

**MINUTES**  
**March 22, 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 McLoughlin 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:**

- Notice from the Monmouth County Board of Commissioners regarding an online Public Information Meeting to be held on Tuesday, March 29 on the subject of the Local Concept Development Study for the Corlies Avenue Bridge over Deal Lake.

**ANNOUNCEMENTS:**

- The Fire Department will be holding their “Breakfast with the Easter Bunny” on Sunday, April 3 from 9am to 11:00am. Adults \$10, Children \$2. At 11:30am, the Annual Easter Egg Hunt will take place at Railroad Plaza Park.

**ORDINANCES**

**FINAL READING – ORDINANCE #2022-07**

**ORDINANCE #2022-07**

**AN ORDINANCE REVISING CHAPTER X OF THE  
BOROUGH CODE OF THE BOROUGH OF ALLENHURST  
ENTITLED “BEACH REGULATIONS.”**

Offered By: Mayor McLaughlin

Seconded By: Comm. Loughlin

**WHEREAS**, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise certain portions of its existing Borough Code concerning the Beach Regulations to address the needs of the community.

**NOW THEREFORE, BE IT ORDAINED** By the Board of Commissioners of the Borough of Allenhurst that Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be and are hereby amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

**10-1.6 Service and Use Charges.**

- h. A Recreation Program shall be established which shall be open to all children who are members of the Allenhurst Beach Club between the ages of five (5) and twelve (12) years of age at the discretion of the Recreation Director. The program shall run for seven (7) weeks, during the Beach Club season, from 10:00 a.m. to 3:00 p.m., Monday through Friday and will not run on those days the Beach Club is closed for inclement weather or any other unforeseen circumstance.  
The cost for participation in this program will be five hundred and ninety-five (\$595.00) dollars for the first child and five hundred and twenty-five (\$525.00) dollars per each additional child from the same family. Additional weeks may be offered at the discretion of the Recreation Director.

**10-1.9 Beach Admission**

- a. Daily Beach Admission. [Ord. 5/3/77 § 6; Ord. 2/24/81 § 6; Ord. 5/10/83 § 2; Ord. 2/26/85 § 6; Ord. 3/24/87 § 6; Ord. No. 90-07 § V; Ord. No. 96-20 § III; Ord. No. 2004-01 § I; Ord. No. 2015-03]

There is hereby established a rate for daily admission to the bathing beach at the Allenhurst Beach Facilities as follows:

The fee for daily admission, which does not permit use of the pools, the snack bar,

the recreational facilities and other facilities at the Allenhurst Beach Club shall be ten (\$10.00) dollars per person for weekdays, weekends and holidays. Children under the age of twelve (12) shall be admitted free of charge.

- b. Seasonal Beach Badges [New this Ord.]  
There is hereby established a rate for Seasonal Badges to the bathing beach at the Allenhurst Beach Facilities as follows:  
The fee for a Seasonal Beach Badge for admission to the beach, which does not permit use of the pools, the snack bar, the recreational facilities, and other facilities at the Allenhurst Beach Club, shall be three hundred (\$300.00) dollars per person. The number of seasonal beach badges to be sold are subject to the discretion of the Board of Commissioners.

**10-1.15 Beach Club Benefit for Fire Department and Emergency Medical Services Volunteers [New this Ord.]**

Certain volunteers of the Allenhurst Fire Department and Emergency Medical Services are eligible for membership at the Allenhurst Beach Club, along with their spouse and children. These certain volunteers fall into three categories and are identified by the Fire and EMS Chiefs each year.

- a. LOSAP Eligible Volunteers shall be entitled to:
  - 1. Resident Rates for rental of any Facility (if available) or No Charge for a Virtual Volunteer Membership
  - 2. No Membership Charge for Spouse and Children under the age of 18.
  - 3. Resident Membership Rates for Children aged 18 and over.
- b. Active Members in Good Standing:
  - 1. Resident Rates for rental of any Facility (if available) or No Charge for a Virtual Volunteer Membership
  - 2. No Membership Charge for Volunteer and Spouse.
- c. Lifetime Member:
  - 1. Resident Rates for rental of any Facility (if available) or No Charge for a Virtual Volunteer Membership
  - 2. No Membership Charge for Volunteer and Spouse.
  - 3. Resident Membership Rates for Children under the age of 18, only.

**AND IT IS FURTHER ORDAINED** that except as herein above provided, the Codified Ordinances of the Borough of Allenhurst shall remain in full force and effect.

**ORDAINED** that the provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part; and it is further

**ORDAINED**, That this Ordinance shall take effect after adoption and publication according to law.

No Public Comments.

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

**FINAL READING – ORDINANCE #2022-06**

**ORDINANCE 2022-06**

**AN ORDINANCE AMENDING CHAPTER XVI, ENTITLED "SOLID WASTE MANAGEMENT," OF THE BOROUGH OF ALLENHURST TO ADD PROVISIONS REGULATING THE USE OF PORTABLE RESTROOM FACILITIES.**

Offered By: Mayor McLaughlin

Seconded By: Comm. Loughlin

**WHEREAS**, the Borough Council of the Borough of Allenhurst has determined that the use of portable restroom facilities or porta-potties as they are commonly referred to, throughout the Borough has increased such that some regulation of the use is necessary, and

**WHEREAS**, the Borough Council has determined that it is in the best interests of the community to impose regulations on the location, duration and placement of such portable restroom facilities or porta-potties to protect the appearance and good order of residential properties throughout the community;

**NOW THEREFORE, BE IT ORDAINED** by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that Chapter 16 of the Code of the Borough of Allenhurst be revised and supplemented with the addition of a new section 16-29 Regulation of portable restroom facilities or porta-potties as follows:

**16-29 Regulation of portable restroom facilities or porta-potties.**

Any person, business or cooperation placing or causing to be placed any portable restroom facilities or porta-potties or any other apparatus used as a temporary restroom of any kind whatsoever, on or about any property within the Borough, shall keep such equipment located as required hereby.

**16-29.1 Restrictions for placement of portable restroom facilities or porta-potties.**

The following restrictions are imposed upon the placement of such equipment:

- a. The same shall not, under any circumstances, be placed in the front yard of any property, as that term is defined in '26-2.1 of the Borough Code;
- b. They shall be kept in the rear yard, or side yard as those terms are defined in '26-2.1 of the Borough Code;
- c. They shall be placed as far away from neighboring properties as reasonably practicable, so as not to interfere with the neighbors use and enjoyment of their property;
- d. They shall not remain on any property where construction is not on-going and shall be removed during the summer construction moratorium.

**16-29.2 Penalty.**

Any person who violates any provision of this chapter shall receive written notice of said violation, warning said party to take action; if no action is taken within twenty-four (24) hours, a summons may be issued. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding two thousand (\$2,000.00) dollars or by imprisonment in the county jail for a term not exceeding ninety days, in accordance with the General Penalty section of this Code, \_1-5.1(a). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**AND IT IS FURTHER ORDAINED** that except as herein above provided, the remainder of Chapter XVI, Solid Waste Management, shall remain unaltered and in full force and effect; and it is further

**ORDAINED** that the provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part; and it is further

**ORDAINED**, That this Ordinance shall take effect after publication and adoption according to law.

No Public Comments.

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

**ORDINANCES FIRST READING**

**ORDINANCE #2022-08 – First Reading**

**ORDINANCE #2022-08**

**CALENDAR YEAR 2022**

**MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION  
LIMITS AND TO ESTABLISH A CAP BANK**

**(N.J.S.A. 40A: 4-45.14)**

Offered By: Mayor McLaughlin

Seconded By: Comm. Loughlin

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Board of Commissioners of the Borough of Allenhurst in the County of Monmouth finds it advisable and necessary to increase its CY 2022 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Board of Commissioners hereby determines that a 3.5% increase in the budget for said year, amounting to \$47,797.90 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS**, the Board of Commissioners hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the Borough of Allenhurst shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$47,797.90 and that the CY 2022 municipal budget for the Borough of Allenhurst be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption; and,

**BE IT FURTHER ORDAINED**, that the provisions of this Ordinance are declared to be severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part; and,

**BE IT FURTHER ORDAINED**, that the Ordinance shall take effect after publication and adoption according to law.

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

## **RESOLUTIONS**

### **RESOLUTION #2022-69**

#### **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 March 8, 2022 be ratified and approved.

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

### **RESOLUTION #2022-70**

#### **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 March 8, 2022.

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

**RESOLUTION #2022-71**  
**A RESOLUTION TO AWARD CONTRACT FOR POOL WATER ANALYSIS**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, There is a need for Pool Water Analysis at the Allenhurst Beach Club; and,  
**WHEREAS**, The following quote was received and is on file with the Borough Clerk:

E Runyan T/A Aquatic Services

**WHEREAS**, Funds for this purpose shall be provided in the 2022 Temporary Budget, Beach OE;

**THEREFORE, BE IT RESOLVED**, That a contract be awarded to E Runyan T/A Aquatic Services, the only quote that was received for Pool Water Analysis at the Allenhurst Beach Club at the following rates:

Weekly Testing	\$75.00 Per sample/Per Week
Retesting, as required	\$65.00 per sample

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

**RESOLUTION #2022-72**  
**A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF KUBOTA SL V97-2HC FOR THE PUBLIC WORKS DEPARTMENT**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, The Public Works Director has advised the Board of Commissioners that the Borough is in need of a Kubota SLV97-2HC for use by the Borough's Public Works Department; and,

**WHEREAS**, The Public Works Director has received a quote from Highway Equipment Company of New Jersey, Inc. at a price of \$81,970.00; and,

**WHEREAS**, Highway Equipment Company of New Jersey, Inc. is a member of the Sourcewell, a Co-op recognized by the State of New Jersey, and this item is being purchased under Contract #2258957; and,

**Certification of Funds**; I, Wayne M. Sibilia, Chief Financial Officer of the Borough of Allenhurst, do hereby certify that funds in the amount of \$81,970.00 will be available in the following line items: Public Works Equipment #2-01-44-860-237, for the purposes stated herein.

**NOW, THEREFORE, BE IT RESOLVED**, That a Kubota SLV97-2HC be purchased from Highway Equipment Company of New Jersey, Inc. at a cost of \$81,970.00.

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

**RESOLUTION #2022-73**  
**A RESOLUTION TO AWARD CONTRACT FOR REPAIR TO THE POOL DRAIN AT THE ALLENHURST BEACH CLUB**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, There is a need for the repair to the pool drain at the Allenhurst Beach Club; and,

**WHEREAS**, Funds for this purpose will be provided for in the current account known as "Beach Equip and Improvements #2-04-44-860-236", and the Chief Finance Officer has so certified;

**WHEREAS**, The following three quotes were received from the following vendors and are on file with the Borough Clerk:

Burke Contracting	\$12,500.00
J&J Aquatics	Declined to Offer Quote

American Pool

Declined to Offer Quote

**THEREFORE, BE IT RESOLVED**, That a contract be awarded to High Performance Systems Corp. for a cost of \$12,500.00, the lowest of quotes received for repair to the pool drain at the Allenhurst Beach Club.

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

**RESOLUTION #2022-74**  
**A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF VARIOUS FIRE EQUIPMENT FROM NEW JERSEY FIRE EQUIPMENT CO.**

Offered By: Comm. McLoughlin                      Seconded By: Mayor McLaughlin

**WHEREAS**, The Fire Department has advised the Board of Commissioners that the Borough is in need of Various Fire Equipment; and,  
**WHEREAS**, The Fire Chief has received a quote from New Jersey Fire Equipment Co. at a price of \$25,559.20; and,  
**WHEREAS**, New Jersey Fire Equipment Co. is recognized by the State of New Jersey, and this item is being purchased under State Contract Vendor ID #00000570; and,  
**Certification of Funds**; I, Wayne M. Sibilia, Chief Financial Officer of the Borough of Allenhurst, do hereby certify that funds in the amount of \$25,559.20 will be available in the following line items: Fire Interlocal #2-01-25-753-218, for the purposes stated herein.  
**NOW, THEREFORE, BE IT RESOLVED**, That a Various Fire Equipment be purchased from New Jersey Fire Equipment Co. at a cost of \$25,559.20.

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

**RESOLUTION #2022-75**  
**RESOLUTION TO ADOPT 2022 MUNICIPAL BUDGET**  
Offered By: Comm. McLoughlin                      Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2022;

General Appropriations For:

1. Appropriations within CAPS	
Municipal Purposes	4,827,697.00
2. Appropriations Excluded from CAPS	
Municipal Purposes	1,384,239.66
3. Reserve for Uncollected Taxes	121,300.62
4. Total General Appropriations	6,333,237.28
5. Less: Anticipated Revenues Other Than Current Property Tax	3,460,572.66
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget	
Local Tax for Municipal Purposes Including Reserve for Uncollected Taxes	2,872,664.62

**BE IT FURTHER RESOLVED**, That said Budget be published in the The Coaster Newspaper on March 24, 2022.

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

**RESOLUTION #2022-76**  
**A RESOLUTION FOR SELF-EXAM OF MUNICIPAL BUDGET**  
Offered By: Comm. McLoughlin                      Seconded By: Mayor McLaughlin

**WHEREAS**, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,  
**WHEREAS**, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

**WHEREAS,** Pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Allenhurst has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meet the necessary conditions to participate in the program for the 2022 budget year;

**NOW, THEREFORE, BE IT RESOLVED,** By the Board of Commissioners of the Borough of Allenhurst that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the CAP law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated;
  - b. Items of appropriations are properly set forth
  - c. In itemization, form, arrangement, and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That other applicable statutory requirements have been fulfilled.

**BE IT FURTHER REQUIRED,** That a copy of this resolution be forwarded to the Director of the Division of Local Government.

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

#### **RESOLUTION #2022-77**

#### **A RESOLUTION TO APPROVE SALARIES FOR 2022**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**BE IT RESOLVED,** That the following salaries be and are hereby approved for officials and employees of the Borough of Allenhurst for the year 2022:

Chief of Police	\$141,460
Borough Clerk/Administrator	112,426
Public Works Superintendent/Sewer Operator	87,000
Finance Clerk	53,321
Deputy Clerk/Deputy Clerk/Deputy Treasurer/Administrative Assistant	\$28.00 per hour
Registrar	1,000
Deputy Registrar	500
Recycling Coordinator	2,000
Right-To-Know Coordinator	1,500
Right-To-Know Coordinator Asst.	1,000
Clean Communities Coordinator	1,000
Tax Collector	6,253
Sewer Collector	3,000
Tax Assessor	8,364
Board of Health Officer	2,500
Zoning Inspector/Code Official	20,000
Municipal Court Judge, includes 2 court sessions/mo.	20,000
OEM Coordinator	2,000
OEM Administrator	2,000
Planning Board Secretary	15,000

Records Coordinator	5,000
Certified Pool Operator	1,000
Pump Maintenance	\$75.00/callout
Pool Cleaning	\$100/cleaning – 2hr max
	Over 2hr needs approval of DPW Supervisor
Treasurer	1,500
Mayor	1,750
Commissioner	1,500
<u>Public Works</u>	
Vandevort	46,332
Duchatkiewicz	65,427
Varian	45,846
Castillo	37,931
Powers	35,875
Francese	35,875
Foreman	1,000
Mechanic	2,000
<u>Communications Officers</u>	
J. Henry	50,000
L. Rodriguez	28,080
A. Rosa	27,040
TAC Officer	4,000

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

**RESOLUTION #2022-78**  
**A RESOLUTION TO HIRE SEASONAL EMPLOYEES – PRE-SEASON**

Offered By: Comm. McLoughlin
 Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That the following be hired for the 2022 summer season commencing on dates indicated:

		Commencing on
Don Deibert	\$20 per hour	4-1-2022
Rich HeitmueLLer	\$18 per hour	4-1-2022

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

**RESOLUTION #2022-79**  
**REFERRING PROPOSED ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER XXVI, SECTION 7.4 ENTITLED “SIDEWALKS” AND ADDING NEW SECTION 7.7 ENTITLED “SIGHT TRIANGLE” 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 an Ordinance to amend and supplement the Borough Code of the Borough of Allenhurst, Chapter XXVI, section 7.4 entitled “Sidewalks” and adding new section 7.7 entitled “Sight Triangle,” a copy of which is 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 Ordinance.

**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 the draft Ordinance to Amend and Supplement the Borough Code of the Borough of Allenhurst, Chapter XXVI, section 7.4 entitled “Sidewalks” and adding new section 7.7 entitled “Sight Triangle” be and are hereby referred to the Planning Board for review and comment.

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



**RESOLUTION #2022-80**

**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 #2022-81**

**A RESOLUTION TO APPROVE BILLS (3-9-2022 to 3-22-2022)**

Offered By:

Seconded By:

**BE IT RESOLVED**, That bills totaling \$198,615.19 be approved for payment; and,  
**BE IT FURTHER RESOLVED**, That the March 22, 2022 consolidated bill list be attached hereto and made a part thereof.

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

**Attachment referred in Resolution 2022-79**

**BOROUGH OF ALLENHURST**

**DRAFT ORDINANCE #2022-\_\_\_\_\_**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
THE BOROUGH CODE OF THE BOROUGH OF  
ALLENHURST, CHAPTER XXVI, SECTION 7.4 ENTITLED  
“SIDEWALKS” AND ADDING NEW SECTION 7.7  
ENTITLED “SIGHT TRIANGLE”**

**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 public and internal sidewalks as well as addressing sight triangles to improve safety in the Borough.

**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 26-7.4 entitled “Sidewalks” be and is hereby deleted and replaced with the following:

**26-7.4 Sidewalks.**

- a. Public sidewalks shall be four (4) feet wide and located within the street right-of-way.
- b. The street right-of-way outside the curblineline shall be graded to produce a slope of one-quarter (1/4) inch per foot, sloping towards the curb. This slope shall apply to both the sidewalk and grassed areas.
- c. The Planning Board shall have jurisdiction over “internal sidewalks” as respects any application for development of any property in the Borough.
  - i. “Internal sidewalks” shall be defined as any sidewalk or walkway, regardless of material used to construct the same, on a privately owned property and as distinguished from Public Sidewalks which are located in a street right-of-way.
- d. Internal sidewalks, shall be no less than four (4) feet wide. They shall be of appropriate materials in keeping with historically appropriate standards and shall

be in proportion with the massing of the home/structure.

**SECTION 2.** There shall be hereby added a new section, Chapter 26-7.7 entitled “Sight Triangle” as follows:

26-7.7 Sight Triangle (New, this ordinance)

- a. On all corner lots in all zones in the Borough, there shall be an unobstructed sight triangle formed by measuring thirty (30) feet along each curb line from the point of intersecting curb lines at such corner and connecting such points to form a triangular area.
- b. No fences, nor any structure or plantings of any type that might impair the vision of motor vehicle traffic, may be erected within the sight triangle. A sight triangle shall contain no structures, retaining walls, signs, plantings or any other vision obstructing objects which are greater than thirty-six inches (36”) inches in height as measured from the pavement immediately adjacent to the curb at the point of intersecting street lines. Trees shall be permitted whose branches are trimmed away to a height of at least eight (8) feet above the curb level as measured from the point of intersecting street lines.
- c. Nothing herein shall permit the parking or storage of any vehicle on a corner lot property, which obstructs, impairs or obscures vision of motor vehicle traffic at an intersection, as determined by the Chief of Police.

**SECTION 3.** 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 4.** 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 5.** 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 6.** This Ordinance shall take effect immediately upon its passage and adoption according to law.

VOTE:           Comm. McLoughlin \_\_\_\_; Comm. Bolan \_\_\_\_; Mayor McLaughlin \_\_\_\_.

APPROVED:           \_\_\_\_\_, 2022

ADOPTED:           \_\_\_\_\_, 2022

**ITEMS TO DISCUSS**

The Mayor advised that he sent a letter this week to JCP&L regarding the street lights on Cedar Avenue that have not been working. The letter outlines the timeline for the reports from the Chief over the past year. If there is no response from JCP&L to the prior correspondence, Commissioner McLoughlin will draft a letter to the President of First Energy.

The Mayor asked the Chief about the possibility of obtaining solar stop signs for a few intersections. The Chief will research pricing.

Comm. McLoughlin asked the Chief about the status of purchasing new digital radios. The Chief advised that they are pursuing a possible grant.

The Borough Administrator advised that Beach Club Renewals were released last week.

The DPW Superintendent advised that the Bus and the John Deere tractor are all being serviced in preparations for the upcoming Beach Season.

## **PUBLIC COMMENTS**

There being no further business or comments, Comm. McLoughlin moved, seconded by Mayor McLaughlin that the meeting move to executive session at 8:00 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. McLoughlin that the meeting be adjourned at 9:30 PM. Motion carried

***Donna M. Campagna***

Donna M. Campagna  
Administrator/Clerk