

MINUTES
JANUARY 10, 2012

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.

PRESENTATION OF AWARD

Mayor McLaughlin presents a 2010 Top Gun DWI Enforcement Award to Ptl. David Lipari from the NJ State Division of Highway Traffic Safety.

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 27, 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 27, 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 transferred:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Finance, O.E.	Court, O.E.	8.00
Finance, O.E.	MOMV	65.00
Finance, O.E.	Recycling	178.00
Finance, O.E.	Electric	240.00
Finance, O.E.	Legal, O.E.	<u>606.00</u>
	TOTAL	1,097.00

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

RESOLUTION #4

A RESOLUTION TO APPOINT OFFICIALS

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT RESOLVED, That the following officials of the Borough of Allenhurst are hereby appointed effective January 1, 2012, through December 31, 2012:

Borough Administrator	Lori L. Osborn
Deputy Borough Clerk	Veronica Dahl
Code Official	Robert Simmen, III
Fire Official	Robert Simmen, III
Borough Treasurer	Kevin Rogers
Public Works Supervisor	Douglas Caron
Recycling Coordinator	Douglas Caron
Deputy Borough Treasurer	Veronica Dahl
Mercantile License Officer	Lori L. Osborn
Municipal Court Admin.	Robin Deibert
Deputy Court Administrator	Mary Ellen Supon
Violations Clerk	Lisa Casler
Zoning Officer	Christopher Rogers
Community Development Rep.	Lori L. Osborn
Alt. Comm. Development Rep.	Veronica Dahl
Public Agency Compliance Officer	Lori L. Osborn
Personnel Officer	Lori L. Osborn
Fund Commissioner (JIF)	Lori L. Osborn
ADA Compliance Officer	Lori L. Osborn
Assessment Search Officer	Lori L. Osborn
Tax Search Officer	Carla Tomas
Sewer System Operator	Paul Quinn
TAC Officer	Joy More
Deal Lake Representative	Bruce Fromer

Alt. Deal Lake Representative
Right to Know Coordinator
Certified Pool Operator
Certified Pool Operator
Sewer Collector
Bus Driver

Roseanne Coyne
Paul Quinn
Christopher Rogers
Marc Heitmueller
Lori L. Osborn
William Parlman

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

RESOLUTION #5

A RESOLUTION TO APPOINT BOROUGH ATTORNEY

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Borough of Allenhurst has a need to acquire the services of a Borough Attorney for 2012 and 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 Administrator, Lori Osborn 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 for 1 year; and

WHEREAS, Birdsall & Laughlin, LLC has indicated that they will act as Borough Attorney at the rate of \$150.00 per hour for all services rendered; and

WHEREAS, Birdsall & Laughlin, LLC, has completed and submitted a Business Entity Disclosure Certification which certifies that Barbara Birdsall & David Laughlin of Birdsall & Laughlin, LLCn have not made any reportable contribution 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 contract will prohibit Barbara Birdsall and David Laughlin of Birdsall & Laughlin 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 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 the Commissioners of the Borough of Allenhurst hereby authorizes the Mayor and Clerk to enter into a contract with Birdsall & Laughlin, LLC, as described herein; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #6

A RESOLUTION TO APPOINT BOROUGH ENGINEER

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, the Borough of Allenhurst has a need to acquire the services of a Borough Engineer for 2012 and 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 Administrator, Lori Osborn has determined and certified in writing that the value of the acquisition will probably exceed \$17,500; and,

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

WHEREAS, Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc., has indicated that he will act as Borough Engineer at the rate of \$125.00 per hour for principal engineer and an hourly rate for all others as set forth in a contract on file in the Borough Clerk's office; and,

WHEREAS, Peter Avakian, PE, PP of Leon S. Avakian, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that Peter R. Avakian, PE, PP of Leon S. Avakian, Inc., has not made any reportable contributions 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 contract will prohibit Peter R. Avakian, PE, PP, of Leon S. Avakian 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 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 the Commissioners of the Borough of Allenhurst hereby authorizes the Mayor and Clerk to enter into a contract with Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc., as described herein; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #7

A RESOLUTION TO APPOINT BOROUGH AUDITOR

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Borough of Allenhurst has a need to acquire the services of a Borough Auditor for 2012 and 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 Administrator, Lori Osborn 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 for 1 year; and

WHEREAS, William Antonides of William Antonides & Company has indicated that he will act as Borough Auditor at the rate of \$110.00 per hour for partner services and a rate for all other work as set forth in a contract on file in the Borough Clerk=s office; and,

WHEREAS, William Antonides of William Antonides & Company has completed and submitted a Business Entity Disclosure Certification which certifies that William Antonides of William Antonides & Company has not made any reportable contributions 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 contract will prohibit William Antonides of William Antonides & Company 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 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 the Commissioners of the Borough of Allenhurst hereby authorizes the Mayor and Clerk to enter into a contract with William Antonides of William Antonides & Company as described herein; and,

BE IT FURTHER RESOLVED, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; 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, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #8

A RESOLUTION TO APPOINT BOND ATTORNEY

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, There exists a need for specialized legal services in connection with the authorization and the issuance of bonds and other obligations and other matters relating to capital financing by the Borough of Allenhurst, County of Monmouth, New Jersey (herein the "Borough"); and,

WHEREAS, Such specialized legal services can be provided only by a recognized Bond Counsel firm, and the law firm of Dilworth Paxson, LLP, Neptune, New Jersey, is so recognized by the financial community; and,

WHEREAS, the Borough Administrator, Lori Osborn has determined and certified in writing that the value of the acquisition may exceed \$17,500; and,

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

WHEREAS, Dilworth Paxson, LLP, Neptune, New Jersey, has indicated they will act as Bond Attorney at a fee set forth in an Agreement on file with the Borough Clerk; and,

WHEREAS, Dilworth Paxson, LLP, Neptune, New Jersey, has completed and submitted a Business Entity Disclosure Certification which certifies that Dilworth Paxson, LLP. Neptune, New Jersey, has not made any reportable contributions 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 contract will prohibit Dilworth Paxson, LLP, Neptune, New Jersey, 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 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 the Commissioners of the Borough of Allenhurst hereby authorizes the Mayor and Clerk to enter into a contract with Dilworth Paxson, LLP, Neptune, New Jersey, for professional services in connection with the preparation of all bond ordinances and the authorization and issuance of all bonds, bond anticipation notes, tax anticipation notes or similar obligations and related matters of capital and debt financing by the Borough; and,

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

BE IT FURTHER RESOLVED, That no appropriation of funds is required at this time, payment coming from the proceeds of the sale of bonds, bond anticipation notes and tax anticipation notes or similar obligations or from capital authorizations or other appropriate budgeted items in accordance with the Contract on file in the Borough Clerk's office; 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, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #9

A RESOLUTION TO APPOINT PROFESSIONALS

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, There exists a need for professionals for the year 2012; and,

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

Chief Public Defender
Deputy Public Defender

Martin McGreevey, Esq.
James Carton, IV
Dr. Steven Crawford & Dr. Al Cabasso
Of Meridian Occupational
David Gardner, Esq.
Jason Volet

for a term commencing January 1, 2012, through and including December 31, 2012; 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #10

A RESOLUTION TO APPOINT TAX SEARCH OFFICER

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, By the Commissioners of the Borough of Allenhurst, that Carla Tomas, the Certified Tax Collector of the Borough of Allenhurst, be and hereby is designated as the Tax Search Officer of the Borough to make and certify Certificates of Searches of the Borough Liens as may be required under and by virtue of NJSA 54:5-11 and to become effective January 1, 2012.

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

RESOLUTION #11

A RESOLUTION TO APPROVE INTEREST RATE ON DELINQUENT TAXES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, NJSA 54:4-66 & 67 provide that taxes for municipalities operating under the calendar fiscal year shall be payable, the first installment as hereinafter provided on February 1, the second installment on May 1, the third installment on August 1, and the fourth installment on November 1, after which dates if unpaid, they shall become delinquent and remain delinquent until such time as all unpaid taxes, including taxes and other liens subsequently due and unpaid, together with interest have been fully paid and satisfied; and,

WHEREAS, NJSA 54:4-67 provides that no interest shall be charged if payment of any installment is made within the fifth calendar day following the date upon which the same became payable; and,

WHEREAS, NJSA 54:4-67 provides that "Delinquency" means the sum of all taxes and municipal charges due on a given parcel of property covering any number of quarters or years; and,

WHEREAS, NJSA 54:5-6 provides that taxes are a continuous lien and all subsequent taxes, interest, penalties and costs of collection which are imposed or accrue are added to the lien

and become part of it;

NOW, THEREFORE, BE IT RESOLVED, That upon the recommendation of the Borough of Allenhurst Tax Collector, Carla Tomas, interest at the rate of 8% per annum be charged on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 be charges, to be calculated from the date the tax was payable until the date that actual payment to the tax collector is made pursuant to NJSA 54:4-67 and, to become effective January 1, 2012.

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

RESOLUTION #12

A RESOLUTION TO APPROVE INTEREST RATE ON DELINQUENT SEWER

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That upon the recommendation of the Borough Sewer Collector, Lori L. Osborn, 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 2012 after February 1, 2012 and on the second quarterly installment after May 1, 2012 and on the third quarterly installment after August 2, 2012 and on the fourth quarterly installment after November 1, 2012 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #13

A RESOLUTION TO APPOINT OFFICIALS AND MEMBERS OF ALLENHURST FIRE CO. & FIRST AID

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT RESOLVED, That the following duly elected, named members of the Allenhurst Fire Company #1 and First Aid Squad be granted municipal approval for the positions indicated, for the year 2012:

FIRE DEPARTMENT
Frank Manfredi

Chief

Michael Powers
William Reng
John Hansen
Patrick Harvey

First Assistant Chief
Second Assistant Chief
Captain
Lieutenant

FIRST AID SQUAD

Richard Heitmueller
Vacant

Captain
Lieutenant

BE IT FURTHER RESOLVED, That the following named members be appointed Fire Police Officers:

James Vaccaro
Joseph Montedoro

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

RESOLUTION #14

A RESOLUTION TO CONFIRM PLANNING BOARD MEMBERS

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

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

Class I Member

David J. McLaughlin for a term expiring December 31, 2012

Class II Member

Kevin G. Rogers for a term expiring December 31, 2012

Class III Member

Christopher J. McLoughlin for a term expiring December 31, 2012

Class IV Member

Joseph Tomaino for a four year term expiring December 31 2015

Alternates

#1 – Samuel Boyd, Sr. for a two year term expiring December 21, 2013

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

RESOLUTION #15
A RESOLUTION TO APPROVE MEETING DATES

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

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 2012, said meetings to be held at Borough Hall, 125 Corlies Avenue, on the dates listed at 7:30 P.M., unless otherwise indicated:

January 24	June 12	October 9
February 14	June 26	October 23
February 28	July 10	November 13
March 13	July 24	November 27
March 27	August 14	December 11
April 10	August 28	
April 24	September 11	
May 15 (Reorg.)	September 25	January 8, 2013

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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #16
A RESOLUTION TO APPROVE NEWSPAPERS

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #17
A RESOLUTION TO APPROVE UNEXPENDED BALANCES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 2011 that will be paid in 2012;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby reserve all unexpended balances from the 2011 Budget for all unpaid claims for 2011.

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

RESOLUTION #18
A RESOLUTION TO APPROVE DEPOSITORIES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 Central Jersey Bank, N.A. and State of New Jersey Cash Management Fund, C/O Citi Fund Services, or their successors 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #19
A RESOLUTION TO AUTHORIZE TAX SALE LIENS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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, 2011; 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 2011 delinquent taxes, sewer utility charges and other municipal charges on or before December 31, 2012 and to become effective January 1, 2012.

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

RESOLUTION #20

A RESOLUTION TO APPROVE CASH MANAGEMENT PLAN

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 B 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

AArbitrage@ 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.

ACash 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.

ACertificate 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.

ACompensating 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.

AEligible 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.

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

AInterest 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.

II. 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 Aprudent 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

1. 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.

2. 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 Sate Stature or promulgated regulation.
6. Investment Securities B 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:

Petty cash funds

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

1.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 statute 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #21

A RESOLUTION TO ESTABLISH 2011 TEMPORARY BUDGET

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 2012 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 2012; and

WHEREAS, 26.25% of the total appropriations in the 2011 budget exclusive of any appropriations for debt service, relief of the poor and capital improvements is \$1,104,365.36 for current fund and \$75,780.08 for sewer utility;

NOW, THEREFORE, BE IT RESOLVED that the following temporary appropriations be made:

GENERAL APPROPRIATIONS

INSIDE CAP

Mayor=s Office	\$ 460.69
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Department of Public Affairs and Public Safety

Fire, OE	7,481.25
First Aid, O.E.	525.00
Police, S&W	272,475.00
Police, OE	14,516.25

911 System	735.00
Municipal Prosecutor, S&W	3,937.50
Planning Board, OE	3,228.75
Bureau of Fire Prevention, S&W	1,365.00
Bureau of Fire Prevention, OE	78.75
Municipal Court, S&W	22,312.50
Municipal Court, O.E.	2,283.75
Public Defender, S&W	1,312.50
Emergency Management, S&W	393.75
Emergency Management, O.E.	52.50
Deal Lake Commission	2,750.00
Bloodborne Pathogens	0.00
Elections	3,000.00
Monmouth County Social Services	170.63

Department of Revenue and Finance

Commissioner=s Office	395.06
Financial Administration, S&W	19,687.50
Financial Administration, OE	7,570.00
Audit, O.E.	5,775.00
Assessment of Taxes, S&W	1,076.25
Assessment of Taxes, OE	879.38
Collection of Taxes, S&W	1,365.00
Collection of Taxes, OE	78.75
Administration, S&W	29,006.25
Administration, OE	5,289.38
Legal Services	8,400.00
Maintenance of Motor Vehicles	9,187.50
Board of Health	3,248.44
Streets & Roads, OE	525.00
Snow Removal, S&W	2,100.00
Snow Removal, OE	918.75
Solid Waste Collection, S&W	45,937.50
Solid Waste Collection, O.E.	3,937.50
Recycling	3,675.00
Engineering	262.50

Insurances

Workers Compensation	33,583.30
Group	128,625.00
Other Insurance	35,182.80

Department of Public Works, Parks and Public Property

Commissioner=s Office	395.06
Public Buildings & Grounds, OE	5,250.00
Beach, S&W	83,737.50
Beach, OE	24,025.00
Parks & Playgrounds, OE	1,706.25

Celebration of Public Events, O.E.	2,362.50
Code Enforcement Officer, S&W	1,312.50
Code Enforcement, O.E.	26.25
Animal Control	577.50

Unclassified

Gasoline	10,500.00
Electricity	10,500.00
Telephone	5,775.00
Natural Gas	5,000.00
Street Lighting	6,562.50
Water	4,725.00
Fire Hydrant	3,937.50

Statutory Expenditures

Social Security (OASI)	26,250.00
Unemployment Compensation	2,100.00
DCRP	131.25

Interlocal Service Contracts

Fire, OE	7,796.25
Fire - LOSAP	2,274.04
Sanitation, S&W - Interlaken	28,087.50
Landfill - Interlaken	9,240.00
Sanitation, S&W - Loch Arbour	19,818.75
Sanitation, O.E. - Loch Arbour	6,300.00
Garbage - Contractual, O.E.	262.50
School Bus Driver	3,937.50
BAN Payments	73,255.00
Interest on Notes	9,543.87
MCIA Interest	175.50
TOTAL GENERAL APPROPRIATIONS	1,039,349.40

Sewer Utility

Operating, O.E.	88,562.50
Operating, S&W	22,079.14
Social Security	1,837.50

TOTAL SEWER UTILITY	112,479.14
TOTAL 2011 TEMPORARY BUDGET	1,151,828.54

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

RESOLUTION #22

A RESOLUTION TO PAY BILLS & PAYROLL (01/01/12 - 01/15/12)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$218,702.71 be approved for payment; and,

BE IT FURTHER RESOLVED, That the January 10th consolidated bill list be attached hereto and made a part thereof.

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

PUBLIC HEARING

Bernard Tillis, Beach Club Member, stated he was concerned with some other members that the bocce court was removed.

Doug Caron, public Works Supervisor and Beach Club Manager, stated they did move the court in order to gain more space. He has seen a lot of changes at the Club and there is usually a good reason. The garden by the bocce court had become overgrown and the Garden Club asked him to cut it back. He started to notice that the wood around the bocce court was rotted. At the last meeting, he approached the Board of Commissioners and told them approximately 15 people use the court. After some discussion, he got permission to take it down. He had received complaints from some of the bocce players that dirt kept seeping out.

Doug continued, stating they used to have shuffleboard courts and they are no longer there. There is a tent there now. There used to be a trampoline and there used to be a jungle gym. Each was removed to give the membership more room. It benefits more members by opening up the space. They will be extending the fence out to allow even more room.

Doug spoke about discussions on playground improvements and it was brought up that it may be a good place to relocate the bocce court.

Mr. Tillis stated he was very disappointed. They enjoyed the court at the pool and took dips in between games.

Mayor McLaughlin added that one of the Board's concerns was that players went in when the Club was closed. It is a safety concern with the empty pool. Also, the bathrooms were used, even though the water was shut off and the toilets did not flush.

Mr. Tillis stated that no one would go to the railroad station to play.

Comm. Bolan stated the bus would take anyone to and from the park who wanted to play bocce.

Mayor McLaughlin stated the Board would think about the issue.

William Capik asked about the merge and Mayor McLaughlin stated the subcommittee met once and were supposed to meet again, but that meeting was canceled. There hasn't been

anything significant.

In response to a question by Anthony Mauro, Mayor McLaughlin stated they will go to the Attorney General with all their questions.

There was a discussion concerning the bids for the improvements to the pool. Mr. Caron stated that the contractor has penciled them in, but will take a job if it is a sure thing.

Mr. Caron stated he will have bids on the fence by the next meeting. They have managed to cut the price in half. They are now working on several projects. They will be replacing the sub-flooring in the cabana bathroom. They are also working on prices on three new cabana units. Everything is going well.

Comm. Bolan mentioned the vandalism that occurred on the cabanas and Mr. Caron stated he believed they could power-wash the graffiti off. If they cannot, he has extra siding and they will re-side the affected cabanas. The vandals seemed to have zeroed in on certain cabanas.

Mayor McLaughlin stated the Chief is looking into getting two security cameras which they will use at the cabanas. He did not think anybody should be near the cabanas once the beach is closed.

Mayor McLaughlin stated he received e-mail from Dominic Malgeri about a web site for the Club. He told him he didn't think it would be this year. The Commissioners agreed and Doug stated that the new program they are looking at may eventually encompass everything. They are going to start simple and may add things as they progress.

Mr. Caron presented a Code of Conduct to the Board. The Commissioners reviewed same and Comm. Bolan stated he will prepare something for the Beach Club booklet.

There was some discussion on a bus route in the summer and it was decided that Mr. Driscoll would be given a cell phone and Bluetooth and members will call the main office for pickup. In addition, he will have a route.

Mayor Coyne mentioned putting together a social committee at the Club. He will put something in the beach booklet.

Mayor McLaughlin then discussed signage on Main Street, stating it is getting out of control. Especially in Buy Rite. The gas station has a sign that is blocking site and the empty store has a cloth banner.

Chris Rogers, Zoning Officer, stated everyone on Main Street is in violation.

There was a lengthy discussion on violations from Back to Nature. The back is a mess with garbage and grease. There was discussion about pulling their Mercantile License. Mayor McLaughlin stated he would like Mr. Simmen at the next meeting to address this issue. It was also suggested that a letter be written to John Reng at the landlord. It cannot continue.

Comm. Bolan suggested a letter be written to Interlaken asking them to come to a meeting to discuss certain issues such as the Fire Department and the upcoming Garbage Contract.

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