

**MINUTES
APRIL 24, 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.

COMMUNICATIONS

Letter from Governor Christie outlining savings in pension and health benefit reforms.

2012-2013 Allenhurst School Budget.

Application for Flood Hazard Permit for synthetic turf at Asbury Park High School.

Monmouth County board of Freeholders presents a copy of 2011 New Residential Development.

Notification from New Jersey Sustainable Energy Joint Meeting of the results of electricity bid award which will save the Borough 17.4% in their electric bill and 36.4% in street lighting.

Receipt of check from Scibal Associates in the amount of \$47,500.00 for storm damage claim for Hurricane Irene.

Letter from Monmouth County Mosquito Extermination Commission regarding aerial surveillance and treatment.

First quarterly report for 2012 from the Allenhurst Fire Department.

Mayor McLaughlin offered his condolences to the McBain Family on the loss of their loved one.

ORDINANCE #2012-03 – CAP INDEX APPROVED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2012-03

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)

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

ORDINANCE #2012-04 – RECREATION FEES APPROVED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2012-04

AN ORDINANCE TO FURTHER AMEND "AN ORDINANCE ESTABLISHING A BEACH CLUB, REGULATING THE USE OF THE BATHING AND RECREATIONAL FACILITIES AT THE BEACHFRONT AND PROVIDING REVENUE IN THE BOROUGH OF ALLENHURST" ADOPTED BY THE BOARD OF COMMISSIONERS ON THE 16TH DAY OF APRIL, 1973.

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

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 March 27, 2012, 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 March 27, 2012.

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

RESOLUTION #3

A RESOLUTION TO APPROVE TEMPORARY EMERGENCIES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, An emergency has arisen with respect to operating expenses in various departments, and no adequate provision was made in the 2012 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose above mentioned; and,

WHEREAS, The total emergency temporary resolutions adopted in the year 2012 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$440,862.00 for the current account and \$14,250.00 in the sewer account;

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members of the governing body affirmatively concurring), that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency appropriations be and the same are hereby made for the following:

Administration, S&W	\$8,600.00
Administration, O.E.	2,000.00
Finance, S&W	3,000.00
Finance, O.E.	100.00
Tax Collector, S&W	350.00
Dir. Revenue & Finance, S&W	105.00

Tax Assessor, S&W	265.00
Legal, O.E.	5,300.00
Elections	250.00
Code Enforcement, S&W	250.00
Worker's Compensation	41,300.00
Group Insurance	43,200.00
Other Insurance	28,000.00
Police, S&W	12,500.00
Municipal Prosecutor	700.00
Refuse & Recycling – Interlaken	8,000.00
Board of Education Interlocal	1,500.00
Mayor, S&W	50.00
Fire Department, O.E.	500.00
Dir. Public Buildings, S&W	105.00
Sanitation – Loch Arbour, S&W	5,400.00
Landfill - Interlaken	50.00
MOMV	3,300.00
Board of Health	2,700.00
Street Lighting	900.00
Telephone	2,650.00
Fire Hydrant	650.00
OASI	2,500.00
DCRP	50.00
Municipal Court, S&W	<u>1,700.00</u>
CURRENT TOTAL	40,850.00
Sewer, S&W	6,000.00
Sewer, O.E.	8,250.00

2. That said emergency temporary appropriations will be provided for in the 2012 budget under the above-mentioned titles.
3. That one certified copy of this resolution be filed with the Director of Local Finance.

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

RESOLUTION #4
A RESOLUTION TO INTRODUCE 2012 MUNICIPAL BUDGET

Offered By: Comm. McLoughlin Seconded By: Comm. Bolan

BE IT RESOLVED, That the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2012;

General Appropriations For:

1. Appropriations within ACAPS@
 - (a) Municipal Purposes 3,582,068.00
2. Appropriations Excluded from ACAPS@
 - (a) Municipal Purposes 898,136.63
 - (b) Local District School Purposes in Municipal Budget .00
 - Total General Appropriations excluded for ACAPS@ 898,136.63
3. Reserve for Uncollected Taxes 57,846.86
4. Total General Appropriations 4,538,051.49
5. Less: Anticipated Revenues Other Than Current Property Tax 2,319,132.62

6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget
- | | |
|---|--------------|
| (a) Local Tax for Municipal Purposes Including Reserve for
Uncollected Taxes | 2,218,918.87 |
| (b) Addition to Local School District Tax | .00 |

BE IT FURTHER RESOLVED, That said Budget be published in the Coaster in the issue of May 3, 2012.

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

RESOLUTION #5

A RESOLUTION TO AWARD CONTRACT FOR CELL TOWER LEASE

Offered By: Comm. McLoughlin Seconded By: Comm. Bolan

WHEREAS, On April 10, 2012, Bids were accepted for lease of space on the water tower owned by the Borough of Allenhurst for a cell site; and,

WHEREAS, Only one bid was received from Verizon Wireless, present holder of the lease, for an annual lease payment of \$42,000.00 for a five-year lease; and,

WHEREAS, The Borough Administrator has recommended award of the contract to Verizon Wireless for this lease;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a contract be awarded to Verizon Wireless for lease of a cell site on the water tower owned by the Borough of Allenhurst in the amount of \$ 42,000.00 per year for five years.

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

RESOLUTION #6

**A RESOLUTION TO CONFIRM PAYMENT FOR
MAIN STREET IMPROVEMENT PROJECT**

Offered By: Comm. Bolan Seconded By: Comm. McLoughlin

WHEREAS, A contract was awarded to Fernandes Construction, Inc., for Improvements to Main Street, Phase II; 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 for in the Capital Account known as Ord. #2011-12, Main Street, Phase II Road Improvements, which includes a Transportation Trust Fund Grant; and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That Fernandes Construction, Inc., be compensated in the amount of \$62,396.60 for work done in accordance with Engineer=s Certificate #1.

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

RESOLUTION #7

A RESOLUTION TO AUTHORIZE PURCHASE OF THERMAL IMAGING CAMERA

Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

WHEREAS, The Allenhurst Fire Department is in need of a thermal imaging camera; and,

WHEREAS, the Fire Chief has secured three quotes and has recommended award of a contract to the lowest quote received; and,

WHEREAS, Funds for this purpose will be provided for in the Capital Account known as

2011-14, Fire Department Equipment, and the Chief Finance Officer has so certified;

THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby authorizes the award of a contract to Public Safety Outfitters, Inc., lowest of three quotes received for an Elite XR Thermal Imaging Camera System – ISG with 2 3-hour batteries, charger, manual, truck mount charger and retractable lanyard, at a cost of \$9,500.00.

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

RESOLUTION #8

A RESOLUTION TO APPROVE MARATHON

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, The New Jersey Marathon has requested permission to run a portion of their annual marathon through the Borough of Allenhurst on May 6, 2012; and,

WHEREAS, The New Jersey Marathon has provided a parade route which will take the marathon down Ocean Avenue, starting at approximately 9:30 AM and ending at approximately 1:30 PM and a Certificate of Insurance for this event will be provided; and,

WHEREAS, The Police Captain has reviewed the information given for this event and has recommended approval of same;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, that approval is hereby given to The New Jersey Marathon to run a portion of their marathon through Allenhurst on May 6, 2012, contingent upon the Borough receiving a Certificate of Insurance prior to the event.

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

RESOLUTION #9

A RESOLUTION TO APPROVE MEMBER IN ALLENHURST FIRE DEPARTMENT

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, The Membership Committee of Allenhurst Fire Co. #1 has received an application for membership from Fred S. Gruber; and,

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

NOW, THEREFORE, BE IT RESOLVED, That Fred S. Gruber 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

RESOLUTION #10

A RESOLUTION TO CONFIRM BILLS AND PAYROLL (04/01/12 - 04/15/12)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$209,501.65 be approved for payment; and,

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

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

RESOLUTION #11

A RESOLUTION TO ENDORSE SUBMISSION OF RECYCLING TONNAGE GRANT

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, The Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grant may be made to municipalities in order to encourage local source separation and recycling programs; and,

WHEREAS, It is the intent and the spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and to expand existing programs; and,

WHEREAS, The New Jersey Department of Environmental Protection has promulgated recycling regulations to implement the Mandatory Source Separation and Recycling Act; and,

WHEREAS, The recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and,

WHEREAS, A resolution authorizing Allenhurst Borough to apply for such tonnage grants for calendar year 2012, will memorialize the commitment of Allenhurst to recycling and to indicate the assent of the Board of Commissioners to the efforts undertaken by the Borough and the requirements contained in the Recycling Act and recycling regulations; and,

WHEREAS, Such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that Allenhurst hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Douglas Caron, Recycling Coordinator, to ensure that the application is properly filed; and,

BE IT FURTHER RESOLVED, That the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purpose of recycling.

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

RESOLUTION #12

A RESOLUTION TO AWARD CONTRACT FOR PAYROLL SERVICES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, The Board of Commissioners of the Borough of Allenhurst does hereby approve renewal of Participation Agreement for payroll/personnel system services with the Asbury Park Board of Education Information Technology Center for the period commencing July 1, 2012 and ending June 30, 2013.

BE IT FURTHER RESOLVED, The \$4,265.00 cost shall be borne by Central Jersey Bank, a division of Kearny Federal Savings under Agreement with the Borough.

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

RESOLUTION #13

A RESOLUTION TO APPROVE RAFFLE LICENSE

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a draw raffle license, #12-02, be granted to the Allenhurst Garden Club, which raffle shall be held June 12, 2012, from 12 Noon to 3:00 PM, at the Allenhurst Beach Club, One Ocean Place, Allenhurst.

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

RESOLUTION #14

A RESOLUTION TO APPROVE PARTICIPANTS IN LOSAP PROGRAM

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst the following list of qualified Allenhurst firefighters and Emergency Medical Technicians are certified to receive \$1,050.00 each from the Allenhurst, Interlaken, Loch Arbour LOSAP Program for the year 2011:

Susan Borden

Daniel Gulick

John Hansen

Patrick Harvey

Richard Heitmueller

Frank Manfredi

Robert Newman

Michael Powers

William Reng

Robert Todd

James Vaccaro, Jr.

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

RESOLUTION #15

A RESOLUTION TO HIRE SEASONAL EMPLOYEE

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That William Varian be employed as pre-season labor at the Allenhurst Beach Club at an hourly rate of \$12.00; and,

BE IT FURTHER RESOLVED, That William Varian be hired as Security during the Beach Club season at an hourly rate of \$8.75.

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

RESOLUTION #17

A RESOLUTION TO CONFIRM PURCHASES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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:

Monmouth Building Center - \$1,976.75 for wood and paint for ABC

Thirty Enterprise - \$2,136.00 for welding done on sanitation truck

Grainger - \$3,475.25 for tools including saw and saw kit, hammer drill and portable generator

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

RESOLUTION #18

A RESOLUTION TO APPROVE BILLS AND PAYROLL (4/16/12 – 4/30/12)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$234,729.70 be approved for payment; and,

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

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

RESOLUTION #19

A RESOLUTION TO AUTHORIZE CONTRACTUAL CAUCUS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 contractual matters which are exempt from the public meeting under the Sunshine Law.

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

PUBLIC HEARING ON COMMUNITY DEVELOPMENT BLOCK GRANT APPLICATION

Comm. Bolan explained that the subcommittee met earlier this evening to go over proposals for an application. They agreed on handicapped improvements in the Borough park. These will include a pathway, which will be able to accommodate a wheelchair around the perimeter with a few fitness stations located alongside. We will also pave our portion of the parking lot with a handicapped space in the middle with a pathway leading to the park. It will also include handicapped accessible tables and trash receptacles. They also discussed a floating dock and a possible pathway under the bridge leading to Allen Avenue. There will be another piece of equipment and the playground itself will have a handicapped accessible groundcover instead of the wood chips that are now present.

Mayor McLaughlin stated he liked the idea and Commissioner McLoughlin agreed. There were no comments or questions from the public.

The Board then considered the following resolution:

RESOLUTION #16

A RESOLUTION TO AUTHORIZE SUBMISSION OF CDBG GRANT APPLICATION

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, The Borough of Allenhurst conducted a Citizen Participation Committee meeting on April 24, 2012, to discuss potential Community Development Block Grant projects for consideration; and,

WHEREAS, The Citizen Participation Committee has recommended an application be submitted for ADA and park improvements; and,

WHEREAS, The Board of Commissioners conducted a public hearing on an application for Community Development Block Grant funding on April 24, 2012;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst that upon the recommendation of the Citizen Participation Committee an application for ADA and park improvements be submitted for CDBG funding.

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

PUBLIC HEARING

Tim Moriarty asked what was going on with the pool and Doug Caron, Superintendent of Public Works, stated there was some delay from the company, but they have started. There was some problem with small pinholes in the stainless steel surrounding the pool, but they ground down the steel and will apply a sealant. They may need to apply a sealant every year or so, but it did solve the problem. They could have welded the pinholes, but it would have been very expensive and time-consuming. They did; however, weld the seams which had separated a little and the pool company will be back on Wednesday to finish the job.

Mr. Caron stated the small pool is done and looks good. He stated the well points are in and pilot Electric will be here next week to work on the pumps. Kelly Builders will start their work on Friday. The awning company has been called and will be working on the awnings. He is meeting with the security consultant tomorrow. The tablets are in.

Comm. McLoughlin asked if they could have a demo by the next meeting and Mr. Caron stated they will be getting a demonstration tomorrow.

Mayor McLaughlin asked about the graffiti and Mr. Caron stated they couldn't address it because the water was not yet turned on, but they are scheduled to be power washed. If that does not work, they will paint them.

Mary Catherine Mahon asked about her cabana and Mr. Rogers stated it was being built.

Comm. McLoughlin asked the Chief about cameras at the Beach Club and Chief Richter stated it is an expense of \$10,000 - \$12,000. There is no grant money available as the beachfront is not a critical infrastructure. The cameras have to be weather-proof and wired with transmitters. He will be meeting with another contractor to get a second price.

Mayor McLaughlin asked for an update on Bamboozle and Chief Richter stated he spoke to the Chief in Asbury Park. There will be a meeting next Tuesday. They are expecting between 50,000 – 70,000 people during the three-day event. There will be music until 11 PM. The main stage speakers will be pointing towards Bradley Beach. They will have signs for traffic.

Comm. McLoughlin asked about New Jersey Transit and the Chief stated that they are aware and are taking precautions.

Comm. Bolan asked about parking and Chief Richter stated violators will be tagged and they will be ready to tow vehicles.

Mayor McLaughlin asked about the Fire Department and Fire Chief Frank Manfredi stated they will have crews for the entire weekend.

Mr. Moriarty stated that he took a ride to the beach. At the top of Corlies Avenue, there is an arrow directing traffic around the parking spaces. However a lot of people go straight through instead of around which can be dangerous. He asked if the Borough could put an arrow pointing west so that people know that is the correct flow of traffic. The Chief stated that could be done and the Commissioners agreed it was a good idea.

There was a discussion on the public works yard on Hume Street. The neighbor to the rear has been having drainage problems which he contends is from the Borough yard. Mr. Caron stated that there is a driveway that is used by both parties. Over the years, the concrete has deteriorated from the truck traffic. However, Mr. Henry is responsible for some of the problem himself. When the parking lot was constructed, swales were built into the concrete curb to let water out. He planted trees at the curb cuts, which keep water in. The public works yard does have that steep portion of the drive and water does drain down into the lot also.

Ms. Osborn, Borough Administrator, stated she spoke with the Engineer regarding the problem and they received a quote from Fernandez Construction, who is doing business in town to mill and pave

the driveway and to put in a drain. The cost to the Borough would be \$15,000.

After some discussion, the Board spoke about moving public works to the lot on Main Street across from the post office. They asked the administrator to contact JCP&L and ask for a 99-year lease and to get prices on a pole building for public works. It was determined there is electric in that lot. Ms. Osborn stated she would contact JCP&L and speak with the Borough Engineer. The Commissioners estimated the cost would be about \$110,000. This would get the traffic off the yard in Hume Street and alleviate any DEP complaints the adjoining property owner may make.

There being no further business, the Board adjourned to caucus. After reconvening, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting be adjourned. Motion carried.

Lori L. Osborn, RMC
Clerk-Administrator