



**SWEARING-IN CEREMONY** - Richard Cumiskey – Board of Commissioners

**COMMUNICATIONS:**

- Notice of Public Hearing to be held August 15, 2022 of the Monmouth County Planning Board to consider adoption of the Monmouth County Farmland Preservation Plan 2022 as an element of the Monmouth County Master Plan.
- Atlantic Highlands resolution 118-2022 Supporting Assembly Concurrent Resolution Increasing the Property Tax Deduction for Veterans to \$1,000 and Base Future Deduction on the Annual CPI.
- Notices of Public Hearings to be held virtually on August 15, 2022 of NJ Natural Gas regarding, Basic Gas Supply Service and Conservation Incentive Program, the Investment Infrastructure Program and the Energy Efficiency Programs.

**ANNOUNCEMENTS:** None

**ORDINANCES**

**ORDINANCES FINAL READING**

**ORDINANCE #2022-13 – Final Reading**

Offered By:

Seconded By:

**ORDINANCE NO.: 2022-13**

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

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Cumiskey\_\_\_\_; Mayor McLaughlin\_\_\_\_

**CONSENT AGENDA:**

<b>Res. #2022-137</b>	<b>Ratify and Approve Minutes.</b>
<b>Res. #2022-138</b>	<b>Dispense with Reading of Minutes</b>
<b>Res. #2022-139</b>	<b>Approve ABC Refund</b>
<b>Res. #2022-140</b>	<b>Approve Audit</b>
<b>Res. #2022-141</b>	<b>Approve Shared Services Agreement – Monmouth County ITAX Map</b>
<b>Res. #2022-142</b>	<b>Set Interest Rate and Grace Period for 3<sup>rd</sup> Quarter Taxes</b>
<b>Res. #2022-143</b>	<b>Hire Seasonal Employees</b>
<b>Res. #2022-144</b>	<b>Approve Race – The Center in Asbury Park</b>
<b>Res. #2022-145</b>	<b>Appoint Planning Board Member</b>
<b>Res. #2022-146</b>	<b>Renew Membership in Monmouth Municipal Joint Insurance Fund</b>
<b>Res. #2022-147</b>	<b>Confirm Dropped Member</b>
<b>Res. #2022-148</b>	<b>Authorize Bids</b>
<b>Res. #2022-149</b>	<b>Cancel Reserve Balance</b>
<b>Res. #2022-150</b>	<b>Authorize Grant Application</b>
<b>Res. #2022-151</b>	<b>Approve Executive Session</b>

Consent Agenda Offered By:

Seconded By:

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Cumiskey\_\_\_\_; Mayor McLaughlin\_\_\_\_



**ORDINANCES**

**ORDINANCES FINAL READING**

**ORDINANCE #2022-13 –Final 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 <sup>st</sup> 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 \_\_\_\_; Comm. Cumiskey \_\_\_\_; Mayor McLaughlin \_\_\_\_



Recommendations and,

**WHEREAS**, The members of the governing body have personally reviewed at a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

General Comments

Recommendations

as evidenced by the group affidavit form of the governing body; and,

**WHEREAS**, Such resolution of certification shall be adopted by the governing body no later than forty-five days after receipt of the annual audit, as per the regulations of the Local Finance Board; and,

**WHEREAS**, All members of the governing body have received and have familiarized themselves with at least the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and,

**WHEREAS**, Failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 - to wit:

"R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined no more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

**NOW, THEREFORE, BE IT RESOLVED**, That the governing body of the Borough of Allenhurst, hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

VOTE: Comm. McLoughlin \_\_\_; Comm. Cumiskey \_\_\_; Mayor McLaughlin \_\_\_

#### **RESOLUTION #2022-141**

### **RESOLUTION TO APPROVE THE BOROUGH OF ALLENHURST TO ENTER INTO A SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH TO PROVIDE THE ITAX MAP/COLLABORATION CENTER SYSTEM (tax map conversion and maintenance services)**

Offered By:

Seconded By:

**WHEREAS**, The Uniform Shared Services and Consolidation Act (C.40A:565-1, et seq.), authorizes local units of this State to enter into a contract with any other local unit(s) for the joint provision within their several jurisdictions of any service, which any party to the agreement is empowered to render within its own jurisdiction; and

**WHEREAS**, each municipality is to provide for the preparation of yearly revisions to the tax map under New Jersey State law N.J.A.C. 18:23A-1.1, and this legal requirement is not followed by all municipalities based on limited financial, technical and professional resources; and

**WHEREAS**, each physical description of a parcel of land drives the mass-appraisal calculation of the land portion of its property tax assessment, and land data inaccuracies and errors lead to poor distribution of the annual tax levy, potentially resulting in years of tax bill overpayments and underpayments; and

**WHEREAS**, a County-to-Municipality shared services program would provide map conversion and maintenance services, ushering in the transition from analog to a Countywide standard of state-certified digital tax maps for all 53 municipalities; and

**WHEREAS**, the intent of the digital tax map shared services program is to reduce municipal costs in complying with the law and provide for the most up-to-date GIS parcel layer and tax map data for public and government stakeholders; and

**WHEREAS**, this service provides participating municipalities with numerous benefits, including: anticipated cost-savings through economies-of-scale; reduce cost to comply with state regulations and standards; transition from analog to state-certified digital maps; streamlined editing and ongoing maintenance procedures; more consistent and accurate municipal and County-wide information; unprecedented assemblage of data made available to taxpayers, municipalities and the County; and seamless flow of tax information into GIS and additional information systems.

**WHEREAS**, it is in the best interest of THE BOROUGH OF ALLENHURST to enter into such an Agreement.

**NOW, THEREFORE, IT BE RESOLVED**, that the governing body of THE BOROUGH OF ALLENHURST hereby approves entry in the Agreement with the County of Monmouth consistent with the foregoing.

**BE IT FURTHER RESOLVED**, that the Mayor, Borough Administrator and Borough Clerk are each hereby authorized and directed to execute the Shared Services Agreement, for the provision of the iTax Map/Collaboration Center System, on behalf of the Borough.

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Cumiskey\_\_\_\_; Mayor McLaughlin\_\_\_\_

#### **RESOLUTION #2022-142**

### **A RESOLUTION EXTENDING THE THIRD QUARTER PROPERTY TAX PAYMENT GRACE PERIOD**

Offered By:

Seconded By:

**WHEREAS**, ordinarily third quarter tax bills were to be mailed by July 15, 2022; and  
**WHEREAS**, because of delays beyond the Borough's control, the bills could not be mailed prior to this deadline; and

**WHEREAS**, the third quarter tax bills will be mailed on or about August 1, 2022; and  
**WHEREAS**, N.J.S.A. 54:4-66.3(d) provides that when third quarter tax bills cannot be mailed by the above deadline, taxes shall not be subject to interest until at least 25 days after the tax bills are mailed.

**WHEREAS**, the governing body of the Borough of Allenhurst wishes to extend the property tax payment grace period for the payment of quarterly taxes due on August 1, 2022 so that interest shall not accrue if payment is made by August 31, 2022 in accordance with the above statutory provision.

**NOW, THEREFORE, BE IT RESOLVED** that the governing body of the Borough of Allenhurst hereby extends the property tax payment grace period for third quarter taxes so that interest shall not accrue if payment is made by August 31, 2022.

**BE IT FURTHER RESOLVED** that the Tax Collector is hereby authorized to make corrections and notations upon the Municipal records as may be necessary to effect this





**RESOLUTION #2022-147**  
**A RESOLUTION TO CONFIRM DROPPED MEMBERS FROM**  
**ALLENHURST FIRE DEPARTMENT**

Offered By

Seconded By:

**BE IT RESOLVED**, By the Board of Commissioners, pursuant to the recommendation of the Allenhurst Fire Department, the following have either resigned or have been dropped from the rolls for failure to complete their requirements:

William Peterpaul  
Randy Thorne

VOTE: Comm. McLoughlin \_\_\_\_; Comm. Cumiskey \_\_\_\_; Mayor McLaughlin \_\_\_\_

**RESOLUTION #2022-148**  
**A RESOLUTION TO AUTHORIZE BIDS**

Offered By:

Seconded By:

**BE IT RESOLVED**, That the Borough Clerk be and she is hereby authorized and directed to receive bids for the "ADA Improvements to Borough Hall."

VOTE: Comm. McLoughlin \_\_\_\_; Comm. Cumiskey \_\_\_\_; Mayor McLaughlin \_\_\_\_

**RESOLUTION #2022-149**  
**RESOLUTION TO CANCEL GRANT APPROPRIATED RESERVE BALANCE**

Offered By:

Seconded By:

**WHEREAS**, there exist certain Grant Appropriated Reserves on the Current Fund Balance Sheet that were adopted into previous budgets for the Borough of Allenhurst; and

**WHEREAS**, the reserved balances are no longer available; and

**WHEREAS**, it is necessary to formally cancel the Appropriated balances from the Current Fund Balance Sheet;

**NOW, THEREFORE BE IT RESOLVED**, by the Mayor and Council of the Borough of Allenhurst that the following Grant Appropriated Reserve balance be canceled:

Grant Title	Appropriated Reserve
Clean Communities Program	\$28,476.52

VOTE: Comm. McLoughlin \_\_\_\_; Comm. Cumiskey \_\_\_\_; Mayor McLaughlin \_\_\_\_

**RESOLUTION #2022-150**  
**AUTHORIZING GRANT APPLICATION**  
**NEW JERSEY DEPARTMENT OF COMMUNITY AFFAIRS**  
**ALLENHURST FIRE DEPARTMENT**

Offered By:

Seconded By:

**WHEREAS**, the Borough of Allenhurst Fire Department desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$70,000 to carry out a project to purchase personal protective equipment, Scott Paks, Bottles and Face Masks.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, State of New Jersey, does hereby:

1. authorize the application for such a grant; and
2. recognize and accept that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Borough of Sea Bright Fire Department and the New Jersey Department of Community Affairs.

**BE IT FURTHER RESOLVED**, that The Mayor and Clerk shall be and hereby are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Cumiskey\_\_\_\_; Mayor McLaughlin\_\_\_\_

**RESOLUTION #2022-151**  
**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 #2022-152**  
**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. Jemal, Douglas – 105 Cedar**

1 day from 9am to 4pm

-The Applicant needs to turn on and check all appliances, check pilot lights and automatic igniters on the kitchen range and hot water heater, and check fire alarm system is working. They need to verify that all equipment is operating properly as there is a risk of explosion. Additionally, the Applicant needs to start the ai conditioning equipment. This is an emergent matter as the house is full of original wood, which is starting to swell due the high humidity the last several weeks.

Extension APPROVED/DENIED through \_\_\_\_\_.

**2. Chera, Richard – 1 Spier**

9 days, 72 hours total

-Remove and Replacement of manufacturer defected door. The defected door allow water to infiltrate the interior of the home each time it rains. The stucco will need to be repaired once the door is replaced.

Extension APPROVED/DENIED through \_\_\_\_\_.

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Cumiskey\_\_\_\_; Mayor McLaughlin\_\_\_\_\_

**RESOLUTION #2022-153**

**A RESOLUTION TO APPROVE BILLS (7-14-2022 to 8-9--2022)**

Offered By:

Seconded By:

**BE IT RESOLVED**, That bills totaling \$587,315.98 be approved for payment; and,  
**BE IT FURTHER RESOLVED**, That the August 9, 2022 consolidated bill list be attached hereto and made a part thereof.

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Cumiskey\_\_\_\_; Mayor McLaughlin\_\_\_\_