

AGENDA
April 3, 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: None

ANNOUNCEMENTS:

- The Fire Department will be holding their “Breakfast with the Easter Bunny” on Sunday, April 2 from 9am to 11:00am. Adults \$10, Children \$2. At 11:30am, the Annual Easter Egg Hunt will take place at Railroad Plaza Park. In case of inclement weather the Egg Hunt will be held at the Fire House.

ORDINANCES – FINAL READING

ORDINANCE #2023-03 – Final Reading

Offered By:

Seconded By:

ORDINANCE #2023-03

**AN ORDINANCE REVISING CHAPTER X OF THE
BOROUGH CODE OF THE BOROUGH OF ALLENHURST
ENTITLED “BEACH REGULATIONS.”**

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

ORDINANCES - FIRST READING

ORDINANCE #2023-04 – First Reading

Offered By:

Seconded By:

ORDINANCE #2023-04

CALENDAR YEAR 2023

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

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

ORDINANCE #2023-05 – First Reading

Offered By:

Seconded By:

ORDINANCE #2023-05

AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST, CHAPTER XXV ENTITLED "LAND USE PROCEDURES" & CHAPTER XXVI ENTITLED "DEVELOPMENTAL REGULATIONS OF THE BOROUGH OF ALLENHURST"

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

CONSENT AGENDA

- Res. #2023-71 Ratify and Approve Minutes.**
- Res. #2023-72 Dispense with Reading of Minutes**
- Res. #2023-73 Approve Member of First Aid Squad – O’Connor**
- Res. #2023-74 Approve Raffle Licenses – Garden Club**
- Res. #2023-75 Authorize Mayor and Clerk to Execute CDBG Project Agreement**
- Res. #2023-76 Authorize Mayor and Clerk to Sign a Certification Prohibiting the Use of Excessive Force and a Certification Prohibiting the Use of Federal Funds for Lobbying**

- Res. #2023-77 Approve Amendment to Shared Services Agreement with Holmdel for CFO and QPA Services**

- Res. #2023-78 Hire Public Work Employees – Henning and Eastwood**
- Res. #2023-79 Self-Exam of Municipal Budget**
- Res. #2023-80 Adopt 2023 Municipal Budget**
- Res. #2023-81 Approve PBA Contract**
- Res. #2023-82 Hire Full-Time Communications Officer – Farmer**
- Res. #2023-83 Approve Salaries for 2023**
- Res. #2023-84 Approve Executive Session**

Consent Agenda Offered By:

Seconded By:

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

Res. #2023-85 Approve Bills (3-15-2023 to 4-3-2023).

Offered By:

Seconded By:.,

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

ITEMS FOR DISCUSSION:

Beach Items:

Richard Amdur Sr.- Cabana Z-19 – is requesting that his daughter, Catherine Small, be made a co-principal on the cabana. Small has been a member and in the cabana for more than five years.

OPEN PUBLIC HEARING:
CLOSE PUBLIC HEARING:
ADJOURN.

ORDINANCES – FINAL READING

ORDINANCE #2023-03 – Final Reading

**ORDINANCE #2023-03
AN ORDINANCE REVISING CHAPTER X OF THE
BOROUGH CODE OF THE BOROUGH OF ALLENHURST
ENTITLED “BEACH REGULATIONS.”**

Offered By:

Seconded By:

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise certain portions of its existing Borough Code concerning the Beach Regulations to address the needs of the community.

NOW THEREFORE BE IT ORDAINED, By the Board of Commissioners of the Borough of Allenhurst that Section 10-1.6 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

10-1.6 Service and Use Charges.

a. Resident Charges.

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
1.	Non-shower bathhouse	\$1,244.00	\$1,494.00
2.	A/B Shower bathhouse	\$1,662.00	\$1,912.00
3.	Shower bathhouse	\$1,557.00	\$1,807.00
4.	Cabana	\$3,108.00	\$3,358.00
Facilities Use Charge Per Person:			
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$63.00	\$63.00
7.	Age 5 and over	\$89.00	\$89.00
8.	Age 65 and older	\$63.00	\$63.00
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

b. Nonresident Charges.

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
1.	Non-shower bathhouse	\$1,869.00	\$2,119.00
2.	A/B Shower bathhouse	\$2,704.00	\$2,954.00
3.	Shower bathhouse	\$2,489.00	\$2,739.00
4.	Cabana	\$6,143.00	\$6,393.00
Facilities Use Charge Per Person:			
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$163.00	\$163.00
7.	Age 5 and over	\$273.00	\$273.00
8.	Age 65 and older	\$168.00	\$168.00
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

c. Half Season Charges.

1. The fees specified in preceding paragraphs a. and b. are for full season memberships in the Allenhurst Beach Club.
2. Rates for half season shall be two-thirds (2/3) of the full season rate for facilities use charge per person and two-thirds (2/3) of the full season rate for beach fee per person.
3. A half season shall be considered to run from the date of the opening of the Beach Club for the season consecutively until the midway point of the season, or from the midway point of the season consecutively to the day of the closing of the Beach Club for the season and for no other period.
4. A person or persons desiring a half season membership must utilize a bathhouse or cabana of a full season member, subject to the provisions of subsection 10-1.7 and must present signed, written permission of such member to so utilize the bathhouse or cabana for the exact half season period involved.

d. Guest Charges.

1. Each individual bathing guest (age 3 and older) using a member's bathhouse or cabana must submit one (1) guest pass per day; Children, age 3 and under will be admitted at no charge. Guest passes from the previous season will be valid for use in the current season, or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules, when guests are accompanied by a registrant of the Allenhurst Beach Club Facilities.

2. Guest tickets will be sold individually at the discretion of the governing body, for \$15.00 per Guest ticket. Individual Guest tickets are good for one individual, for one day's admission. Guest tickets will only be valid for use in the current season or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules.
3. Packages of Guest tickets will be sold in groups of ten (10) passes for \$150.00. Packages of Guest tickets may be sold at a discount at the discretion of the Board of Commissioners. There is no limit on the number of packages that may be purchased but, be advised, that they are only valid for use in the current season or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules.

e. **Combination Charges:** Where there is a joint tenancy by an Allenhurst resident registrant and a nonresident in any of the accommodations referred to in paragraphs a. and b. hereof, the rates for said accommodations will be as follows:

No.	Service	Fees
1.	Non-shower bathhouse	*\$1,556.50
* Resident Pays, \$622.00; Non-Resident Pays, \$934.50		
2.	A/B Shower bathhouse	*\$2,183.00
* Resident Pays, \$831.00; Non-Resident Pays, \$1,352.00		
3.	Shower bathhouse	*\$2023.00
* Resident Pays, \$778.50; Non-Resident Pays, \$1,244.50		
4.	Cabana	*\$4,625.50
* Resident Pays, \$1,554.00; Non-Resident Pays, \$3,071.50		

- f. **Catamaran & Kayak Storage Fees**
1. There shall be a “Catamaran storage fee” of two hundred (\$200.00) dollars for the “season” for those wishing to store a Catamaran at the Allenhurst Beach Club, during the “season.” Space for Catamarans is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Catamaran, at the Allenhurst Beach Club except during the “season.”
 2. There shall also be a “Kayak storage fee” of one hundred (\$100.00) dollars for the “season” for those wishing to store a kayak at the Allenhurst Beach Club, during the “season.” Space for Kayaks is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Kayak, at the Allenhurst Beach Club except during the “season.”
- g. There shall be assessed a \$100 dollar activity fee per facility. All monies from this fee shall go towards activities planned at the Allenhurst Beach Club.
- h. A Recreation Program shall be established which shall be open to all children who are

members of the Allenhurst Beach Club between the ages of five (5) years and twelve (12) years at the discretion of the Recreation Director. The program shall run for seven (7) weeks, during the Beach Club season from 10:00 a.m. to 3:00 p.m., Monday through Friday and will not run on those days the Beach Club is closed for inclement weather or any other unforeseen circumstance.

The cost for participation in this program will be \$695 dollars for the first child and \$625 dollars per child for additional children from the same family. Additional weeks may be offered at the discretion of the Recreation Director.

i. A Swim Team shall be established which shall be open to all children who are members of the Allenhurst Beach Club between the ages of five (5) years and twelve (12) years at the discretion of the Swim Team Coach. The cost for participation in this program will be \$100 dollars per child.

j. A Junior Lifeguard Program shall be established which shall be open to all children who are members of the Allenhurst Beach Club. The cost for participation in this program will be \$150 dollars per child.

k. There shall be assessed a fee of \$353 for a Nanny Membership. A Nanny is defined as someone who is 18 years of age, or older, and is responsible for the care of member children under the age of 14. The Nanny can only use the Allenhurst Beach Club through this membership when she is in the company of the children with whom she is charged with caring. This membership is exclusively for the nanny named in the member's application and is non-transferrable and non-refundable.

AND IT IS FURTHER ORDAINED that **EXCEPT AS HEREIN PROVIDED**, the remainder of Chapter X BEACH REGULATIONS, shall remain unaltered and in full force and effect; and it is further

ORDAINED that the provisions of this ordinance are declared to be severable, and if any section, subsection, sentence, clause, or phrase hereof shall, for any reason, be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part, and it is further

ORDAINED that this Ordinance shall take effect after publication and adoption according to law.

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

ORDINANCES - FIRST READING

ORDINANCE #2023-04 – First Reading

**ORDINANCE #2023-04
CALENDAR YEAR 2023**

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

Offered By:

Seconded By:

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Board of Commissioners of the Borough of Allenhurst in the County of Monmouth finds it advisable and necessary to increase its CY 2023 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 1% increase in the budget for said year, amounting to \$48,276.96 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Board of Commissioners hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2023 budget year, the final appropriations of the Borough of Allenhurst shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$168,969.36 and that the CY 2023 municipal budget for the Borough of Allenhurst be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption; and,

BE IT FURTHER ORDAINED, that the provisions of this Ordinance are declared to be

severable, and if any section, subsection, sentence, clause or phrase hereof shall, for any reason be held to be invalid or unconstitutional, such decision shall not affect the validity of the remaining sections, subsections, clauses and phrases of this ordinance shall stand notwithstanding the invalidity of any part; and,

BE IT FURTHER ORDAINED, that the Ordinance shall take effect after publication and adoption according to law.

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

ORDINANCE #2023-05 – First Reading

ORDINANCE #2023-05

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE BOROUGH CODE OF THE BOROUGH OF
ALLENHURST, CHAPTER XXV ENTITLED "LAND USE
PROCEDURES" & CHAPTER XXVI ENTITLED
"DEVELOPMENTAL REGULATIONS OF THE BOROUGH
OF ALLENHURST"**

Offered By: _____ Seconded By: _____

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise portions of its existing Borough Code concerning Land Use Procedures and the Development Regulations, to address Special Meeting requests, escrows and costs for reviewing applications, making zoning determinations and conducting inspections to assure that approved projects are constructed according to the approved plans.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter 25 and Chapter 26 of the Borough Code of the Borough of Allenhurst, be and are hereby amended and supplemented as follows:

I. The existing §25-3.13 "Meetings" is hereby supplemented to add subsection (g) as follows:

g. If an applicant requests the Planning Board to hear an application at one or more special meetings, and the Planning Board grants said request, the applicant(s) shall pay an additional Three Thousand Five Hundred (\$3,500.00) dollars for each such special meeting at which the applicant's matter is heard.

i. Should a requested special meeting be held at any location other than in the Public Meeting Room at Borough Hall, the applicant(s) shall be responsible for any and all additional expenses incurred by the Borough of Allenhurst as a result of having to re-locate said meeting. The amount of such costs shall be provided to the applicant and shall be paid, in escrow, prior to the scheduling of said special meeting.

II. Chapter XXV section §25-3.23 "List of Property Owners Furnished" is hereby amended to read as follows:

Pursuant to the provisions of N.J.S.A. 40:55D-12C, the Borough Clerk shall, within seven (7) days after receipt of a request therefor, and upon receipt of payment of the fee as established and from time to time amended by Ordinance §26-8.1, make and certify a list from the current tax duplicate of names and addresses of owners to whom the applicant is required to give notice pursuant to subsection 25-3.22, paragraph b.

III. The existing Chapter XXVI section §26-8.1(c) is hereby deleted in its entirety and replaced with the following:

- c. Application and Escrow Fee Schedule. Be advised that whenever an application for development shall include more than one request or action, the total accumulated fees of each separate action shall be charged.

	Type of Application	Application Fee	Escrow Amount
Subdivisions			
1.	Sketch Plat	\$150.00	\$500.00
2.	Preliminary Plat	\$300.00 + \$100.00 per lot	\$3000.00 + \$100.00 per lot
3.	Final Plat	\$100.00	\$1500.00 + \$100.00 per lot
Site Plans			
1.	Preliminary	\$500.00	\$3500.00
2.	Minor Site Plan	\$1500.00	\$2500.00
3.	Final	\$1500.00	\$1500.00
4.	Amended Site Plan	\$1500.00	\$1500.00
Variance Relief			
1.	Special Question or Interpretation	\$1500.00	\$1500.00
2.	Hardship	\$500.00	\$1500.00
3.	Use	\$500.00	\$1500.00
4.	Signs Only	\$150.00	\$300.00
5.	Appeal	\$1500.00	\$1500.00
6.	Appeal to Governing Body	\$1000.00	\$1000.00
Certificate of Appropriateness			
1.	Application	\$500.00	\$1500.00
2.	Application for new construction	\$1000.00	\$4000.00
3.	COA Compliance Inspection Minor	\$0.00	\$3000.00
4.	COA Compliance Inspection Major	\$0.00	\$6000.00
Additional Fees			

	Type of Application	Application Fee	Escrow Amount
1.	Certified List of Property Owners	\$35.00	\$0.00
2.	Conceptual Review	\$500.00	\$1000.00
3.	Demolition Permit	\$500.00	\$1500.00
4.	Road Opening Permit	\$300.00	\$0.00
5.	Construction permit in bed of mapped street or drainage right-of-way or lacking street frontage	\$300.00	\$500.00
6.	Special meeting Costs	\$1500.00	\$1000.00
7.	Official Map Appeals	\$200.00	\$500.00
8.	Determination of percentage of impervious surface	\$155.00	No Escrow
9.	Zoning Determination	\$465.00	No Escrow
10.	Zoning Determination for Fence ONLY	\$155.00	No Escrow
11.	Zoning Determination for Driveways/Patios/PCD ONLY	\$155.00	No Escrow
12.	Zoning Determination for Generators/AC Condensers ONLY	\$155.00	No Escrow
13.	Zoning Determination, resubmission due to incompleteness	\$155.00	No Escrow
14.	Zoning Inspection	\$275.00	No Escrow
15.	Zoning re-inspection due to incompleteness	\$110.00	No Escrow
16.	Pool Permit Application per §26-5.11	\$310.00	\$1500.00
17.	Drainage System Application	\$310.00	\$1500.00
18.	Patio Inspections	\$155.00	\$1500.00
19.	Extension of Certificate of Appropriateness	\$1500.00	\$1000.00

1. Definitions relative to Application and Escrow Fee Schedule:

- i. "COA Compliance Inspection Minor" is defined as inspection of any Porch, Deck, Pool or Garage project.
 - ii. "COA Compliance Inspection Major" is defined as inspection of any other Renovation not encompassed in the aforesaid Compliance Inspection Minor.
2. No professional reviews will be undertaken until the escrow has been established. If, in the judgement of the Planning Board, additional funds are required after 75 percent of the original escrow has been exhausted, these additional funds shall be paid within 5 days of notification.

IV. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

V. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

VI. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

VII. This Ordinance shall take effect immediately upon its passage and adoption according to law.

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

RESOLUTIONS

**RESOLUTION #2023-71
A RESOLUTION TO RATIFY AND APPROVE MINUTES**

Offered By:

Seconded By:

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

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

**RESOLUTION #2023-72
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 March 14, 2023.

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

**RESOLUTION #2023-73
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 an application for membership from Alexis M. O'Connor; and,

WHEREAS, The Membership Committee has advised the Board of Commissioners that Alexis M. O'Connor is acceptable for membership;

NOW, THEREFORE, BE IT RESOLVED, That Alexis M. O'Connor is approved for membership in Allenhurst First Aid Squad, pending a criminal history check; and,

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

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

**RESOLUTION #2023-74
A RESOLUTION TO APPROVE RAFFLE LICENSES**

Offered By:

Seconded By:

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that raffle licenses, #RA-02-2023 and #RA-03-2023, be granted to the The Allenhurst Garden Club, which raffles shall be held on Friday May 17, from 12:00pm to 4:00pm, at Mr. C's, Ocean Place and Allen Avenue, Allenhurst.

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

RESOLUTION #2023-75
COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING HE
MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH
MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FISCAL YEAR
2020 COMMUNITY DEVELOPMENT PROJECTS

Offered By:

Seconded By:

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and,

WHEREAS, The County of Monmouth expects to receive an allocation for Fiscal Year **2020** from the United States Department of Housing and Urban Development; and,

WHEREAS, The County of Monmouth has submitted the Annual Plan for Fiscal Year **2020** to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as Borough Hall Handicap Handicap Access Improvements with a grant allocation of \$130,000.00; and,

WHEREAS, The Borough of Allenhurst hereby met all the requirements for the release of funds to being incurring costs for this project; and,

WHEREAS, The Borough of Allenhurst has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the Project Agreement;

NOW, THEREFORE, BE IT RESOLVED, That the Mayor and Municipal Clerk are hereby authorized to execute with the County of Monmouth the attached Project Agreement on behalf of the Borough of Allenhurst.

VOTE: Comm. McLoughlin ___; Comm. Cumiskey ___; Mayor McLaughlin

RESOLUTION #2023-76
A RESOLUTION TO AUTHORIZE THE MAYOR AND CLERK TO SIGN A
CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND A
CERTIFICATION PROHIBITING THE USE OF FEDERAL FUNDS FOR LOBBYING

Offered By:

Seconded By:

WHEREAS, Certain federal funds are potentially available to Monmouth County through the Housing and Community Development Act of 1974, as amended and,

WHEREAS, The United States Department of Housing and Urban Development has allocated funding to the County of Monmouth for Fiscal Year 2020; and,

WHEREAS, The County is making some of these funds available to certain participating municipalities and non-profit agencies; and,

WHEREAS, It is required that the Borough of Allenhurst execute a Project Agreement with Monmouth County to undertake a project known as Borough Hall Handicap Handicap Access Improvements; and,

WHEREAS, The U.S. Department of Housing and Urban Development is requiring that the Mayor of the Borough of Allenhurst sign additional certification in order to receive these funds; and,

WHEREAS, The Borough of Allenhurst has adopted a policy prohibiting the use of excessive force by its law enforcement agency (police force) within its jurisdiction against any

individuals engaged in non-violent civil rights demonstration; and,

WHEREAS, A copy of that policy is attached to and made a part of this resolution;

NOW, THEREFORE, BE IT RESOLVED, That the Borough of Allenhurst has met the conditions of receiving a Fiscal Year 2020 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds for lobbying or by disclosing that funds have been used for lobbying; and,

BE IT FURTHER RESOLVED, That the Mayor of the Borough of Allenhurst is hereby authorized to sign the attached certifications which will become part of the Fiscal Year 2020 Project Agreement.

VOTE: Comm. McLoughlin ___; Comm. Cumiskey ___; Mayor McLaughlin

RESOLUTION #2023-77

RESOLUTION APPROVING AN AMENDMENT TO THE SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF HOLMDEL FOR CHIEF FINANCIAL OFFICER AND QUALIFIED PURCHASING AGENT SERVICES

Offered By: Seconded By:

WHEREAS, the Borough of Allenhurst (“Allenhurst”) and the Township of Holmdel (“Holmdel”) have previously agreed to a shared services agreement, pursuant to which Holmdel shall provide Allenhurst with Chief Financial Officer and Qualified Purchasing Agent Services, upon the terms substantially set forth in the shared services agreement which was approved by both Allenhurst and Holmdel by resolutions adopted in 2020.

WHEREAS, it is the desire to amend the first paragraph of Section 7 to read:

Allenhurst shall pay Holmdel a fee for the services provided for in this Agreement in the amount of \$50,000 (CFO being \$44,500 and QPA being \$5,500) effective January 1, 2023.

NOW, THEREFORE, BE IT RESOLVED that the Borough Commissioners of the Borough of Allenhurst hereby approves the amendment to the shared services agreement with the Township of Holmdel.

BE IT FURTHER RESOLVED that the Borough Administrator and Chief Financial Officer are hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

VOTE: Comm. McLoughlin ___; Comm. Cumiskey ___; Mayor McLaughlin

RESOLUTION #2023-78

A RESOLUTION TO HIRE PUBLIC WORKS EMPLOYEES

Offered By: Seconded By:

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

WHEREAS, Marc Heitmueller, Public Works Supervisor, has recommended that Grant Henning and Harrison Eastwood be hired on a permanent, full-time basis;

NOW, THEREFORE, BE IT RESOLVED, That Grant Henning and Harrison Eastwood 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 March 27, 2023.

NOW, THEREFORE, BE IT FURTHER RESOLVED, That upon obtaining their CDL licenses, Grant Henning and Harrison Eastwood will receive an additional salary of \$1,000 annually.

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

RESOLUTION #2023-79

A RESOLUTION FOR SELF-EXAM OF MUNICIPAL BUDGET

Offered By:

Seconded By:

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

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

WHEREAS, Pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Allenhurst has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meet the necessary conditions to participate in the program for the 2023 budget year;

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

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - a. Payment of interest and debt redemption charges
 - b. Deferred charges and statutory expenditures
 - c. Cash deficit of preceding year
 - d. Reserve for uncollected taxes
 - e. Other reserves and non-disbursement items
 - f. Any inclusions of amounts required for school purposes
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the CAP law.)
3. That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
 - a. All estimates of revenue are reasonable, accurate and correctly stated;
 - b. Items of appropriations are properly set forth
 - c. In itemization, form, arrangement, and content, the budget will permit the exercise of the comptroller function within the municipality.

5. The budget and associated amendments have been introduced, publicly advertised, and adopted in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

6. That other applicable statutory requirements have been fulfilled.

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

VOTE: Comm. McLoughlin ___; Comm. Cumiskey ___; Mayor McLaughlin

RESOLUTION #2023-80
RESOLUTION TO ADOPT 2023 MUNICIPAL BUDGET

Offered By: _____ Secoded By: _____

BE IT RESOLVED, That the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2023;

General Appropriations For:

1. Appropriations within CAPS	
Municipal Purposes	5,291,011.00
2. Appropriations Excluded from CAPS	
Municipal Purposes	1,765,017.29
3. Reserve for Uncollected Taxes	125,688.61
4. Total General Appropriations	7,181,716.90
5. Less: Anticipated Revenues Other Than Current Property Tax	4,128,598.21
6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget	
Local Tax for Municipal Purposes Including Reserve for	
Uncollected Taxes	3,053,118.69

BE IT FURTHER RESOLVED, That said Budget be published in the The Coaster Newspaper on April 6, 2023.

VOTE: Comm. McLoughlin ___; Comm. Cumiskey ___; Mayor McLaughlin

RESOLUTION #2023-81
A RESOLUTION TO APPROVE A CONTRACT WITH
ALLENHURST PBA LOCAL NO. 57

Offered By: _____ Secoded By: _____

WHEREAS, the Borough of Allenhurst (“Borough”) and the Allenhurst PBA Local No. 57 (“Local 57”) have completed negotiations on a collective bargaining agreement concerning the terms and conditions of employment; and

WHEREAS, the negotiations have resulted in a Contract that is mutually acceptable to the Borough and Local 57 negotiating teams; and

WHEREAS, the Contract represents the complete understanding between the parties, a copy of which is on file with the Borough Clerk’s office and made a part hereof by reference; and

WHEREAS, Local 57 has advised the Borough that the proposed Contract was ratified by the membership as of March 24, 2023.

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 ratifies the Contract with Local 57; and

BE IT FURTHER RESOLVED that the Mayor and Borough Clerk be and are hereby authorized to execute the ratified Contract with Allenhurst PBA Local No. 57, which contract shall run for a term of three (4) years, retroactive to January 1, 2023 and expiring on December 31, 2026; and,

BE IT FURTHER RESOLVED that said contract be filed with the Borough Clerk.

VOTE: Comm. McLoughlin ___; Comm. Cumiskey ___; Mayor McLaughlin

RESOLUTION #2023-82

A RESOLUTION TO HIRE A FULL-TIME COMMUNICATIONS OFFICER

Offered By:

Seconded By:

WHEREAS, There is a need for a Communications Officer in the Allenhurst Police Department and the Chief of Police has interviewed several candidates and has made his recommendation to the Board of Commissioners; and,

WHEREAS, Funds for this purpose shall be provided for in the appropriation entitled, Police S&W, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, That Vincent Farmer be and he is hereby employed as a Communications Officer for the Borough of Allenhurst for a probationary period of one year, commencing on March 31, 2023, at an annual salary of \$35,360.

VOTE: Comm. McLoughlin ___; Comm. Cumiskey ___; Mayor McLaughlin

RESOLUTION #2023-83

A RESOLUTION TO APPROVE SALARIES FOR 2023

Offered By:

Seconded By:

BE IT RESOLVED, That the following salaries be and are hereby approved for officials and employees of the Borough of Allenhurst for the year 2023:

Chief of Police	\$146,765
Borough Clerk/Administrator	126,642
Public Works Superintendent/Sewer Operator	90,263
Finance Clerk	57,421
Deputy Clerk/Deputy Clerk/Deputy Treasurer/Administrative Assistant	\$29.50 per hour
Registrar	1,500
Deputy Registrar	1,000
Recycling Coordinator	2,075
Right-To-Know Coordinator	1,556

Clean Communities Coordinator	1,000
Tax Collector	6,488
Sewer Collector	4,000
Tax Assessor	8,678
Board of Health Officer	2,500
Zoning Inspector/Code Official	20,000
Municipal Court Judge, includes 2 court sessions/mo.	20,000
OEM Coordinator	2,500
OEM Administrator	2,500
Planning Board Secretary	15,563
Records Coordinator	6,500
Certified Pool Operator	1,000
Pump Maintenance	\$75.00/callout
Pool Cleaning	\$100/cleaning – 2hr max
	Over 2hr needs approval of DPW Supervisor
Treasurer	1,500
Mayor	1,750
Commissioner	1,500
<u>Public Works</u>	
Duchatkiewicz	69,281
Varian	48,565
Castillo	44,353
Henning	39,000
Eastwood	39,000
Foreman	2,500
TAC Officer	4,000

VOTE: Comm. McLoughlin____; Comm. Cumiskey___;Mayor McLaughlin

RESOLUTION #2023-84

A RESOLUTION TO APPROVE EXECUTIVE SESSION

Offered By: Seconded By:

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____; Comm. Cumiskey___;Mayor McLaughlin_____

RESOLUTION #2023-85

A RESOLUTION TO APPROVE BILLS (3-15-2023 to 4-3-2023)

Offered By:

Seconded By:

BE IT RESOLVED, That bills totaling \$710,959.62 be approved for payment; and,
BE IT FURTHER RESOLVED, That the April 3, 2023 consolidated bill list be attached hereto and made a part thereof.

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