

AGENDA
July 13, 2022

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-____; 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:

- Farmingdale Resolution 57-2022 and Neptune City Resolution 85-2022 Supporting Concurrent Resolution 31 Increasing Property Tax Deduction for Veterans
- Farmingdale Resolution 58-2022 and Neptune City Resolution 84-2022 Opposing A-1294 and S-2103 and urging not to advance further
- Farmingdale Resolution 59-2022 and Neptune City Resolution 80-2022 Urging Passage of S-330 Restoring Full Payments of the Energy Receipts Tax to Municipalities

ANNOUNCEMENTS:

ORDINANCES

ORDINANCES FIRST READING

ORDINANCE #2022-13 – First Reading

Offered By:

Seconded By:

ORDINANCE NO.: 2022-13

**AN ORDINANCE AMENDING AND SUPPLEMENTING
THE CODE OF THE BOROUGH OF ALLENHURST.**

VOTE: Comm. McLoughlin ____; Mayor McLaughlin ____

CONSENT AGENDA:

- | | |
|-----------------------|---|
| Res. #2022-123 | Ratify and Approve Minutes. |
| Res. #2022-124 | Dispense with Reading of Minutes |
| Res. #2022-125 | Approve ABC Refund |
| Res. #2022-126 | Authorize Transportation Trust Fund Agreement – Elberon Avenue |
| Res. #2022-127 | Confirm Retirement Benefits |
| Res. #2022-128 | Approve Members in Allenhurst First Aid Squad |
| Res. #2022-129 | Approve Member in Allenhurst Fire Department |

ORDINANCES

ORDINANCES FIRST READING

ORDINANCE #2022-13 – First Reading

**ORDINANCE NO.: 2022-13
AN ORDINANCE AMENDING AND SUPPLEMENTING
THE CODE 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 the following sections of the Code of the Borough of Allenhurst to establish certain penalties to be payable upon conviction of violations thereof.

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. Chapter III, Section 3-7.1 “Penalties” be and is hereby revised by deleting the existing section A3-7.1” and replacing it with the following:

Penalties. Any person, firm, or corporation who shall violate any provision of the subsections 3-7 “Disorderly conduct” subsections a. through u. therein, shall be deemed guilty of a misdemeanor and, upon conviction thereof, shall be subject to a fine as set forth below:

Section	Entitled	Fine Payable, 1 st offense	Fine Payable, subsequent offenses
3-7.1 a	Loitering Prohibited	\$176 + \$24CC	\$276 + \$24CC
3-7.1 b	Under Influence in Public	\$476 + \$24CC	\$776 + \$24CC
3-7.1 c	Indecent Language in Public	\$176 + \$24CC	\$276 + \$24CC
3-7.1 d	Indecent Language at home, but audible to Public	\$176 + \$24CC	\$276 + \$24CC
3-7.1 e	Indecent Language to passersby	\$176 + \$24CC	\$276 + \$24CC
3-7.1 f	Obstructing Persons in Public Place	\$476 + \$24CC	\$776 + \$24CC
3-7.1 g	Begging or Soliciting	\$176 + \$24CC	\$276 + \$24CC
3-7.1 h	Disturbance of the public peace and quiet	\$476 + \$24CC;	\$776 + \$24CC
3-7.1 i	Disturbance of public meeting	\$476 + \$24CC	\$776 + \$24CC
3-7.1 j	Exhibition of obscene object	\$476 + \$24CC	\$776 + \$24CC
3-7.1 k	Public Nudity or indecent exposure	\$476 + \$24CC	\$776 + \$24CC
3-7.1 l	Disorderly House	\$76 + \$24CC	\$276 + \$24CC
3-7.1 m	Gambling House	\$476 + \$24CC	\$776 + \$24CC
3-7.1 n	Disturbance of neighborhood	\$476 + \$24CC	\$776 + \$24CC
3-7.1 o	Use of Fireworks	\$476 + \$24CC	\$776 + \$24CC

3-7.1 p	Fortune Telling	\$176 + \$24CC	\$376 + \$24CC
3-7.1 q	Solicitation of unlawful sexual intercourse	\$276 + \$24CC	\$576 + \$24CC
3-7.1 r	Damage to property	\$76 + \$24CC	\$276 + \$24CC
3-7.1 s	Disturbance of School or Children	\$476 + \$24CC	\$776 + \$24CC
3-7.1 t	False Alarm	\$476 + \$24CC	\$776 + \$24CC
3-7.1 u	Inhumane treatment of Police Dog	\$76 + \$24CC	\$276 + \$24CC

REPEALER. All other sections and subsections of Chapter III not specifically amended by this Ordinance, shall remain in full force and effect.

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

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.

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 ____; Mayor McLaughlin ____

of Allenhurst further agrees to manage the bidding and award of the combined project. However, each municipality will be responsible for engineering, inspection and contract administration for their portion of the roadway.

NOW, THEREFORE, BE IT RESOLVED by the Borough Commissioners of Allenhurst, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2023-Improvements to Elberon Avenue - to the New Jersey Department of Transportation on behalf of the Borough of Allenhurst; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Allenhurst and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

VOTE: Comm. McLoughlin____; Comm. McLaughlin____

RESOLUTION #2022-127

A RESOLUTION TO CONFIRM RETIREMENT BENEFITS

Offered By:

Seconded By:

WHEREAS, James Rogers has filed for retirement from the P.F.R.S. effective July 1, 2022; and,

WHEREAS, Pursuant to the Police and Fire Retirement System and the Borough's Personnel Policy, employees who retire from the P.F.R.S. with the required number of years of service; are entitled to certain benefits; and,

WHEREAS, James Rogers meets the retirement system requirements;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners, the following retirement benefits be confirmed:

1. Medical Benefits for Retiree and his family, through the NJ State Health Benefits Program, effective July 1, 2022 until the death of the retiree.
2. Accumulated Sick Days:
Days accumulated through June 30, 2022:
Capped @ \$15,000 to be paid by July 31, 2022.
3. Accumulated and earned vacation.
Vacation earned from January 1, 2022 through June 30, 2022:
10 days x 2022 rate of pay at \$452.19 = \$4,521.90
Total due for earned vacation: \$4,521.90 to be paid by July 31, 2022.

VOTE: Comm. McLoughlin____; Mayor McLaughlin____

RESOLUTION #2022-134

A RESOLUTION TO CONSIDER MORATORIUM WAIVERS

Offered By:

Seconded By:

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

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

WHEREAS, Under the provisions of granting approval for a waiver for the period ending 5 PM on **July 26, 2022**, the following provisions shall be adhered to:

1. No construction activities prior to 8:00 AM or after 5:00 PM daily.
2. No construction activities on weekends.
3. No construction activities on Monday, July 4, 2022.
4. No dumpsters on property or heavy equipment permitted. No construction debris on outside of property

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

1. Dowling, Marianne and Edward – 232 Spier

4 Days from 8am to 5pm.

- Need to install siding around Sliding Door and Garage that was removed in order to install a sliding door that had broken.
- Siding must be installed as soon as available in order to prevent damage to the home.
- Materials are currently on backorder, would like to install as soon as they arrive and should take 3-4 days to complete.

Extension APPROVED/DENIED through _____.

2. Jemal, Douglas – 105 Cedar

2 days from 8am to 5pm

- Waiting for final electrical connection from JCP&L. Once connection is completed will need to perform certain finish work and connect all utilities.

Extension APPROVED/DENIED through _____.

VOTE: Comm. McLoughlin ____; Mayor McLaughlin ____

RESOLUTION #2022-135

A RESOLUTION TO APPROVE BILLS (6-29-2022 to 7-13-2022)

Offered By:

Seconded By:

BE IT RESOLVED, That bills totaling \$172,323.86 be approved for payment; and,
BE IT FURTHER RESOLVED, That the July 13, 2022 consolidated bill list be attached hereto and made a part thereof.

VOTE: Comm. McLoughlin____; Mayor McLaughlin_____