

**MINUTES
FEBRUARY 10, 2015**

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 the Allenhurst Public Works Department.

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

Report from Code Enforcement Officer.

Notice of Open House for property owners regarding flood risk.

Resolution from Tinton Falls Supporting, Recognizing and Honoring the Service of Law Enforcement Officers.

Letter from Luna and Jonathan Zemmol asking that the ball field at the end of Spier Avenue be saved.

Notice from NJ American Water of a petition to change levels of purchased water and wastewater.

Notice of DEP application filed by JCP&L for removal of vegetation and cutting of trees.

ORDINANCE #2015-01 ADOPTED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2015-01

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ALLENHURST,
CHAPTER II, ADMINISTRATION**

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

ORDINANCE #2015-02 ADOPTED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2015-02

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ALLENHURST,
CHAPTER III, NOISE**

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

ORDINANCE #2015-03 APPROVED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2015-03

**AN ORDINANCE TO AMEND THE CODE OF THE BOROUGH OF ALLENHURST,
CHAPTER X, BEACH REGULATIONS**

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

ORDINANCE #2015 – 04 APPROVED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2015-04

BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO BOROUGH HALL AND FOR THE PURCHASE OF COMPUTER EQUIPMENT, AND APPROPRIATING \$100,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$95,000 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

ORDINANCE #2015 – 05 APPROVED

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

ORDINANCE #2015-05

BOND ORDINANCE PROVIDING FOR PURCHASE OF EQUIPMENT FOR THE PUBLIC WORKS DEPARTMENT, AND APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$332,500 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 RATIFY AND APPROVE MINUTES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the minutes of the regular meeting held January 13, 2015, 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 January 13, 2015.

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

RESOLUTION #3

A RESOLUTION TO HIRE PRE-SEASON EMPLOYEES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, that the following be hired for pre-season work at the Allenhurst Beach Club:

Jeffrey Mansfield - \$12.00/hr.

Donald Deibert - \$15.00/hr.

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

RESOLUTION #4
A RESOLUTION TO HIRE PAID FIREFIGHTER

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, The Allenhurst Fire Department has requested that the Borough hire a paid firefighter/maintenance person to be stationed at the Allenhurst firehouse for a 30 hour work week between 6 AM and 6 PM, Monday through Friday; and,

WHEREAS, The Board has determined that these are extraordinary unspecifiable services, which are specialized and qualitative in nature requiring expertise, extensive training and proven reputation in the field of endeavor as per N.J.S.A. 40A:11-2(7); and,

WHEREAS, A quote was obtained from JHH Services, LLC, in the amount of \$2,000 per month for firefighter/maintenance services, payable through monthly invoices to the Borough of Allenhurst; and,

WHEREAS, Funds for this purpose shall be provided for the first three months of 2015 in the 2015 Temporary Budget and funds for the balance of 2015 will be provided for in the budget for the year 2015 when finally adopted;

NOW, THEREFORE, BE IT RESOLVED, That a contract be awarded to JHH Services, LLC for firefighter/maintenance services at the Allenhurst firehouse at a cost of \$2,000.00, beginning January 1, 2015 and expiring December 31, 2015.

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

RESOLUTION #5
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:

Morton Salt - \$1,712.34 – Road salt
Burke Construction - \$3,500.00 – snow removal
Security World - \$1,100.04 – sewer pit monitoring
Home Depot - \$1,137.00 – Supplies for ABC office

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

RESOLUTION #6
A RESOLUTION TO APPROVE TRANSFER OF APPROPRIATION RESERVES

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following transfer of appropriation reserves are hereby approved:

<u>FROM</u>	<u>TO</u>	<u>AMOUNT</u>
Gasoline	Telephone	1,263.00
Garbage & Trash, OE	Beach, OE	800.00
Gasoline	Natural Gas	840.00
Garbage & Trash, OE	Recycling	840.00
TOTAL		3,743.00

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

RESOLUTION #7

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 2015 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 2015 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$6,525.12;

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:

Finance, O.E.	\$2,500.00
Deal Lake Commission	2,028.12
Snow, S&W	<u>2,000.00</u>
TOTAL	6,525.12

2. That said emergency temporary appropriations will be provided for in the 2015 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 #8

**A RESOLUTION TO APPROVE CHANGE ORDER FOR
CONSTRUCTION OF ABC RESTAURANT**

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, A contract was awarded to Santorini Construction, Inc., for construction of the Allenhurst Beach Club Restaurant; and,

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

1. Additional Foundation Waterproofing (DEP Requirement) - \$5,652.00.
2. Repair of Storm Damaged Seawall – 21,183.00.
3. Extend Water Line in Street to Building - \$18,343.00.

WHEREAS, Santorini Construction, Inc., has submitted a request for a Change Order for the additional work in the amount of \$45,178.00, which request has been reviewed by the Borough Architect and Borough Engineer, and found to be acceptable;

NOW, THEREFORE, BE IT RESOLVED, That Change Order No. 3 in the amount of \$45,178.00 be approved, thereby amending the contract total to \$2,539,880.00.

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

RESOLUTION #9

A RESOLUTION TO APPROVE PAYMENT #6 FOR ABC RESTAURANT CONTRACT

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, A contract was awarded to Santorini Construction for the construction of the restaurant at the Allenhurst Beach Club; and,

WHEREAS, The Borough Architect has reviewed the project and recommended payment #6 as provided for in a letter dated January 19, 2015, which is on file in the Clerk=s office;

WHEREAS, Funds for this purpose shall be provided for in the Capital Account known as 2013-02, Hurricane Sandy relief, and the Treasurer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That Santorini Construction be compensated in the amount of \$218,183.73 for work done in accordance with the Borough Architect.

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

RESOLUTION #10

A RESOLUTION TO APPROVE BIKE RIDE

Offered By: Comm. Bolan

Seconded By: comm. McLoughlin

WHEREAS, The National Multiple Sclerosis Society's New Jersey Metro Chapter has requested permission to run a portion of their Coast the Coast Bike MS Ride through the Borough of Allenhurst on May 16, 2015; and,

WHEREAS, The National Multiple Sclerosis Society has provided a route which will take the bike ride down Ocean Avenue, starting at approximately 8:00 AM and ending at approximately 3:00 PM; and,

WHEREAS, A Certificate of Insurance has been provided; and,

WHEREAS, The Police Chief 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 National Multiple Sclerosis Society's New Jersey Metro Chapter to run a portion of their bike ride through Allenhurst on May 16, 2015.

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

RESOLUTION #11

A RESOLUTION TO APPROVE CANCELED CHECKS

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following outdated checks be and are hereby canceled:

<u>Account</u>	<u>Amount</u>	<u>Date</u>
Court – General Account	\$2.00	2/14/14
Court – General Account	\$0.99	6/9/14

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

RESOLUTION #12

A RESOLUTION TO EXTEND DATE FOR PAYMENT OF SUPPLEMENTAL TAX BILL

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, the Board of Education of the Borough of Allenhurst had a special budget question on the ballot in November, 2014 to raise school taxes; and,

WHEREAS, the question was approved by the voters and a supplemental tax bill had to be created in order to provide the additional revenue; and,

WHEREAS, the supplemental tax bills will be mailed out on January 28, 2015;

NOW THEREFORE BE IT RESOLVED, That an interest free period has been extended to the twenty-third calendar day of February 2015, and is authorized pursuant to RS 54:4-67, (PL 1994, Chapter 72). If payment for this supplemental tax bill is received after the twenty-third calendar day of February 2015, interest at the rate of eight (8%) percent per annum will be charged on the first \$1,500.00 of the delinquency and eighteen (18%) percent per annum of any amount in excess of \$1,500 from February 1, 2015 to the date payment is received in the Office of the Tax Collector; and,

BE IT FURTHER RESOLVED, That this resolution is to be in effect for the supplemental Board of Education Tax bill for the first installment of the 2015 tax quarter only and does not affect past or future tax quarters.

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

A RESOLUTION TO DROP MEMBERS FROM ALLENHURST FIRE DEPARTMENT

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

Jonathan Costanzo Joseph Ryan;

Matthew Griffin Jayson Moore

RESOLUTION #14

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

WHEREAS, The Monmouth County Sheriff=s Office, a local unit, has been providing the following through a Shared Services agreement which expired on December 31, 2014:

1. Emergency Telecommunications and serving as the Public Safety Answering Point (PSAP).
2. Computer related services to support any call-taking and dispatching functions.

WHEREAS, It is in the best interest of the Borough of Allenhurst to continue this agreement for a period ending December 31, 2019, in accordance with the terms of a contract on file with the Borough Clerk;

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 to execute a Communications Shared Services Agreement with the Monmouth County Sheriff=s Office; and,

BE IT FURTHER RESOLVED, That the Borough Clerk forward a certified copy of this resolution, along with the executed Shared Services Agreement to the Monmouth County Sheriff's Office, P.O. Box 1255, 2000 Kozloski Road, Freehold, NJ 07728.

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

A RESOLUTION TO APPROVE 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 personnel matters which are exempt from the public meeting under the Sunshine Law.

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

RESOLUTION #16

A RESOLUTION TO PAY BILLS & PAYROLL (1/15/15 - 1/31/15)

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That bills and payrolls for January 27th totaling \$454,607.73 be confirmed and bills and payroll for February 10th, totaling \$603,452.47 be approved for payment; and,

BE IT FURTHER RESOLVED, That the January 27th and February 10th consolidated bill list be attached hereto and made a part thereof.

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

PUBLIC HEARING

Mayor McLaughlin gave kudos to the Fire and First Aid Department for their assistance at the Ocean Grove Fire.

Tim Moriarty stated it was great that the Commissioners were thinking about providing wifi at the Beach Club. He asked if they had given any thought to places where people can plug in.

Mayor McLaughlin stated that they had not thought about it.

Mr. Moriarty stated that at earlier meetings the Board spoke about a new facility charge. Mayor McLaughlin stated it was part of the new ordinance they introduced this evening.

Mayor McLaughlin asked Mr. Caron, Public Works Superintendent, if they could plant shrubbery around the garbage area at the Beach Club. Doug stated they would be able to do that.

There was some discussion of a date for a budget workshop and the following resolution was considered:

RESOLUTION #17

A RESOLUTION TO AUTHORIZE BUDGET WORKSHOP

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That a workshop to discuss the 2015 Municipal Budget be set for Saturday, February 21, 2015, at 10:00 AM; and,

BE IT FURTHER RESOLVED, That the Borough Clerk is hereby authorized to send the required notice for said workshop meeting.

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

There was a discussion on abandoned properties in which Mayor McLaughlin asked if there was any harm in sending a letter to the bank, stating the Borough will take action under the Abandoned Property Act.

Dave Laughlin, Borough Attorney, stated the problem is you can't write a summons against the bank as they have not foreclosed on the property. They probably will not foreclose while the property is in bankruptcy. He stated the Code Enforcement Department can write summonses to the homeowner, and Mayor McLaughlin stated he is doing that, but the owner does not show up for court.

Comm. Bolan suggested calling to see whether they are still in bankruptcy.

Wynn Phillips, Beach Club Manager, spoke about some budget issues.

Comm. McLoughlin asked him whether they had enough radios and Mr. Phillips stated they will need two more as they will have to hire two additional security personnel. They also need to replace three or four units.

There was discussion about putting money in the budget to sell apparel.

Mr. Phillips stated that if they get beach replenishment, he will need two more beach vehicles. If two is not possible, at least one would be appreciated.

Chris Rogers, Facilities Manager, explained that they use the same vehicle to pick up trash and to take the handicapped down by the jetty. They really should have two different vehicles.

There was some discussion as to whether a beach vehicle can be bonded.

Mr. Phillips stated he would like another lifeguard boat.

There was some discussion on opening and closing dates and the Board decided the Club will open on Memorial Day weekend and be open weekends only until June 18, at which point it will be open daily. The Club will close on September 13, 2015.

Mayor McLaughlin noticed that Rose O’Conner has entered the meeting. He stated he received her text regarding the Antique Car Show and the Flea Market. He asked Ms. O’Conner if she had been charging for tables at the flea market to which Ms. O’Conner answered yes. Mayor McLaughlin stated that it was an issue for the town. They cannot use public property for a business to make a profit.

Ms. O’Conner stated the charge was to help defray advertising costs. She stated the Mayor spoke to her about a Chamber of Commerce. She wears many hats and was very busy then, but is less busy now and would consider it. She thinks she has enough experience and information that if she had the cooperation of the town and other business, it would be a major advantage.

Comm. Bolan stated a Chamber of Commerce is a private enterprise and has nothing to do with the Borough.

Mayor McLaughlin stated that he is in the process of setting up a meeting with the town’s business to talk about forming a Chamber of Commerce. He has an expert coming to speak to everyone.

Ms. O’Conner stated she appreciated the Borough’s support over the years. She presented the Commissioners with an invitation to the wine and cheese event on Thursday.

Comm. Bolan stated that the Borough can give permits for using Borough space and he asked the Borough Attorney to work on such an ordinance.

There being no further comments the meeting adjourned to caucus. After reconvening, Comm. McLoughlin moved, seconded by Mayor McLaughlin, that the meeting be adjourned at 9:40 PM. Motion carried.

Lori L. Osborn, RMC
Clerk-Administrator