
United States Government Agency and Instrumentality Obligations
State of New Jersey Cash Management Fund
School District Obligations

All designated depositories must conform to all applicable State statutes concerning depositories of public funds, and all depositories shall obtain the highest amount possible F.D.I.C. and /or F.S.L.I.C. coverage for all municipal assets.

VI. FUNDS EXCLUDED FROM INVESTING

The following types of funds are not required to be placed in interest bearing account:

1. Petty cash funds
2. Cash drawn from a Federal Agency under a letter of credit which has to be paid out within 5 working days to a vendor.
3. Deposit, retainage, or amounts posted by way of bond, held by the local unit for such things as faithful performance, if the local unit would be required by law to pay back any interest earned to the provider of the deposit, except where the local unit is required by law or court decision to invest the funds.

VII. BOROUGH AUDITOR

The Borough investment practices and the agreement of banking services and compensation thereof shall be reviewed by the Borough Auditor as part the annual audit, as required by the N.J. S. A 40A:5-4. Where a conflict exists between this Cash Management Plan and State stature the applicable statute shall govern.

VIII. SURETY BONDS

1. The Chief Financial Officer shall be covered by a surety bond. During the annual audit the municipal Auditor shall examine said bond to determine that proper coverage is in effect.
2. Staff members of the Division of Accounts and Control shall be covered by a Public Employee Faithful Performance Bond (Blanket Bond) in the minimum of \$10,000.00.
 - a. The Chief Financial Officer in accordance with N.J.S. A. 40A:5-14 shall prepare a written monthly investment report and submit same to the Borough Council.

The summary report will be prepared in the manner which will allow the Borough Council and the administration to ascertain whether investment activities during the reporting period have conformed to the Cash Management Plan. The report shall set forth each organization holding local unit funds, the amount securities purchased or sold, class or type of securities purchased, book value, earned income, fee incurred, and market value of all investments as of the report date. Such written report shall be included in the minutes of a regular Borough meeting.

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

RESOLUTION #2022-21

**RESOLUTION AMENDING AUTHORIZING EXECUTION OF CORPORATE
RESOLUTION FORMS AND SIGNATURE CARDS REQUIRED BY DEPOSITORIES**
Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED that the following resolution is essential for the operation of the Borough of Allenhurst, County of Monmouth, State of New Jersey, for the year 2022. All disbursements from the Borough accounts, other than those separately listed below, shall be by check only, signed by any three (3) of the following five persons authorized to sign:

Mayor, Deputy Mayor, Treasurer, Deputy Treasurer and Administrator/Borough Clerk

Disbursements from the Borough's Municipal Court accounts shall be by check only, signed by any (2) of the following 3 persons authorized to sign:

Judge, Court Administrator and Deputy Court Administrator of Bradley Beach as per the interlocal agreement effective January 1, 2020.

BE IT FURTHER RESOLVED that the above individuals are hereby authorized and directed to execute the corporate resolution forms and signature cards required by the depositories named by the Board of Commissioners.

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

RESOLUTION #2022-22
A RESOLUTION TO ESTABLISH 2022 TEMPORARY BUDGET
Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, NJSA 40A:4-19 of the Local Budget Act provides that (where any commitments, contracts or payments are to be made prior to the final adoption of the 2022 Budget) temporary appropriations should be made for the purpose and amounts required in the manner and time herein provided; and
WHEREAS, the date of this resolution is within the first 30 days of January 2022; and
WHEREAS, 26.25% of the total appropriations in the 2022 budget exclusive of any appropriations for debt service, relief of the poor and capital improvements is \$1,387,589.00 for current fund and \$76,650 for sewer utility; **NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made:

WHEREAS, NJSA 40A:4-19 of the Local Budget Act provides that (where any commitments, contracts or payments are to be made prior to the final adoption of the 2021 Budget) temporary appropriations should be made for the purpose and amounts required in the manner and time herein provided; and
WHEREAS, the date of this resolution is within the first 30 days of January 2022; and
WHEREAS, 26.25% of the total appropriations in the 2022 budget exclusive of any appropriations for debt service, relief of the poor and capital improvements is \$1,181,565 for current fund and \$75,500 for sewer utility; **NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made:

Current Fund			
Administration	Salaries & Wages	\$	44,650.00
Administration	Other Expenses		11,550.00
Finance	Salaries & Wages		14,250.00
Finance	Other Expenses		5,250.00
Tax Collector	Salaries & Wages		1,750.00
Tax Collector	Other Expenses		2,625.00
Commissioner - Revenue & Finance	Salaries & Wages		400.00
Tax Assessor	Salaries & Wages		2,280.00
Tax Assessor	Other Expenses		525.00
Legal	Other Expenses		28,875.00
Tax Appeals	Other Expenses		6,500.00
Engineering	Other Expenses		16,275.00
Planning Board	Salaries & Wages		4,025.00
Planning Board	Other Expenses		9,100.00
Code Enforcement	Salaries & Wages		6,700.00
Code Enforcement	Other Expenses		100.00
Worker's Comp.	Other Expenses		49,500.00
Group insurance	Other Expenses		170,000.00
Unemployment	Other Expenses		4,500.00
Other Insurance	Other Expenses		33,550.00
Police	Salaries & Wages		315,750.00
Police	Other Expenses		15,750.00
Office of Emergency Management	Salaries & Wages		750.00
Office of Emergency Management	Other Expenses		150.00
Deal Lake - Weed Control	Other Expenses		1,200.00

Mayor's Office	Salaries & Wages	500.00
Fire Department	Other Expenses	4,200.00
Aid to Volunteer Ambulance	Other Expenses	1,300.00
Fire Interlocal	Other Expenses	10,395.00
Interlocal - 911	Other Expenses	315.00
Municipal Prosecutor	Salaries & Wages	3,850.00
Interlocal - Interlaken Solid Waste	Salaries & Wages	34,400.00
Celebration of Public Events	Other Expenses	1,575.00
Streets & Roads	Other Expenses	3,150.00
Solid Waste	Salaries & Wages	99,200.00
Solid Waste	Other Expenses	10,750.00
Snow Removal	Salaries & Wages	1,000.00
Snow Removal	Other Expenses	800.00
Buildings & Grounds	Salaries & Wages	400.00
Buildings & Grounds	Other Expenses	13,700.00
Landfill Interlocal	Other Expenses	10,500.00
Maintenance of Motor Vehicles	Other Expenses	13,125.00
Board of Health	Other Expenses	4,100.00
Parks & Playgrounds	Other Expenses	3,800.00
Beach	Salaries & Wages	30,000.00
Beach	Other Expenses	36,750.00
Utility - Electric	Other Expenses	8,000.00
Utility - Street Lighting	Other Expenses	7,700.00
Utility - Telephone	Other Expenses	8,700.00
Utility - Water	Other Expenses	7,000.00
Utility - Natural Gas	Other Expenses	2,400.00
Utility - Fire Hydrant	Other Expenses	6,000.00
Utility - Gasoline	Other Expenses	9,000.00
Utility - Recycling	Other Expenses	12,000.00
OASI	Other Expenses	45,000.00
DCPR	Other Expenses	1,200.00
Animal Control	Other Expenses	650.00
Shared Service – Fire Equipment	Other Expenses	12,600.00
Shared Service – Holmdel Finance	Other Expenses	11,900.00
Shared Service – Bradley Beach Court	Other Expenses	13,200.00
Municipal Court	Salaries & Wages	5,400.00
Municipal Court	Other Expenses	500.00
Public Defender	Salaries & Wages	500.00
Total Current Fund		\$ 1,181,565.00

Utility Operating Fund			
Sewer	Salaries & Wages	\$	23,000.00
Sewer	Other Expenses		52,500.00
Total Utility Operating Fund		\$	75,500.00

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

RESOLUTION #2022-23

AUTHORIZING INCENTIVE TO EMPLOYEES WHO WAIVE HEALTH BENEFITS COVERAGE WHERE EMPLOYEE IS ELIGIBLE FOR OTHER COVERAGE

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, the Borough of Allenhurst ("Borough"), as a participating member of the State Health Benefits Program, is permitted to offer an incentive to any full time employee to waive the health benefits coverage offered by the Borough where the employee is eligible for any other health care coverage, and;

WHEREAS, the Mayor & Commissioners have determined that it is in the best interests of the Borough to offer any employee who waives the coverage offered by the Borough, 25 percent of the amount saved by the Borough, or \$5,000, whichever is less. The amount saved by the Borough shall be determined by deducting the employee's contribution from the premium that would have been due for said employee's coverage, had the employee not chosen to waive coverage.

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, the Borough shall provide payment in lieu of benefits to qualified employees who elect to waive the State Health Benefits Program in favor of electing other coverage said employee(s) is eligible for. Payment shall be in the amount of 25 percent of the amount saved by the Borough, or \$5,000, whichever is less. Payment to be made upon completion of the required forms and will be payable on an annual basis (*or pro-rata, should the employee leave Borough employment prior to year's end*) on or about December 31st of the year in which the savings were realized by the Borough.

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

RESOLUTION #2022-24

A RESOLUTION TO APPOINT ZONING OFFICER

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, in accordance with Borough Ordinances §2-12.1, 12.2 & 12.3 and N.J.S.A. 40:72-7, the Borough of Allenhurst shall appoint a Zoning Officer to perform the duties set forth in Ordinance §2-12.4; and

WHEREAS, 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 Clerk / Administrator, Donna M. Campagna, R.M.C. has determined and certified in writing that the value of the services will not exceed \$17,500; and

WHEREAS, the anticipated term of this appointment is for 1 year; and

WHEREAS, Matt Mariano of Leon S. Avakian, Inc. has indicated that he is willing to act as the Borough's Zoning Officer at the flat rate of \$9,800.00 for all "Office Hour" services for the year, and review services will be paid for from the Development Regulations fees provided for under Ordinance §26-8.1(c); and

WHEREAS, Matt Mariano of Leon S. Avakian, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that he and the principals of Leon S. Avakian, Inc. have not made any reportable contribution(s) 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 appointment hereby prohibits Matt Mariano and the principals of Leon S. Avakian, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, Funds for this purpose shall be provided for the first three months of 2022 in the 2022 Temporary Budget and funds for the balance of 2022 will be provided for in the budget for the year 2022 when finally adopted;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of 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 Matt Mariano of Leon S. Avakian, Inc. be and is hereby appointed to act as the Zoning Officer in accordance with Borough Ordinances §2-12.1 et seq. and N.J.S.A. 40:72-7 for the period from the date of adopting of this Resolution for one year or until such time thereafter as a successor is appointed. Mr. Mariano and Leon S. Avakian, Inc.

agree to provide his services as the Zoning Officer during that period; 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 “Office Hour” services shall be defined as “onsite staff services at Borough Hall for no less than four (4) hours per week, with hours of operation correlating with the Construction Official, David Gray (or his alternate) on each Thursday, 8:00 am to 12:00 pm. The Zoning Officer will be able to extend such time through appointments only scheduling or availability via email or phone. Said services shall not exceed the lump sum annual price of \$9,800.00,” 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 on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #2022-25

RESOLUTION ESTABLISHING A PETTY CASH FUND

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution, and,

WHEREAS, it is the desire of the Borough of Allenhurst, County of Monmouth to establish such a fund for the Borough in the amount of \$100; and

WHEREAS, the custodian for this fund is Donna M. Campagna, RMC, who is bonded for the amount of \$100; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

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 the Borough of Allenhurst hereby authorizes the creation of the aforementioned Petty Cash Fund and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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

RESOLUTION #2022-26

RESOLUTION APPOINTING A CUSTODIAN FOR THE PETTY CASH FUND

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40A:5-21 authorizes the establishment of a Petty Cash Fund in any county or municipality by application and resolution, and,

WHEREAS, the Board of Commissioners believes it is in the best interests of the Borough of Allenhurst to have such a Petty Cash Fund and as such, must appoint a Custodian for the same; and

WHEREAS, the Board of Commissioners believes it is appropriate to appoint Donna M. Campagna, RMC, as the Custodian, who is bonded for the amount of \$100, and she is hereby instructed to maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

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 the Borough of Allenhurst hereby appoints Donna M. Campagna, RMC, to be the Custodian for the Petty Cash Account and instructs that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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

RESOLUTION #2021-27
RESOLUTION TO ADOPT PROCEDURE FOR CLAIMANT CERTIFICATION

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, on August 18, 2016 the State of NJ legislature adopted PL 2016, Ch 29 which would allow local units to 1) utilize standard electronic funds transfer technologies and 2) greater flexibility on when to require a vendor certification prior to paying claims; and

WHEREAS, the Local Finance Board adopted the rules and regulations that the local units must adhere to in order to enact the provisions of the law; and

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in 40A5-16(a); and

WHEREAS, the Chief Financial Officer has determined that the following circumstances be applied with respect to this act

Vendor Signature Required (stamp, fax electronic or wet is acceptable)	Vendor Signature not Required (rule language)
Employee Reimbursements	Vendors who are paid through EFT technologies
Transactions above the dollar amount of \$1,000	Vendors who do not provide certifications part of the normal course of business
Any situation deemed necessary by the CFO or his designee	Debt Service
	Non Municipal Taxes
	Utilities regulated by tariff

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst that the above vendor claimant circumstances recommended by the Chief Financial Officer be enacted effective January 11, 2022.

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

RESOLUTION #2022-28
TITLE: RESOLUTION AUTHORIZING THE BOROUGH OF ALLENHURST THROUGH THE BOROUGH OF ALLENHURST TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE ALLENHURST POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT
Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the **BOARD OF COMMISSIONERS** of the **BOROUGH OF ALLENHURST** that the **ALLENHURST POLICE DEPARTMENT** is

hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from **JANUARY 1, 2022 to December 31, 2022** ; and

NOW THEREFORE BE IT FURTHER RESOLVED that **ALLENHURST POLICE DEPARTMENT** is hereby authorized to acquire items of non-controlled property designated “DEMIL A,” which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the **ALLENHURST POLICE DEPARTMENT**, without restriction; and

NOW THEREFORE BE IT RESOLVED that **ALLENHURST POLICE DEPARTMENT** is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes

NOW THEREFORE BE IT RESOLVED that the “DEMIL B through Q” controlled property controlled 3-page list in its entirety is hereby approved and hereto attached to this resolution.

NOW THEREFORE BE IT RESOLVED that the **ALLENHURST POLICE DEPARTMENT** shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

NOW THEREFORE BE IT RESOLVED that the **ALLENHURST POLICE DEPARTMENT** shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

NOW THEREFORE BE IT RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year from **JANUARY 1, 2022 to December 31, 2022**.

	A	B	C	D	E	F	G	H
AIRCRAFT, FIXED WING			1					
AIRCRAFT, ROTARY WING			1					
AIRPLANE, CARGO-TRANSPORT		1						5
AIRPLANE, FLIGHT T42A		1						
AIRPLANE, UTILITY	1	1						
AIRPLANE, UTILITY USF		1						
ARMORED SECURITY VEHICLE			1					
ARMORED SECURITY VEHICLE			1	1				
AUTOMOBILE, SEDAN			1					
AUTOMOBILE, WAGON			1					
BATON, KINETIC ENERGY				5				
BODY SHIELD		1						1
BREACH SYSTEM				1				
BREACHING RAM	1							
BREACHING SYSTEM	1							
CAPABILITIES SET NON-LETHAL								1
CAR, ARMORED				1				
CAR, ARMORED, MINE DISPOSAL			7					
CAR, ARMORED, MINE DISPOSAL				2				
CARRIER, AMBULANCE			1					
CARRIER, CARGO			3					
CARRIPIER, COMMAND POST			1					
CARTRIDGE, 12 GAGE SHOTGUN							2	
CARTRIDGE, 12 GAGE SHOTGUN, NON-LETHAL				1			11	
CARTRIDGE, 40 MILLIMETER			1		1		1	
CHARGE, DIVERSIONARY							1	
CLUB, SELF-PROTECTION								7
COMMUN, EQUIP, SOMS-B						1		
CUTTER HEAD, HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DEMOLITION KIT, BLASTING							1	
DEMOLITION KIT, BLASTING, PRACTICE							1	
DEMOLITION KIT, BREACHING SYSTEM, ANTI-PERSONNEL OBSTACLE				2			2	
DOOR, OPENER, HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DRONE, TARGET				1				
DRONES			1					
FACESHIELD, MILITARY, RIOT CONTROL	1							

RESOLUTION #2022-30
A RESOLUTION AUTHORIZING SALE BY PUBLIC AUCTION OF MUNICIPALLY OWNED SURPLUS PROPERTY

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, the Borough of Allenhurst, County of Monmouth, State of New Jersey does hereby authorize the sale by Public Auction of municipally owned personal property no longer needed for Borough use as set forth below; and,

WHEREAS, the auction is subject to the following conditions of sale:

1. Terms shall be set forth in the required advertisement;
2. The Borough of Allenhurst reserves the right to reject all bids where the highest bid is not acceptable and reserves the right to reject the highest bidder;
3. Everything is sold “AS IS, WHERE IS, HOW IS”. The Borough of Allenhurst makes no representation of condition or performance of any equipment and provides no implied or expressed warranty or guarantee of operation on any equipment. There is no recourse through the Borough of Allenhurst subsequent to sale;
4. The successful bidder must make a payment of 100% of the bid price, which shall be paid in full at time of bid;
5. The successful bidder must remove item(s) within 10 days between the hours of 8am and 2pm. Items not removed will be discarded by the Director of Public Works.

WHEREAS, The surplus property includes the following:

ITEM	VIN/IDENTIFICATION #
1999 INTERNATIONAL SANITATION TRUCK	1HTSHAAR2XH647762
1984 FORD SEWER TRUCK	1FDXF70K6EVA49491
1933 ELGIN SWEEPER	S-7935-S
1992 INTERNATIONAL SMALL BODY TRUCK (S-2)	1HTSCPLM2NH436903
2008 BLUE BIRD BUS, LARGE	1BABJCLA28G253977
2015 JOHN DEER 625I GATOR	1M0625GSJFM100886
1990 CUSHMAN	898454-9110
ARMY SURPLUS CAT D-7F DOZER	SER # 61G977
2008 DODGE DURANGO	1D8HB38N48F115029
2008 FREIGHTLINER	1FULATCG79PAE5923
LOW BOY TRAILER	430A665
DOZER	8243678
HUMMER	164372
1991 BMY TROOP CARRIER	NL11EZZ501063
1990 BMY DUMP TRUCK M92	NLOSW71005AB012
3 GLEDHILL FIXED	
1 GLEDHILL ARTICULATING	
4 (11FT) SNOW PLOW BLADES	
1 WESTERN SNOW PLOW	
1 MEYER SNOW PLOW	
1 SWENSON SALT SPREADER 3 YD SS	
1 TAILGATE SALT SPREADER SS	
1 SCAG MOWER	
1 SCAG GRASS CATCHER	
BILL GOAT VAC	
P.A. SYSTEM	
ASPHALT CRACK SEALER	
(2) POOL LANE LINES 75FT	
TENT FRAME 30 X 50 FT	
1 TRAFFIC LIGHT (ON STAND)	
1 TRAFFIC LIGHT - 4 WAY	
MISC. DOORS	
ELLIPTIC STEPPER	
2 SUMP PUMPS	
1 36" FLOOR FAN	
(15) POLE MOUNTED CHRISTMAS WREATHS	

UNCLAIMED BICYCLES	
METAL DETECTOR	
GENERATOR MODEL #MED-804A MFD 6/97 15KW	F257521
LIGHT TOWER MFD 11/04	VIN# 4FVLSBDA45U350739
LIGHT TOWER MFD 11/04	Serial # 3A0823D
2015 DODGE CHARGER	2C3CDXAT1FH875115
LARGE ORANGE VMS SIGN	
DIESEL TRANSFER PUMP	

NOW, THEREFORE, BE IT RESOLVED, that municipal property shall be exposed to public sale to the highest bidder by online auction at www.usgovbid.com beginning January 22, 2022 at 9:00am and ending January 26, 2022 at 7:00pm. Inspections are to take place January 24th from 10 am to 2 pm at the locations list below. Please consult the items description on www.usgovbid.com for the locations of each item:

89-99 Main Street, Allenhurst, NJ 07711 (Lot across from the Post Office)
North End of Lake Drive, Allenhurst NJ 07711 (By the Water Tower)
Sea Girt National Guard Training Field – 100 Camp Drive, Sea Girt, NJ 08750

BE IT FURTHER RESOLVED, US Gov Bid is an approved vendor by the state to provide online auction services for the sale of surplus personal property by a municipality and is hereby authorized to conduct this auction.

BE IT FURTHER RESOLVED, that notice of this auction shall be published in the Coaster Newspaper.

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

RESOLUTION 2022-31
A RESOLUTION TO APPROVE CHANGE ORDER #1 FOR PURCHASE OF FIRE TRUCK

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, A contract was awarded Spartan Fire, LLC and,
WHEREAS, The scope of work was changed to provide for the following:

Description	Change in Price
Chassis Sub-Total	\$3,868.00
Spartan ER Non-Aerial Portions	\$8,475.00
Net Change	\$12,343.00

WHEREAS, Spartan Fire, LLC, has submitted a request for a Change Order for the changes in work in the net increase in the amount of \$12,343.00 which request has been reviewed by the Borough Administrator and Fire Department Officials, and found to be acceptable;

Certification of Funds; I, Wayne M. Sibilia, Chief Financial Officer of the Borough of Allenhurst, do hereby certify that funds in the amount of \$12,343.00 will be available in the following line items: Interlocal – Fire Department Equipment #2-01-25-753-218

NOW, THEREFORE, BE IT RESOLVED, That Change Order No. 1 in the amount of \$12,343.00 be approved, thereby amending the contract total to \$691,619.

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

RESOLUTION #2022-32
RESOLUTION AUTHORIZING AGREEMENT WITH USDA FOR GOOSE DAMAGE MANAGEMENT

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

WHEREAS, the Borough of Allenhurst has a need to contribute towards the damage management to the geese population in and around Deal Lake; and

WHEREAS, the USDA will has agreed to provide a cooperative agreement providing these services for \$1,652; and

WHEREAS, the Deal Lake Commissioner has recommended that the Borough accept these services, and

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Allenhurst hereby approves a cooperative agreement with the USDA at the cost of \$1,652 for services that shall continue until September 30, 2022.

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

RESOLUTION #2022-33

REFERRING PROPOSED ORDINANCES A) TO AMEND CHAPTER XXVI, SECTION 5.4 ENTITLED “DRIVEWAYS AND CURB CUTS” AND B) TO ADD CHAPTER XXVI, SECTION 5.14 ENTITLED “SOIL AND GROUNDWATER MOUNDING ANALYSIS REQUIRED” TO THE PLANNING BOARD FOR REVIEW AND COMMENT

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has drafted two Ordinances to revise and augment Chapter XXVI entitled “Development Regulations” governing the Borough, copies of which are attached hereto and made a part hereof by reference, and

WHEREAS, the Borough Council seeks the counsel and comments of the Planning Board of the Borough of Allenhurst on the content of the draft Ordinances to A) Amend Chapter XXVI, Section 5.4 Entitled “Driveways And Curb Cuts” and B) to Add Chapter XXVI, Section 5.14 Entitled “Soil And Groundwater Mounding Analysis Required” to the Borough’s Development Regulations.

NOW THEREFORE, BE IT RESOLVED by the Borough Council of 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 draft Ordinances to A) Amend Chapter XXVI, Section 5.4 Entitled “Driveways And Curb Cuts” and B) to Add Chapter XXVI, Section 5.14 Entitled “Soil And Groundwater Mounding Analysis Required” be and are hereby referred to the Planning Board for review and comment.

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

RESOLUTION #2022-34

A RESOLUTION TO AMEND WAGES OF DISPATCHERS

Offered By:

Seconded By:

WHEREAS, the minimum wage in New Jersey, as of January 1, 2022 is \$13 per hour.

WHEREAS, The Chief of Police has requested that the dispatcher wages be amended to reflect the required minimum wage;

THEREFORE, BE IT RESOLVED, That the following wages and hereby amended as listed starting January 1, 2020:

Dispatcher

Anthony Rosa	\$13.00/Hour
Linda Rodriguez	\$13.50/Hour
Kevin Bailey	\$15.50/Hour

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

RESOLUTION #2022-35

A RESOLUTION TO APPROVE EXECUTIVE SESSION

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

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; Mayor McLaughlin-AYE

RESOLUTION #2022-36

A RESOLUTION TO APPROVE BILLS (12-16-2021 to 1-15-2022)

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That bills totaling \$184,039.20 be approved for payment; and,
BE IT FURTHER RESOLVED, That the January 15, 2022 consolidated bill list be attached hereto and made a part thereof.

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

ITEMS TO DISCUSS

The Mayor once again complemented the Department of Public Works Supervisor on the wonderful job the department is doing and thanked him for the great job during the recent snow event.

PUBLIC COMMENTS

No Public Comments

There being no further business or comments, Comm. McLoughlin moved, seconded by Mayor McLaughlin that the meeting move to executive session at 7:34 PM. Motion carried.

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

Donna M. Campagna

Donna M. Campagna

Administrator/Clerk

Attachments referred in Resolution 2022-33

DRAFT ORDINANCE #2021-____
AN ORDINANCE AMENDING AND SUPPLEMENTING
THE BOROUGH CODE OF THE BOROUGH OF
ALLENHURST, CHAPTER XXVI, SECTION 5 ENTITLED
“GENERAL PROVISIONS” SUPPLEMENTED WITH NEW
SECTION 5.14 ENTITLED “SOIL AND GROUNDWATER
MOUNDING ANALYSIS REQUIRED”

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to augment its existing Borough Code concerning the Development Regulations, to address the effects of projects that intend to excavate deeper into the ground for basements, foundations or the like, as the same have a potential to create drainage and ground water diversion issues, by adding new section 26-5.14.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter 26 of the Borough Code of the Borough of Allenhurst, be and is hereby amended and supplemented as follows:

SECTION 1. Chapter 26-5 entitled “General Provisions” be and is hereby supplemented with the addition of section 26-5.14 as follows:

26-5.14 Soil and Groundwater Mounding Analysis Required

- A. In all districts in the Borough, no permit for the erection, modification or rehabilitation of any building foundation, basement, cellar or structure, which seeks to alter the depth of or create a new basement, foundation or other ground penetrating construction, shall be issued unless a full depth soil boring, soil log, soil analysis and groundwater mounding analysis, including establishment of the depth to the seasonal high groundwater table shall be provided with any permit application. A report on the soil and groundwater conditions shall be prepared by a licensed geotechnical engineer and submitted as part of any proposed application, including any recommended construction details.
- B. The bottom elevation of any building foundation, basement, cellar or structure shall not be less than two (2') feet above the seasonal high groundwater elevation, as defined by January 1 through April 1 of each year.
- C. No construction shall alter the seasonal high groundwater elevation.

SECTION 2. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 3. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

SECTION 4. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption according to law.

VOTE: Comm. McLoughlin ____; Comm. Bolan ____; Mayor McLaughlin ____.

APPROVED: _____, 2021

ADOPTED: _____, 2021

DRAFT ORDINANCE #2021-_____
AN ORDINANCE AMENDING AND SUPPLEMENTING
THE BOROUGH CODE OF THE BOROUGH OF
ALLENHURST, CHAPTER XXVI, SECTION 5.4 ENTITLED
“DRIVEWAYS AND CURB CUTS”

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to amend and supplement its existing Borough Code concerning the Development Regulations, to address driveways and curb cuts by amending section 26-5.4.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter 26 of the Borough Code of the Borough of Allenhurst, be and is hereby amended and supplemented as follows:

SECTION 1. Chapter 26-5.4 entitled “Driveways and Curb Cuts” be and is hereby amended and supplemented to read as follows:

§ 26-5.4. Driveways and Curb Cuts.

All driveways must run from any public street, highway or thoroughfare directly to an attached or detached garage located on the property. Installation of new driveways shall not disturb existing street trees. Common, combined driveways are prohibited, and U-shaped driveways are discouraged. The minimum width of any driveway shall be nine (9) feet, and shall not be more than ten (10) feet wide from the public right-of-way to the front building line of the dwelling. Driveways shall not be constructed of any material other than brick, concrete, asphalt, or other similar rigid, nonporous material. Paving strips or ribbon driveways are hereby prohibited and may not be proposed or utilized to address impervious coverage issues. Ribbon driveways may only be permitted if the applicant can establish that the same had historically been used at the property, but even in that case, they shall not be calculated to address impervious coverage issues.

Driveway curb cuts shall be limited to those necessary to service driveways of no greater than ten (10) feet, and shall not be wider than twelve (12) feet. Vehicular parking is encouraged behind the front of the dwelling and discouraged in front yards.

SECTION 2. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 3. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

SECTION 4. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption according to law.

VOTE: Comm. McLoughlin ____; Comm. Bolan ____; Mayor McLaughlin ____.

APPROVED: _____, 2021

ADOPTED: _____, 2021