

**MINUTES
APRIL 8, 2014**

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 were the Borough Clerk, Borough Attorney and Borough Engineer.

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 #2014 -06 – FINAL READING

Offered By: Mayor McLaughlin Seconded By: Comm. McLoughlin

BOND ORDINANCE NO. 2014-06

BOND ORDINANCE PROVIDING FOR ALLENHURST BEACH CLUB AND BOROUGH PARK IMPROVEMENTS, AND APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$190,000 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

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

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

ORDINANCE #2014 -07 – FIRST READING

Offered By: Mayor McLaughlin **Seconded By:** Comm. McLoughlin

ORDINANCE #2014-07

**ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND
TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14)**

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 held March 25, 2014 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 held March 25, 2014.

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

RESOLUTION #3

A RESOLUTION FOR SELF-EXAMINATION OF BUDGET

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

WHEREAS, Pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Allenhurst has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meet the necessary conditions to participate in the program for the 2014 budget year;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the CAP law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated;
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement, and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.
6. That other applicable statutory requirements have been fulfilled.

BE IT FURTHER REQUIRED, That a copy of this resolution be forwarded to the Director of the Division of Local Government.

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

RESOLUTION #4

A RESOLUTION TO APPROVE 2014 MUICIPAL BUDGET

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2014;

General Appropriations For:

- | | |
|---|--------------|
| 1. Appropriations within ACAPS@ | |
| (a) Municipal Purposes | 3,816,111.22 |
| 2. Appropriations Excluded from ACAPS@ | |
| (a) Municipal Purposes | 787,834.00 |
| (b) Local District School Purposes in Municipal Budget | .00 |
| Total General Appropriations excluded for ACAPS@ | 787,834.00 |
| 3. Reserve for Uncollected Taxes | 61,538.05 |
| 4. Total General Appropriations | 4,665,483.27 |
| 5. Less: Anticipated Revenues Other Than Current Property Tax | 2,376,115.00 |
| 6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget | |
| (a) Local Tax for Municipal Purposes Including Reserve for
Uncollected Taxes | 2,289,368.27 |
| (b) Addition to Local School District Tax | .00 |

BE IT FURTHER RESOLVED, That said Budget be published in the Coaster in the issue of April 4, 2014.

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

RESOLUTION #5

A RESOLUTION TO APPROVE TEMPORARY EMERGENCIES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, An emergency has arisen with respect to operating expenses in various departments, and no adequate provision was made in the 2014 temporary budget for the aforesaid purpose, and N.J.S. 40A:4-20 provides for the creation of emergency temporary appropriations for the purpose above mentioned; and,

WHEREAS, The total emergency temporary resolutions adopted in the year 2014 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$97,805.00 for the current account and \$2,500.00 for the sewer account;

NOW, THEREFORE, BE IT RESOLVED, (not less than two-thirds of all the members of the governing body affirmatively concurring), that in accordance with the provisions of N.J.S.A. 40A:4-20:

1. Emergency appropriations be and the same are hereby made for the following:

Administration, S&W	2,700.00
Finance, O.E.	2,100.00
Tax Collector, S&W	170.00
Dir. Rev. & Finance, S&W	45.00
Tax Assessor, S&W	250.00
Planning Board, O.E.	310.00
Code Enforcement, S&W	350.00
Group Insurance	33,500.00
Police, S&W	13,500.00

Mayor, S&W	50.00
Prosecutor, S&W	950.00
Interlaken Garbage, S&W	3,200.00
Interlocal, Bd. of Education	700.00
Streets & Roads, O.E.	70.00
Dir. Public Bldgs.	45.00
Loch Arbour Garbage	2,400.00
Telephone	900.00
Municipal Court, S&W	<u>2,600.00</u>
TOTAL	\$63,840.00

Sewer, S&W 2,500.00

2. That said emergency temporary appropriations will be provided for in the 2014 budget under the above-mentioned titles.

3. That one certified copy of this resolution be filed with the Director of Local Finance.

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

RESOLUTION #6

A RESOLUTION TO CONFIRM EXPENSES

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:

Dennis Driscoll - \$4,250.00 for construction of office at ABC

Home Depot - \$6,109.15 for materials and supplies for various departments

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

RESOLUTION #8

A RESOLUTION TO AWARD CONTRACT FOR LEASE OF ALLENHURST SNACK BAR

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Borough of Allenhurst owns the Allenhurst Beach Club and is seeking qualified persons to operate a Snack Bar at that facility; and,

WHEREAS, The Borough authorized the use of competitive contracting for selecting a Prospective Tenant for the facility; and,

WHEREAS, The Borough advertised a Request for Proposals, which included the methodology to be used by the Borough to select the most advantageous proposal, and on March 20, 2014, the Borough received three sealed Proposals from Prospective Tenants; and,

WHEREAS, On March 25, 2014, the Governing Body held an Open Public meeting to evaluate said Proposals in accordance with the methodology described in the Request for Proposals; and,

WHEREAS, The Borough prepared a report evaluating the Proposals submitted by the Prospective Tenants and which ranked them in order of evaluation and which set forth the reasons why the Proposals were so ranked; and,

WHEREAS, The report has been made available to the public for at least 48 hours prior to the adoption of this Resolution awarding the contract; and,

WHEREAS, The report recommended that the contract/Lease be awarded to GavDe

RESOLUTION #11

A RESOLUTION TO AUTHORIZE LEGAL AND PERSONNEL CAUCUS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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

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

RESOLUTION #12

A RESOLUTION TO PAY BILLS & PAYROLL (04/01/14 - 04/15/14)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$202,088.59 approved for payment; and,
BE IT FURTHER RESOLVED, That the April 8th consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION

There was some discussion about the RFP for the Tiki Bar. Mayor McLaughlin stated he didn't know why the bar couldn't sell food. Comm. McLoughlin stated they didn't want to give the snack bar any competition. Mayor McLaughlin asked what the harm would be in letting them sell a cold appetizer. It was decided to take any mention of food out of the RFP.

There was a short discussion on a letter sent to the Commissioners from someone trying to locate a WWII vet who lived in Allenhurst. Ms. Osborn stated there are no formal records, but she would ask a couple of residents, who may be able to help.

The Board discussed a letter sent by the Deal lake Commission concerning the beach replenishment and extension of the flume. Comm. Bolan asked what the other Commissioners thought about the replenishment and whether notching the jetty made a difference in their decision to have the sand replenishment. Mayor McLaughlin thought the Borough needed the volume of sand, but was not in favor of notching the jetty. Comm. McLoughlin stated that if the replenishment hinged on notching the jetty, he would rather opt out. Comm. Bolan agreed.

Mayor McLaughlin stated that if they get the sand, they can put cabanas all along the wall.

Comm. Bolan asked what happened to the cabana rules they were going to work on. Comm. McLoughlin stated they tabled it for the time being. Mayor McLaughlin stated that a resident did send him some ideas and they were going to meet to discuss them. Mayor McLaughlin stated there will be a significant increase in non-resident rates and that may open some cabanas. Comm. Bolan asked about the cabana owner who was supposed to lose his cabana this year. Mayor McLaughlin stated he had no problem telling them this will be their last year. Comm. McLoughlin stated they haven't done anything yet as they have not put the rules in writing. Mayor McLaughlin suggested working on the rules this summer when they can have meetings and get everyone's input.

Mr. Laughlin stated the State has easements from the four property owners as well as from the Borough.

There was a short discussion in which the Commissioners agreed to provide porta potties for the Antique Car Show event.

The Board had a lengthy discussion with members of the Allenhurst Fire Department and First Aid Squad concerning information requested by Interlaken Councilman Napoli. Richie Heitmueller explained the relief fund to the Commissioners. Comm. Bolan stated that Councilman Napoli has been invited several times to meetings, but has not come. Mayor McLaughlin stated he was told that Interlaken will go for the ambulance. It was determined that there has been no resolution from Interlaken regarding the new ambulance.

Peter Avakian, Borough Engineer discussed the beach replenishment and stated that he will ask the State for bigger pumps for the pool as the wellpoint system will have to be extended.

Mayor McLaughlin asked if Mr. Avakian had heard anything about the portable cabanas and Mr. Avakian replied that he did call to speak to someone in DEP Enforcement, but has not heard back. It does not look to him as if they are pursuing it.

There was a lengthy discussion on the water tower and a report from Verizon on the condition of same. Mr. Avakian stated that based on that report, Verizon feels the condition of the tower is bad enough that they do not want to maintain their equipment on it. They want the Borough to demolish it and they will put up a monopole.

Mayor McLaughlin asked if the tower could be stabilized and Peter responded that it would be very costly.

After a discussion on monopole versus tower, Comm. Bolan stated that after a while it will be invisible. It is behind buildings. Is the tower a safety issue? Maybe not yet.

Mr. Avakian stated that in 2002 he got an estimate of \$96,000 to rehab and paint the tower. That \$96,000 will be about \$250,000 now. To take it down would cost \$65,000 to \$75,000.

Comm. Bolan suggested moving it to a corner.

Mayor McLaughlin stated he is preparing a letter to go out to residents on other issues such as taxes and he will include something about the water tower and monopole.

The Board next discussed park improvements with Mr. Avakian, including sprinklers, a fitness trail, new equipment and a floating dock.

PUBLIC HEARING

Tim Moriarty stated he went on-line and they offer cell towers in all different designs.

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

After reconvening, the following resolution was considered:

RESOLUTION #7

A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, There is a need for Beach Club personnel for the 2014 beach season;

THEREFORE, BE IT RESOLVED, That the following are hereby hired for the 2014 beach season:

Shuttle Bus Driver

Dennis Driscoll	\$13.00/hr.
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Pool

Michael Traettino	\$5.50/hr.
Frank Traettino	5.50/hr.
Thomas Selden	5.50/hr.

Hayden Hawes	5.50/hr.
Ryan Swearer	5.50/hr.
Michael Griggs	5.50/hr.
Sean Hallman	5.50/hr.
Joey Zemmala	5.50/hr.
Ryan McLoughlin	5.50/hr.
Thomas Portway	5.50/hr.
Clare Bolan	5.50/hr.
Abigail Becker	5.50/hr.
Dean Lamberti	5.50/hr.
Kelli Buell	5.50/hr.
Cole Conti	5.50/hr.
Brandon Dente	5.50/hr.
Shane Mehr	5.50/hr.
Sean Harrington	5.50/hr.

Security

Stephen Rogers	\$11.00/hr.
Devin Wade	8.00/hr.
Gianna Traettino	8.00/hr.
Amanda Dunn	8.00/hr.
Julia Peterpaul	8.00/hr.
Taylor McDonnell	8.00/hr.
Mary Manfredi	8.00/hr.
Brad Comer	8.00/hr.
Brianne Leys	8.00/hr.
Evan White	8.00/hr.
Matthew Johnson	8.00/hr.
Matthew Johnson	8.00/hr.
Kiersten Glynn	8.00/hr.
Justin Silverberg	8.00/hr.
Alexandra Vegh	8.00/hr.
Christopher Shearin	8.00/hr.
Matt Lengyel	8.00/hr.

Swing

Austin Taylor	7.00/hr.
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Cabanas

Johnny Selden	6.00/hr.
Cammeron McIver	6.00/hr.
John McLaughlin	6.25/hr.
Alex Lamberti	6.00/hr.
Michael Lamb	6.00/hr.
Conor McDonnell	6.00/hr.
Christian McLaughlin	6.00/hr.
Donald Kessler	6.00/hr.

Deck

Brandon Kibbe	6.00/hr.
Sean McLoughlin	6.00/hr.
Steven Becker	6.00/hr.
Anthony Russo	6.00/hr.
Matthew Hallman	6.00/hr.
Ryan Wade	6.00/hr.
Albert Piancone	6.00/hr.
James Gallagher	6.00/hr.
Paul Cusa	6.00/hr.
Clayton Hommel	6.00/hr.
Jonathan Gironda	6.00/hr.

Swim Team

Warren Towns	\$2,300/season
Taylor McDonnell	250/season

Maintenance

Tesfaye Deressa	12.00/hr.
Jose Martinez-Rivera	10.00/hr.

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

There being no further business, Comm. McLoughlin moved, seconded by Comm. Bolan, that the meeting be adjourned. Motion carried.

Lori L. Osborn, RMC
Clerk-Administrator