

**MINUTES
DECEMBER 27, 2011**

The Meeting of the Board of Commissioners was held on the above date with Mayor McLaughlin presiding and Commissioners Bolan and McLoughlin answering the roll call. Also in attendance was the Borough Clerk.

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

2010-2011 Annual Safety Report from MEL-JIF.

RESOLUTION #1

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the minutes of the regular meeting of December 13, 2011, be ratified and approved.

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

RESOLUTION #2

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the Clerk dispense with the reading of the minutes of the regular meeting of December 13, 2011.

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

RESOLUTION #3

A RESOLUTION TO TRANSFER APPROPRIATIONS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following 2011 appropriations be and are hereby transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Police, O.E.	Legal, O.E.	5,600.00
Administration, O.E.	Planning Board, O.E.	1.00
Garbage & Trash, S&W	Board of Education	825.00
Garbage & Trash, S&W	Public Buildings	68.00
Garbage & Trash, S&W	MOMV	3,825.00
Garbage & Trash, S&W	Water	415.00
Finance, O.E.	Telephone	1,340.00
Administration, O.E.	Landfill	5.00
Administration, O.E.	Recycling	250.00

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

RESOLUTION #4

A RESOLUTION TO AWARD CONTRACT FOR IT SERVICES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, There is a need for hardware and system software support services for Borough computers located in the Administration offices and the Police Department; and,

WHEREAS, Ellicott Network Consultants, LLC, have inventoried the Borough=s hardware and software systems and have provided a quote of \$3,708.00 for maintenance and support services in accordance with a proposal filed in the Borough Clerk=s office; and,

WHEREAS, Funds for this purpose shall be provided for the first three months of 2012 in the 2012 Temporary Budget and funds for the balance of 2012 will be provided for in the budget for the year 2012 when finally adopted;

NOW, THEREFORE, BE IT RESOLVED, That a contract be awarded to Ellicott Network Consultants, LLC, on their quote of \$2,029 for the Administrative Department and \$1,679 for the Police Department for the year 2012.

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

RESOLUTION #5

A RESOLUTION TO APPROVE NEW MEMBERS IN ALLENHURST FIRE DEPARTMENT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Membership Committee of Allenhurst Fire Co. #1 has received applications for membership from David M. Belhassen and Omar Akel; and,

WHEREAS, The Membership Committee has advised the Board of Commissioners that the applicants are acceptable for membership;

NOW, THEREFORE, BE IT RESOLVED, That David M. Belhassen and Omar Akel are approved for membership in Allenhurst Fire Co. #1, pending a criminal history check; and,

BE IT FURTHER RESOLVED, That the Borough Clerk be and is hereby authorized to execute the necessary paperwork on behalf of the aforementioned applicants.

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

RESOLUTION #6

A RESOLUTION TO SET WORKSHOP MEETING DATE

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the Board of Commissioner meet in workshop session on January 17, 2012, at 7:30 PM at Allenhurst Borough Hall to discuss the proposed 2012 budget.

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

RESOLUTION #7

A RESOLUTION TO APPROVWE CONTRACT WITH VNA FOR NURSING SERVICES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, There exists a need for Public Health Services in the Borough of Allenhurst; and,

WHEREAS, The Borough Administrator has certified in writing that the value of the acquisitions will not exceed \$17,500; and,

WHEREAS, This appointment is being made without competitive bidding because the appointment involves a member of a recognized profession, 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 VNA Health Group in an amount of \$604.00 for the year 2012; 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #9

A RESOLUTION TO ESTABLISH A YEAR END PENALTY OF SIX (6%) PERCENT TO BE CHARGED ON DECEMBER 31 OF EACH YEAR ON DELINQUENCIES IN EXCESS OF \$10,000

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 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. 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 Board of Commissioners of the Borough of Allenhurst that the Tax Collector has the authority to fix a 6% year end penalty to all delinquencies in excess of \$10,000.00 that have not been paid prior to the end of the fiscal year and to become effective immediately.

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

RESOLUTION #10

A RESOLUTION ESTABLISHING A YEAR END PENALTY OF 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: Comm. McLoughlin

Seconded By: Comm. Bolan

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 Board of 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 2012 tax year and to become effective immediately.

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

RESOLUTION #11

A RESOLUTION TO APPROVE BILLS AND PAYROLL (12/16/11 - 12/31/11)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$19,882.20 be approved for payment; and,
BE IT FURTHER RESOLVED, That the December 27th consolidated bill list be attached hereto and made a part thereof.

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

OTHER BUSINESS

Mayor McLaughlin spoke to Robert Simmen, III, Code Enforcement Officer, regarding violations. He asked about the house on Cedar Avenue and Mr. Simmen stated there is a warrant for the homeowner's arrest. There is nothing he can do until he shows in court. He explained the procedure to the Commissioners.

Mayor McLaughlin felt the homeowner should keep getting violations.

Mayor McLaughlin asked about the lot on Main Street and Mr. Simmen explained that he got tickets and was supposed to clean it up, but hasn't.

Doug Caron, Public Works Superintendent, explained that most of it is brush. He fills 5 to 6 barrels every day. He took about three dumpster's worth out, but then he heard the property owner ran out of money.

Mr. Simmen said the property owner told the Judge that he was working on getting the lot cleaned up.

Mayor McLaughlin stated he would like violators to get a verbal warning and in two weeks a written warning and after another week a summons should be issued. If the violation is still not abated, separate tickets should be issued. He would like the owner to become uncomfortable.

Mr. Simmen stated he can write separate violations, but the Judge is likely to dismiss all but one or two.

Comm. Bolan stated the judgment from the court can become a lien against the property. They can create a record. They will even write a letter to the court if desired.

Mayor McLaughlin stated tall grass should be easy. They should get a letter and a violation within two days. Repeat violators should get ticket after ticket. It should be a thorn in their side.

Comm. McLoughlin stated his concern is why things have to come from the Board of Commissioners. Why did it take so long to get anything done?

Mr. Simmen explains that he comes in about two to three times a week in the mornings. He makes appointments for C/O's and fire inspections at the resident's request.

Mayor McLaughlin stated they are looking for a more regimented process.

Comm. Bolan suggested that everything be put in writing.

Lori Osborn, Borough Administrator, stated they spoke about a weekly report.

Doug Caron spoke about the Beach Club, stating he wants to get some work done. They have already taken the bocce court out and the garden is gone. He would like to move the fence forward. They would be able to get another 35 to 30 lounges there. He has gotten prices. To continue the black fence would be \$11,845.00. This will cover 102' with a sliding gate, instead of a gate that opens out. The Board can decide to leave the current fence and paint it black. He enumerated the improvements he would like to make as follows:

1. 330' feet of boardwalk to be replaced will cost about \$24,000.
2. Fence will cost about \$12,000.
3. Pump room valves need to be replaced at \$3,000.
4. Cabana door replacements will be about \$14,000.

The Board agreed to all improvements, including the new wrought iron fence.

The Board then considered the following resolution:

RESOLUTION #8

A RESOLUTION TO APPROVE SALARIES FOR 2012

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following salaries be and are hereby approved for officials and employees of the Borough of Allenhurst for the year 2012:

Borough Clerk/Registrar	80,163.00
Borough Administrator	23,929.00
Deputy Borough Clerk/Registrar	5,000.00
Deputy Treasurer	1,000.00
Finance Clerk	55,141.00
Public Works Supervisor	104,040.00
Recycling Coordinator	2,000.00
Right-To-Know Coordinator	500.00
Tax Collector	5,100.00
Tax Assessor	4,024.00
Chief Finance Officer	14,696.00
Code Official	5,100.00
Fire Official	3,060.00
Zoning Officer	4,080.00
Court Administrator, includes 2 court sessions/mo.	56,702.00
Municipal Court Judge, includes 2 court sessions/mo.	21,369.00
Chief Public Defender	3,371.00
Assistant Public Defender	1,576.00
Planning Board Secretary	6,524.00
Sewer Operator	5,111.00
Violations Clerks	\$12.50/hr and \$100.00 for court
Matron	\$50.00 callout and \$12.50 for every hour over two hours
Chief Car	4,800.00
Police Chief	115,393.00
Emergency Management Coordinator	1,500.00
Certified Pool Operator	1,000.00
Treasurer	1,500.00
Administrative Clerk	14.00/hr.
Beach Manager	57,222.00
Mayor	1,750.00

Commissioner	1,500.00
--------------	----------

Public Works

Vandevort	32,640.00
Quinn	64,488.00
Duchatkiewicz	46,298.00
Heitmueller	51,500.00

Communication Officers

More	61,904.00
TAC Officer	2,500.00
Henry	49,419.00
Duerr	44,217.00
Carafa	25,500.00

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

PUBLIC HEARING

There was no public present

There being no further business, Comm. McLoughlin moved, seconded by Comm. Bolan, that the meeting be adjourned. Motion carried.

Lori L. Osborn, RMC
Clerk-Administrator