

**MINUTES
OCTOBER 23, 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

Third quarter report from Allenhurst Fire Department and First Aid Squad.

RESOLUTION #1

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. Bolan Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the minutes of the regular meeting of October 9, 2012, be ratified and approved.

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

RESOLUTION #2

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Comm. Bolan Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the Clerk dispense with the reading of the minutes of the regular meeting of October 9, 2012.

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

RESOLUTION #3

A RESOLUTION TO REFUND OVERPAYMENT OF TAXES

Offered By: Comm. Bolan Seconded By: Mayor McLaughlin

WHEREAS, the Borough of Allenhurst has received from the Monmouth County Tax Board judgments reducing the assessments on certain properties for the years indicated; and,

WHEREAS, the taxes on these certain properties for the years indicated are overpaid;

BE IT RESOLVED, that the Borough of Allenhurst refund to the taxpayer(s) shown below in the amount of the tax overpaid; and

NOW THEREFORE BE IT RESOLVED that the Tax Collector is hereby authorized to issue individual check(s) to the taxpayer(s) shown below and charge 2012 taxes in the total amount of \$1,726.30.

BLOCK	LOT	OWNER	YEAR	AMOUNT
36	4.02	Odette & Mark Lichtman 2 Cedar Avenue Alenhurst, NJ 07711	2012	1,726.30

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

RESOLUTION #4
A RESOLUTION TO APPROVE SUBMISSION OF APPLICATION FOR
TRANSPORTATION TRUST FUNDS

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

WHEREAS, The State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2013; and,

WHEREAS, The Borough of Allenhurst is desirous of submitting an application under this program for the following purpose:

Improvements to Allen Avenue from Lake Drive to Atlantic oceanfront

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and,

BE IT FURTHER RESOLVED, That the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application, identified as MA-2013-Allenhurst Borough-00654 to the New Jersey Department of Transportation on behalf of the Borough of Allenhurst; and,

BE IT FURTHER RESOLVED, That the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Allenhurst and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

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

RESOLUTION #5
A RESOLUTION TO CANCEL COURT BALANCES

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following checks be canceled from the Municipal Court General Account as they are over six months old:

<u>Check #</u>	<u>Date</u>	<u>Amount</u>
2101	2/06/12	\$2.00
2111	3/06/12	\$0.10
2112	3/06/12	\$1.00
2114	3/20/12	\$10.00

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

RESOLUTION #6
A RESOLUTION TO CONFIRM BILLS AND PAYROLL (10/16/12 - 10/31/12)

Offered By: Comm. Bolan

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That bills and payroll totaling \$131,404.35 be approved for payment; and,

BE IT FURTHER RESOLVED, That the October 23rd consolidated bill list be attached hereto and made a part thereof.

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

RESOLUTION #7

A RESOLUTION TO AUTHORIZE LEGAL CAUCUS

Offered By: Comm. Bolan

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

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

OTHER BUSINESS

Mayor McLaughlin asked the Administrator to find out what was happening with the post office. Will they have shorter hours? What is happening to the employees?

Comm. Bolan spoke about recent letters that were sent to over 60 residents concerning the condition of their sidewalks. He stated the letters were sent and then the Code Enforcement Officer went on vacation. The Business Administrator was also on vacation. Neither he, nor the other Commissioners knew anything about the letter. The condition of sidewalks in town has not changed and the Board has never discussed fixing sidewalks. He ask that those letters be rescinded.

Doug Caron, Public Works Supervisor, stated that it had been discussed at meetings. He has heard discussions of properties that are in disrepair. They mentioned hedges, etc. There were discussions about sending notices to homeowners.

Comm. Bolan agreed, stating they had discussions about hedges that are impeding sidewalks, but they never talked about the sidewalks themselves. A private homeowner is not liable for public property in front of their home; neither ice or snow or tree routes. If the homeowner does something to the sidewalk, they are now liable because they fixed it. By telling people to fix their sidewalks, they can be putting the homeowner at risk. Comm. Bolan stated that the Commissioners can look into doing a project in conjunction with the homeowner. It is not fair to impose sidewalk repairs when they have not even discussed it yet. He stated that someone fell in front of Dr. Grant's house and that may be what precipitated the letters.

Mayor McLaughlin brought up fences and stated the Planning Board would like to amend the ordinance. Comm. Bolan asked the Administrator to get guidelines from the Planning Board. Dave Laughlin, Borough Attorney, asked for language from the Planning Board which will help him write the ordinance. He asked that there be emergency exceptions for repairs to fences around pools.

There was some discussion on future Beach Club projects. The Commissioners were given a status report by the Borough Engineer and had a list of projects from the Public Works Superintendent. They will review the list and discuss it at a later date.

PUBLIC HEARING

Tim Moriarty asked if the agenda was on the website and Ms. Osborn replied that it was not as she had just come from vacation and the person who operates the Borough website is at a convention. She stated that she would be more than happy to e-mail an agenda to anyone who asks.

Mayor McLaughlin thanked the Police and Public Works for the great job they did the past weekend to ensure the Race of Gentlemen went on without a hitch. Things went very smoothly.

There being no further comments or any further business, the meeting adjourned to caucus and did not reconvene.

Lori L. Osborn, RMC
Clerk-Administrator