

**MINUTES
JANUARY 24, 2012**

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

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.

ORDINANCE #2012 – FIRST READING

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BOND ORDINANCE NO. 2012-01

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO MUNICIPAL BUILDINGS AND GROUNDS, AND APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

RESOLUTION #1

A RESOLUTION TO ADOPT TEMPORARY CAPITAL BUDGET

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, The Division of Local Government Services requires the adoption of a Local Capital Budget; and,

WHEREAS, The local capital for the year 2012 has not yet been adopted; and,

WHEREAS, It is desired to adopt a temporary capital budget for the year 2012;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, that the following capital appropriation be made:

TEMPORARY CAPITAL BUDGET (CURRENT YEAR ACTION)

2012

Planned Funding Services for Current Year 2012

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>
Allenhurst Beach Club Improvements	\$150,000	7,500	\$142,500
Total All Projects	\$150,000	7,500	\$142,500

BE IT FURTHER RESOLVED, That the above item will be provided for in the 2012 Capital Budget; and,

BE IT FURTHER RESOLVED, That three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

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

RESOLUTION #2

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 January 10, 2012, be ratified and approved.

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

RESOLUTION #3

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 minutes of the regular meeting of January 10, 2012.

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

RESOLUTION #4

A RESOLUTION TO APPROVE MEMBER IN FIRE DEPARTMENT

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, The Membership Committee of Allenhurst Fire Co. #1 has received an application for membership from Patrick A. Harvey, II; and,

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

NOW, THEREFORE, BE IT RESOLVED, That Patrick A. Harvey, II is approved for membership in Allenhurst Fire Co. #1, pending a criminal history check; and,

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

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

RESOLUTION #5

A RESOLUTION TO AWARD CONTRACT FOR PAID FIREFIGHTER

Offered By: Mayor McLaughlin

Seconded By: comm. McLoughlin

WHEREAS, The Allenhurst Fire Department has requested that the Borough hire a paid firefighter/maintenance person to be stationed at the Allenhurst firehouse for a 30 hour work week between 6 AM and 6 PM, Monday through Friday; and,

WHEREAS, The Board has determined that these are extraordinary unspecifiable services, which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor as per N.J.S.A. 40A:11-2(7); and,

WHEREAS, A quote was obtained from JHH Services, LLC, in the amount of \$2,000 per month for firefighter/maintenance services, payable through monthly invoices to the Borough of Allenhurst; and,

WHEREAS, Funds for this service are available through the appropriation entitled, Fire, O.E., and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That a contract be awarded to JHH Services, LLC for firefighter/maintenance services at the Allenhurst firehouse at a cost of \$2,000.00, for a six month period beginning January 1, 2012 and ending June 30, 2012.

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

RESOLUTION #6
A RESOLUTION TO APPROVE EVENTS

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, There have been several requests for events to be run through the Borough of Allenhurst during the 2012 summer season; and,

WHEREAS, The Police Captain has reviewed each request and has recommended that they be granted; and,

WHEREAS, Each Event Coordinator must provide a Certificate of Liability Insurance and must make arrangements with the Allenhurst Police Department to conduct their events;

NOW, THEREFORE, BE IT RESOLVED, That permission is hereby given to the following to run their events through the Borough of Allenhurst, pending the receipt of a Certificate of Insurance and coordination regarding safety concerns with the Allenhurst Police Department:

National Multiple Sclerosis Society – “Coast the Coast” bike ride – May 19, 2012

PBA #57 – 5k road race – June 9, 2012

Jersey Shore Multi Sport – “Born to Tri” Triathlon – July 28, 2012

Eneractive Solutions – “One More Tri” Triathlon – September 30, 2012

BE IT FURTHER RESOLVED, That the Mayor and Commissioners wish each event coordinator much success with their events.

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

RESOLUTION #7
A RESOLUTION TO CONFIRM PURCHASES

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, Purchases were made for amounts over \$1,000.00 and it is the policy of the Borough that the Board of Commissioners approve or confirm said purchases; and;

WHEREAS, Funds for these purposes are provided for in various accounts within the current budget, and the CFO has so certified; and,

NOW, THEREFORE, BE IT RESOLVED, That the following contracts are hereby confirmed:

Edmunds Associates - \$7,829.00 – Software Support

Security World - \$1,100.04 – Monitoring Sewer Stations

Steel Door Depot - \$12,383.46, lowest of three quotations solicited – replacements of doors, damaged by Hurricane Irene, at the Allenhurst Beach Club.

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

RESOLUTION #8
A RESOLUTION TO AUTHORIZE BIDS FOR LEASE OF CELL TOWER

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the Borough Clerk be and she is hereby authorized and directed to advertise and receive bids for lease of a cell site on the water tower owned by the Borough of Allenhurst.

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

RESOLUTION #9

A RESOLUTION TO HIRE ABC STAFF

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, There is a need for Beach Club personnel for the 2012 beach season; 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;

THEREFORE, BE IT RESOLVED, That the following are hereby hired for the 2012 beach season:

Assistant Manager/Lifeguard Supervisor

Rutledge Varley \$10,700.00 for regular season

Beach Rake

Donald Deibert \$15.00/hr.

ABC Membership

Veronica Dahl \$7,500.00

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

RESOLUTION #10

A RESOLUTION TO APPROVE BILLS AND PAYROLL (01/16/12 - 01/31/12)

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That bills and payrolls totaling \$134,726.57 be approved for payment; and,

BE IT FURTHER RESOLVED, That the January 24th consolidated bill list be attached hereto and made a part thereof.

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

HEARING ON MERCANTILE LICENSE FOR DOWN TO EARTH

Mayor McLaughlin stated there have been continuous problems with the garbage at this location. The problems are reported and get fixed and then immediately start to deteriorate again. The neighbors have been complaining. He doesn't know if the answer is to have more frequent garbage pickups. These complaints have been going back quite a while and things haven't been getting better. Something has to be done.

Mr. Bijou, owner of Down to Earth, stated that Back to Nature was a franchise. He was an owner and held a license in New York. He was asked to take over the shop in Allenhurst, but they had to change the name as he was no longer a franchise owner. This was in May. Since then he has put out three new receptacles; one for food, one for recyclables.

Doug Caron, Public Works Supervisor, stated there are two containers back there as well as three yellow cans.

Mr. Bijou stated that he had a contract with Waste Management, but they had some problems.

Comm. McLoughlin stated Mr. Bijou had to be diligent about separating his recyclables from his food waste.

Mr. Bijou stated he takes full responsibility.

There was discussion on the service offered by the Borough and Mr. Caron stated he would talk these over with Mr. Bijou.

Comm. McLoughlin stated the Board has to be cognizant of all of the businesses on Main Street.

Mayor McLaughlin showed pictures that were taken of the overflowing garbage and split-open bags of garbage. He stated there is a health concern here as well.

Comm. McLoughlin stated if this continues, the board will have another hearing and will pull the Mercantile License for this business. The neighboring businesses are complaining and it is not fair to the residents who live in back of the store.

Mr. Bijou asked about the possibility of the Borough putting up a fence between the properties. Comm. McLoughlin stated the property belongs to the homeowner and it is their fence to replace.

Comm. McLoughlin spoke about cleaning mats out back where the food and grease go all over. Mr. Bijou responded that there are no mats in the kitchen and he has a service that replaces the other mats. Mr. Caron stated there is something as he watched something being washed out back. The run-off goes under the shed owned by the barber shop. He stated the employees have to clean the debris after they wash out the mats. It is a matter of aesthetics.

Mayor McLaughlin thanked Mr. Bijou for coming to the meeting.

PUBLIC HEARING

There was a question regarding the removal of the bocce court and Mayor McLaughlin stated he also received a call from Mr. Klein. He stated they are thinking it over.

OTHER BUSINES

Mayor McLaughlin spoke to Chris Rogers, Zoning Officer, about a banner on Main Street and the Russomano house. It looks as if the Russomanos are boarding up a window.

Mr. Rogers stated he would look into the banner. As far as the Russomanos, he spoke to them and they have taken out a second floor window in order to move materials in. They will replace the window. Mayor McLaughlin stated the window is closed off with Tyvek over the opening.

Mr. Rogers replied that he will check on it. He stated he spoke to the general contractor regarding getting a letter saying the garage will not be used as living quarters. He has been checking on the progress and they have been doing everything the right way.

Mr. Caron asked about the bocce court and Comm. McLoughlin stated it will not be put back in the beach club.

Dave Laughlin, Borough Attorney asked questions about the bocce court and stated it is his opinion that players should not have keys to a public facility for a number of reasons, liability included. The pool is empty and poses a hazard, the players have access to the entire facility with no supervision. He strongly felt it should not be allowed.

Mr. Caron stated he, Chris and Rutledge met and went over the applications. Most of the positions have been filled and there are only a few that they are not recommending come back. Rutledge is gathering up more lifeguards. They spoke about trying to get in more experienced guards, perhaps on weekends.

There was a short discussion on the new security system.

Mr. Caron stated the wood for the boardwalk has been ordered and should arrive in about three weeks. They are also fixing the boardwalk on the beach to get rid of the tripping hazards. He has contacted Aqua Wash to seal the steps and repair a large crack.

There was a discussion on a new rescue boat in which Mr. Caron stated the Board of Health looks for when they do their inspections. It was determined that the old boat could not be repaired and the wave runner requires the operator to have a boating license and it would not satisfy the Board of Health requirements. A new boat will cost about \$10,600.00.

There was a discussion on swim lanes in the ocean and ropes versus buoys.

Mr. Caron stated the cabana bathroom floors have been replaced. They will be working on a punch list for the snack bar next.

There was a lengthy discussion on storm water run-off and infiltration into the sewer system. Mr. Laughlin stated that the Borough can conduct inspections and property owners must be given 10 day's notice of an inspection. This should be done in a methodical order. If the property owner is in violation, they should be given time to fix the problem or a summons will be issued.

There was discussion regarding a property owner not giving access and Mr. Laughlin stated there is no provision for a summons in that case, but if the Borough were to issue a summons, the Judge might dismiss it, but order the homeowner to grant access for an inspection.

There was some discussion regarding a capital plan to video and/or refurbish sewer lines in town. Mr. Caron stated that they have had a line televised. The line turned out to be fine, but after a rain event, there was a greater flow of sewerage which causes him to believe it is due to the sump pumps and gutter systems that have been tied into the sewer lines.

There was also a discussion regarding sidewalks and ownership of same in the business district. Mr. Laughlin stated if the Borough is put on notice of a sidewalk in need of repair, it becomes a liability issue if not addressed. He stated if the Borough makes a list of all improvements that need to be made and prioritizes that list due to a limited amount of resources, the Borough cannot be challenged.

Mr. Laughlin suggested getting a copy of right of way maps from the Borough Engineer. If the right of way only extends from curb to curb, the property owner is responsible for the sidewalk. If there is a right of way, it may be the Borough's responsibility.

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

Lori L. Osborn, RMC
Clerk-Administrator