

AGENDA
December 12, 2023

MAYOR MCLAUGHLIN CALLS THE MEETING TO ORDER AND CALLS FOR FLAG SALUTE

MAYOR MCLAUGHLIN ASKS THE CLERK TO CALL THE ROLL:

ROLL CALL

COMM. McLOUGHLIN-____; COMM. CUMISKEY____;MAYOR McLAUGHLIN-____

MAYOR MCLAUGHLIN ANNOUNCES THAT THE NOTICE REQUIREMENTS OF R.S. 10:4-18 HAVE BEEN SATISFIED BY DELIVERING THE REQUIRED NOTICE TO THE COASTER AND THE ASBURY PARK PRESS, POSTING THE NOTICE ON THE BOARD IN BOROUGH HALL AND FILING A COPY OF SAID NOTICE WITH THE BOROUGH CLERK.

COMMUNICATIONS:

- Township of Ocean Ordinance #2444 amending their Comprehensive Land Development Ordinance regarding the permitted business uses for cannabis and the business zones where cannabis Establishments are permitted.

ANNOUNCEMENTS: NONE

ORDINANCES – NONE

CONSENT AGENDA

Res. #2023-227a	Dispense with Reading of Minutes – 11-14-23
Res. #2023-227a	Dispense with Reading of Minutes – 12-5-23
Res. #2023-228a	Ratify and Approve Minutes – 11-14-23
Res. #2023-228b	Ratify and Approve Minutes – 12-5-23
Res. #2023-229	Approve Member in Allenhurst First Aid Squad
Res. #2023-230	Approve Fire and First Aid Appointment
Res. #2023-231	Hire Public Works Laborer – Tinneny
Res. #2023-232	Hire Class II Officer – Hayden Nichols
Res. #2023-233	Approve Change Order #1 – Reconstruction of Ocean Place Concrete Wall – DeMac Inc.
Res. #2023-234	Approve Engineer Certificate #2 - Reconstruction of Ocean Place Concrete Wall – DeMac Inc.
Res. #2023-235	Approve Change Order #1 – Boardwalk Improvements – Epic Management Inc.
Res. #2023-236	Approve Engineer Certificate #1 – Boardwalk Improvements
Res. #2023-237	Approve Contract – Repair and Replace Pool Floor at the Allenhurst Beach Club
Res. #2023-238	Transfer Appropriations
Res. #2023-239	Appoint Hearing Officer for Disciplinary Hearing
Res. #2023-240	Endorse the Housing Element and Fair Share Plan Adoption by

ORDINANCES – NONE

RESOLUTIONS

RESOLUTION #2023-227a

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By:

Seconded By:

BE IT RESOLVED, That the Clerk dispense with the reading of the Regular Meeting of November 14, 2023.

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-227b

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By:

Seconded By:

BE IT RESOLVED, That the Clerk dispense with the reading of the Regular Meeting of December 5, 2023.

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-228a

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By:

Seconded By:

BE IT RESOLVED, That the minutes of the Regular Meeting of November 14, 2023 and be ratified and approved.

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-228b

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By:

Seconded By:

BE IT RESOLVED, That the minutes of the Regular Meeting of December 5, 2023 and be ratified and approved.

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-229

A RESOLUTION TO APPROVE MEMBER IN ALLENHURST FIRST AID SQUAD

Offered By:

Seconded By:

WHEREAS, The Membership Committee of Allenhurst First Aid Squad has received application for membership from and Dylan Stewart; and,

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

NOW, THEREFORE, BE IT RESOLVED, That Dylan Stewart is approved for membership in Allenhurst First Aid Squad; and,

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

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-230

A RESOLUTION TO APPROVE FIRE AND FIRST AID APPOINTMENTS

Offered By:

Seconded By:

BE IT RESOLVED, That the following duly elected, named members of the Allenhurst Fire Company #1 and First Aid Squad be granted municipal approval for the positions indicated, for the year 2024:

FIRE DEPARTMENT

Kyle Ebbets

Chief

David Belhassen

1st Assistant Chief

Mike Powers

2nd Assistant Chief

Christian Williams

Captain

FIRST AID SQUAD

Carla Ward

Captain

Patricia McLoughlin

Lieutenant

Robert Todd

Fire Police

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-231

A RESOLUTION TO HIRE PUBLIC WORKS EMPLOYEE

Offered By:

Seconded By:

WHEREAS, There is a need to a hire full-time permanent Laborer in the Public Works Department; and,

WHEREAS, Marc Heitmueller, Public Works Supervisor, has recommended that Robert Tinneny be hired on a permanent, full-time basis;

NOW, THEREFORE, BE IT RESOLVED, That Robert Tinneny be and they are hereby employed as a Laborer in the Public Works Department on a permanent, full-time basis at an annual salary of \$39,000, effective December 4, 2023.

NOW, THEREFORE, BE IT FURTHER RESOLVED, That upon obtaining their CDL license, Robert Tinneny will receive an additional salary of \$1,000 annually.

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-232

A RESOLUTION TO HIRE CLASS II OFFICER

Offered By: Comm. McLoughlin

Seconded By: Comm. Cumiskey

WHEREAS, There is a need for a Class II special police officer on an as-needed basis; and,

WHEREAS, Hayden Nichols has applied to the Monmouth County Police Academy to take the Basic Course for Class II Special Law Enforcement Officers; and,

WHEREAS, Trainees must be appointed as Class II Special Law Enforcement Officers prior to enrollment, and the Chief of Police has recommended the hiring of Hayden Nichols as a Class II Special Officer on an as-needed basis; and,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst that Hayden Nichols is hereby appointed as a Class II Officer effective January 1, 2024.

BE IT FURTHER RESOLVED that said provisional appointment be compensated at an hourly rate of \$18.00 per hour.

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION 2023-233

A RESOLUTION TO APPROVE CHANGE ORDER #1 FOR RECONSTRUCTION OF OCEAN PLACE CONCRETE WALL

Offered By:

Seconded By:

WHEREAS, A contract was awarded to DeMac Concrete Inc. for the Reconstruction of Ocean Place Concrete Wall and,

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

SA1-1 Supply, Install, and Remove ‘ Chain Link Safety Fence	\$8,975.00
NET CHANGE	\$8,975.00

WHEREAS, DeMac Concrete Inc., has submitted a request for a Change Order for the changes in work in the net increase in the amount of \$8,975.00 which request has been reviewed by the Borough Administrator and Engineer, and found to be acceptable;

NOW, THEREFORE, BE IT RESOLVED, That Change Order No.1 in the amount of \$8,975.00 be approved, thereby amending the contract total to \$356,475.00.

VOTE: Comm. McLoughlin____; Comm. Cumiskey____; Mayor McLaughlin____

RESOLUTION #2023-234

A RESOLUTION TO APPROVE ENGINEER CERTIFICATE #2 FOR RECONSTRUCTION OF OCEAN PLACE CONCRETE WALL

Offered By:

Seconded By:

WHEREAS, A contract was awarded to DeMac Concrete Inc. for the Reconstruction of Ocean Place Concrete Wall and,

RESOLUTION #2023-237
A RESOLUTION TO AWARD CONTRACT FOR REPAIR THE POOL FLOOR AT ALLENHURST BEACH CLUB

Offered By:

Seconded By:

WHEREAS, There is a need to repair the concrete pool floor at the Allenhurst Beach Club; and,

WHEREAS, Funds for this purpose will be provided for in the current account known as “Beach Club Improvements – C-04-55-990-100”, and the Chief Finance Officer has so certified;

WHEREAS, The following three quotes were received from the following vendors and are on file with the Borough Clerk:

DeMac Concrete Inc.	\$38,500.00
Siragusa Construction Co., LLC	\$44,500.00
Reel Clean Construction Services	\$48,350.00

THEREFORE, BE IT RESOLVED, That a contract be awarded to DeMac Concrete, LLC, for a cost of \$38,250, the lowest of quotes received to repair the concrete pool floor at the Allenhurst Beach Club.

VOTE: Comm. McLoughlin____; Comm. Cumiskey____; Mayor McLaughlin____

RESOLUTION #2023-238
A RESOLUTION TO TRANSFER APPROPRIATIONS

Offered By:

Seconded By:

BE IT RESOLVED, That the following 2023 appropriations be transferred:

Current Fund	To	From
Legal – Other Expenses	115,000.00	
Engineering – Other Expenses		20,000.00
Planning Board - Other Expenses	7,000.00	
Code Enforcement – Other Expenses		10,000.00
Employee Group Insurance		67,500.00
Maintenance of Motor Vehicles – Other Expenses	11,000.00	
Beach – Salaries & Wages		7,500.00
Beach – Other Expenses		7,000.00
Beach Recreation – Other Expenses		6,000.00
Social Security System		15,000.00
Total Current Fund Transfers	\$ 133,000.00	\$ 133,000.00

VOTE: Comm. McLoughlin-____; Comm. Cumiskey-____; Mayor McLaughlin-_____

RESOLUTION #2023-239
RESOLUTION TO APPOINT NED M. ROSENBERG, J.S.C.
(RET.) OF LENTZ & GENGARO, LLP TO ACT AS A
HEARING OFFICER ON A POLICE DISCIPLINARY
MATTER FOR THE BOROUGH OF ALLENHURST

Offered By: _____ Seconded By: _____

WHEREAS, the Allenhurst Police Department has initiated a disciplinary matter against one of its officers based upon findings and recommendations of the Monmouth County Prosecutor’s Office Internal Affairs investigation; and

WHEREAS, the Board of Commissioners has determined that it is in the best interests of the Borough to secure the services of a neutral Hearing Officer to hear and decide the Internal Affairs disciplinary engagement; and

WHEREAS, the parties mutually chose retired Superior Court Judge Ned M. Rosenberg, J.S.C. to serve as that Hearing Officer; and

WHEREAS, the Clerk/Administrator has certified that funds are available for this purpose.

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 the Mayor, Clerk and Borough Counsel, David A. Laughlin, Esq., be and are hereby authorized to enter into the Agreement for Legal Services – Hearing Officer with Ned M. Rosenberg, J.S.C. (Ret.) of Lentz & Gengaro, LLP, a copy of which is attached hereto and incorporated herein by reference; 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 shall maintain a copy of this Resolution, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during regular business hours.

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

RESOLUTION #2023-240
RESOLUTION TO ENDORSE THE HOUSING ELEMENT
AND FAIR SHARE PLAN ADOPTED BY THE PLANNING
BOARD OF THE BOROUGH OF ALLENHURST

Offered By: _____ Seconded By: _____

WHEREAS, The Borough of Allenhurst entered into two (2) Settlement Agreements between it and 1) Power Station at Allenhurst, LLC (Builder’s Remedy claims) and 2) the Fair Share Housing Center (“FSHC”) arising out of the matter entitled Power Station at Allenhurst, LLC v. Borough of Allenhurst; Board of Commissioners of the Borough of Allenhurst; and Allenhurst Planning Board, Superior Court of New Jersey, Law Division, Monmouth County, Docket No.: MON-L-2551-21 in which FSHC joined as an interested party; and

WHEREAS, on or about July 6, 2023, the Superior Court held a “Fairness Hearing” at which time the settlement agreements were approved and said approval was memorialized in an Order of Fairness and Preliminary Compliance dated July 31, 2023; and

