

MINUTES
January 10, 2023

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding, Commissioner McLoughlin, and Commissioner Cumiskey answering the roll call. Also in attendance was the Borough Clerk and Borough Attorney.

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 Public Hearing from New Jersey Natural Gas, to be held virtually on January 23, 2023, regarding their Annual Review and Revision of Societal Benefits Charge Factors.
- Township of Ocean Ordinances #2407 Amending and Supplementing Chapter 21 of the Comprehensive Land Ordinance
- Notice of Public Hearing from the NJDEP, to be held virtually on February 2, 2023, regarding the FY2023 Annual Fee Report and Assessment of Fee.

ORDINANCES

ORDINANCES FIRST READING

ORDINANCE #2023-01 – First Reading

ORDINANCE #2023-01

AN ORDINANCE TO AMEND THE ORDINANCE ENTITLED, "AN ORDINANCE FIXING THE SALARIES OF ALL APPOINTED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ALLENHURST IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY (EXCEPTING MEMBERS OF THE POLICE DEPARTMENT)"

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, COUNTY OF MONMOUTH, AS FOLLOWS:

SECTION I. That Ordinance No.: 2022-01 entitled “*An ordinance fixing the salaries of all appointed officials and employees of the Borough of Allenhurst in the County of Monmouth and State of New Jersey (excepting members of the police department)*” be and is hereby revised and amended to read as follows:

Section 1.

The salaries to be paid to elected and appointed officials, and employees of the Borough of Allenhurst, County of Monmouth (excepting members of the Police Department) and the time and payment for same is hereby affixed as follows:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Borough Clerk/Administrator	\$40,000.00	\$150,000.00
Commissioner	\$1,500.00	\$3,000.00
Mayor	\$1,750.00	\$5,000.00
Dep. Borough Clerk/ Dep. Treasurer/ Administrative Assistant	\$20,000.00	\$60,000.00
Finance Clerk/Beach Membership Administrator	\$20,000.00	\$80,000.00
Part-Time Office Staff	\$12 per hour	\$30 per hour

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Records Coordinator	\$2,500.00	\$6,500.00
Registrar	\$1,000.00	\$1,500.00
Deputy Registrar	\$500.00	\$1,000.00
Public Works	\$27,000.00	\$80,000.00
Public Works Forman	\$500.00	\$2,500.00
Public Works Superintendent/Sewer Operator	\$50,000.00	\$130,000.00
Full-time Communication Officer	\$31,200.00	\$50,000.00
Part-time Communication Officer	\$15.00 per hour	\$20.00 per hour
TAC Officer	\$2,000.00	\$4,000.00
Emergency Management Police Coordinator	\$1,500.00	\$4,000.00
Emergency Management Administrator	\$1,500.00	\$4,000.00
SLEO I	\$15.00 per hour	\$17.00 per hour
SLEO II	\$17.00 per hour	\$20.00 per hour

- A. A clothing and maintenance allowance in the amount of \$600.00 annually shall be provided to all full-time DPW employees. Said allowance shall be paid annually on November 15th and shall be pro-rated accordingly.
- B. A clothing and maintenance allowance in the amount of \$375.00 annually shall be provided to all full-time Communication Officers. Said allowance shall be paid bi-annually on June 15th and December 15th and shall be pro-rated accordingly.

Section 2.

The following described officials shall receive annual compensation not to exceed the amounts hereafter set forth:

<u>POSITION</u>	<u>MAXIMUM</u>
Tax Assessor	\$10,000.00
Tax Collector	\$10,000.00
Municipal Court Judge	\$25,000.00
Code Official	\$25,000.00
Zoning Inspector	\$15,000.00
Recycling Coordinator	\$2,500.00
Right-To-Know Coordinator	\$2,500.00
Board of Health Officer	\$3,000.00
Clean Communities Coordinator	\$1,500.00
Certified Pool Operator	\$1,500.00
Planning Board Secretary	\$17,000.00
Sewer Collector	\$4,000.00
Treasurer	\$2,500.00

<u>POSITION</u>	<u>MAXIMUM</u>
Special Event Fire Inspector (part time as needed)	\$50.00/hr.
Webmaster	\$1,000.00

SECTION II.

All Ordinances, or parts of ordinances, in conflict with the within Ordinance or portions of same, are hereby repealed to the extent of their inconsistency.

SECTION III.

The within Ordinance shall take effect twenty (20) days after adoption and publication according to law and shall be retroactive to January 1, 2023.

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

ORDINANCE #2023-02 – First Reading

**ORDINANCE 2023-02
AN ORDINANCE REVISING THE HANDICAPPED
PARKING ORDINANCE OF THE BOROUGH OF
ALLENHURST.**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that the Handicapped Parking Ordinance, Section 7-39, needs to be revised; and

WHEREAS, the Borough Council of the Borough of Allenhurst has determined it is in the best interests of the community to revise the Handicapped Parking Ordinance to add an additional dedicated space;

NOW THEREFORE, BE IT ORDAINED by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented as follows:

I. That Chapter VII, section 17-39 of the Borough of Allenhurst Revised General Ordinances be and is hereby revised to add a newly dedicated handicapped parking space along Main Street as follows:

Street	Side	No. of Spaces	Location
Main Street	Westerly	1	Along the Westerly side line directly in front of 535 Main Street.

II. REPEALER. All other sections and subsections of Borough Code of the Borough of Allenhurst not specifically amended by this Ordinance, shall remain in full force and effect.

III. INCONSISTENT ORDINANCES. All other Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed as to such inconsistency.

IV. SEVERABILITY. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

V. AND IT IS FURTHER ORDAINED that this Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

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

RESOLUTIONS

RESOLUTION #2023-01

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

BE IT RESOLVED, That the minutes of the Regular Meeting of December 13, 2022 be ratified and approved.

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

RESOLUTION #2023-02

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

BE IT RESOLVED, That the Clerk dispense with the reading of the Regular Meeting of December 13, 2022.

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

RESOLUTION #2023-03

A RESOLUTION TO APPOINT OFFICIALS

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

BE IT RESOLVED, That the following officials of the Borough of Allenhurst are hereby appointed effective January 1, 2023, through December 31, 2023:

ADA Compliance Officer	Donna M. Campagna
Administrative Assistant	Patricia Lynch
Assessment Search Officer	Donna M. Campagna
Borough Clerk/Administrator	Donna M. Campagna
Borough Treasurer	Kevin Rogers
Certified Pool Operator	Marc Heitmueller
Certified Pool Operator	Mike Powers
Chief Financial Officer	Wayne Silbia
Code Official	Michael Mulcahy
Community Development Rep.	Donna M. Campagna
Alternate Community Development Rep.	Patricia Lynch
Deal Lake Representative	Bruce Fromer
Deal Lake Representative – Alternate	Anthony Mauro
Dep. Comm. Development Rep.	Patricia Lynch
Deputy Borough Clerk	Patricia Lynch
Deputy Borough Treasurer	Patricia Lynch
Finance Clerk/Beach Membership Administrator	Noel Benkoil
Fund Commissioner (JIF)	Donna M. Campagna
Board of Health Officer	Donna M. Campanna
Mercantile License Officer	Donna M. Campagna
Personnel Officer	Donna M. Campagna
Planning Board Secretary	Kelly Barrett
Public Agency Compliance Officer	Donna M. Campagna
Public Works Superintendent/Sewer Operator	Marc Heitmueller
Public Works Foreman	Richard Duchatkiewicz
Qualified Purchasing Agent	Barbara Kovelesky
Records Coordinator	Kelly Barrett
Recycling Coordinator	Marc Heitmueller
Registrar	Donna M. Campagna
Deputy Registrar	Patricia Lynch
Right to Know Coordinator	Miguel Castillo
Clean Communities Coordinator	Donna M. Campagna

Sewer Collector	Noel Benkoil
Sewer System Operator	Marc Heitmueller
TAC Officer	Jason Henry
Tax Assessor	Gail Scaglione
Tax Collector	Carla Tomas
Tax Search Officer	Carla Tomas
Zoning Inspector	Michael Mulcahy

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

RESOLUTION #2023-04
A RESOLUTION TO APPOINT EMERGENCY MANAGEMENT COUNCIL

Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

BE IT RESOLVED, That the following be appointed to the Allenhurst Local Emergency Planning Council (LEPC) for a term, expiring December 31, 2023:

<u>Elected Officials</u>	
David J. McLaughlin	Mayor/Director of Public Safety - OEM Coordinator
Christopher J. McLoughlin	Deputy Mayor/Director of Finance
Richard Cumisky	Commissioner/Director Public Works

<u>Police, Fire, Emer. Mgt, First Aid, Health, Environmental, Hospital, Public Works</u>	
Michael Schneider	Deputy Emer. Mgt. Co-ord.
Michael DiBona	Police Coordinator.
David Lipari	Deputy Coordinator
Donna M. Campagna	Clerk-Administrator/ OEM Administrator
Carla Ward	EMS Coordinator/FAS Captain
Marc Heitmueller	Superintendent of Public Works
Jason Henry	TAC Officer
Michael Powers	Fire Coordinator/Fire Chief
Monmouth County Regional Health Commission	Health Coordinator/Health Officer

<u>Broadcast & Print Media</u>	
Patricia Lynch	Public Information Officer

<u>Community Groups</u>	
Peter Genovese	Board of Education Secretary-Administrator

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

RESOLUTION #2023-05
A RESOLUTION TO CONFIRM PLANNING BOARD MEMBERS

Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

BE IT RESOLVED That the following are hereby appointed members of the Planning Board for the terms indicated:

Class I Member
David J. McLaughlin which term commenced on May 5, 2020 terminate on May 7, 2024 or such earlier date as the Mayor’s official tenure ends.

Class II Member (1 Year Term)
Kevin G. Rogers for a term expiring December 31, 2023

Class III Member
Christopher J. McLoughlin which term commenced on May 5, 2020 and terminate on May 7, 2024 or such earlier date as the Deputy Mayor’s official tenure ends.

Class IV Members (4 Year Term)
Frieda Shalam for a term expiring December 31, 2023
Bernie Costello for a term expiring December 31, 2024
Joseph Tomaino for a term expiring December 31, 2023

Geraldine Greer Varley for a term expiring December 31, 2026

Paul Schechner for a term expiring December 31, 2026

Alternate Members

Mark Horowitz as Alternate #1, for a term expiring December 31, 2023

Steven Ryan as Alternate #2, for a term expiring December 31, 2023

Adam Greenfield as Alternate #3, for a term expiring December 31, 2023

Designation of Board Member who meets the qualifications of a Class A member of a Historic Preservation Commission pursuant to N.J.S.A. 40:55D-107 et seq. (1 Year Term)

Joseph Tomaino for a term expiring December 31, 2023

Designation of Board Member who meets the qualifications of a Class B member of a Historic Preservation Commission pursuant to N.J.S.A. 40:55D-107 et seq. (1 year Term)

Geraldine Greer Varley for a term expiring December 31, 2023

This resolution was tabled until the January 24, 2023 Meeting.

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

RESOLUTION #2023-06

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN
CONTRACT FOR PROFESSIONAL SERVICES**

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, the Borough of Allenhurst has a need to obtain the following Professional Services, and their services will be provided as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Borough Clerk/Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, each of the following business entities have completed and submitted a Business Entity Disclosure Certification which certifies that they have has not made any reportable contributions to a political or candidate committee serving individually or collectively as the Board of Commissioners in the Borough of Allenhurst in the previous one year, and that the contract will prohibit each from making any reportable contributions through the term of the contract, and

WHEREAS, , The Certified Financial Officer has certified that funds for this purpose shall be provided for the first three months of 2023 in the 2023 Temporary Budget and funds for the balance of 2023 will be provided for in the budget for the year 2023 when finally adopted;,

NOW, THEREFORE, BE IT RESOLVED that the Commissioners of the Borough of Allenhurst hereby authorize the following appointments, and:

Borough Attorney

Birdsall & Laughlin, LLC

Borough Engineer

Peter R. Avakian, PE, PP, of Leon S. Avakian, Inc.

Borough Auditor

Robert A. Hulsart, CPA, RMA
of the firm of Robert A. Hulsart

Borough Bond Counsel

Meghan Bennett Clark of Gluckwalrath

Redevelopment Attorney

McManimon, Scotland & Baumann, LLC

Borough Planner, Redevelopment
Planner, Affordable Housing Coordinator

Jennifer Beahm, PE, PP CME, CPWM .
of Leon S. Avakian, Inc.

Affordable Housing Legal Consultant

Andrew Bayer of the firm
Pashman, Stein, Walder, Hayden, PC

DEP Consultant

John (Jack) M. Van Dalen
Of the firm Van Dalen Brower, LLC

Financial Consultant for Redevelopment

NW Financial Group, LLC

Animal Control Services

Associated Humane Society

Recording and Transcription Services

State Shorthand Reporting

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the Coaster as required by law within ten (10) days from the date hereof; and,

BE IT FURTHER RESOLVED that the Borough Administrator/Clerk shall maintain a copy of this resolution, and the Agreement with the appointees, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #2023-07

A RESOLUTION TO APPOINT PROFESSIONALS

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, There exists a need for professional services for the year 2023; and,

WHEREAS, the Certified Financial Officer has certified that funds for this purpose shall be provided for the first three months of 2023 in the 2023 Temporary Budget and funds for the balance of 2023 will be provided for in the budget for the year 2023 when finally adopted, and the Treasurer has so certified; and,

WHEREAS, These appointments are being made without competitive bidding because the appointments involve members of recognized professions, 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 the following professionals:

Municipal Prosecutor:

Assistant Prosecutor

Borough Physicians

Chief Public Defender

Deputy Public Defender

Technology Management

Technology Management for Beach Club

James Carton IV, Esq.

Jason Shamy, Esq.

Meridian Occupational Health

David Gardner, Esq.

Jason A. Volet, Esq.

Coastal Solutions

Crabnet, LLC

for a term commencing January 1, 2023, through and including December 31, 2023; and,

BE IT FURTHER RESOLVED, That these appointments are contingent upon approval of professional contracts from each appointee; 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; Comm. Cumiskey-AYE; Mayor McLaughlin-AYE

RESOLUTION 2023-08

RESOLUTION TO AUTHORIZE A GRACE PERIOD FOR PROPERTY TAX PAYMENTS AND SET THE INTEREST RATE FOR DELINQUENT PROPERTY TAX PAYMENTS

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, property taxes are due and payable according to law, on the first of February, May, August and November of the calendar year; and,

WHEREAS, pursuant to the provisions of N.J.S.A. 54:4-67, the governing body of the Borough of Allenhurst has determined that it is appropriate to set a grace period for the payment of taxes until the 5th day of February, May, August and November after which the payments shall become delinquent with interest due and payable from the first day of the quarter; and,

WHEREAS, Chapter 75, P.L. 1991, provides for a six percent flat penalty at the close of the fiscal year to be charged on delinquencies over \$10,000; delinquencies being defined as all

unpaid property taxes and municipal charges;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst, the Tax Collector is authorized to charge interest on delinquent taxes from the date that same were first due and payable at 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00.

BE IT FURTHER RESOLVED, that the Board of Commissioners of Allenhurst authorizes the Tax Collector to charge a six (6%) percent flat penalty at the close of 2023 on delinquencies over \$10,000.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

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

RESOLUTION 2023-09

A RESOLUTION TO ESTABLISH A YEAR END PENALTY TO SIX (6%) PERCENT TO BE CHARGED ON THIRD PARTY LIENS ON DECEMBER 31 OF EACH YEAR WHEN THE AMOUNT PAID BY THE LIEN HOLDER IS IN EXCESS OF \$10,000.00

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, NJSA 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement of discount for the late payment of taxes as provided by law; and,

WHEREAS, NJSA 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% to be collected against a delinquency in excess of \$10,000.00 on property that fails to pay the delinquency prior to the end of the calendar year; and,

WHEREAS, NJSA 54:4-67 permits the governing body to fix a penalty of 6% to be charged to a taxpayer with a delinquency in excess of \$10,000.00 who fails to pay that delinquency prior to the end of the fiscal year. If any fiscal year delinquency in excess of \$10,000.00 is paid by the third party lien holder of an outstanding tax sale certificate, the holder or purchaser shall be entitled to receive the amount of the penalty as part of the amount required to redeem such certificate of sale providing the payment is made by the tax lien holder prior to the end of the fiscal year. If the holder of the outstanding tax sale certificate does not make the payment in full prior to the end of the fiscal year, then the holder or purchaser shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall inure to the benefit of the municipality. The penalty so fixed shall not exceed 6% of the amount of the delinquency with respect to each most recent fiscal year only;

NOW, THEREFORE, BE IT RESOLVED, By the Commissioners of the Borough of Allenhurst, That the Tax Collector has the authority to fix a 6% year end penalty to all third party tax sale certificates in excess of \$10,000.00 that have been paid in full by the lien holder prior to the end of the fiscal year and if not paid in full, the lien holder shall be entitled to a pro rata share of the delinquency penalty upon redemption and the balance of the penalty shall be inure to the benefit of the municipality for the 2023 tax year and to become effective immediately.

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

RESOLUTION #2023-10

A RESOLUTION TO AUTHORIZE TAX SALE LIENS

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, There remains on the records of the Borough of Allenhurst delinquent taxes, sewer utility charges and other municipal charges owing as of December 31, 2022; and,

WHEREAS, The statutes of the State of New Jersey, expressly NJSA 54:5 et seq., provide for the enforcement and collection of such delinquencies through a tax lien sale; and,

WHEREAS, The Tax Collector is empowered by statute to conduct and preside over the sale of liens;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, a Municipal Corporation of the State of New Jersey, that the Borough Tax Collector is authorized to conduct a tax lien sale for 2022 delinquent taxes, sewer utility charges and other municipal charges on or before December 31, 2023 and to become effective January 1, 2023.

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

RESOLUTION #2023-11
RESOLUTION AUTHORIZING BOROUGH OF ALLENHURST TO CHARGE TAX
SALE COSTS
FOR PREPARING AND ADVERTISING TAX SALE LIST

Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

BE IT RESOLVED, by the Commissioners of the Borough of Allenhurst that pursuant NJSA 54:5-38 the office of the Tax Collector is to charge a tax sale cost fee of 2% of the amount listed for sale but not less than \$15.00 and not more than \$100.00 dollars for each tax sale item that appears on the Tax Sale List 50 (fifty) days prior to the date of the Tax Sale. The fee is to be charged on all tax sale items that are paid in full prior to the tax sale to become effective January 1, 2023.

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

RESOLUTION #2023-12
A RESOLUTION TO APPROVE INTEREST RATE ON DELINQUENT SEWER
Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

BE IT RESOLVED, That upon the recommendation of the Borough Sewer Collector, interest at the rate of eight per centum (8%) per annum be charged on the first \$1,500.00 of the delinquency and eighteen per centum (18%) per annum on any amount in excess of \$1,500.00 be charged on the first quarterly installment of sewer charges for the year 2023 after February 1, 2023 and on the second quarterly installment after May 1, 2023 and on the third quarterly installment after August 2, 2023 and on the fourth quarterly installment after November 1, 2023 provided that no interest shall be charged if payment of any installment is made within the thirtieth calendar day following the date upon which the same became payable and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency as provided for in NJSA 54:4-67; and,

BE IT FURTHER RESOLVED, As to tax sale certificates, the Sewer Collector is hereby directed to collect 2% when the sewer charges, interest and costs shall exceed the sum of \$200.00. When the sewer charges, interest and costs shall exceed the sum of \$5,000.00, such additional sum shall be equal to 4% of such amount paid; and when that sum exceeds \$ 10,000.00, such additional sum shall be equal to 6% of such amount paid as provided for in NJSA 54:5-61 and shall become effective immediately.

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

RESOLUTION #2023-13
A RESOLUTION TO APPROVE MEETING DATES
Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

BE IT RESOLVED, That pursuant to the Open Public Meetings Act, the Board of Commissioners of the Borough of Allenhurst adopts the following schedule of meetings for the year 2023, said meetings to be held at Borough Hall, 125 Corlies Avenue, on the dates listed at 7:30 P.M., unless otherwise indicated:

January 24	May 23	August 22
February 14	June 13	September 5
March 14	June 27	September 19
March 28	July 11	October 17
April 18	July 25	November 14
May 9	August 8	December 12
		January 9, 2024

BE IT FURTHER RESOLVED, That the Borough Clerk be and she is hereby authorized to publish this resolution in accordance with the Open Public Meetings Act.

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

RESOLUTION #2023-14

A RESOLUTION TO APPROVE NEWSPAPERS

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

BE IT RESOLVED, That the Coaster and the Asbury Park Press be designated as the official newspapers for the insertion of legal notices for the Borough of Allenhurst.

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

RESOLUTION #2023-15

A RESOLUTION TO APPROVE UNEXPENDED BALANCES

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, NJSA 40:A-4, The Local Budget Law, permits budget appropriations to be reserved for expenditures that are now encumbered prior to the close of the fiscal year, or for those undetermined charges from 2022 that will be paid in 2023;

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby reserve all unexpended balances from the 2022 Budget for all unpaid claims for 2022.

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

RESOLUTION #2023-16

RESOLUTION AUTHORIZING PRE-PAYMENT OF CERTAIN BILLS FOR 2023

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, the Borough of Allenhurst has budgeted funds for payment of recurring obligations including, utilities, payroll, debt service, governmental fees and other statutory payments, insurance, and for the advertising, printing and mailing costs of the Borough; and

WHEREAS, timely payment of these items occasionally become due out of time for placement on the next available list of bills and claims, thus inadvertently causing said obligations to be in arrears because of the schedule of Council meetings; and

WHEREAS, the Borough's Chief Financial Officer and Borough Attorney have advised that the governing body may provide for the pre-payment of these items, so that they may be paid in a timely manner to avoid incurring penalties.

NOW THEREFORE, BE IT RESOLVED by the Borough of Allenhurst that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length; and

BE IT FURTHER RESOLVED by the Borough of Allenhurst that the Chief Financial Officer and/or Borough Clerk/Administrator be and are hereby authorized and directed to make pre-payment of the following items prior to the same appearing on the next meeting's list of bills and claims:

1. All Utilities (electric, gas, water, sewer, telephone, cellular telephone, gasoline, diesel fuel, internet providers, and such other regular services as the Borough receives).
2. Borough payroll and payroll agencies.
3. Debt service as evidenced by pre-authorized bonds and/or notes.
4. Health, dental and other insurance premiums and/or claims.
5. Governmental fees and other statutory payments (school, county, sewage authority, state and county fees).
6. Bills pertaining to the advertising, printing and mailing costs of the Borough.
7. Third party fees collected through pre-authorized credit/debit card processing.
8. Bills where vendor discounts, or savings of Taxpayer funds, are granted for timely payment.
9. Inter-fund Obligations.
10. Purchase of investments.
11. Other items with written authorization of the Chief Financial Officer and/or Borough Clerk/Administrator.

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

RESOLUTION 2023-17
A RESOLUTION CERTIFYING COMPLIANCE WITH
N.J.S.A. 40a:4-5, AS AMENDED BY P.L. 2017, C.183.

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964", as amended, 42 U.S.C. § 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Local Government Services in the New Jersey Department of Community Affairs; and;

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body on file with the Municipal Clerk;

NOW, THEREFORE, BE IT AND IT HEREBY IS RESOLVED by the Board of Commissioners of the Borough of Allenhurst, that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c. 183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

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

RESOLUTION #2023-18
A RESOLUTION TO APPROVE DEPOSITORIES

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, Pursuant to Chapter 8, Laws of 1982, the Borough of Allenhurst is required to adopt a Cash Management Plan, including the Designation of a Depository or Depositories;

THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that Kearny Bank and Manasquan Saving Bank and State of New Jersey Cash Management Fund be and are designated as official depository of Borough funds; and,

BE IT FURTHER RESOLVED, That the funds of the Borough shall be invested in interest bearing accounts. The Chief Finance Officer shall see that minimum funds shall be maintained in any non-interest bearing account in such amounts as the Chief Finance Officer shall deem necessary to provide the orderly transition of business by the Borough and to take advantage of any services provided to the Borough by the depository through maintenance of minimum balances in said accounts where the Chief Finance Officer deems it in the best interest of the Borough to do so.

All other monies shall be invested in interest bearing accounts, in investments in which municipal funds may lawfully be invested or in the State of New Jersey Cash Management Fund in such accounts and at such times, from time to time, and the Chief Finance Officer shall deem in the best interest of the Borough; and,

BE IT FURTHER RESOLVED, That the Auditor receive a copy of this resolution.

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

RESOLUTION #2023-19

A RESOLUTION TO APPROVE CASH MANAGEMENT PLAN

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, N.J.S.A. 40A: 5-14 requires that every local unit adopt a Cash Management Plan, and

WHEREAS, the primary objectives of the plan are to preserve the safety of Public funds, seek investment instruments that offer liquidity and maximize interest revenue through authorized legal depositories and approved investment instruments,

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Allenhurst, County of Monmouth, State of New Jersey the following Cash Management Plan for the Borough of Allenhurst be adopted.

BOROUGH OF ALLENHURST **CASH MANAGEMENT PLAN**

INTRODUCTION

The New Jersey Local Fiscal Affairs Law, N.J.S.A 40A: 5-14 requires that every local unit adopt a Cash Management Plan and shall deposit its funds pursuant to that plan. The primary objective of the plan are to preserve the safety of public funds, seek investment instruments that offer liquidity and maximize interest revenue through the use of authorized legal depositories and approved investment instruments.

I. AUTHORITY

a. Borough Council of the Borough of Allenhurst, County of Monmouth.

b. Delegation of Authority Authority to implement the investment program is granted to the Chief Financial Officer. The Chief Financial Officer shall act in accordance with the requirements of the Cash Management Plan, New Jersey Statutes and proper use of internal controls. No other persons may engage in investment transactions except for those subordinate officials of the Chief Financial Officer.

II. STATEMENTS OF POLICY

It shall be the policy of the Borough of Allenhurst, County of Monmouth to adopt a Cash Management Plan, and to authorize the Chief Financial Officer to administer said Plan, for the purpose of deposit and investment of the maximum of available funds in interest bearing instruments. The investment instruments shall be safe, liquid and offer market yields.

Safety of principal is the foremost objective of the Cash Management Plan. Investments shall be undertaken in a manner that seeks to ensure the preservation of capital.

The utilized investment instruments shall remain sufficiently liquid to meet all operating cash requirements that may be reasonably anticipated.

Investments shall be planned with the objective of attaining a market rate, while taking into account legal restriction, risk and liquidity. Return on investment is secondary importance compared to safety.

III. DEFINITIONS

Arbitrage refers to the rules and regulation governing the issuance of Bonds or Notes and the reinvestment of the proceeds at a higher yield. These regulations are promulgated by the Internal Revenue Service, regulation 1.103.

Cash Management Fund is the New Jersey Cash Management Fund. This Fund is one of a number of funds invested by the New Jersey Division of Investments of the Department of Treasury under the jurisdiction of the State Investment Council. The Fund is authorized to receive the invest local unit funds pursuant to N.J.S.A. 40A:5-14.

Certificate of Eligibility is the certification issued by the New Jersey Department of Banking. Division of Banking that a public depository is eligible to act as a depository for public funds and qualifies as a participant in the New Jersey Governmental Unit Deposit Protection Act, GUDPA.

Compensating Balance Account is a bank account at an eligible depository which pays no

interest or interest lower than 2 of 1 percent maximum, in return for specific services, for example check sorting, payroll services, wire transfers and other services.

Eligible Public Depositories is a Banking or Savings and Loan Association with a current certificate of eligibility from the State Banking Department. The Borough of Allenhurst shall designate said depositories, by resolution of the governing body on January 1st of each year in accordance with N.J.S.A. 40A: 5-14.

Eligible Securities are those investment instruments authorized by N.J.S.A. 40A: 5-15.1.

Interest Bearing Account is an account or time deposit in an eligible public depository, earning interest, or any deposit in the State of New Jersey Cash Management Fund.

IV. STANDARD OF CARE

1. The standard of prudence to be sued by those delegated to effect investment transactions on behalf of the Borough of Allenhurst shall be the prudent person standard. Investments shall be made with judgment and care, under circumstances the prevailing, which persons of prudence, discretion and intelligence exercise in the management of their own affairs. Investments shall not be for speculation.

2. Employees involved in the investment process shall refrain from personal business activity that could conflict with the proper execution and management of the investment program, or that could impair their eligibility to make impartial decisions. Employees shall disclose any material interest in financial institutions which business is conducted and they shall refrain from undertaking personal investment transactions with the same individual with whom business is conducted on behalf of the Borough of Allenhurst.

3. The Chief Financial Officer is responsible for establishing and maintaining internal controls. The controls should ensure that the assets of the Borough of Allenhurst are protected from loss, theft or misuse.

V. PROCEDURES FOR RECEIPT OF MONIES

Department Procedures

1. Department Directors will ensure that a receipt is issued in duplicate for all transactions. A copy of the receipt shall be given to the paying party and the duplicate maintained by the issuing department. The receipts shall be pre-numbered, or sequentially numbered if computer generated.
2. All monies collected or received from any source by or on behalf of the Borough, Department, or any Board thereof, shall be forwarded to the Division of Accounts and Control within forty-eight (48) hours of receipt.
3. The Division of Accounts and control will prepare collected revenues for deposit to the designated legal depository.
4. All monies received shall be placed in a secure place until forwarded for deposit.
5. The Department/Division Director shall file with the Chief Financial Officer a monthly report of all monies received in the manner prescribed. The report also will include year-to-date amounts received.
6. No department, division, or agency shall engage in the practice of cashing checks with public funds. Cashing of employee pay checks is included in the prohibition.

Chief Financial Officer

1. All monies collected or received from any source by or on behalf of the Borough shall be deposited within forty-eight (48) hours of receipt of designated banks.
2. Ensure that all monies deposited are in an interest bearing account(s).
3. Where compensating balances are used to offset bank expenses, an agreement between the bank(s) and the Borough shall be executed and reviewed annually.
4. The Chief Financial Officer shall make recommendations of legal public depositories to the Allenhurst Borough Council who shall by resolution designate said depositories at the annual reorganization meeting of the Council. The list of authorized depositories may be amended at any time during the year.
5. Maturity of Investments-Investments shall be limited to maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the

provision of the State Statute or promulgated regulation.

6. Investment Securities - The Chief Financial Officer has the responsibility to determine which investments instruments are best suited for the Borough. However, the Chief Financial Officer shall be authorized only to invest in securities permitted by New Jersey State Statute. No investment shall be made in any depository that does not meet current Federal minimum standard for Leverage Ratio, Tier 1 and Tier 2 Capital Ratio.

Presently, a local unit may permit investments in such institutions as permitted in Section 4 of P.L. 1970, Chapter 236 (6.17:19-44) and other instruments specified as follows:

Mutual Funds backed by the United States Government Obligations
United States Treasury Bills (T-Bills)
Municipal Bonds or Notes
Commercial Bank Deposits and Certificates of Deposit
Repurchase Agreements
Investment in Savings and Loan Associations
United States Government Agency and Instrumentality Obligations
State of New Jersey Cash Management Fund
School District Obligations

All designated depositories must conform to all applicable State statutes concerning depositories of public funds, and all depositories shall obtain the highest amount possible F.D.I.C. and /or F.S.L.I.C. coverage for all municipal assets.

VI. FUNDS EXCLUDED FROM INVESTING

The following types of funds are not required to be placed in interest bearing account:

1. Petty cash funds
2. Cash drawn from a Federal Agency under a letter of credit which has to be paid out within 5 working days to a vendor.
3. Deposit, retainage, or amounts posted by way of bond, held by the local unit for such things as faithful performance, if the local unit would be required by law to pay back any interest earned to the provider of the deposit, except where the local unit is required by law or court decision to invest the funds.

VII. BOROUGH AUDITOR

The Borough investment practices and the agreement of banking services and compensation thereof shall be reviewed by the Borough Auditor as part the annual audit, as required by the N.J. S. A 40A:5-4. Where a conflict exists between this Cash Management Plan and State statute the applicable statute shall govern.

VIII. SURETY BONDS

1. The Chief Financial Officer shall be covered by a surety bond. During the annual audit the municipal Auditor shall examine said bond to determine that proper coverage is in effect.
2. Staff members of the Division of Accounts and Control shall be covered by a Public Employee Faithful Performance Bond (Blanket Bond) in the minimum of \$10,000.00.
 - a. The Chief Financial Officer in accordance with N.J.S. A. 40A:5-14 shall prepare a written monthly investment report and submit same to the Borough Council.

The summary report will be prepared in the manner which will allow the Borough Council and the administration to ascertain whether investment activities during the reporting period have conformed to the Cash Management Plan. The report shall set forth each organization holding local unit funds, the amount securities purchased or sold, class or type of securities purchased, book value, earned income, fee incurred, and market value of all investments as of the report date. Such written report shall be included in the minutes of a regular Borough meeting.

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

RESOLUTION #2023-20
RESOLUTION AMENDING AUTHORIZING EXECUTION OF CORPORATE
RESOLUTION FORMS AND SIGNATURE CARDS REQUIRED BY DEPOSITORIES
Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

BE IT RESOLVED that the following resolution is essential for the operation of the Borough of Allenhurst, County of Monmouth, State of New Jersey, for the year 2023. All disbursements from the Borough accounts, other than those separately listed below, shall be by check only, signed by any three (3) of the following five persons authorized to sign:

Mayor, Deputy Mayor, Treasurer, Deputy Treasurer and Administrator/Borough Clerk

Disbursements from the Borough’s Municipal Court accounts shall be by check only, signed by any (2) of the following 3 persons authorized to sign:

Judge, Court Administrator and Deputy Court Administrator of Bradley Beach as per the interlocal agreement effective January 1, 2023.

BE IT FURTHER RESOLVED that the above individuals are hereby authorized and directed to execute the corporate resolution forms and signature cards required by the depositories named by the Board of Commissioners.

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

RESOLUTION #2023-21
A RESOLUTION TO ESTABLISH 2023 TEMPORARY BUDGET
Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

WHEREAS, NJSA 40A:4-19 of the Local Budget Act provides that (where any commitments, contracts or payments are to be made prior to the final adoption of the 2023 Budget) temporary appropriations should be made for the purpose and amounts required in the manner and time herein provided; and

WHEREAS, the date of this resolution is within the first 30 days of January 2023; and

WHEREAS, **26.25%** of the total appropriations in the 2022 budget exclusive of any appropriations for debt service, relief of the poor and capital improvements is \$1,419,595.00 for current fund and \$86,100.00 for sewer utility; **NOW, THEREFORE, BE IT RESOLVED** that the following temporary appropriations be made:

Current Fund			
Administration	Salaries & Wages	\$	45,000.00
Administration	Other Expenses		11,550.00
Finance	Salaries & Wages		13,500.00
Finance	Other Expenses		4,000.00
Tax Collector	Salaries & Wages		1,800.00
Tax Collector	Other Expenses		2,625.00
Commissioner - Revenue & Finance	Salaries & Wages		400.00
Tax Assessor	Salaries & Wages		2,300.00
Tax Assessor	Other Expenses		1,400.00
Legal	Other Expenses		29,000.00
Tax Appeals	Other Expenses		6,500.00
Engineering	Other Expenses		9,200.00
Planning Board	Salaries & Wages		4,100.00
Planning Board	Other Expenses		9,400.00
Code Enforcement	Salaries & Wages		5,500.00
Code Enforcement	Other Expenses		5,800.00
Worker's Comp.	Other Expenses		49,500.00
Group insurance	Other Expenses		245,000.00

Unemployment	Other Expenses	3,500.00
Other Insurance	Other Expenses	33,550.00
Health Benefit Waiver	Salaries & Wages	2,625.00
Police	Salaries & Wages	320,000.00
Police	Other Expenses	15,750.00
Office of Emergency Management	Salaries & Wages	1,050.00
Office of Emergency Management	Other Expenses	150.00
Deal Lake - Weed Control	Other Expenses	1,200.00
Mayor's Office	Salaries & Wages	500.00
Fire Department	Other Expenses	5,000.00
Contribution to Fire Department	Other Expenses	2,800.00
Aid to Volunteer Ambulance	Other Expenses	1,200.00
Fire Interlocal	Other Expenses	10,600.00
Interlocal - 911	Other Expenses	315.00
Municipal Prosecutor	Salaries & Wages	3,850.00
Interlocal - Interlaken Solid Waste	Salaries & Wages	35,800.00
Celebration of Public Events	Other Expenses	1,575.00
Streets & Roads	Other Expenses	3,200.00
Solid Waste	Salaries & Wages	55,000.00
Solid Waste	Other Expenses	11,000.00
Snow Removal	Salaries & Wages	1,000.00
Snow Removal	Other Expenses	800.00
Buildings & Grounds	Salaries & Wages	400.00
Buildings & Grounds	Other Expenses	14,000.00
Landfill Interlocal	Other Expenses	10,800.00
Maintenance of Motor Vehicles	Other Expenses	13,125.00
Board of Health	Other Expenses	4,100.00
Parks & Playgrounds	Other Expenses	3,800.00
Beach	Salaries & Wages	30,000.00
Beach	Other Expenses	36,750.00
Utility - Electric	Other Expenses	8,100.00
Utility - Street Lighting	Other Expenses	7,800.00
Utility - Telephone	Other Expenses	9,700.00
Utility - Water	Other Expenses	7,500.00
Utility - Natural Gas	Other Expenses	2,600.00
Utility - Fire Hydrant	Other Expenses	6,000.00
Utility - Gasoline	Other Expenses	9,300.00
Utility - Recycling	Other Expenses	12,000.00
OASI	Other Expenses	45,000.00
DCPR	Other Expenses	1,200.00
Animal Control	Other Expenses	650.00
Shared Service – Holmdel		
Finance	Other Expenses	12,100.00
Shared Service – Bradley		
Beach Court	Other Expenses	13,300.00
Municipal Court	Salaries & Wages	5,400.00
Municipal Court	Other Expenses	500.00
Public Defender	Salaries & Wages	500.00
Total Current Fund		\$ 1,211,665.00

Utility Operating Fund

Sewer	Salaries & Wages	\$	23,100.00
Sewer	Other Expenses		52,500.00
Total Utility Operating Fund		\$	75,600.00

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

RESOLUTION #2023-22
AUTHORIZING INCENTIVE TO EMPLOYEES WHO WAIVE HEALTH BENEFITS COVERAGE WHERE EMPLOYEE IS ELIGIBLE FOR OTHER COVERAGE

Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

WHEREAS, the Borough of Allenhurst (“Borough”), as a participating member of the State Health Benefits Program, is permitted to offer an incentive to any full time employee to waive the health benefits coverage offered by the Borough where the employee is eligible for any other health care coverage, and;

WHEREAS, the Mayor & Commissioners have determined that it is in the best interests of the Borough to offer any employee who waives the coverage offered by the Borough, 25 percent of the amount saved by the Borough, or \$5,000, whichever is less. The amount saved by the Borough shall be determined by deducting the employee’s contribution from the premium that would have been due for said employee’s coverage, had the employee not chosen to waive coverage.

NOW THEREFORE, BE IT RESOLVED by the Borough of Allenhurst that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length; and

BE IT FURTHER RESOLVED that, the Borough shall provide payment in lieu of benefits to qualified employees who elect to waive the State Health Benefits Program in favor of electing other coverage said employee(s) is eligible for. Payment shall be in the amount of 25 percent of the amount saved by the Borough, or \$5,000, whichever is less. Payment to be made upon completion of the required forms and will be payable on an annual basis (*or pro-rata, should the employee leave Borough employment prior to year’s end*) on or about December 31st of the year in which the savings were realized by the Borough.

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

RESOLUTION #2023-23
A RESOLUTION TO APPOINT ZONING OFFICER

Offered By: Comm. McLoughlin Seconded By: Comm. Cumiskey

WHEREAS, in accordance with Borough Ordinances §2-12.1, 12.2 & 12.3 and N.J.S.A. 40:72-7, the Borough of Allenhurst shall appoint a Zoning Officer to perform the duties set forth in Ordinance §2-12.4; and

WHEREAS, the Board of Commissioners has elected to proceed pursuant to the provisions of N.J.S.A. 19:44A-20.5 respecting the award of professional contracts and the procedures set forth therein; and

WHEREAS, the Borough Clerk / Administrator, Donna M. Campagna, R.M.C. has determined and certified in writing that the value of the services will not exceed \$17,500; and

WHEREAS, the anticipated term of this appointment is for 1 year; and

WHEREAS, Matt Mariano of Leon S. Avakian, Inc. has indicated that he is willing to act as the Borough’s Zoning Officer at the flat rate of \$9,800.00 for all “Office Hour” services for the year. His review services will be paid for separately from the Development Regulations fees provided for under Ordinance §26-8.1(c); and

WHEREAS, Matt Mariano of Leon S. Avakian, Inc., has completed and submitted a Business Entity Disclosure Certification which certifies that he and the principals of Leon S. Avakian, Inc. have not made any reportable contribution(s) to a political or candidate committee for any presently sitting elected Commissioner of the Borough of Allenhurst in the previous one year, and that the appointment hereby prohibits Matt Mariano and the principals of Leon S. Avakian, Inc. from making any reportable contributions through the term of the contract, and

WHEREAS, Funds for this purpose shall be provided for the first three months of 2023 in the 2023 Temporary Budget and funds for the balance of 2023 will be provided for in the budget for the year 2023 when finally adopted;

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length; and

BE IT FURTHER RESOLVED, that Matt Mariano of Leon S. Avakian, Inc. be and is hereby appointed to act as the Zoning Officer in accordance with Borough Ordinances §2-12.1 et seq. and N.J.S.A. 40:72-7 for the period from the date of adopting of this Resolution for one year or until such time thereafter as a successor is appointed. Mr. Mariano and Leon S. Avakian, Inc. agree to provide his services as the Zoning Officer during that period; and

BE IT FURTHER RESOLVED, that the Business Entity Disclosure Certification and the Determination of Value be placed on file with this resolution; and

BE IT FURTHER RESOLVED, that “Office Hour” services shall be defined as “onsite staff services at Borough Hall for no less than four (4) hours per week, with hours of operation correlating with the Construction Official, David Gray (or his alternate) on each Thursday, 8:00 am to 12:00 pm. The Zoning Officer will be able to extend such time through appointments only scheduling or availability via email or phone. Said services shall not exceed the lump sum annual price of \$9,800.00,” and

BE IT FURTHER RESOLVED that a copy of this resolution shall be published in the Coaster as required by law within ten (10) days from the date hereof; and,

BE IT FURTHER RESOLVED that the Clerk and shall maintain a copy of this resolution on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #2023-24

RESOLUTION RE-ESTABLISHING A PETTY CASH FUND

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, N.J.S.A. 40A:5-21 authorizes the re-establishment of a Petty Cash Fund in any county or municipality by application and resolution, and,

WHEREAS, it is the desire of the Borough of Allenhurst, County of Monmouth to re-establish such a fund for the Borough in the amount of \$100; and

WHEREAS, the custodian for this fund is Donna M. Campagna, RMC, who is bonded for the amount of \$100; such custodian shall maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW THEREFORE, BE IT RESOLVED by the Borough of Allenhurst that the statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length; and

BE IT FURTHER RESOLVED that the Borough of Allenhurst hereby authorizes the re-establishment of the aforementioned Petty Cash Fund and that two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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

RESOLUTION #2023-25

RESOLUTION RE-APPOINTING A CUSTODIAN FOR THE PETTY CASH FUND

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, N.J.S.A. 40A:5-21 authorizes the re-establishment of a Petty Cash Fund in any county or municipality by application and resolution, and,

WHEREAS, the Board of Commissioners believes it is in the best interests of the Borough of Allenhurst to have such a Petty Cash Fund and as such, must re-appoint a Custodian for the same; and

WHEREAS, the Board of Commissioners believes it is appropriate to re-appoint Donna M. Campagna, RMC, as the Custodian, who is bonded for the amount of \$100, and she is hereby instructed to maintain records for this fund in a manner conducive to proper accounting and auditing procedures;

NOW THEREFORE, BE IT RESOLVED by the Borough of Allenhurst that the

statements contained in the foregoing preamble be and are hereby incorporated into this Resolution as if more fully set forth herein at length; and

BE IT FURTHER RESOLVED that the Borough of Allenhurst hereby re-appoints Donna M. Campagna, RMC, to be the Custodian for the Petty Cash Account and instructs those two copies of this resolution be filed with the Division of Local Government Services, New Jersey Department of Community Affairs for approval.

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

RESOLUTION #2023-26
RESOLUTION TO ADOPT PROCEDURE FOR CLAIMANT CERTIFICATION

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, on August 18, 2016 the State of NJ legislature adopted PL 2016, Ch 29 which would allow local units to 1) utilize standard electronic funds transfer technologies and 2) greater flexibility on when to require a vendor certification prior to paying claims; and

WHEREAS, the Local Finance Board adopted the rules and regulations that the local units must adhere to in order to enact the provisions of the law; and

WHEREAS, N.J.A.C. 5:30-9A.6 and 5:31-4.1 allows for greater flexibility for local units when implementing the claimant certification requirement set forth in 40A5-16(a); and

WHEREAS, the Chief Financial Officer has determined that the following circumstances be applied with respect to this act

Vendor Signature Required (stamp, fax electronic or wet is acceptable)	Vendor Signature not Required (rule language)
Employee Reimbursements	Vendors who are paid through EFT technologies
Transactions above the dollar amount of \$1,000	Vendors who do not provide certifications part of the normal course of business
Any situation deemed necessary by the CFO or his designee	Debt Service
	Non Municipal Taxes
	Utilities regulated by tariff

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst that the above vendor claimant circumstances recommended by the Chief Financial Officer be enacted effective January 11, 2023.

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

RESOLUTION #2023-27
TITLE: RESOLUTION AUTHORIZING THE BOROUGH OF ALLENHURST
THROUGH THE BOROUGH OF ALLENHURST TO PARTICIPATE IN THE
DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033
PROGRAM TO ENABLE THE ALLENHURST POLICE DEPARTMENT TO
REOUEST AND ACOUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the **BOARD OF COMMISSIONERS** of the **BOROUGH OF ALLENHURST** that the **ALLENHURST POLICE DEPARTMENT** is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year **from JANUARY 1, 2023 to December 31, 2023 ; and**

NOW THEREFORE BE IT FURTHER RESOLVED that **ALLENHURST POLICE DEPARTMENT** is hereby authorized to acquire items of non-controlled property designated “DEMIL A,” which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the **ALLENHURST POLICE DEPARTMENT**, without restriction; and

NOW THEREFORE BE IT RESOLVED that **ALLENHURST POLICE DEPARTMENT** is hereby authorized to acquire the following “DEMIL B through Q” property, if it shall become available in the period of time for which this resolution authorizes

NOW THEREFORE BE IT RESOLVED that the “DEMIL B through Q” controlled property controlled 3-page list in its entirety is hereby approved and hereto attached to this resolution.

NOW THEREFORE BE IT RESOLVED that the **ALLENHURST POLICE DEPARTMENT** shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

NOW THEREFORE BE IT RESOLVED that the **ALLENHURST POLICE DEPARTMENT** shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request; and

NOW THEREFORE BE IT RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes; with Program participation and all property request authorization terminating on December 31st of the current calendar year **from JANUARY 1, 2023 to December 31, 2023.**

	A	B	C	D	E	F	G	H
AIRCRAFT, FIXED WING			1					
AIRCRAFT, ROTARY WING			1					
AIRPLANE,CARGO-TRANSPORT		1						5
AIRPLANE,FLIGHT T42A		1						
AIRPLANE,UTILITY	1	1						
AIRPLANE,UTILITY U8F		1						
ARMORED SECURITY VEHICLE			1					
ARMORED SECURITY VEHICLE			1	1				
AUTOMOBILE,SEDAN			1					
AUTOMOBILE,WAGON			1					
BATON,KINETIC ENERGY				5				
BODY SHIELD		1						1
BREACH SYSTEM				1				
BREACHING RAM	1							
BREACHING SYSTEM	1							
CAPABILITIES SET NON-LETHAL								1
CAR,ARMORED				1				
CAR,ARMORED,MINE DISPOSAL			7					
CAR,ARMORED,MINE DISPOSAL				2				
CARRIER,AMBULANCE			1					
CARRIER,CARGO			3					
CARRIER,COMMAND POST			1					
CARTRIDGE,12 GAGE SHOTGUN							2	
CARTRIDGE,12 GAGE SHOTGUN, NON-LETHAL				1			11	
CARTRIDGE,40 MILLIMETER			1		1		1	
CHARGE,DIVERSIONARY							1	
CLUB,SELF-PROTECTION								7
COMMUN,EQUIP,SOMS-S						1		
CUTTER HEAD,HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DEMOLITION KIT,BLASTING							1	
DEMOLITION KIT,BLASTING,PRACTICE							1	
DEMOLITION KIT,BREACHING SYSTEM,ANTI-PERSONNEL OBSTACLE				2			2	
DOOR OPENER,HYDRAULIC BREACHING AND EXTRACATION TOOL	1							
DRONE,TARGET				1				
DRONES			1					
FACESHIELD,MILITARY,RIOT CONTROL	1							

	A	B	C	D	E	F	G	H
FACESHIELD,RIOT CONTROL								3
FACESHIELD,RIOT CONTROL	1							
FORCED ENTRY AND RESCUE EQUIPMENT,AIRCRAFT CRASH	1							
GLIDERS		1						
GOOGLES PROTECTION,RIOT CONTROL	5							
GRENADE,HAND					1			
GRENADE,HAND, NON-LETHAL					2			
GROUND SENSOR,SURVEILLANCE VEHICLE		1						
GUN,PORABLE RIOT CONTROL			1					
HATBOX,RIOT CROWD	2							
HELICOPTER,FLIGHT TRAINER		1						
HELICOPTER,FLIGHT TRAINER,THESA		1						
HELICOPTER,MEDEVAC			1					
HELICOPTER,OBSERVATION			3					
HELICOPTER,SEARCH AND RESCUE		2						
HELICOPTER,UTILITY		1	3					
HELMET,POLICE	1							
HELMET,SAFETY	1							
KIT,MECHANICAL,BREA	2							
KIT,RIOT PROTECTION	1							
LIGHT ARMORED VEHICLE			17	26				
MINE CLEARING VEHICLE				1				
MINE DETECTOR SYSTEM,VEHICLE MOUNTED			3	2	1			
MINE RESISTANT VEHICLE			63	3				
MISCELLANEOUS WEAPONS - LOSSA LSN		1						
MODIFICATION KIT,GUN,WEAPON				1				
MUNITION,CROWD CONTROL,MODULAR, NON-LETHAL					2			
No Item Name Available								
NON-BALLISTIC BODY SHIELD	1		1					1
NON-LETHAL WEAPONS,CAPABILITIES SET		2						
ONLY COMPLETE COMBAT,ASSAULT/TACTICAL WHEELED VEHICLES				1				
PROTECTIVE SHIELD,T	1							1
RAM,BATTERING	1							
RAM,DOOR,MINE	1							
RIOT CONTROL SHIELD	1							
SECURITY VEHICLE			1					

	1	2	3	4	5	6	7	8
SHIELD, PERSONAL PROTECTIVE				1				3
SHIELD, SELF PROTECTION				1				6
SHOP EQUIPMENT, CONTACT MAINTENANCE	1		2					
SHOP SET, CONTACT MAINTENANCE, TRUCK MOUNTED (ENGINEER)	1							
SHOP SET, CONTACT MAINTENANCE, TRUCK MOUNTED (ORDNANCE)	1							
SIGHT, THERMAL				1				
SLUDGE HAMMER	1							
TOOL, BREAKER, HINGE	1							
TRAINING KIT, DEMOLITION		1						
TRUCK TRACTOR			4			5		7
TRUCK AMBULANCE			9					
TRUCK ARMORED			3					
TRUCK BOLSTER						2		1
TRUCK BOMB SERVICE			2			2		
TRUCK CARGO		3	28			17		30
TRUCK CARRYALL			22					1
TRUCK COMMAND RECONNAISSANCE			2					
TRUCK DUMP			2			6		7
TRUCK MAINTENANCE						3		
TRUCK MATERIALS HANDLING-CONTAINER HOISTING			1					
TRUCK PALLETIZED LOADING			8					2
TRUCK PANEL			2					
TRUCK STAKE								2
TRUCK TANK			5			13		8
TRUCK UTILITY			84					4
TRUCK VAN		1				14		1
TRUCK WRECKER		1	2			3		2
TRUCKS AND TRUCK TRACTORS, DEMIL C			1					1
UNMANNED AIRCRAFT			1					
UNMANNED VEHICLE			1					
UP ARMORED NTVS			1					
UTILITY VEHICLE, OFF ROAD		1	2	1	1	1	1	1

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

RESOLUTION #2023-28

A RESOLUTION TO RE-ESTABLISH A CHANGE FUND

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, it is the desire of the Borough of Allenhurst, County of Monmouth to re-establish a change fund for the following Departments within the Borough for the year 2023 for a total amount of \$800

WHEREAS, the custodians for these funds are bonded through the Joint Insurance Fund.

WHEREAS, the following departments will maintain the following balances in said change fund:

Borough Hall \$200

Beach \$600

NOW, THEREFORE, BE IT RESOLVED, a certified copy of said resolution be forwarded to the Chief Financial Officer.

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

RESOLUTION #2023-29

A RESOLUTION TO AFFIRM THE BOROUGH OF ALLENHURST’S CIVIL RIGHTS POLICY WITH RESPECT TO ALL OFFICIALS, APPOINTEES, EMPLOYEES, PROSPECTIVE EMPLOYEES, VOLUNTERS, INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES, OFFICIALS AND VOLUNTEERS

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, it is the policy of Borough of Allenhurst to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

WHEREAS, the governing body of Borough of Allenhurst has determined that certain procedures need to be established to accomplish this policy

NOW, THEREFORE BE IT ADOPTED by the Board of Commissioners of the Borough of Allenhurst that:

Section 1: No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination,

harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

Section 2: The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Borough Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

Section 5: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

Section 6: The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

Section 6: The Borough Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Borough Administrator shall establish a system to monitor compliance and shall report at least annually to the governing body the results of the monitoring.

Section 8: At least annually, the Borough Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

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

RESOLUTION #2023-30

A RESOLUTION TO APPROVE CLEAN OCEAN BEACH SWEEPS

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, The Clean Ocean Action has asked for Allenhurst Borough's approval to conduct their annual Spring Beach Sweeps on Saturday, April 1, 2023 and the Fall Beach Sweeps on Saturday, October 21, 2023 from 9:00 am to 12:30 pm;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, that approval is hereby given to Clean Ocean Action to conduct their Spring and Fall Beach Sweeps on April 1, 2023 and October 21, 2023.

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

RESOLUTION #2023-31

AUTHORIZE RENEWAL OF INTERLOCAL AGREEMENT WITH THE BOROUGH OF BRADLEY BEACH FOR MUNICIPAL COURT SERVICES

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, the Borough of Allenhurst and the Borough of Bradley Beach desire to renew an existing Shared Services Agreement for Municipal Court Services; and

WHEREAS, the agreement shall commence on January 1, 2023 and extend through December 31, 2025 and:

WHEREAS, N.J.S.A. 40:65A-1 et seq. permits entering into a Shared Services Agreement.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Board of Commissioners of the Borough of Allenhurst hereby enter into a Shared Services Agreement for Municipal Court Services.

BE IT FURTHER RESOLVED, that the Mayor and Council authorize the Municipal Clerk and the Mayor to sign the agreement on behalf of the Borough of Allenhurst to authorize the Shared Services Agreement for Municipal Court Services with the Borough of Bradley Beach.

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

RESOLUTION #2022-32

A RESOLUTION TO APPROVE SHARED SERVICES AGREEMENT FOR PURCHASE OF GASOLINE AND DIESEL FUEL

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, N.J.S.A. 40:8A-1, et seq., authorizes any municipality to enter into a contract with another municipality for any services which any party to the agreement is empowered to render within its own jurisdiction; and,

WHEREAS, The Borough of Allenhurst and the Township of Ocean desire to enter into an agreement whereby the Township of Ocean will provide gasoline and diesel fuel to the Borough of Allenhurst commencing January 1, 2023 through December 31, 2029, inclusive;

NOW, THEREFORE, BE IT RESOLVED, By the Board Commissioners of the Borough of Allenhurst that the Mayor and Borough Administrator be and they are authorized and directed to sign the aforesaid Shared Services Agreement between the Borough of Allenhurst and the Township of Ocean in accordance with the terms of the Agreement which is on file in the Borough Clerk's office.

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

RESOLUTION #2023-33

A RESOLUTION TO APPROVE JUNIOR MEMBERS IN ALLENHURST FIRST AID SQUAD

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, The Membership Committee of Allenhurst First Aid Squad has received applications for membership as a Junior Member in the Cadet Program from the following :

Madelyn Dellett

Johnathan Marrucca

Paige Edison

and:

WHEREAS, The Membership Committee has advised the Board of Commissioners that those listed are acceptable for membership.

NOW, THEREFORE, BE IT RESOLVED, That those listed are approved for membership in Allenhurst First Aid Squad as Junior Members in the Cadet Program.

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

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

RESOLUTION #2023-34

A RESOLUTION TO HIRE SLEO Class II OFFICER

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, there exists a need within the Police Department to appoint a part-time as-needed Special Law Enforcement Officer (SLEO), Class II to cover open shifts ; and

WHEREAS, it is the recommendation of the Chief of Police that Class II Officer Lisa Griffin be appointed.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst that Lisa Griffin is hereby appointed as a part-time as-needed SLEO Class II Officer effective January 1, 2023 and that said provisional appointment be compensated at an hourly rate of \$20.00 per hour.

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

RESOLUTION #2023-35

A RESOLUTION TO AWARD CONTRACT FOR PURCHASE OF FIRE CHIEF VEHICLE FOR THE ALLENHURST FIRE DEPARTMENT

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, The Chief of the Allenhurst Fire Department has advised the Board of Commissioners that the Borough is in need of new Fire Chief Vehicle; and,

WHEREAS, The Chief of the Allenhurst Fire Department has received a quote from New Castle Fire District No. 1, Chappaqua, NY for the purchase of a 2011 Chevrolet Tahoe Command Unit. at a price of \$14,000; and,

Certification of Funds; I, Wayne M. Sibilia, Chief Financial Officer of the Borough of Allenhurst, do hereby certify that funds in the amount of \$14,000 will be available in the following line items: FD Car and Expense #2-01-25-752-212, for the purposes stated herein.

NOW, THEREFORE, BE IT RESOLVED, That a 2011 Chevrolet Tahoe Command Unit be purchased from New Castle Fire District No. 1, Chappaqua, NY at a cost of \$14,000.

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

RESOLUTION #2023-36

A RESOLUTION TO APPROVE EXECUTIVE SESSION

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

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

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

RESOLUTION #2023-37

A RESOLUTION TO APPROVE BILLS (12-16-2022 to 1-10-2023)

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

BE IT RESOLVED, That bills totaling \$358,449.69 be approved for payment; and,
BE IT FURTHER RESOLVED, That the January 10, 2023 consolidated bill list be attached hereto and made a part thereof.

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

ITEMS FOR DISCUSSION:

The Mayor wished everyone a Happy New Year. He thanked DPW for doing such a terrific job particularly with the decorations on Main Street.

The Mayor advised that the Resolution Approving Planning Board Members would need to be introduced again at the next Meeting. The Consent Agenda, as originally offered and approved, was vacated. Comm. McLoughlin offered; Mayor McLaughlin seconded. The Consent Agenda, excluding resolution #2023-05, was then offered by Comm. McLoughlin and Comm. Cumiskey seconded.

The Fire Chief gave his fire report. Comm. McLoughlin as the fire chief about a paid driver that worked for the Fire Department in the past. He asked if that should be readdressed. The Fire Chief stated that he is available during the day, due to his working in town and the flexibility of the Public Works Superintendent, as well as another EMS worker. He stated he was open to discussing any ideas. The chief also stated that the cadet program is very successful. Comm. McLoughlin advised that his daughter, a cadet in the program, was in a situation and was able to provide helpful advice because of her training in the program.

The Borough Attorney announced that there is a plan in place for Redevelopment, after 13 months with the special master due to the builder's remedy lawsuit and the Fair Share Housing requirements. A resolution will be introduced at the January 24, 2023 or the February 14, 2023, meeting. The power point presentation will be placed on the Borough Website for everyone to view and read and be aware of the terms of the potential settlement. The presentation will also be sent via regular mail to all residents and an eblast will also be sent to those who subscribe to the Borough eblast list.

The Borough Attorney advised that every aspect of this must be approved by the court. The court will hold a fairness hearing, which is be noticed to the public, most likely occurring this summer. The public will have the opportunity to state their objections at that time. A timeline laid out in the court order will dictate the steps the Borough must take after the agreement is approved.

PUBLIC COMMENTS

There being no further business or comments, Mayor McLoughlin moved, seconded by Comm. McLoughlin that the meeting move to executive session at 8:15 PM. Motion carried.

After reconvening, Comm. McLoughlin moved, seconded by Comm. Cumiskey that the meeting be adjourned at 9:25 PM. Motion carried

Donna M. Campagna

Donna M. Campagna
Administrator/Clerk