

**MINUTES
JANUARY 22, 2013**

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.

ORDINANCE #2013-01 – FINAL READING

Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

ORDINANCE #2013-01

**AN ORDINANCE TO FURTHER AMEND AN ORDINANCE ENTITLED,
"AN ORDINANCE FIXING THE SALARIES OF ALL APPOINTED
OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ALLENHURST
IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY
(EXCEPTING MEMBERS OF THE POLICE DEPARTMENT)"**

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 January 8, 2013, 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 January 8, 2013.

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

RESOLUTION #3

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:

Burke Construction, Inc. - \$1,400.00 for removal of tree stumps from Superstorm Sandy

Edwards Tire - \$1,634.92 for tires for sanitation truck
Reliable Wood products - \$1,750.00 for removal of brush

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

RESOLUTION #4

A RESOLUTION TO AWARD CONTRACT FOR PAID DRIVER

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, 2013 and ending June 30, 2013.

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

RESOLUTION #5

A RESOLUTION TO APPROVE BIKE TOUR

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

WHEREAS, The National Multiple Sclerosis Society has requested permission to run their annual "Coast the Coast" bike ride through the Borough of Allenhurst on Sunday, May 18, 2013; and,

WHEREAS, The National Multiple Sclerosis Society has provided a parade route which is on file in the Borough Clerk's Office and will start at approximately 8:00 AM and end at approximately 3:00 PM and a Certificate of Insurance for this event has been provided; and,

WHEREAS, The Chief of Police 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 National Multiple Sclerosis Society to run their annual "Coast the Coast" bike ride through Allenhurst on Sunday, May 18, 2013.

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

RESOLUTION #6

A RESOLUTION TO RESCIND RESOLUTION FOR PREPARATION OF FINANCIAL ANALYSIS

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

WHEREAS, On January 8, 2013, the Board of Commissioners adopted a resolution awarding a contract to Reagan Burkholder of the firm Summit Collaborative Advisors LLC of Summit, NJ, for the preparation of a fiscal analysis of the potential consolidation of the Village of Loch Arbour into the Borough of Allenhurst; and,

WHEREAS, Due to unresolved issues with the progression of the merger, the Board of Commissioners wish to rescind this contract;

THEREFORE, BE IT RESOLVED, That the contract awarded to Reagan Burkholder of the firm Summit Collaborative Advisors LLC of Summit, NJ, for the preparation of a fiscal analysis of the potential consolidation of the Village of Loch Arbour into the Borough of Allenhurst is hereby rescinded.

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

**RESOLUTION #7
A RESOLUTION TO APPROVE SALARIES FOR 2013**

This resolution was tabled

**RESOLUTION #8
A RESOLUTION TO CONFIRM BILLS AND PAYROLL (1/16/13 - 1/31/13)**
Offered By: Comm. McLoughlin Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payroll totaling \$151,426.02 be approved for payment; and,

BE IT FURTHER RESOLVED, That the January 22nd consolidated bill list be attached hereto and made a part thereof.

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

**RESOLUTION #9
A RESOLUTION TO AUTHORIZE CONTRACTUAL CAUCUS**
Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

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

Larry O'Rourke asked for a summary of what is going on with Loch Arbour.

Mayor McLaughlin stated he participated in a conference call with the DCA and the DOE. The call was to try to get some kind of a time-line. During the conversation, the representative from the DOE mentioned a new school district. He said Allenhurst would not proceed if there was a new school district. They told Loch Arbour that they would not be proceeding with this consolidation. The draft consolidation plan that was sent to Trenton with some taxing formulas had some problems as well.

Comm. Bolan stated that this particular Department of Education representative made a comment out of left field. She confessed she was not aware of their concerns. Her idea was that both towns wanted this when neither town wanted it. It was a giant step backward. They told Mayor Fernicola that it was back in his court. They asked him to speak to the state representatives. It was one step forward and two steps back. They prepared a letter to Loch Arbour which says both towns are

dealing with post Sandy issues, which will affect each town's indebtedness. They also asked Loch Arbour to make sure that anyone they deal with knows the issues for both towns.

Mr. O'Rourke stated this doesn't sound to him like a dead issue. He hears something from the Mayor and something different from Commissioner Bolan.

Mayor McLaughlin stated they got e-mails back from the DCA asking them to look into this. Loch Arbour has to come back to them with answers.

Comm. Bolan stated that given the impact of the storm, a financial analysis at this point would not be prudent.

Mr. O'Rourke stated that speaking of the storm, there has been a tremendous impact on the Allenhurst beachfront. The beach has been wiped out and they do not know the financial impact. The Commissioners adopted a 1.8 million dollar bond, which was proper. He stated this may be a good time to create a more fair and equitable policy on renting cabanas to residents of Allenhurst. It always stuck in his craw that there were so many people out of town who have cabanas. There are people in town who pay taxes who will be liable for damage not covered by insurance or FEMA. This is an opportunity to create a new system. Everybody who lives in town and is desirous of having a cabana should be given first priority. There is no written policy, no life-long lease. Cabanas are rented on a year by year basis. It is the perfect time to create a fair system for those who live here. The Commissioners should think about it.

Jim Caulfield stated between 60 and 70% of cabanas are non-resident. When people leave town, they should lose their right to the cabana.

Comm. McLoughlin stated the cabanas are evenly split between residents and non-residents.

Mayor McLaughlin stated that all new cabanas have been given to residents only. It was an unwritten rule that cabanas were given out on a two resident to one non-resident ratio. He added that out-of-towners pay double.

James Caulfield asked the Commissioners to give residents a chance to pay the higher rate. Mr. O'Rourke stated that residents will pay a higher rate.

Pat Caulfield spoke about having put his name on the cabana list a number of years ago and it is not there now. Mayor McLaughlin asked them to come into Borough Hall where every list has been kept. They will investigate it and if his name belongs there, they will restore it.

Mr. O'Rourke asked if the Commissioners would consider a one or two-year lease as opposed to forever.

Comm. McLoughlin stated that some good points have been brought up. He would like an opportunity to think about it.

Mayor McLaughlin stated it is possible with the beach replenishment that they can fit new cabanas on the beach.

James Caulfield stated if people leave town, they should leave their cabanas. Mr. O'Rourke stated it should be considered. People have been in cabanas for the 2nd, 3rd and 4th generation.

Mark McLaughlin agreed with Mr. O'Rourke. He stated the Board needs to re-visit this topic. They need written rules. Possibly a receipt for requesting a cabana and to publish the cabana list. There are some who put their children on the cabana list.

Mr. O'Rourke commented that no one should be on the list who does not pay taxes.

Comm. Bolan asked Mr. Caulfield, Mr. O'Rourke and Mr. McLaughlin to come up with what they feel is acceptable and present it to the Commissioners.

Bob Scally stated that some people have cabanas who were never residents. There are also people who have had cabanas for a great number of years.

Comm. Bolan commented that it is a minefield.

Mayor McLoughlin stated that some people have sub-let their cabanas.

Mr. Caulfield stated the Commissioners have created a system where he had to do that. He has done it in the past, but will not do it this year. He stated it is something that has been a problem and it has to be addressed.

Comm. Bolan stated this is the first time anyone has brought this up.

Comm. McLoughlin thought Mr. Caulfield has a point and he doesn't necessarily disagree. Some people have found their way around the system. Other people have been here 30 or 40 years, paying attention to all the rules. To just up-route them is something he is struggling with a little bit.

Mayor McLoughlin asked them to let the Commissioners think about it a little.

Comm. McLoughlin asked who stays and who goes after giving residents cabanas and Mr. Caulfield stated they can put them in a lottery.

Mr. Moriarty state the Board had previously discussed a Facebook page and Comm. McLoughlin stated they are on hiatus at work next Friday and he will work on it.

Mayor McLoughlin stated they will be putting out a newsletter updating everyone on projects in town.

Comm. McLoughlin read the following status report on storm restoration projects:

STATUS OF REHABILITATION PROJECTS – 1/22/13

CABANAS

We will be advertising bids for the pilings for cabanas and the replacement of the umbrella deck on Monday, the 28th, with receipt of bids on February 7th and award by February 12th. Joe Tomaino is working on rebuilding the cabanas and I am expecting that we will receive bids for award on February 26th. Joe will drop off two sets of plans tomorrow, one for Doug to look at and the other for the Construction Official.

CABANA BATHROOMS AND PUBLIC BATHROOMS

We will go out to bid for these as soon as plans are ready, but we are not expecting the bathrooms to be done by this summer. Joe expects the bids to be done in March, but since they are complicated with electrical and mechanical equipment, they may not be ready for this summer. I have the names of companies that can provide temporary facilities and will be getting prices.

UMBRELLA DECK

We will go out to bid for award on Feb. 12.

SNACK BAR/BANDSTAND

A decision still needs to be made on what will be put back.

RESTAURANT

A contract has been awarded for demolition. As soon as utilities have signed off, building can come down.

SEA WALL

The Engineer's office will verify design detail next week and we will expect award of bids by February 26th.

BOARDWALK & RAILINGS

Will be repaired after sea wall is fixed.

STREET LIGHTS

JCP&L has fixed everything, but two poles where we are working on boardwalk. When we are done, they will fix those.

FLAG POLE

Will get prices.

MOBIE MATS

Once we put in our claim to FEMA, we will replace same

PUMP ROOM

The electrical architect will be here on Friday to look and give us an idea of what the project entails. This may be able to be done as a quote.

POOL

Renosys will be scheduled to replace the liner in the deep end.

WELL POINTS

Burke will provide two estimates; one to repair the well points and the other for a new system.

UNDERMINING OF POOL DECK

They will shore this up when the pump room is done.

BOROUGH HALL SIDING

Will get prices to fix or replace siding that was lost.

PUBLIC WORKS ROOF AND TWO FENCES

FEMA has been out to look at roof, (as well as two fences). They have added to our claim. We will be repairing roof as soon as FEMA authorizes same. Public Works is getting estimates on fences.

FRONT END LOADER

Bids have been advertised. We will receive February 7th and award on the 12th.

There was a short discussion on restoration of the cabanas.

There being no further discussions, the meeting was adjourned to caucus and did not reconvene.

Lori L. Osborn, RMC
Clerk-Administrator