

AGENDA
November 9, 2021

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. BOLAN-____; 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:

Notice of Public Meeting on 11/10/2021 of the Monmouth Municipal Joint Insurance Fund regarding the proposed 2022 budget.

ANNOUNCEMENTS:

The Annual Allenhurst Holiday Tree Lighting will take place on December 5, 2021.

ORDINANCES:

FINAL READING

ORDINANCE 2021-02 – FINAL READING

BOND ORDINANCE NO. 2021-02

BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO SPIER AVENUE, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$450,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Offered By:

Seconded By:

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

ORDINANCE 2021-11 – FINAL READING

BOND ORDINANCE NO. 2021-11

BOND ORDINANCE PROVIDING FOR ADA IMPROVEMENTS TO BOROUGH HALL, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Offered By:

Seconded By:

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

ORDINANCE 2021-13 – FINAL READING

BOND ORDINANCE NO. 2021-13

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK, APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$712,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Offered By:

Seconded By:

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

CONSENT AGENDA:

Res. #2021-231 Ratify and Approve Minutes.
Res. #2021-232 Dispense with Reading of Minutes
Res. #2021-233 Approve Raffle – Fire Department – 1/1/2022
Res. #2021-234 Approve Personnel Policy
Res. #2021-235 Transfer Appropriations
Res. #2021-236 Approve Contract – Repairs to Plumbing at Borough Hall
Res. #2021-237 Certify Best Practices Check List
Res. #2021-238 Approve Executive Session

Consent Agenda

Offered By:

Seconded By:

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

Res. #2021-239 Approve Bills (11-1-2021 to 11-15-2021)

Offered By:

Seconded By:.,

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

ITEMS FOR DISCUSSION:

Best Practices Results

OPEN PUBLIC HEARING:

CLOSE PUBLIC HEARING:

ADJOURN.

ORDINANCES

ORDINANCES –FINAL READING

ORDINANCE 2021-02 – FINAL READING

**BOND ORDINANCE NO. 2021-02
BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS TO SPIER
AVENUE, APPROPRIATING \$450,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$450,000 BONDS AND NOTES TO FINANCE A PORTION OF THE
COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST,
IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Offered By:

Seconded By:

BE IT ORDAINED by the BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Allenhurst, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$450,000, said sum being inclusive of all appropriations heretofore made therefor, including \$175,000 grant funds expected to be received from the New Jersey Department of Transportation (NJDOT). No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$450,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of various improvements to Spier Avenue, including, but not limited to, curb replacement, drainage improvements, and pavement milling and reconstruction, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$450,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$450,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$450,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$112,500 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the

form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ORDINANCE 2021-11 – FINAL READING

BOND ORDINANCE NO. 2021-11

BOND ORDINANCE PROVIDING FOR ADA IMPROVEMENTS TO BOROUGH HALL, APPROPRIATING \$200,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$200,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Offered By:

Seconded By:

BE IT ORDAINED by the BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Allenhurst, in the County of Monmouth, New Jersey (the “Borough”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$200,000, said sum being inclusive of all appropriations heretofore made therefor, including \$93,610 grant funds expected to be received from the Monmouth County Community Development Block Grant (CDBG) Program. No down payment is required or appropriated herein, in accordance with N.J.S.A. 40A:2-11c of the Local Bond Law.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of a down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$200,000, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of Americans with Disabilities Act (ADA) improvements to Borough Hall, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the Borough Chief Financial Officer, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$200,000, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$200,000, which is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is fifteen (15) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services

in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$200,000 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$40,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto. This ordinance shall constitute a declaration of official intent for the purposes and within the meaning of Section 1.150-2(e) of the United States Treasury Regulations.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ORDINANCE 2021-13 – FINAL READING

BOND ORDINANCE NO. 2021-13

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK, APPROPRIATING \$750,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$712,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY

Offered By:

Seconded By:

BE IT ORDAINED by the BOROUGH BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized as general improvements to be undertaken in and by the Borough of Allenhurst, in the County of Monmouth, New Jersey (the “Borough” or the “Borough of Allenhurst”). For the improvements or purposes described in Section 3, there is hereby appropriated the sum of \$750,000, said sum being inclusive of all appropriations heretofore made therefor, including the sum of \$37,500 as the down payment for said purposes as required by the Local Bond Law, N.J.S.A. 40A:2-1 et seq. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in the Capital Improvement Fund of one or more previously adopted budgets.

Section 2. In order to finance the costs of said improvements or purposes not provided for by the application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount not to exceed \$712,500, pursuant to the Local Bond Law. In anticipation of the issuance of said bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvements hereby authorized to be undertaken consist of the acquisition of a fire truck as part of a shared purchase agreement between the Borough of Allenhurst, the Village of Loch Arbour, in the County of Monmouth, New Jersey, and the Borough of Interlaken, in the County of Monmouth, New Jersey, together with all purposes necessary incidental or apparent thereto, all as shown on and in accordance with plans, specifications or requisitions therefor on file with or through the chief financial officer of the Borough, as finally approved by the governing body of the Borough.

(b) The estimated maximum amount of bonds or notes to be issued for the improvements or purposes described in Section 3(a) hereof is \$712,500, as stated in Section 2 hereof.

(c) The estimated cost of the improvements or purposes described in Section 3(a) hereof is \$750,000, which is equal to the amount of the appropriation herein made therefor. The excess of the appropriation of \$750,000 over the estimated maximum amount of bonds or notes to be issued therefor being the amount of said \$37,500 down payment for said purposes.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Borough, provided that no note shall mature later than one (1) year from its date. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 40A:2-8. The notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer, who shall determine all matters in connection with notes issued pursuant to this ordinance, and the chief financial officer's signature upon the notes shall be conclusive evidence as to all such determinations. The chief financial officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of such notes occurs, such report shall include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvements or purposes described in Section 3 of this bond ordinance are not a current expense and are improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the improvements or purposes, within the limitations of the Local Bond Law and taking into consideration the amount of the obligations authorized for said purposes, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is ten (10) years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Borough Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$712,500 and the obligations authorized herein will be within all debt limitations prescribed by that Law.

(d) An aggregate amount not exceeding \$71,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

(e) To the extent that moneys of the Borough are used to finance, on an interim basis, costs of said improvements or purposes, the Borough reasonably expects such costs to be paid or reimbursed with the proceeds of obligations issued pursuant hereto.

Section 6. The capital budget of the Borough is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget

and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 7. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 3 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy ad valorem taxes upon all the taxable property within the Borough for the payment of the obligations and the interest thereon without limitation as to rate or amount.

Section 9. This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

ORDINANCES –FIRST READING

ORDINANCE 2021-15– FIRST READING

ORDINANCE #2021-15

AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST, CHAPTER XXVI, SECTION 5 ENTITLED “GENERAL PROVISIONS” SUPPLEMENTED WITH NEW SECTION 5.14 ENTITLED “SOIL AND GROUNDWATER MOUNDING ANALYSIS REQUIRED”

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 augment its existing Borough Code concerning the Development Regulations, to address the effects of projects that intend to excavate deeper into the ground for basements, foundations or the like, as the same have a potential to create drainage and ground water diversion issues, by adding new section 26-5.14.

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

SECTION 1. Chapter 26-5 entitled “General Provisions” be and is hereby supplemented with the addition of section 26-5.14 as follows:

26-5.14 Soil and Groundwater Mounding Analysis Required

- A. In all districts in the Borough, no permit for the erection, modification or rehabilitation of any building foundation, basement, cellar or structure, which seeks to alter the depth of or create a new basement, foundation or other ground penetrating construction, shall be issued unless a full depth soil boring, soil log, soil analysis and groundwater mounding analysis, including establishment of the depth to the seasonal high groundwater table shall be provided with any permit application. A report on the soil and groundwater conditions shall be prepared by a licensed geotechnical engineer and submitted as part of any proposed application, including any recommended construction details.
- B. The bottom elevation of any building foundation, basement, cellar or structure shall not be less than two (2') feet above the seasonal high groundwater elevation, as defined by January 1 through April 1 of each year.
- C. No construction shall alter the seasonal high groundwater elevation.

SECTION 2. 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.

SECTION 3. 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.

SECTION 4. 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.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption according to law.

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

RESOLUTIONS

RESOLUTION #2021-231

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By:

Seconded By:

BE IT RESOLVED, That the minutes of the Special Meeting of October 26, 2021 be ratified and approved.

VOTE: Comm. McLoughlin - ___; Comm. Bolan- ___; Mayor McLaughlin- ___

RESOLUTION #2021-232

A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By:

Seconded By:

BE IT RESOLVED, That the Clerk dispense with the reading of the minutes of the Special Meeting of October 26, 2021.

VOTE: Comm. McLoughlin - ___; Comm. Bolan- ___; Mayor McLaughlin- ___

RESOLUTION #2019-233

A RESOLUTION TO APPROVE RAFFLE LICENSE

Offered By:

Seconded By:

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a non-draw raffle license, #RA-2022-01, be granted to the Allenhurst Fire Department, No. 1, which raffle shall be held on Saturday, January 1, 2022, from Noon to 5:00 PM, at the Allenhurst Fire House, 318 Hume Street, Allenhurst.

VOTE: Comm. McLoughlin - ___; Comm. Bolan- ___; Mayor McLaughlin- ___

RESOLUTION #2021-234

A RESOLUTION TO APPROVE PERSONNEL POLICY

Offered By:

Seconded By:

WHEREAS, it is the policy of Borough of Allenhurst to treat employees and prospective employees in a manner consistent with all applicable employment laws and regulations including, but not limited to Title VII of the Civil Rights Act of 1964, as amended by the Equal Opportunity Act of 1972, the Age Discrimination in Employment Act, the Equal Pay for Equal Work Act, the Fair Labor Standards Act, the New Jersey Law Against Discrimination, the Americans with Disabilities Act, the Family and Medical Leave Act, the Conscientious Employee Protection Act, the Public Employee Occupational Safety and Health Act, (the New Jersey Civil Service Act,) (the New Jersey Attorney General's guidelines with respect to Police Department personnel matters,) the New Jersey Workers Compensation Act, the Federal Consolidated Omnibus Budget Reconciliation Act (COBRA) and the Open Public Meeting Act; and

WHEREAS, the Board of Commissioners has determined that there is a need for personnel policies and procedures to ensure that employees and prospective employees are treated in a manner consistent with these laws and regulations.

NOW, THEREBY, BE IT RESOLVED by the Board of Commissioners that the Personnel Policies and Procedures Manual dated November, 2021, on file in the Borough Clerk's office, is hereby adopted.

BE IT FURTHER RESOLVED that these personnel policies and procedures shall apply to all Borough officials, appointees, employees, volunteers and independent contractors. In the event there is a conflict between these rules and any collective bargaining agreement, personnel services contract or Federal or State law, the terms and conditions of that contract or law shall prevail. In all other cases, these policies and procedures shall prevail.

BE IT FURTHER RESOLVED that this manual is intended to provide guidelines covering public service by Borough employees and is not a contract. The provisions of this manual may be amended and supplemented from time to time without notice and at the sole discretion of the Board of Commissioners.

BE IT FURTHER RESOLVED that to the maximum extent permitted by law, employment practices for the Borough shall operate under the legal doctrine known as “employment at will.”

BE IT FURTHER RESOLVED that the Borough Administrator and all managerial/supervisory personnel are responsible for these employment practices. The Borough Attorney shall assist the Borough Administrator in the implementation of the policies and procedures in this manual.

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

RESOLUTION #2021-235

A RESOLUTION TO TRANSFER APPROPRIATIONS

Offered By:

Seconded By:

BE IT RESOLVED, That the following 2021 appropriations be transferred:

<u>Current Fund</u>	<u>To</u>	<u>From</u>
Beach - OE	\$ 90,000	
Legal - OE	66,000	
Administration – OE	15,000	
Telephone – OE	5,500	
Gasoline – OE	4,000	
Interlaken – S&W	3,500	
Tax Assessor – OE	3,300	
Snow Removal – S&W	3,000	
Code Enforcement - OE	1,500	
Water – OE	1,000	
Natural Gas – OE	1,000	
Planning Board – S&W	850	
Beach – S&W		\$ 90,000
Public Works – S&W		79,650
Administration – S&W		15,000
Code Enforcement –S&W		5,000
Unemployment – OE		5,000
	<u>\$ 194,650</u>	<u>\$ 194,650</u>

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

RESOLUTION #2021-236
A RESOLUTION TO AWARD CONTRACT FOR REPAIRS TO THE PLUMBING AT
BOROUGH HALL

Offered By:

Seconded By:

WHEREAS, There is a need for repairs to the plumbing at Borough Hall; and,
WHEREAS, The following quotes were secured:

John Kelly Mechanical Contractor	\$ 650.00
Hogg Company	2,225.00
Bailey Plumbing	2,642.17

WHEREAS, Funds for this purpose will be provided for in the capital account known as “Public Buildings Misc”, Account # 1-01-26-772-218, and the Chief Finance Officer has so certified;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a contract be awarded to John Kelly Mechanical Contractor, on their quote of \$650.00 for repairs to the plumbing at Borough Hall.

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

RESOLUTION 2021-237
A RESOLUTION CERTIFYING REVIEW OF THE LOCAL GOVERNMENT BEST
PRACTICES CHECK LIST

Offered By

Seconded By: Comm. Bolan

WHEREAS, the Department of Community Affairs requires the Administrator and Chief Financial Officer of every municipality to have certified the Local Government Best Practices Check List; and

WHEREAS, the Check List has been certified by the Administrator and Chief Financial Officer and a copy thereof has been received by each member of the Governing Body; and

WHEREAS, the members of the Governing Body have personally reviewed the Local Government Best Practices Check List; and

WHEREAS, such resolution of certification shall be adopted by the governing body; and

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Allenhurst, hereby states that it has reviewed the checklist and ratifies the Chief Financial Officer’s filing of the Best Practice Check List to the Department of Communities Affairs on November 5, 2021.

BE IT FURTHER RESOLVED that certified copies are provided to: Division of Local Government Services, Administrator/Clerk, and Municipal Auditor

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

RESOLUTION #2021-238
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. Bolan____; Comm. McLaughlin____

RESOLUTION #2021-239
A RESOLUTION TO APPROVE BILLS AND PAYROLL (11-1-2021 to 11-15-2021)

Offered By:

Seconded By:

BE IT RESOLVED, That bills and payroll totaling \$215,096.87. be approved for payment; and,

BE IT FURTHER RESOLVED, That the November 15, 2021 consolidated bill list be attached hereto and made a part thereof.

VOTE: Comm. McLoughlin____; Comm. Bolan____; Comm. McLaughlin____