

**MINUTES
JULY 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 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

Notice of a petition to merge Time Warner Cable into a wholly owned subsidiary of Comcast.

ORDINANCE #2014-09 – ESTABLISH PROCEDURE FOR LIENS – FINAL READING

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE 2014-09

AN ORDINANCE AMENDING CHAPTER XI (PROPERTY MAINTENANCE), ADDING SECTION 9-3.6 TO THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF ALLENHURST, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY.

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 regular meeting held June 24, 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 June 24, 2014.

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:

Office Business Systems - \$2,787.00 for lease of the voice recorder
Monarch Electric - \$1,056.00 for materials for snack bar
Morphotrak - \$2,636.59 for maintenance of finger print system
Monmouth Building - \$3,824.83 for materials for ABC
NJ Exteriors - \$3,800.00 for installation of siding on snack bar and office
Party Perfect rentals - \$2,510.00 for inflatables
Pilot Electric - \$2,687.00 for maintenance of pumps
R. Sullivan Electric - \$4,660.00 for completion of electrical work in ABC office
The Home Depot - \$6,070.78 for various materials and supplies for the ABC

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

RESOLUTION #4
**A RESOLUTION TO APPROVE PAYMENT FOR
ELECTRICAL IMPROVEMENTS AT ABC**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, A contract was awarded to Check Electrical Corp. for Allenhurst Beach Club Electrical, Service Upgrades; and,

WHEREAS, The Borough Architect and Project Manager has reviewed the project and recommended payment as provided for in the Architect's Certificate for Payment, dated May 8, 2014, which is on file in the Clerk's office;

WHEREAS, Funds for this purpose shall be provided for in the Capital Account known as "Ord. #2013-02, Sandy Improvement Bond", and the CFO has so certified;

NOW, THEREFORE, BE IT RESOLVED, That Check Electrical Corp. be compensated in the amount of \$133,770.00 for work done in accordance with the Architect's Certificate for Payment, dated May 8, 2014.

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

RESOLUTION #5
A RESOLUTION TO APPROVE CHAPTER 159

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

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 2014 in the sum of \$1,536.08,

which item is now available as revenue from Alcohol Education Rehabilitation Fund pursuant to the provisions of Statute; and,

Section 2

BE IT FURTHER RESOLVED, That a like sum of \$1,536.08 be and the same is hereby appropriated under the caption of Alcohol Ed. Rehab Fund.

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

RESOLUTION #6

A RESOLUTION TO APPROVE MEMBERSHIP IN ALLENHURST FIRE/FIRST AID

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, The Membership Committee of Allenhurst Fire Co. #1 has received an application for membership from Matthew J. Armstrong; and,

WHEREAS, The Membership Committee has advised the Board of Commissioners that the applicant is acceptable for membership;

NOW, THEREFORE, BE IT RESOLVED, That Matthew J. Armstrong is approved for membership in Allenhurst Fire Co. #1, pending a criminal history check; and,

BE IT FURTHER RESOLVED, That the Borough Clerk be and is hereby authorized to execute the necessary paperwork on behalf of the aforementioned applicant.

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

RESOLUTION #7

A RESOLUTION TO REFUND BEACH FEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, Bills were sent out and money collected for membership at the Allenhurst Beach Club; and,

WHEREAS, A refund request was made due to a member becoming employed for the 2014 summer season;

NOW, THEREFORE, BE IT RESOLVED, That the following refund be approved:

Rose Myer for Sofia Escandon - \$291.00

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

RESOLUTION #8

A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following be hired for the 2014 summer season:

Public Works Laborer

Brendan Queenan \$12.00/hr. for no more than 20 hours per week

Recreation

Georgio Young \$7.75/hr.

Jack Ward \$8.00/hr.

BE IT FURTHER RESOLVED, That the following employees be moved to the positions indicated:

Anthony Russo from Deck to Security at \$8.00/hr.
Tom Seldon from Deck to Poolside at \$5.50/hr.
Sean Hallman from Poolside to Deck at \$6.00/hr.

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

RESOLUTION #9

A RESOLUTION TO PAY BILLS & PAYROLL (07/01/14 - 07/15/14)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls totaling \$433,907.57 be approved for payment; and,

BE IT FURTHER RESOLVED, That the July 8th consolidated bill list be attached hereto and made a part thereof.

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

RESOLUTION #10

A RESOLUTION TO APPROVE LEGAL AND 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 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 #11

A RESOLUTION TO CONSIDER MORATORIUM WAIVERS

Andrea Lowe, daughter of Edith Rosso, stated that the windows for the addition did not come in on time. They should be here on Friday. They have no windows or door now. They would like to put in the windows and a temporary door until the permanent door comes in.

Comm. McLoughlin asked how many windows and Mrs. Lowe answered, 7. Comm. McLoughlin stated that five days seems a long time to install 7 windows. He felt it could be done in two days.

Mayor McLaughlin stated that these waivers are really for emergencies only and Mrs. Lowe stated that right now, anyone can walk into the house through the addition.

Adele Gannon, a neighbor of Mrs. Rosso, stating that she and her husband had no objection. They are in favor of them completing the job.

As there were no further comments, the following resolution was then considered:

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Borough has received several requests for the waiver of the provisions of the construction moratorium; and,

WHEREAS, The Board of Commissioners has reviewed the waiver requests; and,

WHEREAS, Under the provisions of granting approval for a waiver for the period ending 5 PM on July 22, 2014, the following provisions shall be adhered to:

1. No construction activities prior to 8:00 AM or after 5:00 PM daily.
2. No construction activities on Friday, Saturday or Sunday.
3. No dumpsters on property or heavy equipment permitted. No construction debris on outside of property.
4. All contractor's vehicles must be parked in the driveway when possible.

NOW, THEREFORE, BE IT RESOLVED, That the following requests for waiver of the provisions of the construction moratorium are hereby approved:

1. Edith Russo, 316 Allen Avenue
Installation of windows and door

DECISION: Waiver GRANTED for 3 days. Applicant must call Borough Hall

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

PUBLIC HEARING

Dennis Sternberg stated that the town had been kind enough to grant him a couple of days waiver from the construction moratorium. Unfortunately, they do not have the right Azak. The project is 95% done. They need several more days. There will be no noise. They have to put the strip around the roof. It leaks when it rains.

Comm. McLoughlin stated that the procedure is spelled out in the ordinance. They have to re-notice.

Dr. Sternberg stated that they thought they would be finished. He had a big argument with them. They tried to start this project in December, but the weather did not cooperate. He has had damage to his house from the pile driving. He does not want any more damage. This is not major stuff.

Comm. Bolan stated that they were granted two days. If they have not used them yet, they still have two days. Please call Ms. Osborn when you need those two days.

Rachel Tawil spoke about a party she wanted to have for her daughter's birthday. She would like to have it on the beach. There will be about 50 children around 10 or 11 years of age.

Mayor McLaughlin stated this is an unusual request. They have some concerns.

Comm. McLoughlin asked about adult supervision and Mrs. Tawil stated there will be family members there and she can hire teenage counselors.

Mayor McLaughlin asked if it would be on a weeknight and Mrs. Tawil stated she would be accommodating as to the day of the week.

Comm. McLoughlin asked the times and Mrs. Tawil stated it will be from 7 PM to 10 PM.

Comm. McLoughlin stated that his thought was to grant the request, but there must be a mechanism for cleanup.

Comm. Bolan asked if a cabana would be open and Mrs. Tawil answered, no.

Mayor McLaughlin wondered about a liability issue.

Comm. Bolan asked if Mrs. Tawil had a friend with a cabana. They can get the electric from

that cabana and hire the proper employees through that cabana. They should hire at least two employees. They will need the bathrooms open and someone should be there to act as security and to make sure everything is cleaned up. It is his recommendation that that is the way she should go.

Mrs. Tawil stated she does have a friend with a cabana and she will talk to her.

OTHER ITEMS

Peter Avakian, Borough Engineer, reviewed the following report:

Cedar Avenue Groin (Army Corps Beach Fill)

After numerous reports, meetings, and discussions, the US Army Corps has agreed to *not recommend notching* the Cedar Avenue groin (jetty). The beach fill project remains on schedule for a September/October receipt of bids, and fall to winter construction period.

Ocean Avenue Guide Rail

The County of Monmouth completed installation of the guide rail at Corlies and Ocean Avenues on Wednesday, June 25th. The design plan was completed by our office, accepted by the County of Monmouth, and was compliant with current guide rail design standards.

Flood Elevation Certificates

Our office has completed flood elevation certificates for the ABC Restaurant, Snack Bar, and Beachclub Office buildings. These documents certify elevation compliance of these structures with FEMA flood hazard elevations, for purposes of securing flood insurance.

Parking Lot Repaving – 417 Euclid Avenue, Loch Arbour

On behalf of the Borough, our office observed milling and paving of the existing parking lot and driveway servicing 417 Euclid Avenue in Loch Arbour. This is the property over which an easement allows our DPW vehicles accesses to Loch Arbour.

Construction was completed last week, and our office observed milling operations and inspected after paving was complete. We intend to inspect the site after a rain event, to observe how surface runoff was improved through regrading of the parking lot.

We previously provided the Borough with a memo regarding the proposed construction cost share alternatives.

Allen Avenue Street End Vacation

Our office has contacted the Monmouth County Park System, and recommends consideration of an application for County Open Space grant funding. This would provide monies to complete vacation and improvements to the oceanfront end of Allen Avenue.

It would be complimentary to the recommended beach fill access requested from the Army Corps, and the repaving of Allen Avenue, which we hope to again submit for Transportation Trust Fund grant monies this year.

Water Tower

We attended meetings with the Borough and Verizon representatives to discuss alternatives regarding communication facilities on the Borough water tower.

We have been advised of Verizon representatives attending the next meeting of the Board of Commissioners on July 22nd, and will be available to attend.

Railroad Park Plaza Irrigation

As discussed in our meeting, the proposed irrigation improvements will be reviewed with the Board of Commissioners and Doug Caron. If necessary, we will meet with the Mayor and Doug to discuss any proposed improvements.

Ambulance Specifications

Our office has completed a draft set of specifications for the ambulance purchase. We will provide a copy to the Borough to review, prior to the Borough's submission to the Village of Loch Arbour and Borough of Interlaken.

ABC Restaurant Construction

Our office will monitor site improvements outside the 'building envelope' during construction. To date, the contractor has completed the underpinning of the adjacent Beach Club bathhouse building. Building excavation and construction of footings and foundation improvements will follow.

Dr. Sternberg spoke about the effluent from the Asbury Park sewer pipe. He stated the pipe has holes in it and it may be a good time to recommend to the Army Corps that it be repaired. Mr. Avakian stated that the outfalls are all mapped, but he could bring it up.

Mr. Avakian stated he spoke to the DEP about an access to the beach from Allen Avenue and they have made a formal request to the Army Corps of Engineers for them to include that access as part of the project. There was some discussion on whether they would include the repair of the seawall also. Mr. Avakian stated they can ask and see what happens.

Mayor McLaughlin asked if the seawall should be repaired now while they are doing the restaurant and Mr. Avakian stated it needs a better assessment.

The Sternbergs asked if the railings on the north end of the boardwalk could be repaired and the pots planted. Mayor McLaughlin asked Ms. Osborn to look into it.

Bob Scally spoke about the Asbury Park school system and asked if they would be better off sending their children to Long Branch. Mayor McLaughlin stated it is a good question, but it should really be addressed to the Board of Education.

Tim Moriarty spoke about a calendar of events, stating a race was cancelled and the cancellation was not put on the calendar.

There was a short discussion regarding the rent to be paid by the Steakhouse for the use of a portion of the Borough's parking lot for their garbage and recycling bins. There was a request that the rent be \$50 per month for the first year rather than the \$100 per month that the Board is requesting. After some deliberation, the Board decided that they would not consider anything less than \$100 per month.

There being no further comments or any further business, the meeting adjourned to caucus. After reconvening, the following resolutions were considered:

RESOLUTION #12 A RESOLUTION TO REIMBURSE PAYMENT FOR MILLING AND GRADING OF EASEMENT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, It has been brought to the attention of the Board of Commissioners, that the parking lot at 417 Euclid Avenue, Loch Arbour, has had some drainage issues caused, in part, by an easement over that property on which Borough public works vehicles travel to get to the public works yard; and,

WHEREAS, The owner of 417 Euclid Avenue, has requested that the Borough contribute to the re-paving of the lot and help to alleviate a drainage problem in the lot; and,

WHEREAS, the Borough Engineer has reviewed the lot and the easement and has submitted a report to the Board of Commissioners; and,

WHEREAS, Tim Henry, owner of the property, has secured two quotes and the Borough Engineer has submitted their report on what they feel would be the Borough's share of the cost for grading and paving of the easement; and,

WHEREAS, Funds are available for this purpose in the Capital Account entitled, "Ord. #2005-11 – Sewer Improvements", and the CFO has so certified;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that the amount of \$5,976.59 be refunded to Provident Investor's, LLC as the Borough's share of the cost of grading and paving the easement which runs through the parking lot at 417 Euclid Avenue, Loch Arbour, as provided for in the Borough Engineer's estimate and the estimate provided by Mr. Henry.

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

RESOLUTION #13

A RESOLUTION TO SET STIPENDS FOR CERTAIN DUTIES AT ABC

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, The Board has contracted with MVP to provide professional pool cleaning services on Tuesday, Wednesday, Friday and Saturday; and,

WHEREAS, The pool needs to be cleaned and the deck washed on Monday, Thursday and Saturday evenings and the Board of Commissioners wish to provide a stipend for this duty as it is above and beyond the normal scope of work for any of the job descriptions at the Allenhurst Beach Club; and,

WHEREAS, It shall be the responsibility of Beach Club Management to schedule these duties and to provide for same on the time sheets which are turned in to the administration offices;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, that a stipend of \$90.00 per cleaning be provided for those employees who are scheduled to clean the pool and deck on Monday, Thursday and Saturday during the 2014 summer season.

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

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

Lori L. Osborn, RMC
Clerk-Administrator