

**MINUTES
JULY 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 #2012-06 - APPROVED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2012-06

AN ORDINANCE AMENDING AN ORDINANCE ENTITLED, "AN ORDINANCE ESTABLISHING THE MINIMUM REGULATIONS GOVERNING THE CONDITIONS AND MAINTENANCE OF ALL PROPERTY, BUILDINGS AND STRUCTURES; BY PROVIDING THE STANDARDS FOR SUPPLIED UTILITIES AND FACILITIES AND OTHER PHYSICAL THINGS AND CONDITIONS ESSENTIAL TO ENSURE THAT STRUCTURES ARE SAFE, SANITARY AND FIT FOR OCCUPATION AND USE; AND THE CONDEMNATION OF BUILDINGS AND STRUCTURES UNFIT FOR HUMAN OCCUPANCY AND USE AND THE DEMOLITION OF SUCH STRUCTURES; KNOWN AS THE PROPERTY MAINTENANCE CODE OF THE BOROUGH OF ALLENHURST", ADOPTED FEBRUARY 27, 2001.

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

RESOLUTION #1

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 July 10, 2012, be ratified and approved.

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

RESOLUTION #2

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 July 10, 2012.

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

RESOLUTION #3
A RESOLUTION TO CANCEL BALANCES

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following checks be canceled as they are over six months old:

<u>ACCOUNT</u>	<u>CHECK #</u>	<u>DATE</u>	<u>AMOUNT</u>
General Account	2064	10/14/11	\$ 6.00
General Account	2080	12/06/11	\$ 1.00
General Account	2081	12/06/11	\$ 1.00
General Account	2092	1/09/12	\$ 1.00
General Account	2093	1/09/12	\$ 2.00
Bail Account	1150	11/03/11	\$ 4.00
Bail Account	1133	09/22/11	\$35.00

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

RESOLUTION #4
A RESOLUTION TO APPROVE RAFFLE LICENSES

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that the following licenses for raffles be approved for the Ladacin Network, 1703 Kneely Boulevard, Wanamassa, NJ:

Type	Date	Time	Place
On-Premise Gift Auction	9/08/12	7:30 PM	Mr. C's Beach Bistro One Allen Avenue
50/50 On-Premise	9/08/12	7:30 PM	Mr. C's Beach Bistro One Allen Avenue; and,

BE IT FURTHER RESOLVED, that the following license for a raffle be approved for the Allenhurst Fire Department, 318 Hume Street, Allenhurst, NJ:

Non-Draw Raffle	9/01/12	6:00 PM – 11:00 PM	Allenhurst Beach Club
Money Wheel	RD 9/02/12		1A Ocean Avenue Allenhurst, NJ 07711

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

RESOLUTION #5
A RESOLUTION TO ACCEPT MEMBER IN FIRE DEPARTMENT

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, The Membership Committee of Allenhurst Fire Co. #1 has received applications for membership from Max Dushey and Abraham Hurary; and,

WHEREAS, The Membership Committee has advised the Board of Commissioners that both applicants are acceptable for membership;

NOW, THEREFORE, BE IT RESOLVED, That Max Dushey and Abraham Hurary are 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 applicants.

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

RESOLUTION #6

A RESOLUTION TO APPROVE INTERLOCAL AGREEMENT

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40:8A-1, et seq., authorizes any municipality to enter into a contract with another municipality for any services which any party to the agreement is empowered to render within its own jurisdiction; and,

WHEREAS, The Borough of Allenhurst and the Borough of Interlaken desire to enter into an agreement whereby the Borough of Allenhurst will provide sanitation services to the Borough of Interlaken commencing January 1, 2013 through December 31, 2016, inclusive;

NOW, THEREFORE, BE IT RESOLVED, By the Board Commissioners of the Borough of Allenhurst that the Mayor and Borough Administrator be and they are authorized and directed to sign the aforesaid Interlocal Service Agreement between the Borough of Allenhurst and the Borough of Interlaken in accordance with the terms of the Agreement which is on file in the Borough Clerk's office.

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

RESOLUTION #7

A RESOLUTION TO HIRE EMPLOYEE AND ADJUST SALARY

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That Heather Wanner be hired as a dance instructor for the Allenhurst Beach Club Recreation program and to host the teen and children dance at the Allenhurst Beach Club at a cost of \$350.00; and,

BE IT FURTHER RESOLVED, That Samantha Conti be transferred to Recreation at a salary of \$7.50 per hour, retroactive to July 23, 2012.

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

RESOLUTION #8

A RESOLUTION TO APPROVE 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:

Bryan McCarthy Electric - \$1,337.05 – for street light repairs

Edwards Tire - \$3,578.46 – for tires for sanitation truck

Thirty Enterprise - \$1,050.00 – for steel manhole covers at ABC

Home Depot - \$1,616.07 – materials and supplies for ABC and DPW

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

RESOLUTION #9

A RESOLUTION TO CONFIRM BILLS AND PAYROLL (07/16/12 - 07/31/12)

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That bills and payroll totaling \$156,840.71 be approved for payment; and,

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

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

RESOLUTION #10

A RESOLUTION TO CONSIDER MORATORIUM WAIVERS

Peter Avakian, 233 Corlies Avenue, stated they had a broken water pipe on the third floor overnight. The water set off the burglar alarm. They were able to shut it off after 20 or 30 minutes. Unfortunately, the water made it through the eaves from the kitchen to the basement. Mr. Avakian stated they had completed the installation of the appliances and countertops from the last waiver. They need to assess this damage. They will have to remove sheetrock and plaster. They will do any finishing work after the moratorium.

Mayor McLaughlin asked how long he would need and Mr. Avakian stated about five days. He would like to take the ceiling out tomorrow to assess the damage and do the repairs at the end of the two week period.

Comm. McLoughlin asked if a dumpster was needed and Mr. Avakian stated he didn't think so. He thinks it will be smaller pieces of sheetrock and they won't need a dumpster.

There was no response to Mayor McLaughlin's request for questions or comments from the public.

Joseph Greenstein, 412 Main Street, stated they wanted to put in a 10' x 10' pad to ease the removal of garbage from their site.

Comm. McLoughlin commented that everything has been looking good and thanked Mr. Greenstein for cooperating.

Mayor McLaughlin asked how long was needed and Mr. Greenstein answered three days should do it.

There was no response to Comm. McLoughlin's request for comments or questions from the public. He asked that Mr. Greenstein call Borough Hall when the work is to be done.

The Commissioners then adopted the following resolution:

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, The Borough has received two requests for the waiver of the provisions of the construction moratorium; and,

WHEREAS, The Board of Commissioners has reviewed the waiver requests; and,

WHEREAS, Under the provisions of granting approval for a waiver for the period ending 5 PM on August 14, 2012, the following provisions shall be adhered to:

1. No construction activities prior to 8:00 AM or after 5:00 PM daily.
2. No construction activities on weekends.

3. No dumpsters on property or heavy equipment permitted. No construction debris on outside of property

NOW, THEREFORE, BE IT RESOLVED, That the following requests for waiver of the provisions of the construction moratorium are hereby approved:

1. Peter & Lucille Avakian - 233 Corlies Avenue
Water damage restoration, damage assessment and repairs. Sheetrock, plumbing, carpentry and electrical; new sump pump battery
2. Joseph Greenstein – 312 Main Street
Paving area in rear of store for access to garbage

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

PUBLIC HEARING

Mayor McLaughlin thanked Frank Fischer and Richie Heitmueller for coming tonight. He wanted to talk about the end of the year party and how to control it a little better. His idea was to have guests sponsored by members so that members can be responsible. Also, no one under 21 is allowed in without an adult family member. In addition, the Police Chief has suggested hiring two officers.

Comm. McLoughlin commented that they are trying to contain the party or keep things from escalating.

Mr. Fischer stated he was not aware there were any problems. Mayor McLaughlin responded that there was an incident last year where a member had an altercation with a resident. In past years there have been problems with underage drinking.

Mr. Fischer stated it would be difficult to have members sign in guests. The party has been advertised. The logistics are impossible.

Mayor McLaughlin asked who checks ID's and Mr. Fischer stated that last year, he hired Sonny Driscoll to check ID's. He again stated that having a list is impractical.

Comm. McLoughlin stated that in the last 20 years, the party has grown. He doesn't know half the people there. It is not just social drinking, but power drinking.

Mr. Fischer stated they could hold the party up at the pool. He will help, but it will be a Borough function.

Mayor McLaughlin stated that they already have a member party in August. He is not saying guests can't come, but a member should sponsor them.

Mr. Fischer stated it would be chaos at the gate. Again, the logistics would be very difficult.

Comm. McLoughlin asked about only allowing those who have pre-purchased tickets. Mr. Fischer responded, stating that a lot of people wait to see what the weather will be like. He charges more at the door.

Mr. Fischer suggested maybe just serving beer and wine.

Mayor McLaughlin asked Mr. Fischer to call Chief Richter and get his suggestions. He is in favor of sponsorships.

Tim Moriarty asked how Mr. Fischer would know who is or isn't a member. Ronnie Dahl, administration, stated they could print a member list.

Mayor McLaughlin asked Mr. Heitmueller if the Fire Department would put a table with a light at the top of the stairs. He stated the idea is to discourage kids from coming down and drinking.

Mr. Moriarty asked if the Borough had run out of guest books and Mayor McLaughlin answered, yes. Mr. Moriarty asked how many books were sold and Mrs. Dahl stated 1,200, which was 100 more than last year. Mayor McLaughlin added that they are doing singles. Mr. Moriarty asked if any of the policy changes that were discussed at the last meeting were implemented. Mayor McLaughlin stated that no one will be added this year and going forward, if a member does not have a facility, they cannot buy guest books.

Mr. Moriarty stated there was talk about closing the beach after hitting a certain capacity. Comm. McLoughlin stated it was after 250 or 270. The beach was closed on Saturday.

Lucian Chiarella asked who was responsible for the driveway behind the stores. There is a very big pothole. He also asked if each business was designated a certain number of parking spaces.

Lori Osborn, Borough Administrator, stated each property owner owns the lot in back of their property. However, the easement belongs to John Reng as he owns the first property in from Allen Avenue.

Gary Linington spoke about the garbage behind Down to Earth. Mayor McLaughlin asked if it was there today and Mr. Linington said that it was. Mayor McLaughlin stated that the Borough has been checking back there and the business next store has been saying it has been clean.

Mr. Linington stated that in the summer, they sell a lot of fish and it stinks back there. His fence has been damaged by the dumpster back there.

Comm. McLoughlin stated they were hoping that the concrete pad will help with the garbage contained in one spot.

Mayor McLaughlin asked if they had seen any improvement in the last two weeks and Mrs. Chiarella stated that food deliveries lay outside. She has gotten used to it.

Douglas Caron, Public Works Director, stated they have had problems with this location for some time. The garbage has gotten into the bamboo and milkweed back there. Mr. Greenstein has to make sure the lids to the cans are properly secured.

Mayor McLaughlin stated he will send Code Enforcement to take a look.

Mr. Linington stated that pickups have been more often.

Mayor McLaughlin stated it is the result of the last meeting. Down to Earth is on probation.

Mr. Caron stated he will check it in the mornings and if there is a problem, he will take pictures.

Chris Rogers, Zoning Officer, stated he told Mr. Greenstein the pad has to have a curb so that the fence would be protected.

Doug Caron stated that the freezer in the snack bar was going. He is getting prices, but he believes a new freezer will be between \$2,500 and \$3,000.

RESOLUTION #11

A RESOLUTION TO APPROVE SOCIAL AFFAIR PERMIT

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT RESOLVED, That a Social Affair Permit be granted to the Allenhurst Fire Department for an affair to be held on Saturday, September 1, 2001, with a rain date of Sunday, September 2, 2001, from 6:00 PM to 11:30 PM, at the Allenhurst Beach; and

BE IT FURTHER RESOLVED, That the Chief of Police and the Borough Clerk are hereby authorized and directed to execute the application for said Social Affair Permit.

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

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