

MINUTES
May 14, 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.

COMMUNICATIONS

The Chief reports that the basketball courts have been reserved on Monday, Wednesday and Thursday from 5/13 to 8/22 from 6 – 8 Pm for the Allenhurst Basketball League.

Resolution from Borough of Red Bank opposing legislation which will preempt municipal ordinances requiring registration for multi-family dwellings.

Letter from NJ Special Olympics and Jersey Shore Running Club, thanking the Borough for allowing the RunAPalooza through Allenhurst.

ORDINANCE #2013-06 ADOPTED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE NO. 2013-06
AN ORDINANCE SUPPLEMENTING THE CODE OF THE BOROUGH OF
ALLENHURST, CHAPTER XIV, FLOOD DAMAGE PREVENTION

There was no response to Mayor McLaughlin's request for public comments.

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 special meeting held April 22, 2013 and the regular meeting held April 23, 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 special meeting held April 22, and the regular meeting held April 23, 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 purchases and contracts are hereby confirmed:

Home Depot - \$2,864.27 – materials and supplies to secure snack bar building (hurricane)

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

RESOLUTION #4
A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following are hereby employed by the Borough of Allenhurst for the 2013 summer season:

Pre-Season

Jack Parkhill	\$10.00/hr.
Stephen Rogers	\$10.00/hr.
John McLaughlin	\$10.00/hr.

Assistant Manager/Lifeguard

Rutledge Varley	\$7,860.00/season
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Lifeguard

Dee Richter	\$7.50/hr.
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Poolside

Mary Bolan	\$5.50/hr.
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Recreation

Emily Henderson	\$6.00/hr.
Hayley Wellner	7.50/hr.
Victoria Felton	7.50/hr.
Carolina Carvalho	7.50/hr.
Samantha Conti	7.50/hr.

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

RESOLUTION #5
A RESOLUTION TO APPROVE SUMMER HOURS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following schedule of summer hours for Borough Hall shall become effective Tuesday, May 28, 2013 and terminate effective Tuesday, September 3, 2013:

Monday - Thursday	8 AM - 4:30 PM
Friday	8 AM - 2:00 PM

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

RESOLUTION #6

A RESOLUTION TO APPROVE OPERATION “THANK YOU”

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, members of the armed forces of the United States, including residents of the Borough of Allenhurst, are today actively engaged in combat operations in Afghanistan and Iraq, or are deployed or otherwise serving in support of these operations, and/or in support of the on-going efforts of our Armed Forces throughout the world to protect and defend our nation and its citizens; and,

WHEREAS, since September 11, 2001, and increasingly since the commencement of combat operations in Afghanistan and Iraq, the men and women of the New Jersey National Guard have been called up to active duty status in increasing numbers, and their support and service have been and will continue to be essential to the overall success of military efforts both home and abroad; and,

WHEREAS, the ongoing hostilities in Afghanistan and Iraq, and the call to active service of thousands of New Jersey=s National Guard Reservists, have added untold additional stress and sacrifice to the lives of thousands of families of our active duty military, and for whom in peacetime day-to-day life was already stressful and challenging enough; and,

WHEREAS, many families have lost loved ones in the military actions underway in Afghanistan and Iraq, and more than a hundred thousand other American families live each day in constant trepidation that the next knock on the door might make their own worst fears come true; and,

WHEREAS, It is important that the enormity of the day-to-day sacrifices and heroism of our troops and their families not be lost or forgotten amidst the din of a presidential campaign and the media=s unwavering focus on the sensational; and,

WHEREAS, the residents of the Borough of Allenhurst want our troops and their families to know that they are in our hearts and on our minds, that we support them and are extremely grateful for the sacrifices they are making each and every day; and,

WHEREAS, the Mayor and Commissioners, on behalf of the families of Allenhurst, wish to honor and recognize our active military personnel sand their families by establishing a special program for the summer of 2013;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Allenhurst, that in honor and recognition of our active military personnel and their families, and to demonstrate the gratitude of the residents of the Borough of Allenhurst for the daily sacrifices they are making, the Mayor and Commissioners hereby announce the commencement of AOPERATION: THANK YOU@; and,

BE IT FURTHER RESOLVED, that free beach admission be provided during the 2013 summer season to each member of the active military and their dependents upon the presentation of a valid military identification card at any beach entrance; and,

BE IT FURTHER RESOLVED, That Allenhurst=s business community be invited and encouraged to participate in AOperation: Thank You@ by providing discounts to our active military and their dependents, and by otherwise recognizing their sacrifices and service and joining the residents of Allenhurst in welcoming them to our community; and,

BE IT FURTHER RESOLVED, That this resolution shall take effect immediately and shall remain in effect throughout the 2013 beach season.

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

RESOLUTION #7

A RESOLUTION TO APPROVE PAYMENTS FOR CABANA PROJECTS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Borough lost 45 permanent cabanas at the Allenhurst beach due to Superstorm Sandy; and,

WHEREAS, A contract was awarded to West End KB, LLC to fabricate and place 45 cabanas with sitting decks at the Allenhurst Beach; and,

WHEREAS, The Borough Architect has reviewed the project and recommended the

following payments:

Payment #1 - Delivery and installation of 27 cabanas, delivery of decking materials, administrative costs, overhead and profit - \$370,348.14

Payment #2 - Delivery and installation of 18 cabanas, administrative costs, overhead and profit \$213,963.53

WHEREAS, Funds for this purpose shall be provided for in Capital Ordinance #2013-02, known as, Superstorm Sandy, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That West End KB, LLC be compensated in the amount of \$370,348.14 for payment #1 and \$213,963.53 for payment #2 in accordance with the Borough Architect's report.

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

RESOLUTION #8

A RESOLUTION TO APPROVE PAYMENT FOR TOILET BUILDING PROJECT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Borough lost its restroom facilities at the Allenhurst beach due to Superstorm Sandy; and,

WHEREAS, A contract was awarded to V & K Construction, Inc. for replacement of two restroom facilities at the Allenhurst beach; and,

WHEREAS, The Borough Architect has reviewed the project and recommended the following payment:

Payment #1 – Mobilization, submission of most of the required project submissions, installation of floor framing for both restrooms, installation of framing for ramps and installation of electrical conduit lines - \$73,435.00

WHEREAS, Funds for this purpose shall be provided for in Capital Ordinance #2013-02, known as, Superstorm Sandy, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That V & K Construction, Inc., be compensated in the amount of \$73,435.00 for payment #1 in accordance with the Borough Architect's report.

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

RESOLUTION #9

A RESOLUTION TO APPOINT OEM COUNCIL

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT RESOLVED, That the following be appointed to the Allenhurst Local Emergency Planning Council (LEPC) for a three year term, expiring December 31, 2015:

Elected Officials

David J. McLaughlin

Christopher J. McLoughlin

Terrence Bolan

Mayor/Director of Public Safety - OEM Coordinator

Deputy Mayor/Director of Finance

Commissioner/Director Public Works

Police, Fire, Emer. Mgt, First Aid, Health, Environmental, Hospital, Public Works

Robert C. Richter

Michael Schneider

Ptl. James Rogers

Lori L. Osborn

Deputy Emer. Mgt. Coord./Chief of Police

Police Coordinator. Police Sgt.

Deputy Coordinator

Clerk-Administrator

John Hansen
Douglas Caron
Joy More
Frank Manfredi
Sandra Van Sant

EMS Coordinator/FAS Captain
Superintendent of Public Works
TAC Officer
Fire Coordinator/Fire Chief
Health Coordinator/Health Officer

Broadcast & Print Media
Michael McLaughlin

Public Information Officer

Community Groups
Peter Genovese

Board of Education Secretary-Administrator

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

RESOLUTION #10
A RESOLUTION TO AUTHORIZE REFUND FOR OVERPAYMENT OF ABC FEES
Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, Robin Sabbagh overpaid her 2013 Beach Club membership fees by \$30.00;
THEREFORE, BE IT RESOLVED, That the Mayor and Commissioners authorize the Borough Treasurer to issue a refund in the amount of \$30.00.

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

RESOLUTION #11
A RESOLUTION TO AUTHORIZE REFUND FOR OVERPAYMENT OF TAXES
Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, by the Board of Commissioners of the Borough of Allenhurst that upon the recommendation of the Tax Collector, the taxes shown below be refunded to the taxpayer shown below due to a State Tax Court Judgment for the years indicated and,
WHEREAS, in one of the cases a stipulation having been filed with the judgment indicating that relief from the same be made by way of credit to the taxpayer’s account and,
NOW THEREFORE BE IT RESOLVED that the Tax Collector is hereby authorized to refund the overpayment and charge the years indicated taxes in the total amount of \$8,161.13.

BLOCK	LOT	OWNER	YEAR	AMOUNT
9	1	Zipp & Tannenbaum, LLC Trustee for Allenhurst PO LLC 166 Gatzmer Avenue Jamesburg, NJ 08831	2012	3,149.63
12	13	Borough of Allenhurst Account of: YST Group, LLC	2011 2012	3,056.51 1,954.99

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

RESOLUTION #12
A RESOLUTION TO AWARD CONTRACT FOR
TEMPORARY ELECTRIC SERVICE AT ABC RESTAURANT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Allenhurst Beach Club Restaurant was destroyed by Superstorm Sandy and the building had to be demolished; and,

WHEREAS, the Board of Commissioners desires to provide a limited menu to Beach Club members for the 2013 season and quotes were obtained for temporary electric service to the mid deck at the ABC; and,

WHEREAS, The following quotes were obtained for a 200 amp 40 circuit, 3-phase panel for five services in the kitchen area and 10 services in the bar area:

Farrington Electric, Inc. - \$21,800.00

Troller Eleetric, Inc. - \$21,000.00

Bryan McCarthy Electric - \$14,500.00; and,

WHEREAS, Funds for this purpose will be provided for in the Capital Ordinance #2013-02, known as “Superstorm Sandy Reconstruction”, and the Chief Finance Officer has so certified;

THEREFORE, BE IT RESOLVED, That a contract be awarded to Bryan McCarthy Electric in the amount of \$14,500.00 for a 200 amp, 40 circuit, 3-phase panel, lowest of three quotes obtained.

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

RESOLUTION #13
A RESOLUTION TO AUTHORIZE MAYOR AND CLERK TO SIGN LETTER OF
UNDERSTANDING FOR ROUTE 71 PROJECT

Offered By: Comm. Bolan

Seconded By: Comm. McLoughlin

WHEREAS, a Memorandum of Understanding (MOU) between the New Jersey Department of Transportation (NJDOT), and Borough of Allenhurst for the Route 71 project area Main Avenue (M.P. 7.87) to Cedar Avenue (M.P. 9.92) for the Pavement Rehabilitation of Route 71 which is necessary to establish the essential concepts for an agreement to allow the project to advance to design; and

WHEREAS, the Borough acknowledges that the project will propose full pavement reconstruction within the paving limits of the Borough.

WHEREAS, the Borough acknowledges that there may be future project details that will become known as the project design develops which may cause modifications to this (MOU);

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey that the Borough Engineer, Mayor and Borough Clerk, are hereby authorized to execute the Memorandum of Understanding between the Borough of Allenhurst, Monmouth County, and the New Jersey Department of Transportation for the Route 71 project area Main Avenue (M.P. 7.87) to Cedar Avenue (M.P. 9.92) for the Pavement Rehabilitation of Route 71.

BE IT FURTHER RESOLVED that a certified copy of this resolution will be forwarded to Ms. Zoila Mejia-Aragona, Division of Project Development, NJ Department of Transportation, P.O. Box 600, Trenton, NJ 08625.

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

RESOLUTION #14
A RESOLUTION TO ADOPT 2013 MUNICIPAL BUDGET
Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated of the sums therein set forth as appropriations and authorization of the amount of:

(a) \$2,263,203.03 (Item 2 below) for municipal purposes:

SUMMARY OF REVENUES

1. General Revenues			
Surplus Anticipated	08-100		330,000.00
Miscellaneous Revenues Anticipated	13-099		1,960,799.25
Receipts from Delinquent Taxes	15-499		16,000.00
2. AMOUNT TO BE RAISED BY TAXATION FOR MUNICIPAL PURPOSES	07-190		2,263,203.03
3. AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I DISTRICTS ONLY: Item 6, Sheet 42	07-195	.00	
Item 6(b), Sheet 11 (N.J.S. 40a:4-14)	07-191	.00	
Total Amount to be Raised by Taxation for Schools in Type I School Districts Only			.00
4. To be Added TO THE CERTIFICATE FOR AMOUNT TO BE RAISED BY TAXATION FOR SCHOOLS IN TYPE I SCHOOL DISTRICTS ONLY: Item 6(b), Sheet 11 (N.J.S. 40A:4-14)	07-191		.00
Total Revenues	13-299		4,570,002.28

SUMMARY OF APPROPRIATIONS

5. GENERAL APPROPRIATIONS:	XXXXXXX	XXXXXXX
Within ACAPS@	XXXXXXX	XXXXXXX
(a+b) Operations Including Contingent	34-201	3,344,005.00
(e) Deferred Charges and Statutory Expenditures - Municipal	34-209	387,442.00
(g) Cash Deficit	46-885	.00
Excluded from ACAPS@	XXXXXXX	XXXXXXX
(a) Operations - Total Operations Excluded from ACAPS@	34-305	340,513.25
(c) Capital Improvements	44-999	22,500.00
(d) Municipal Debt Service	45-999	434,925.00
(e) Deferred Charges - Municipal	46-999	.00
(f) Judgments	37-480	.00
(n) Transferred to Board of Education for Use of Local Schools (N.J.S. 40:48-17.1 & 17.3)	29-405	.00
(g) Cash Deficit	46-885	.00
(k) For Local School District Purposes	29-410	

Cabana Rules

Comm. McLoughlin stated he came up with some rules he thought the Commissioners should adopt.

Mayor McLaughlin stated he received a few e-mail suggestions, but opinions were split down the middle.

After some discussion, Mayor McLaughlin stated he was not in favor of, “you move, you lose”. Any open cabanas should go to residents. There should be one cabana per household and the principal must be a taxpayer. A child taking a cabana from a parent must be a taxpayer.

Comm. McLoughlin felt the list needed to be cleaned up.

Comm. Bolan stated they have decided some basic issues. He stated he prepared rules also, only his rules are more general. A member can speak to the Commissioners regarding any exceptional circumstances on a case by case basis.

Mayor McLaughlin stated he likes that if a member feels they have a compelling reason, they can come to the Board.

Ms. Osborn stated she will forward the rules to each cabana member along with the cabana agreement.

Mayor McLaughlin explained to the audience the Commissioners’ attempt to put the rules in writing and clear up some cloudy issues. They are trying to be more transparent. They will adopt the cabana list by resolution and any changes made to that list will be by resolution. He stated many people believe the cabanas belong to them. They do not. They are Borough property. They are starting with a clean slate and it is time for the rules to be set.

Sidewalks

There was some discussion regarding sidewalks, including properties that had extensive damage to sidewalks when trees fell during the storm.

Comm. Bolan stated the law is quirky regarding sidewalks. The Borough has no liability unless they cause a dangerous condition. He suggested writing a letter asking the homeowners to repair the sidewalks.

Comm. McLoughlin asked that the Code Enforcement Official identify those homes where the sidewalks are in bad shape.

Comm. Bolan stated he has a problem with vegetation from trees or bushes impeding sidewalks. He asked that yellow ribbon be placed around those obstructions and the homeowners notified to trim back their trees and bushes.

Fences

Ms. Osborn and Chris Rogers asked for clarification of the new fence ordinance. The ordinance does not address height beyond the front of the house. There have been questions on how high a hedge can be placed across the front of the yard, but beyond the front of the house.

After some discussion, the Commissioners instructed Ms. Osborn to bring the matter to the attention of the Planning Board.

STATUS REPORT ON HURRICANE RESTORATION PROJECTS

Peter Avakian, Borough Engineer, presented the following status report on projects being undertaken in the recovery of Superstorm Sandy:

Cabana Piles and Umbrella Deck

The Cabana piles and Umbrella Deck are complete. Contractor installed additional 12" x 12" pile caps to raise the bathroom floor to above Advisory Base

Flood Elevation (15 feet above mean sea level). Contractor will complete entire project this week with the installation and repair of the handicap ramp railing.

Seawall Repair

Burke Construction has completed construction of the seawall repair and backfill behind the repaired seawall. We are evaluating some wall cracking for additional repair and injection grouting.

Cabanas

Joseph Tomaino, AIA Consulting Architect is handling the coordination of this project.

Kelly Builders has installed all of the new cabanas. The Borough beach manager is currently working with Burke Construction to push sand into the area beneath the proposed cabana boardwalk to eliminate the possibility of settlement along the easterly edge of the cabana boardwalk.

Cabana and Public Bathrooms

As indicated above the cabana pile project, the Contractor has installed additional 12" x 12" pile caps to raise the bathroom floor to above the AFBE elevation 15. Ramps were designed to accommodate this design elevation change.

Work has commenced on the construction of the cabana and public bathrooms.

Street Lights

The Borough is working with Mr. Jim Halsey of the JCP&L wiring department.

The Borough is waiting on JCP&L to install wiring prior to the repair of the damaged section of boardwalk. JCP&L indicated that some of the existing wiring is in need of replacement and that some openings need to be made in the existing boardwalk. The Borough is waiting for JCP&L to show them where to make the openings.

Boardwalk and Railings

As indicated above The Borough is waiting on JCP&L to install wiring prior to the repair of the damaged section of boardwalk. Boardwalk repair and railing installation will be coordinated by Doug Caron and completed by the Borough immediately after JCP&L runs the necessary wiring.

Beachclub Restaurant

Restaurant site has been cleared. Joseph Tomaino, AIA Consulting Architect is handling the coordination and the design of this project.

Our office has completed a flood elevation certification for submission to FEMA and the Construction Official, indicating that the Beachclub Restaurant is not located in a flood hazard area.

Pool Pump Room

Pump Room roof has been repaired by the Department of Public Works. The electrical transformer was recently replaced and electric service has been turned on.

Joseph Tomaino, AIA Consulting Architect has made a site visit with his electrical engineer. The Borough has provide the electrical engineer with design specification and technical data from the plates on the existing pool pumps for further evaluation of the control panel design requirements.

Well Points

Burke construction has pulled the existing well points and provided a proposal to install a new well point system. Leon S. Avakian, Inc. recommends proceeding with the new well points system based on our meeting and recommendations by Jason Burke.

However, our office will have to further evaluate the impact of the Army Corps beach nourishment on the location and elevation of the well points..

Beach Club Pool Liner

Borough approved RenoSys to repair the portion of pool liner that was damaged during Superstorm Sandy. Contractor has indicated that they will have the repair of the pool liner completed no later than May 24th, prior to Memorial Day weekend. During the repair, the contractor will investigate the cause of water accumulating beneath liner.

Snack Bar and Bandstand

Joseph Tomaino, AIA Consulting Architect is working with the Borough and will provide preliminary drawings on a community room in this area in lieu of reconstruction of snack bar and bandstand.

The Borough is considering a deck overhead to connect the north and south upper umbrella decks.

There was a short discussion regarding lighting at the cabanas which will be addressed further.

Mr. Avakian spoke about beach replenishment, stating he believes the project will start in the winter.

PUBLIC HEARING

Robert Scally asked about guest books and single tickets and Comm. McLoughlin stated guest passes can be purchased in groups of 10. They will still be good for the following year.

Mr. Scally stated his sidewalks can be a tripping hazard. A realtor friend told him not to fix it because he would be liable.

Comm. Bolan stated only if it was not fixed correctly.

There being no further comments, public hearing was closed and the Commissioners adjourned to caucus and did not reconvene.

Lori L. Osborn, RMC
Clerk-Administrator