

**MINUTES  
FEBRUARY 26, 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 #2013-02 – FIRST READING**

Offered By: Mayor McLaughlin                      Seconded By: Comm. McLoughlin

**BOND ORDINANCE NO. 2013-02**

**BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND CAPITAL ACQUISITIONS, AND APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$5,000,000 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

## RESOLUTION #1

## A RESOLUTION TO APPROVE TEMPORARY CAPITAL BUDGET

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

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

**WHEREAS,** The local capital budget for the year 2013 has not been adopted; and,

**WHEREAS**, it is desired to adopt a temporary capital budget for the year 2013;

**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)  
2013

### *Planned Funding Services for Current Year 2013*

<u>Project</u>	<u>Estimated Total Cost</u>	<u>Capital Improvement Fund</u>	<u>Debt Authorized</u>
Various Capital Improvements and Capital Acquisitions	\$5,000,000.00	-0-	\$5,000,000.00
<b>Total All Projects</b>	<b>\$5,000,000.00</b>	<b>-0-</b>	<b>\$5,000,000.00</b>

**BE IT FURTHER RESOLVED**, That the above item will be provided for in the 2013 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; Comm. Bolan-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2**  
**A RESOLUTION TO AUTHORIZE APPLICATION TO THE LOCAL FINANCE BOARD**  
**FOR WAIVER OF 5% DOWNPAYMENT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, the Borough of Allenhurst, in the County of Monmouth, State of New Jersey (the “Borough”) intends to adopt a bond ordinance authorizing funds (\$5,000,000) for capital improvements necessary due to the extraordinary damage to the streets, roads and other public property caused by Super Storm Sandy; and

**WHEREAS**, the Borough desires to request the waiver of down payment requirement in connection with the adoption of the bond ordinance pursuant to N.J.S.A. 40A:2-11 (c); and

**WHEREAS**, the Borough Board of Commissioners believes that:

- (a) it is in the public interest to accomplish such purpose;
- (b) such purpose is in compliance with the requirements of N.J.S.A. 40A:2-11 (c) et seq.;
- (c) said purpose or improvements are for the health, welfare, convenience or betterment of the inhabitants of the Borough;
- (d) the amounts to be expended for said purpose or improvements are not unreasonable or exorbitant and are consistent with the requirements of N.J.S.A. 40A:2-11 (c), et seq.; and
- (e) the proposal is an efficient and feasible means of providing services for the needs of the inhabitants of the Borough and will not create an undue financial burden to be placed upon the Borough.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY, AS FOLLOWS:

Section 1. The application to the Local Finance Board for the purpose described in the preamble hereof is hereby approved, and the Borough's chief financial officer, bond counsel and auditor, along with other representatives of the Borough, are hereby authorized to prepare such application, to file such application with the Local Finance Board and to represent the Borough in matters pertaining thereto.

Section 2. The Clerk is hereby directed to prepare and file a copy of this resolution together with the refunding bond ordinance as introduced with the Local Finance Board as part of such application.

Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to record its findings, recommendations and/or approvals as provided by the applicable New Jersey Statute.

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

**RESOLUTION #3**  
**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 February 12, 2013, be ratified and approved.

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

**RESOLUTION #4**

**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 February 12, 2013.

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

**RESOLUTION#5**

**A RESOLUTION TO APPROVE TRANSFER OF APPROPRIATION RESERVES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That the following transfer of 2012 appropriation reserves be made:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Parks & Playgrounds	MOMV	\$2,600.00

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

**RESOLUTION #6**

**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 – Excavator w/operator - \$1,000.00 (storm)  
Coast Cities – Truck Repairs - \$2,568.79 (insurance paid for repairs)  
Diamond M Lumber – Cabana boardwalk - \$3,698.00 (storm)  
Dell Computer – laptop for CFO - \$1,092.64  
Lakewood Auto – various motor vehicle parts and repairs - \$1,213.10  
Reliable Wood – logs & tree parts - \$1,050.00 (storm)  
Supercircuits Inc. – Security cameras for Borough Hall - \$2,854.91 (John Hansen will install)  
Security World – Sewer Pump Monitoring - \$1,100.04 (once a year payment)  
Aqua Wash – Sandblast concrete wall & side stairs at ABC - \$3,650.00

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

**RESOLUTION #7**

**A RESOLUTION TO AUTHORIZE BOND ANTICIPATION NOTE**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**WHEREAS**, The Mayor and Commissioners of the Borough of Allenhurst deemed it necessary and advisable on November 29, 2012 to issue a Bond Anticipation Note internally;

**NOW, THEREFORE, BE IT RESOLVED**, By the Mayor and Commissioners of the Borough of Allenhurst as follows:



**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners, that approval is hereby given to the PBA to run their annual Father=s Day 5-K Race through the Borough on June 8, 2013, contingent upon the Borough receiving a Certificate of Insurance for said event.

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

#### **RESOLUTION #11**

##### **A RESOLUTION TO GRANT PERMISSION FOR NJ MARATHON**

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

**WHEREAS**, New Jersey Marathon has requested permission to conduct a portion of their 17<sup>th</sup> annual New Jersey Marathon through the Borough of Allenhurst on May 5, 2013, from approximately 9:30 AM to 1:25 PM; and,

**WHEREAS**, New Jersey Marathon has provided a parade route and will provide traffic control and a Certificate of Insurance;

**NOW, THEREFORE, BE IT RESOLVED**, That permission is hereby given to run the 17<sup>th</sup> annual New Jersey Marathon through the Borough on Sunday, May 5, 2013, with the requirement that a Certificate of Insurance, indemnifying the Borough, be provided prior to the race

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

#### **RESOLUTION #12**

##### **A RESOLUTION TO APPROVE CHANGE ORDER FOR PILING CONTRACT**

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

**WHEREAS**, A contract was awarded to Compass Construction, Inc., for Beachfront Improvements; and,

**WHEREAS**, The scope of work was expanded to provide for the following:

1. Replacement of 25 additional pilings as some existing pilings were found to be rotted, in the amount of \$12,250.00.

**WHEREAS**, Compass Construction, Inc., has submitted a request for a Change Order for the additional work in the amount of \$12,250.00, which request has been reviewed by the Borough Administrator and Engineer, and found to be acceptable;

**NOW, THEREFORE, BE IT RESOLVED**, That Change Order No. 1 in the amount of \$12,250.00 be approved, thereby amending the contract total to \$182,602.00.

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

#### **RESOLUTION #13**

##### **A RESOLUTION TO AUTHORIZE PERSONNEL 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 personnel matters which are exempt from the public meeting under the Sunshine Law.

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

**RESOLUTION #14**

**A RESOLUTION TO CONFIRM BILLS AND PAYROLL (2/16/13 – 2/28/13)**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

**BE IT RESOLVED**, That bills and payroll totaling \$353,176.74 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That the February 26<sup>th</sup> consolidated bill list be attached hereto and made a part thereof.

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

**RESOLUTION #15**

**A RESOLUTION TO APPOINT RESTAURANT SUBCOMMITTEE**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

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**WHEREAS**, Due to the destruction of Superstorm Sandy, the beach facilities at the Allenhurst Beach Club and restaurant suffered severe damage; and,

**WHEREAS**, The Board of Commissioners is determined to rebuild; and,

**WHEREAS**, It has been decided that a subcommittee should be appointed to give expert opinions on the rebuilding of the restaurant at the Allenhurst Beach Club;

**NOW, THEREFORE, BE IT RESOLVED**, That the following be appointed to a subcommittee to discuss rebuilding the Allenhurst Beach Club Restaurant and that reports be submitted to the Allenhurst Board of Commissioners:

Nancie Senet

Joseph Tomaino

David McLaughlin

Richard Fernicola

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

**PUBLIC HEARING**

Mayor McLaughlin stated they are trying to connect the north and south decks. The storm opened a second set of stairs and they will leave those open. The snack bar, however, is in a tough spot. It is very congested and the size of the membership makes it difficult to utilize. They are looking to put in heat and air conditioning and use the building for municipal purposes or for groups such as the Garden Club to utilize in the off-season. In the summer it can be used as a cool-down room. They are still going over some ideas. One of them is to incorporate the snack bar into the restaurant building so that all food is in a centralized spot.

Bob Scally stated that the original stairs used to be twice as wide. Mayor McLaughlin stated they will use one side for coming into the Club and the other for going down out of the Club. This should ease some of the traffic congestion.

Lori Osborn gave the following status report of projects:

**CABANAS & PILINGS**

Bids are awarded. Work has commenced on pilings. The contract for the cabanas will be signed tomorrow and work will start on those right away.

**CABANA AWNINGS**

The Commissioners will make a decision on this.

**CABANA BATHROOMS AND PUBLIC BATHROOMS**

Bids will be opened on March 7<sup>th</sup> and awarded on March 12<sup>th</sup>.

### **UMBRELLA DECK**

Bids awarded.

### **SNACK BAR/BANDSTAND**

Joe Tomaino is working on drawings.

### **RESTAURANT**

Restaurant has been demolished. A subcommittee was just appointed and will come up with ideas for the new construction.

### **SEA WALL**

Bids will be opened on March 7<sup>th</sup> and awarded on March 12<sup>th</sup>.

### **BOARDWALK & RAILINGS**

Once SeaWall is repaired, the boardwalk can be repaired.

### **PUMP ROOM & ELECTRIC SERVICE**

We will have an idea on whether there is electric service at the Club and will work on getting service back to the pump room. Peter Avakian's office will plan to restore the pump room as a change order to the sea wall project.

### **POOL**

We have sent Purchase Order to Renosys and will schedule repair in March.

### **WELL POINTS**

Peter Avakian is still investigating the new system. They have some questions as this is not a tried and true system. A new system will require that the pumps be re-configured by Pilot Electric. They are familiar with the new system and know what they have to do. As soon as we know which way we are going, I will contact Burke.

### **UNDERMINING OF POOL DECK**

This is just a small repair and can be done when pump room is done.

### **HANDRAIL AT THE END OF ALLEN AVENUE**

One the seawall is fixed, Doug feels he can handle replacing the rail.

### **REMOVAL OF SECOND SET OF STAIRS AT CABANAS**

The project has been bid with the removal of the stairs. There have been some questions about leaving them. We can leave them, but we will have to build a platform and small enclosure for the electrical shut-off. Once the stairs have been evaluated by the Borough Engineer, the Borough will have a better idea of how to proceed.

Mayor McLaughlin stated they are discussing when the opening date should be.

There was some discussion over insurance matters..

Comm. Bolan stated that some people are freaked out over new cabana rules. He stated they have not made any new rules as yet.

Mayor McLaughlin urged members to call Borough Hall if they hear any rumors. Get the right story. They may not make everyone happy with these rules. It will not be perfect.

Comm. Bolan talked about some ideas they were considering. He stated they do not want people subleasing their cabanas. Maybe they will come up with a jurisdictional limit. Maybe one cabana per residence so that three people who live in one residence don't each have a cabana.

Mayor McLaughlin stated this may stop the children of residents from putting their names on the cabana list.

Comm. Bolan stated they would probably permit cabanas to follow family lineage.

Mayor McLaughlin stated new cabanas will go to tax paying residents in town.

Comm. Bolan stated the goal is to keep the list moving. They do not want to be inequitable.

Mayor McLaughlin stated that any deletions or additions due to clerical error will be resolved by resolution. They can also post the list on-line.

Stephenie Reynolds asked about the out-of-town list. Mayor McLaughlin responded that it is still being maintained. They will not use it until all residents on the list have gotten a cabana.

Mrs. Reynolds asked for an explanation of rates for in-town versus out-of-town members and asked how costs would be equitably distributed.

Mayor McLaughlin stated that they do not know at this point what that answer is. It will have to wait until the projects are done and all insurance and FEMA money has been counted.

Kevin Reynolds asked for a definition of resident and Mayor McLaughlin stated it is someone who lives in town and pays taxes.

Mayor McLaughlin added that people who rent in town are given the opportunity to become members, but if they do not come back the next year, they are dropped from membership.

Mr. Scally stated it looks like Allenhurst will be okay and will be open. Other towns are not so lucky. He then asked about residents who rent year round. Mayor McLaughlin stated they can become members, but they will not be eligible for a cabana. The reason is because it is tax dollars that are being used to rebuild.

Mrs. Reynolds asked if there would still be a limit of 10 people per facility and Mayor McLaughlin stated that they will allow 10 per cabana, but new locker memberships will be capped at eight.

A question was asked as to whether the Board was considering limiting the number of guests or guest books and Mayor McLaughlin stated they were looking at a couple of things as far as guest tickets.

Comm. McLoughlin mentioned that they can track the number of guest books purchased by members and maybe they will look at capping the number of books that can be purchased by facility.

Mayor McLaughlin added that they have also been discussing requiring two tickets on a weekend or holiday.

Mr. Scally asked if there was a way to track whether a resident has claimed a family member is a resident also. Mayor McLaughlin replied that they know this is happening and they have started cracking down on it. Members swear an oath that the information they give is correct. If they find this not to be the case, they can be expelled from the Club. They will check this even more closely for this season.

Michelle Petti asked if the Borough limits the number of daily passes and Mayor McLaughlin stated they can limit the number to 100 persons at a time. They look at the conditions, including surf and overcrowding before they do this.

Mr. Moriarty stated there was talk about re-purposing the snack bar and stated that older folks have trouble getting down the stairs. He asked what would happen in the off-season.

Mayor McLaughlin stated they can use it for town functions or as a rental.

Mr. Reynolds asked if the Commissioners would post a draft of the rules before adoption and Mayor McLaughlin assured him that he would.

Joan McCann asked about the one entrance at the cabanas and Mayor McLaughlin stated that was the plan. There will be no difference in appearance from the boardwalk. They are still not 100% sure with the stairs. He also talked about the bathrooms, stating the idea is to have a bathroom for the public and one for the members. The public bathroom will face north.

Mrs. Reynolds asked if the drawings for the cabanas could be put on the website and Mayor McLaughlin said he would do that.

Mrs. Reynolds stated that since there is an anticipation of an increase in volume, will the Commissioners have another lifeguard area. Mayor McLaughlin stated he would leave that up to the lifeguard captain.

There being no further comments, the meeting adjourned to caucus.

After reconvening, the board discussed possibly purchasing a jitney next year and one the year after. The board discussed the opening date for the Club. Mayor McLaughlin suggested opening on Memorial Day weekend and then not opening until the middle of June. Doug Caron, Public Works Supervisor, stated he thought it would be better to put off the opening until the middle of June.

There was some discussion on starting a program whereby people would donate board for the boardwalk.

There was a short discussion regarding the roof over the pump room. Doug stated it was plywood and public works could fix it.

There was some discussion regarding putting up plywood walls while the restaurant is being reconstructed.

There was a short discussion on benches for the boardwalk and perhaps starting a program where someone could sponsor a bench for a five year period.

There being no further comments, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 9:32 PM. Motion carried.

Lori L. Osborn, RMC  
Clerk-Administrator