

**MINUTES**  
**June 28, 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:**

- Ocean Township Ordinance #2387 Supplementing Chapter 21 of their Comprehensive Land Development Ordinance entitled: Solar Energy Systems
- Ocean Township Ordinance #2389 Supplementing Chapter 21 of their Comprehensive Land Development Ordinance entitled: Electric Vehicle Supply/Service Equipment
- NJAW Notice of Filing and of Public Hearing of a petition for approval of a filing in support of a Distribution System Improvement Charge.
- Resolution from the Monmouth County Board of County Commissioners supporting assembly concurrent resolution no. 31 increasing the property tax deduction for veterans.

**ANNOUNCEMENTS:**

The Board of Commissioners Meeting scheduled for July 12, 2022 has been rescheduled to Wednesday July, 13, 2022.

**PROCLAMATIONS**

- COMMENDING EMT/FIREFIGHTER CAPTAIN DAVID BELHASSEN
- COMMENDING EMR MEGHAN WARD

**SWEARING-IN OF FIRE POLICE OFFICER – ROBERT TODD**

**ORDINANCES**

**ORDINANCES FINAL READING**

**ORDINANCE #2022-11 – Final Reading**

**ORDINANCE #2022-11**

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

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 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.**

- i. A Swim Team shall be established which shall be open to all children who are members of the Allenhurst Beach Club between the ages of five (5) years and twelve (12) years at the discretion of the Swim Team Coach. The cost for participation in this program will be seventy-five (\$75) dollars per child.
- j. A Junior Lifeguard Program shall be established which shall be open to all children

who are members of the Allenhurst Beach Club. The cost for participation in this program will be seventy-five (\$75) dollars per child.

**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.

There were no public comments.

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

**ORDINANCE #2022-12 – Final Reading**

**ORDINANCE NO.: 2022-12**

**AN ORDINANCE AMENDING AND SUPPLEMENTING  
THE BOROUGH CODE 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 supplement the Borough Code of the Borough of Allenhurst to establish restrictions on disorderly conduct and penalties to be payable upon conviction of violations thereof.

**NOW THEREFORE, BE IT ORDAINED** by the Board of Commissioners of Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented as follows:

**I.** Chapter III, Section 3-7, entitled “Disorderly Conduct” be and is hereby added to the Borough Code as follows:

**§3-7 Disorderly Conduct**

It shall be unlawful for any person:

- a. To encumber any street or other place by loafing, lounging, loitering, sleeping in or about the same to the annoyance of passersby.
- b. To be under the influence of intoxicating liquor, or in an intoxicated condition, and loiter or be upon the streets, highways or other public places, or on property not his own.
- c. To indulge in and utter loud, common, offensive, indecent or profane language in any public place, quasi-public place or upon private property not his own.
- d. To indulge in and utter loud, common, offensive, indecent or profane language upon his own property if the same is audible to persons on other property or upon the public street or other public place.
- e. To address or make audible any offensive remarks or comments upon or to any person passing along or being on any highway or other public place.
- f. To annoy, obstruct or interfere with any person or persons lawfully being on any highway or other public place or conveyance.
- g. To go about from door to door or accost or annoy any other person in any public place by begging or soliciting alms or wander abroad and lodge in uninhabited buildings, taverns, outhouses, barns, the open air or other places and not give a good account of himself.
- h. To revel, quarrel, brawl or otherwise misbehave in a disorderly manner to disturb the public peace and quiet.
- i. To willfully disquiet or disturb any lawful meeting or assembly for religious worship, either by making loud noises or rude or indecent behavior or profane talk whether in the meeting or in the immediate vicinity of the same.

- j. To place or exhibit in any manner any indecent, immodest, obscene or vulgar thing where it may be exposed to public view.
- k. To appear in any street or other public place or in the open air in the Borough in a state of nudity or in any indecent or lewd dress or make any indecent or lewd exposure of themselves or act in an immodest, indecent or lewd manner.
- l. To keep, manage, maintain, reside in, frequent or be an inmate of a disorderly house or house of ill fame, or permit, suffer or allow his or her house or other building or place to be used, frequented, occupied by or resorted to by riotous or disorderly persons, prostitutes, gamblers or vagrants.
- m. To set up, maintain, or permit, suffer or allow to be set up, kept or maintained in any house or other premises or place any device or game of chance for the purpose of gaming, or engage in any game of chance either as banker, player, dealer or otherwise for the purpose of gaming, except those bona fide qualified organizations which, pursuant to N.J.S.A. 5:8-24 et seq. (Bingo Licensing Law) and N.J.S.A. 5:8-50 et seq. (Raffles Licensing Law), may conduct games of chance on any day, including Sunday, upon application to and approval by the Borough Clerk pursuant to the rules and regulations of the New Jersey Legalized Games of Chance Control Commission. In the event that the Borough Clerk is unavailable or unable to review the application, the Chief of Police shall approve or disapprove of the application pursuant to the rules and regulations of the New Jersey Legalized Games of Chance Control Commission.
- n. To make, or cause to be made, or permit, suffer or allow to be made in his house or other premises any loud or unseemly noises to the serious inconvenience or discomfort of the peaceful inhabitants of the neighborhood between 11:00 p.m. Friday night and 7:00 a.m. Saturday morning, and between the hours of 11:00 p.m. Saturday night and 7:00 a.m. Sunday morning. On all other days those same acts shall be prohibited from 10:00 p.m. at night until 7:00 a.m. the following morning. For days preceding legal holidays and for legal holidays the hours applicable to Fridays and Saturdays listed in this subsection shall apply (11:00 p.m. at night until 7:00 a.m. the next morning).
- o. To possess, set or otherwise cause to explode or discharge or burn any fireworks or explosives of flammable materials, or discharge them or throw them into any such areas from lands or highways adjacent thereto. This prohibition includes any substance, compound, mixture, or compound that would be dangerous from any of the foregoing standards, except those items declared lawful pursuant to N.J.S.A. 21:2-1 et seq. Residents seeking to use fireworks must first obtain a permit and approval from appropriate Borough officials, including but not limited to, fire officials.
- p. To use or pretend to use or have any skill in physiognomy, palmistry, phrenology or like crafty science, or shall pretend to tell destinies, fortunes or future occurrences.
- q. To by word, sign, act, or otherwise, invite or solicit unlawful sexual intercourse or any other unlawful, indecent, lewd or lascivious act.
- r. To maliciously destroy, damage or injure any property of another.
- s. To enter any building or go upon any lands used or occupied for school purposes by a public school and therein disturb the exercises of the school or molest or give annoyance to the children or teacher attending said school.
- t. To willfully or maliciously ring or cause to be rung any bell, siren or alarm of any fire company in this municipality and thereby give or cause to be given a false alarm of fire.
- u. To willfully, maliciously or recklessly beat, torment, kick, strike, mutilate, torture, injure, disable, kill or otherwise mistreat any dog used by the Police Department in the performance of the functions or duties of the Department, or to interfere with any such dog while the same is being used in the performance of any of the functions or duties of the Police Department.

### §3-7.1 Penalties

Any person who violates any provision of this chapter, upon conviction thereof, shall be liable to the general penalty, as established in Chapter I, Section 1-5 of this Code, unless otherwise stated or ordered in the sound discretion of the Court.

## II. **REPEALER.** All other sections and subsections of Borough Code of the Borough of

Allenhurst not specifically amended by this Ordinance, shall remain in full force and effect.

**III. INCONSISTENT ORDINANCES.** All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

**IV. SEVERABILITY.** If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**V. AND IT IS FURTHER ORDAINED** that this Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

There were no public comments.

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

### **RESOLUTIONS**

#### **RESOLUTION #2022-116**

##### **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 June 14, 2022 be ratified and approved.

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

#### **RESOLUTION #2022-117**

##### **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 June 14, 2022.

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

#### **RESOLUTION #2022-118**

##### **A RESOLUTION TO HIRE A FULL-TIME COMMUNICATIONS OFFICER**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, There is a need for a Communications Officer in the Allenhurst Police Department and the Chief of Police has interviewed several candidates and has made his recommendation to the Board of Commissioners; and,

**WHEREAS**, Funds for this purpose shall be provided for in the appropriation entitled, Police S&W, and the Chief Finance Officer has so certified;

**NOW, THEREFORE, BE IT RESOLVED**, That Brian Torres be and he is hereby employed as a Communications Officer for the Borough of Allenhurst for a probationary period of one year, commencing on July 1, 2022, at an annual salary of \$27,040.00.

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

#### **RESOLUTION #2022-119**

##### **A RESOLUTION TO APPROVE ENGINEER CERTIFICATE #1 FOR IMPROVEMENTS TO SPIER AVENUE**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, A contract was awarded to Earle Asphalt Company for the Improvements to Spier Avenue and,

**WHEREAS**, The Borough Engineer has reviewed the project and recommended payment as provided for in Engineer's Certificate #1, which is on file in the Clerk's office;

**WHEREAS**, Funds for this purpose shall be provided through the Ordinance 2021-02 Various Improvements to Spier Avenue (C-04-55-984-005), and the CFO has so certified;

**NOW, THEREFORE, BE IT RESOLVED**, That Earle Asphalt Company be compensated in the amount of \$234,545.81 for work done in accordance with the Engineer's Certificate #1.

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

**RESOLUTION #2022-120**

**A RESOLUTION TO HIRE SEASONAL EMPLOYEES**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That the following be hired for the 2022 summer season commencing on June 24, 2022:

Security	Julia Wagner	\$11.90 per hour
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VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2022-121**

**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 #2022-122**

**A RESOLUTION TO APPROVE BILLS (6-15-2022 to 6-28-2022)**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That bills totaling \$498,178.20 be approved for payment; and,  
**BE IT FURTHER RESOLVED**, That the June 28, 2022 consolidated bill list be attached hereto and made a part thereof.

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

**ITEMS FOR DISCUSSION:**

The Mayor reminded everyone that the Beach Club will be open late on July 2, the same night that Asbury Park will be having their fireworks display.

**PUBLIC COMMENTS**

There were no public comments.

There being no further business or comments, Comm. McLoughlin moved, seconded by Comm. Bolan that there be no executive session and the meeting be adjourned at 7:45 PM. Motion carried.

***Donna M. Campagna***

Donna M. Campagna  
Administrator/Clerk