

**MINUTES
NOVEMBER 26, 2013**

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. Commissioner 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.

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 held November 12, 2013 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 held November 12, 2013.

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

RESOLUTION #3
A RESOLUTION TO TRANSFER APPROPRIATIONS

Offered By: Comm. McLoughlin Seconded By: Mayor McLaughlin

BE IT RESOLVED, That the following transfer of 2013 appropriations be made:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Garbage & Trash, O.E.	Recycling, O.E.	\$2,225.00
Garbage & Trash, O.E.	OASI	310.00

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

RESOLUTION #4
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:

Crabnet - \$1,310.00 for purchase and installation of weather station
McCarthy Electric - \$2,824.46 for repair of street lights throughout town
Blue Light Emergency Lighting, LLC - \$4,077.38 to equip police car for K-9 unit (donations)
Microstrategies, Inc. - \$2,063 for maintenance agreement on voice recorder
Concept Professional Systems - \$978.47 for sound meter equipment

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

RESOLUTION #5

A RESOLUTION APPROVING 2012 AUDIT REPORT

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, The Annual Report of Audit for the year 2012 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

WHEREAS, The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

General Comments
Recommendations

and,

WHEREAS, The members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments
Recommendations

as evidenced by the group affidavit form of the governing body; and,

WHEREAS, Such resolution of certification shall be adopted by the governing body no later than forty-five days after receipt of the annual audit, as per the regulations of the Local Finance Board; and,

WHEREAS, All members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

WHEREAS, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

"R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, That the governing body of the Borough of Allenhurst, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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

RESOLUTION #6

A RESOLUTION TO APPROVE RAFFLE LICENSE

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a non-draw raffle license, #14-01, be granted to the Allenhurst Fire Department, No. 1, which raffle shall be held on Wednesday, January 1, 2014, from 12:00 PM to 5:00 PM, at the Allenhurst Firehouse, 318 Hume Street, Allenhurst.

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

RESOLUTION #7

**A RESOLUTION TO APPROVE CHANGE ORDER FOR
TOILET IMPROVEMENT PROJECT**

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, A contract was awarded to V & K Construction, Inc., for construction of toilet buildings at the Allenhurst Beach; and,

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

1. Do not paint building interiors – (\$3,200.00)
2. Do not provide paper towel dispensers – (\$220.00)
3. Do not provide exhaust fans – (\$2,980.00)
4. Additional decking - \$3,903.20
5. Install cedar ceiling - \$924.00
6. Provide marine grade plywood at pile caps - \$7,776.00
7. Do not construct sitting deck C – (4,930.00)
8. Construct ramps and stairs for toilets and storage building - \$4,559.00
9. Railing - \$17,632.00
10. Provide plumbing vacuum breakers - \$2,000.00
11. Provide electric hand dryers - \$3,100.00
12. Emergency light substitution - \$3,100.00
13. Permit credit – (\$20,000.00)
14. Door hardware allowance - \$6,150.00 (\$2,100.00)
15. Wiring & breaker for hand dryers \$600.00
16. Wiring and RV plugs for 16 cabanas - \$14,600.00
17. 16 Chords for cabanas and breakers - \$3,900.00
18. Move Main Street service south from where specified - \$6,000.00
19. Extend service feeders to new location - \$2,900.00
20. Water cooler wiring - \$400.00
21. Additional beach cabana wiring - \$750.00
22. Demolish old beach cabana wiring - \$650.00; and,

WHEREAS, V & K Construction, Inc., has submitted a request for a Change Order for the changes in work in the amount of \$48,614.20, which request has been reviewed by the Borough Administrator and Architect, and found to be acceptable;

NOW, THEREFORE, BE IT RESOLVED, That Change Order No. 1 in the amount of \$45,514.20 be approved, thereby amending the contract total to \$338,814.20; and,

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

RESOLUTION #8
A RESOLUTION TO AUTHORIZSE FINAL PAYMENT AND ACCEPT MAINTENANCE
BOND FOR TOILET IMPROVEMENT PROJECT

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, A contract was awarded to V & K Construction, Inc. for construction of toilets at the Allenhurst Beach; and,

WHEREAS, The Project Architect has reviewed the project and recommended final payment as provided for in a letter dated November 18, 2013, which is on file in the Clerk=s office;

WHEREAS, Funds for this purpose shall be provided through the Capital Account, known as “Superstorm Sandy Improvements”, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That V & K Construction, Inc. be compensated in the amount of \$21,775.00 as final payment for work done on the toilet improvement project in accordance with the Project Architect’s letter; and,

BE IT FURTHER RESOLVED, That V & K Construction, Inc., be released from their Performance Bond and that the one-year Maintenance Bond filed by V & K Construction, Inc., be accepted.

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

RESOLUTION #9
A RESOLUTION TO AUTHORIZE MAYOR TO SIGN CONTRACT WITH VNA FOR
NURSING SERVICES FOR 2014

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, There exists a need for Public Health Services in the Borough of Allenhurst; and,
WHEREAS, The Visiting Nurse Association Health Group has presented a contract for their services for 2014 in the amount of \$604; and,

WHEREAS, This appointment is being made without competitive bidding because the appointment involves a member of a recognized profession, licensed and regulated by law, pursuant to NJSA 40A:11-5;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst that the Mayor and Borough Clerk be and they are hereby authorized and directed to engage the services of VNA Health Group in an amount of \$604.00 for the year 2014; and,

BE IT FURTHER RESOLVED, That the Borough Clerk be and he is authorized and directed to publish this resolution in accordance with NJSA 40A:11-1.

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

RESOLUTION #10
A RESOLUTION TO APPROVE CHAPTER 159

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, Said Director may also approve the insertion of an item of appropriation for equal amount;

Section 1

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$1,343.94, which item is now available as revenue from Recycling Tonnage Grant pursuant to the provisions of Statute; and,

Section 2

BE IT FURTHER RESOLVED, That a like sum of \$1,343.94 be and the same is hereby appropriated under the caption of Recycling Tonnage Grant.

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

RESOLUTION #11

A RESOLUTION TO APPROVE MARATHON

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, The New Jersey Marathon has requested permission to run a portion of their annual marathon through the Borough of Allenhurst on April 27, 2014; and,

WHEREAS, The New Jersey Marathon has provided a parade route which will take the marathon down Ocean Avenue, starting at approximately 9:30 AM and ending at approximately 1:30 PM and a Certificate of Insurance for this event will be 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 New Jersey Marathon to run a portion of their marathon through Allenhurst on April 27, 2014, contingent upon the Borough receiving a Certificate of Insurance prior to the event.

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

RESOLUTION #12

A RESOLUTION TO APPROVE TRIATHLON

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

WHEREAS, Eneractive Solutions has requested permission to run their One More Tri, A Triathlon to Benefit the Special Olympics, through the Borough of Allenhurst on September 13, 2014; and,

WHEREAS, Eneractive Solutions, the host for this event, has provided a parade route which is on file in the Borough Clerk's Office and will start at approximately 7:00 AM and end at approximately 12:00 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 Eneractive Solutions to run their One More Tri, A Triathlon to Benefit the Special Olympics, through Allenhurst on September 13, 2014.

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

RESOLUTION #13

A RESOLUTION TO CONFIRM BILLS AND PAYROLL (11/16/13 – 11/30/13)

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

BE IT RESOLVED, That bills and payroll totaling \$351,288.64 be approved for payment; and,

BE IT FURTHER RESOLVED, That the November 26th consolidated bill list be attached hereto and made a part thereof.

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

RESOLUTION #14

A RESOLUTION TO AUTHORIZE PERSONNEL CAUCUS

Offered By: Comm. McLoughlin

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

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

OTHER BUSINESS

Water Tower

Peter Avakian, Borough Engineer, spoke about the water tower, stating he received a report from AT&T. They were concerned with the structural integrity of the water tower. They are suggesting the borough demolish the tower and they will put up a monopole. He stated he is leary of monopoles. He stated when the suggestion of a monopole is vendor driven, it is not usually well received.

Mayor McLaughlin asked what the cost would be to stabilize the tower. Mr. Avakian stated that the diagonals would have to be replaced. He didn't think the cost would be extremely high. Most of the other problems were rust and deterioration, but not necessarily structural.

Ms. Osborn stated that demolition would cost between \$50,000 and \$75,000. The annual revenue from the three vendors is \$102,000.

There was a short discussion on the cost to paint the water tower in which Mr. Avakian stated the last quote they received was \$63,000, but that was for both inside and outside. This is a little different as it is not a working water tower. They only want to paint it for cosmetic purposes. Brielle renovated their water tower at a cost of \$550,000.

Mayor McLaughlin asked if Peter had a ballpark idea of the cost to stabilize the tower and Mr. Avakian stated he would get a quote on exterior painting and repair of the diagonals.

Comm. McLoughlin stated that in the 90's, there was discussion about taking the water tower down.

Bob Scally stated that the tower used to have Borough of Allenhurst written on it.

Noise Meter

Chief Richter presented the new noise meter to the Commissioners and showed them how it would work.

Mayor McLaughlin explained that the Borough had adopted a noise ordinance which uses decibels. He explained how noise complaints would be handled.

Patches

Chief Richter presented the new police patches to the Commissioners.

Assessment Pilot Program

Mayor McLaughlin stated that the assessments in town have gone down. He asked how the reassessment took place as nobody came in to inspect his house.

Peter Barnett, Borough Assessor, stated that a reassessment looks at sales, judgments, building permits, etc., whereby a revaluation, which will be done next year, includes a physical inspection of the property.

Mr. Barnett explained the Pilot Program which is being done in Monmouth County. There has been a significant change. It will be his responsibility every year to do a reassessment. Homes will be inspected every year. There will be a 100% reassessment of the town and after that a 20% revaluation every year.

Mr. Barnett added that the County may take over the job of Assessor and Tax Collector.

Mayor McLaughlin stated that people think because assessments went down, their taxes will go down.

Mr. Barnett stated that was not the case. He added that the tax rate will be struck early and appeals will have to be filed earlier.

PUBLIC HEARING

Bob Scally stated he knows an e-mail went out regarding burglaries. Not everyone has e-mail. He talked to his neighbor, who didn't know anything about the burglaries. He asked if the Borough could send letters.

Mayor McLaughlin stated that this is a quicker response. The cost to send letters is very expensive as they would have to be sent first class. He stated they could use the reverse 911 system more often.

Tim Moriarty stated the Chief talked about the noise ordinance. He asked if there were different noise levels for day and night. Mayor McLaughlin stated that was correct. He asked how repeat abusers would be handled and Comm. McLoughlin stated they have to follow the state statute.

Mayor McLaughlin wished everyone a Happy Thanksgiving and the meeting adjourned to caucus.

After reconvening, Comm. McLoughlin moved, seconded by Mayor McLaughlin that the meeting be adjourned at 8:47 PM. Motion carried.

Lori L. Osborn, RMC
Clerk-Administrator