

**MINUTES**  
**March 14, 2023**

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding, Commissioner McLoughlin, and Commissioner Cumiskey, Also in attendance was the Borough Clerk and Borough Attorney.

The meeting was called to order at 7:30 P.M. with a salute to the flag.

Mayor McLaughlin announced that the notice requirements of R.S. 10:4-18 had been satisfied by delivering the required notice to the Coaster, posting the notice on the board in Borough Hall and filing a copy of said notice with the Borough Clerk.

**COMMUNICATIONS:** None

### **ANNOUNCEMENTS:**

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

## ORDINANCES

**FIRST READING - ORDINANCE #2023-03 – BEACH REGULATION**

# ORDINANCE #2023-03

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

Offered By: Mayor McLaughlin

Seconded By: Comm. McLaughlin

**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 Section 10-1.6 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

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

a. Resident Charges.

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
1.	Non-shower bathhouse	\$1,244.00	\$1,494.00
2.	A/B Shower bathhouse	\$1,662.00	\$1,912.00
3.	Shower bathhouse	\$1,557.00	\$1,807.00
4.	Cabana	\$3,108.00	\$3,358.00
Facilities Use Charge Per Person:			
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$63.00	\$63.00
7.	Age 5 and over	\$89.00	\$89.00
8.	Age 65 and older	\$63.00	\$63.00

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

b. Nonresident Charges.

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
1.	Non-shower bathhouse	\$1,869.00	\$2,119.00
2.	A/B Shower bathhouse	\$2,704.00	\$2,954.00
3.	Shower bathhouse	\$2,489.00	\$2,739.00
4.	Cabana	\$6,143.00	\$6,393.00
Facilities Use Charge Per Person:			
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$163.00	\$163.00
7.	Age 5 and over	\$273.00	\$273.00
8.	Age 65 and older	\$168.00	\$168.00
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

c. Half Season Charges.

- The fees specified in preceding paragraphs a. and b. are for full season memberships in the Allenhurst Beach Club.
- Rates for half season shall be two-thirds (2/3) of the full season rate for facilities use charge per person and two-thirds (2/3) of the full season rate for beach fee per person.
- A half season shall be considered to run from the date of the opening of the Beach Club for the season consecutively until the midway point of the season, or from the midway point of the season consecutively to the day of the closing of the Beach Club for the season and for no other period.
- A person or persons desiring a half season membership must utilize a bathhouse or cabana of a full season member, subject to the provisions of subsection 10-1.7 and must present signed, written permission of such member to so utilize the bathhouse or cabana for the exact half season period involved.

d. Guest Charges.

- Each individual bathing guest (age 3 and older) using a member's bathhouse or cabana must submit one (1) guest pass per day; Children, age 3 and under will be admitted at no charge. Guest passes from the previous season will be valid for use in the current season, or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules, when guests are accompanied by a registrant of the Allenhurst Beach Club Facilities.
- Guest tickets will be sold individually at the discretion of the governing body, for \$15.00 per Guest ticket. Individual Guest tickets are good for one individual, for one day's admission. Guest tickets will only be valid for use in the current season or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules.
- Packages of Guest tickets will be sold in groups of ten (10) passes for \$150.00. Packages of Guest tickets may be sold at a discount at the discretion of the Board of Commissioners. There is no limit on the number of packages that may be purchased but, be advised, that

they are only valid for use in the current season or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules.

e. Combination Charges: Where there is a joint tenancy by an Allenhurst resident registrant and a nonresident in any of the accommodations referred to in paragraphs a. and b. hereof, the rates for said accommodations will be as follows:

No.	Service	Fees
1.	Non-shower bathhouse	*\$1,556.50
* Resident Pays, <b>\$622.00</b> ; Non-Resident Pays, <b>\$934.50</b>		
2.	A/B Shower bathhouse	*\$2,183.00
* Resident Pays, <b>\$831.00</b> ; Non-Resident Pays, <b>\$1,352.00</b>		
3.	Shower bathhouse	*\$2023.00
* Resident Pays, <b>\$778.50</b> ; Non-Resident Pays, <b>\$1,244.50</b>		
4.	Cabana	*\$4,625.50
* Resident Pays, <b>\$1,554.00</b> ; Non-Resident Pays, <b>\$3,071.50</b>		

- f. Catamaran & Kayak Storage Fees
1. There shall be a “Catamaran storage fee” of two hundred (\$200.00) dollars for the “season” for those wishing to store a Catamaran at the Allenhurst Beach Club, during the “season.” Space for Catamarans is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Catamaran, at the Allenhurst Beach Club except during the “season.”
2. There shall also be a “Kayak storage fee” of one hundred (\$100.00) dollars for the “season” for those wishing to store a kayak at the Allenhurst Beach Club, during the “season.” Space for Kayaks is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Kayak, at the Allenhurst Beach Club except during the “season.”
- g. There shall be assessed a \$100 dollar activity fee per facility. All monies from this fee shall go towards activities planned at the Allenhurst Beach Club.
- 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) years and twelve (12) years 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 \$695 dollars for the first child and \$625 dollars per child for additional children from the same family. Additional weeks may be offered at the discretion of the Recreation Director.
- 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 \$100 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 \$150 dollars per child.
- k. There shall be assessed a fee of \$353 for a Nanny Membership. A Nanny is defined as someone who is 18 years of age, or older, and is responsible for the care of member children under the age of 14. The Nanny can only use the Allenhurst Beach Club through this membership when she is in the company of the children with whom she is charged with caring. This membership is exclusively for the nanny named in the member’s application and is non-transferrable and non-refundable.

**AND IT IS FURTHER ORDAINED** that **EXCEPT AS HEREIN PROVIDED**, the remainder of Chapter X BEACH REGULATIONS, 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.

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

## **RESOLUTIONS**

### **RESOLUTION #2023-62**

#### **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 February 14, 2023 be ratified and approved.

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

### **RESOLUTION #2023-63**

#### **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 February 14, 2023.

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

### **RESOLUTION #2023-64**

#### **A RESOLUTION TO CONFIRM DROPPED MEMBERS FROM ALLENHURST FIRE DEPARTMENT**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, By the Board of Commissioners, pursuant to the recommendation of the Allenhurst Fire Department, the following have either resigned or have been dropped from the rolls for failure to complete their requirements:

Patrick Harvey II

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

### **RESOLUTION #2023-65**

#### **RESOLUTION AUTHORIZING COMPETITIVE CONTRACTING FOR A PROSPECTIVE CONCESSIONAIRE TO OPERATE A CONVENIENCE DISPENSARY AT THE ALLENHURST BEACH CLUB FOR THE 2023 SEASON.**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, the Board of Commissioner of the Borough of Allenhurst has determined that it is in the best interest of the Borough to seek a concessionaire to operate a convenience dispensary at the Allenhurst Beach Club (ABC) for the 2023 season; and

**WHEREAS**, N.J.S.A. 40A:11-4.1 of the Local Public Contracts Law allows for Competitive Contracting to be used in lieu of public bidding for procurement of specialized goods and services the price of which exceeds the bid threshold, for concessionaire services; and

**WHEREAS**, the Borough of Allenhurst would like to utilize competitive contracting for

the concessionaire services which are being considered to replace the snack bar in order to enhance services for the membership of the ABC; and

**WHEREAS**, N.J.S.A. 40A:11-4.3(a) requires that in order to initiate competitive contracting, the Governing Body shall pass a resolution authorizing the use of competitive contracting each time specialized goods or services enumerated in N.J.S.A. 40A:11-4.1 are desired to be contracted; and

**WHEREAS**, N.J.S.A. 40A:11-4.3(b) requires that the competitive contracting process shall be administered by a purchasing agent qualified pursuant to N.J.S.A. 40A:11-9, or by legal counsel of the contracting unit, or by an administrator of the contracting unit.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, New Jersey 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 administrator be and is hereby authorized to initiate competitive contracting to seek a concessionaire to operate a convenience dispensary at the Allenhurst Beach Club (ABC) for the 2023 season.

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

#### **RESOLUTION #2023-66**

##### **A RESOLUTION TO HIRE PUBLIC WORKS EMPLOYEE**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, There is a need to hire a full-time permanent Laborer in the Public Works Department; and,

**WHEREAS**, Marc Heitmueller, Public Works Supervisor, has recommended that Patrick Hampton be hired on a permanent, full-time basis;

**NOW, THEREFORE, BE IT RESOLVED**, That Patrick Hampton be and he is hereby employed as a Laborer in the Public Works Department on a permanent, full-time basis at an annual salary of \$39,000, effective March 16, 2023.

**NOW, THEREFORE, BE IT FURTHER RESOLVED**, That upon obtaining his CDL license, Patrick Hampton will receive an additional salary of \$1,000 annually.

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

#### **RESOLUTION #2023-67**

##### **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 2023 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

\$70.00 Per sample/Per Week

Retesting, as required

\$50.00 per sample

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

**RESOLUTION #2023-68**

**A RESOLUTION TO AWARD CONTRACT FOR PAINTING AT ABC**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**WHEREAS**, There is a need for Painting at the Allenhurst Beach Club; and,

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

- |                                                   |          |
|---------------------------------------------------|----------|
| a. M. Luz & Associates, t/a Atlantic Painting Co. | \$40,800 |
| b. Delaney Painting                               | \$48,000 |
| c. Karabin Painting and Refinishing               | \$52,000 |

**WHEREAS**, Funds for this purpose shall be provided for the first three months of 2023 in the 2023 Temporary Budget, Beach – Paint and Supplies (3-01-28-797-207) and funds for the balance of 2023 will be provided for in the budget for the year 2023 when finally adopted;

**THEREFORE, BE IT RESOLVED**, That a contract be awarded to M. Luz & Associates, t/a Atlantic Painting Co., in the amount of \$40,800, lowest of three quotes received.

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

**RESOLUTION #2023-69**

**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; Comm. Cumiskey-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2023-70**

**A RESOLUTION TO APPROVE BILLS (2-15-2023 to 3-14-2023)**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

**BE IT RESOLVED**, That bills totaling \$301,294.43 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That the March 14, 2023 consolidated bill list be attached hereto and made a part thereof.

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

**ITEMS FOR DISCUSSION:**

None

**PUBLIC COMMENTS**

None

There being no further business or comments, Comm. McLoughlin moved, seconded by Mayor McLaughlin that the meeting move to executive session at 7:40 PM. Motion carried.

After reconvening, Comm. Cumiskey moved, seconded by Mayor McLaughlin that the meeting be adjourned at 10:00 PM. Motion carried.