

AGENDA
July 13, 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 Hearing that the Monmouth County Division of Transportation will be having on August 12, 2021 regarding the Senior Citizens and Disabled Residents Assistance Program and the 5311 Grant.

ANNOUNCEMENTS:

None.

ORDINANCES

CONSENT AGENDA:

Res. #2021-154	Ratify and Approve Minutes.
Res. #2021-154	Dispense with Reading of Minutes
Res. #2021-155	Approve Change Order #2 – Improvements to Cedar Ave
Res. #2021-156	Approve Engineer Certificate #2 – Improvements to Cedar Ave
Res. #2021-157	Authorize Body Armor Grant Program
Res. #2021-158	Hire Seasonal Workers
Res. #2021-159	Amend Wages for Beach Employee
Res. #2021-160	Approve Beach Refund
Res. #2021-161	Accept Planning Board Resignation and Appointments
Res. #2021-162	Approve Executive Session

Consent Agenda

Offered By:

Seconded By:

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

Res. #2021-163 Rescind and Vacate Resolution 2021-151

Offered By:

Seconded By:;

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

Res. #2021-164 Moratorium Waiver Requests

Offered By: _____ Seconded By:

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

Res. #2021-165 Approve Bills (7-1-2021 to 7-15-2021).

Offered By: _____ Seconded By: _____,

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

ITEMS FOR DISCUSSION:

OPEN PUBLIC HEARING:

CLOSE PUBLIC HEARING:

ADJOURN.

RESOLUTIONS

RESOLUTION #2021-153

A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By:

Seconded By:

BE IT RESOLVED, That the minutes of the Regular Meeting of June 22, 2021, and the Special Meeting of July 7, 2021, be ratified and approved.

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

RESOLUTION #2021-154

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 June 22, 2021 and the Special Meeting of July 7, 2021

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

RESOLUTION 2021-155

A RESOLUTION TO APPROVE CHANGE ORDER #2 FOR IMPROVEMENTS TO CEDAR AVENUE

Offered By:

Seconded By:

WHEREAS, A contract was awarded Fernandes Construction, Inc. and,
WHEREAS, The scope of work was changed to provide for the following:

Description	Change in Price
Traffic Directors, Flaggers	-\$0.40
Uniform Traffic Director	\$1,860.96
Fuel Price Adjustment	-\$5,551.87
Asphalt Price Adjustment	-\$9,496.11
Pavement Milling, 3" or Less	\$6,709.50
Hot Mix Asphalt Surface Course	-\$28,060.88
Hot Mix Asphalt Leveling Course	-\$2.00
Tack Coat	-\$0.75
Prime Coat	-\$37.00
Reset Existing Manhole Castings	-\$300.00
Drainage Inlet Type "B" Bicycle Safety Grate and Frame	-\$2,700.00
Concrete Sidewall, 4" Thick	\$8,573.76
Concrete Driveway Reinforced, 6" Thick	\$127.44
Hot Mix Asphalt Driveway 4"	-\$500.00
Detectable Warning Surfaces	-\$534.00
Rest Pavers Stones Apron	\$1,794.00
6x8x18" Concrete Vertical Curb	\$660.00

Traffic Striping Long Life Epoxy Resins 4"	\$150.00
Traffic Markings, Thermoplastic Crosswalk 6"	-\$237.00
Traffic Markings, Thermoplastic High Visibility Crosswalk	-\$336.00
Traffic Markings, Thermoplastic Stop bar	\$486.00
Topsoiling, 4' Thick	-\$760.00
Sodding	-\$380.00
Sanitary Sewer Repair at Corlies Avenue	\$5,000.00
Replace 2x2' Inlet Frame and Grate	\$500.00
Mobilization/Demobilization for NJAW Water Main Trench	\$5,000.00
Sanitary Sewer Repair at 203 Allen Avenue	\$8,200.00
Net Change	-\$9,834.35

WHEREAS, Fernandes Construction, Inc., has submitted a request for a Change Order for the changes in work in the net decrease in the amount of \$9834.35 which request has been reviewed by the Borough Administrator and Engineer, and found to be acceptable;

NOW, THEREFORE, BE IT RESOLVED, That Change Order No. 2 in the amount of -\$9,834.35 be approved, thereby amending the contract total to \$360,337.37.

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

RESOLUTION #2021-156

A RESOLUTION TO APPROVE ENGINEER CERTIFICATE #2 FOR IMPROVEMENTS TO CEDAR AVENUE

Offered By:

Seconded By:

WHEREAS, A contract was awarded to Fernandez Construction, Inc. for the Improvements to Cedar Avenue and,

WHEREAS, The Borough Engineer has reviewed the project and recommended payment as provided for in Engineer's Certificate #2, which is on file in the Clerk's office.

WHEREAS, Funds for this purpose shall be provided through the Ordinance 2018-14 Cedar Avenue Road Improvements (C-04-55-980-000), and the CFO has so certified;

NOW, THEREFORE, BE IT RESOLVED, That Fernandez Construction, Inc. be compensated in the amount of \$67,516.20 for work done in accordance with the Engineer's Certificate #2.

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

RESOLUTION #2021-157

AUTHORIZING THE ACCEPTANCE OF STATE FUNDS AND THE BOROUGH'S PARTICIPATION IN THE STATE BODY-WORN CAMERA GRANT PROGRAM, ADMINISTERED BY THE STATE OF NEW JERSEY, DEPARTMENT OF LAW & PUBLIC SAFETY.

Offered By:

Seconded By:

WHEREAS, the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General (OAG) received funds from the SFY21 Budget to administer the Body Worn

Camera Grant Program; and

WHEREAS, the State of New Jersey Law and Public Safety Office of the Attorney General has given notice of availability and award of funds for Body-Worn Camera Grant Program; and

WHEREAS, the name of the program is “SFY21 Body-Worn Camera Grant Program” (BWC Grant Program), the Borough’s award number under the grant is 21-BWX-004, the award period is January 1, 2021 through December 31, 2025, and the amount of the Borough’s State award is \$24,456; and

WHEREAS, the BWC Grant Program is designed to provide eligible law enforcement agencies with State funding to aid in the purchase of body-worn cameras, ancillary equipment and storage, and;

WHEREAS, funding is to be used towards the cost of implementing the BWC Grant Program; and

NOW, THEREFORE, BE IT RESOLVED, by the Committee of the Borough of Allenhurst, County of Monmouth in the State of New Jersey, that the Borough is authorized and hereby does accept the 2021 Body-Worn Camera Grant from the State of New Jersey, Department of Law & Public Safety, Office of the Attorney General.

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

RESOLUTION #2021-158

A RESOLUTION TO HIRE SEASONAL EMPLOYEES

Offered By:

Seconded By:

BE IT RESOLVED, That the following be hired for the 2021 summer season commencing on May 29, 2021:

Marc Gleason	Junior Lifeguards	\$250	Season
Richard Steckhahn	Recreation	\$8,000	Season
Richard Steckhahn	Swim	\$1,200	Season
Tyler Simays	Office Staff	\$18	Hour

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

RESOLUTION #2021-159

A RESOLUTION TO AMEND WAGES FOR BEACH EMPLOYEE

Offered By:

Seconded By:

WHEREAS, Beach Manager, Paul McDonnell, requested that the wage for Beach Recreation Employee Neel Kinchi be increased;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners that the hourly wage of Beach Recreation Employee Neel Kinchi be increased to \$20 per hour effective June 24, 2021.

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

RESOLUTION #2021-160
A RESOLUTION TO APPROVE ABC REFUNDS

Offered By:

Seconded By:

BE IT RESOLVED, That the following refund of ABC fees be approved:

MEMBER NAME	AMOUNT
Taylor, Sandra	\$340.00
Alexandra Vetterl	\$550.00
Roger Yehl	\$2,035.00

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

RESOLUTION #2021-161
A RESOLUTION TO ACCEPT RESIGNATIONS
AND APPOINT PLANNING BOARD MEMBERS

Offered By:

Seconded By:

WHEREAS, The Board of Commissioners has received a resignation from Antony Mauro and Samual Boyd as members of the Allenhurst Planning Board; and,

WHEREAS, The Mayor wishes to fill the vacancies:

THEREFORE, BE IT RESOLVED, That the following are hereby appointed to the Planning Board for the terms listed below:

Richard Cumiskey as the #2 Alternate for the term expiring December 31, 2021

Albert Dweck as a Class IV Member for the term expiring December 31, 2022

BE IT FURTHER RESOLVED, That the Board of Commissioners approves these appointments.

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

RESOLUTION #2021-162
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 #2021-163

RESOLUTION OF THE BOROUGH OF ALLENHURST, IN THE COUNTY OF MONMOUTH, NEW JERSEY RESCINDING AND VACATING RESOLUTION #2021-151 REFERRING THE PROPOSED AMENDED MAIN STREET REDEVELOPMENT PLAN TO THE PLANNING BOARD

Offered By:

Seconded By:

WHEREAS, on June 22, 2021 the Board of Commissioners adopted Resolution 2021-151 referring the "Main Street Redevelopment Plan", amended April 2021 (the "Amended Redevelopment Plan") to the Planning Board for it to review the proposed Amended Redevelopment Plan in accordance with N.J.S.A. 40A:12A-7(e); and

WHEREAS, on June 28, 2021 the Borough received written correspondence from Fair Share Housing Center ("FSHC") notifying the Borough of FSHC's intention to intervene in the action filed by the Allenhurst Taxpayers Association Inc. to assert a cross-claim alleging, among other things, a constitutional violation by the Borough relative to the Borough's obligation to provide a realistic opportunity for affordable housing if the Amended Redevelopment Plan is not revised to include a 20% affordable housing set-aside (the "Affordable Housing Obligation"); and

WHEREAS, any attempt to address Fair Share Housing Center's concerns will require the Amended Redevelopment Plan to be substantially revised.

NOW THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Allenhurst, that the above recitals are incorporated as though more fully set forth herein at length, and be it further

RESOLVED that Resolution 2021-151 be and is hereby rescinded and vacated as the Amended Redevelopment Plan will have to be substantially revised to address, among other things, the Affordable Housing Obligation, and be it further

RESOLVED that the Borough Commissioners will adopt a subsequent resolution referring a further amended version of the Amended Redevelopment Plan to the Planning Board if and when such a redevelopment plan is prepared and available for referral, and be it further

RESOLVED that this resolution shall take effect immediately.

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

RESOLUTION #2021-164

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 27, 2021**, 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 Sunday, July 4, 2021.
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. Griffin, Janel and Brian – 8 Cedar Avenue

5 Days from 8am to 5pm.

- Due to leaking window in Master Bath, there was a need for an emergency renovation.
- The Master Bath is unusable due to contractor material delays.
- Requesting up to, but likely less than, 5 days to hang cabinets and finish electrical and plumbing fixtures.

Extension APPROVED/DENIED through _____.

2. Rogers, Kevin – 207 Corlies

14 Days from 8am to 5pm

Kitchen Cabinet Installation – Deliver Date has been delayed to July 9th because of back order due to COVID-19 – these repairs are necessary due to a burst pipe.

Tools: Electric Drill, Circular Saw, Nail Gun, Floor Sander.

Extension APPROVED/DENIED through _____.

3. Shalam, Edward and Eileen – 227 Allen Avenue

- We have been plagued by delays in materials critical to the project. Items such as windows and exterior patio doors, interior doors, shortages in spray foam insulation, and all types of plastic-based materials such as porch decking and railing systems and porch columns. There are some items that we're still waiting on.
- Labor has been a constant problem during the pandemic. Subcontractors are working with, severe manpower shortages, thus lengthening the time to get things done. Tile installers, painters, framing, and trim carpenters are all working short-handed.

All work proposed during the extension will take place inside the building, other than the exterior railing. None of the work involves tools louder than a lawn mower or leaf blower. All deliveries will be done through the driveway. No trucks will be left on the street, windows will be kept closed and no music will be played.

Tasks remaining:

1. A temporary porch railing system needs to be installed, this will take require 2 days and 2 men, hand tools. Start date 7/14/21.
2. Sanding, patching, staining and finish coat on hardwood floors. 8 days, 4 men, electric sander, vacuum, brushes and rollers. Start date 7/14/21.
3. Stone countertops installation. We need to schedule 2 deliveries. The first on July 14, which will require 3 men with minimal hand tools and require 1 day. The second delivery will be July 19 and will require 3 men with minimal hand tools and require 2 days.
4. Installation of all plumbing finishes in showers (5), bathroom sinks (9) and kitchen sinks (2). 3 days, 3 men, hand tools and electric drill. Start date 7/14/21.
5. Removal of temporary switches and installation of all final receptacles and light switches and surface mounted lighting. 2 days, 3 men, hand tools and electrical drills. Start date 7/14/21.
6. Installation of all interior and exterior door hardware. 2 days, 2 men, hand tools and electric drills. Start date 7/14/21.

7. Installation of interior railing. 1 day, 2 men. Start date 7/14/21.
8. Interior Drywall repair 1 1/2 days. Hand sanding. Start date 7/14/21.
9. Shower door installation. 1 day, 2 men. Electric drill. Start date 7/14/21.

Extension APPROVED/DENIED through _____.

RESOLUTION #2021-165

A RESOLUTION TO APPROVE BILLS AND PAYROLL (7-1-2021 to 7-15-2021)

Offered By:

Seconded By:

BE IT RESOLVED, That bills and payroll totaling \$378,347.55 be approved for payment; and,

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

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