

**AGENDA**  
**September 23, 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 from the County of Monmouth advising of an online community stakeholders on September 20 regarding the Corlies Avenue Bridge project.

**ANNOUNCEMENTS:**

**ORDINANCES**

**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 \_\_\_

**ORDINANCE 2021-13 – FINAL READING**

**ORDINANCE 2021-14**

**AN ORDINANCE AMENDING CHAPTER XVI, ENTITLED "SOLID WASTE MANAGEMENT," OF THE BOROUGH OF ALLENHURST TO ADD PROVISIONS REGULATING THE USE OF DUMPSTERS.**

Offered By:

Seconded By:

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

**CONSENT AGENDA:**

- Res. #2021-193      Ratify and Approve Minutes.**
- Res. #2021-194      Dispense with Reading of Minutes**
- Res. #2021-195      Approve LESO Program**
- Res. #2021-196      Appoint Zoning Officer**
- Res. #2021-197      Approve Race – Warrior Walk**
- Res. #2021-198      Approve New Members in First Aid Squad**
- Res. #2021-199      Approve Junior Member in First Aid Squad**
- Res. #2021-200      Appoint Part-Time As-Needed Class I Officer**
- Res. #2021-201      Amend Wages – Beach Employee**
- Res. #2021-202      Hire Seasonal Employees**
- Res. #2021-203      Authorize Planner to Prepare a Housing Element & Fair Share Plan**
- Res. #2021-204      Approve Race - RunAPalooza Race**
- Res. #2021-205      Amend Capital Budget**
- Res. #2021-206      Award Contract – Improvement to Spier Avenue**
- Res. #2021-207      Appoint Planning Board Members**
- Res. #2021-208      Approve Engineer Cert. #3 and Final Payment– Improvements to Cedar Avenue**
- Res. #2021-209      Approve Executive Session**

**Consent Agenda**

Offered By:

Seconded By:

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

**Res. #2021-210      Approve Bills (9-1-2021 to 9-30-2021)**

Offered By:

Seconded By:.,

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

**ITEMS FOR DISCUSSION:**

**OPEN PUBLIC HEARING:**

**CLOSE PUBLIC HEARING:**

**ADJOURN.**

## ORDINANCES

### ORDINANCES – FINAL READING

#### 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- \_\_\_

## **ORDINANCE 2021-14 – FINAL READING**

### **ORDINANCE 2021-14**

#### **AN ORDINANCE AMENDING CHAPTER XVI, ENTITLED "SOLID WASTE MANAGEMENT," OF THE BOROUGH OF ALLENHURST TO ADD PROVISIONS REGULATING THE USE OF DUMPSTERS.**

Offered By:

Seconded By:

**WHEREAS**, the Borough Council of the Borough of Allenhurst has determined that the use of dumpsters or other large roll-off solid waste containers throughout the Borough has increased such that some regulation of the practice is necessary to maintain order, and

**WHEREAS**, the Borough Council has determined that it is in the best interests of the community to impose regulations on the location, duration and placement of such dumpsters to protect the appearance and good order of residential properties throughout the community;

**NOW THEREFORE, BE IT ORDAINED** by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that Chapter 16 of the Code of the Borough of Allenhurst be revised and supplemented with the addition of a new section 16-28 entitled "Regulation of Dumpsters" as follows:

#### 16-28 Regulation of Dumpsters.

Any person or corporation placing or causing to be placed any roll-off container/dumpster or any other apparatus used to collect refuse and dispose of building material of any kind whatsoever, on or about any street or public place within the Borough, or upon any residential property throughout the Borough, shall keep such equipment properly guarded and reflected in such a manner that the safety of the public will be amply protected.

##### 16-28.1 Permit Required.

No person shall place or permit a roll-off container/dumpster to be placed upon any street or municipality owned parking lot, or upon any residential property throughout the Borough without first obtaining a permit therefor in accordance with the requirements of this chapter.

##### 16-28.2 Restrictions for placement upon the roadway.

The following restrictions are imposed upon the placement of such equipment on the public roadways:

- a. Within fifty feet of a stop sign;
- b. Twenty-five feet of a cross walk;
- c. Within fifteen feet of a fire hydrant;
- d. Within fifty of railroad crossing;
- e. Upon any bridge or elevated structure;
- f. Opposite any street excavation;

- g. Clear view of the dumpster must be obtained from a distance of two hundred feet in each direction;
- h. In any appropriately marked "No Parking Zone";
- i. Upon a cross walk;
- j. Within twenty-five feet of an intersection;
- k. In any space on public or private property appropriately marked for vehicle for the physically handicapped.

16-28.3 Cover Required.

During all times when the roll-off container/dumpster is in use, a tarpaulin or other suitable tight cover shall be placed over the roll-off container/dumpster in accordance with Section 16-53 of the Code of the Borough of Allenhurst.

16-28.4 Overfilling Prohibited.

The contents of the roll-off dumpster shall be emptied and disposed of upon reaching the waterline of the roll-off container/dumpster. It shall be a violation of this ordinance to overfill a roll-off container/dumpster.

16-28.5 Insurance.

Proof of insurance is required and shall continue in full force and effect during the term of the permit.

16-28.6 Application for permit; fee: Refusal and duration.

- a. The chief of police shall issue a permit for the use of a roll-off container/dumpster as a temporary street obstruction prior to the placement of thereof, upon satisfactory written application by either the owner or the user/permit holder, and payment of the fee of two hundred (\$200.00) dollars for placement upon any public roadway throughout the Borough. There shall be no fee for placement upon any residential property throughout the Borough.

1. Each application shall be accompanied by a certificate of insurance, either from the owner or the user/permit holder, evidencing public liability coverage insuring the Borough in an amount not less than one million dollars for injuries, including accidental death for any one person, and subject to the same limit for each person in an amount not less than one million dollars on account of each occurrence; and a certificate of insurance either from the owner or the user/permit holder evidencing property damage insuring the Borough in an amount not less than five hundred thousand dollars on account of any occurrence and in an amount not less than five hundred thousand dollars on account of all occurrences. All policies shall be so written that the Borough shall be notified of cancellation or restrictive amendment at least fifteen days prior to the effective date of such cancellation or amendment.

2. Prior to the issuance of such a permit, the chief of police shall consult with the appropriate officers in the department to determine that the proposed use of the roll-off container/dumpster shall not constitute a traffic and/or safety hazard.

3. The roll-off container/dumpster can be effectively placed parallel to the curb with the street side of the container not more than eight feet six

inches from the adjacent curb.

4. The roll-off container/dumpster shall be equipped and displayed with appropriate reflective markers to ensure high visibility to traffic.

5. Each initial application for a permit on public property shall be valid for a period of thirty (30) days, a written application to extend the duration of the permit renewal for an additional thirty (30) days may be considered at the rate of twenty-five (\$25.00) dollars for each additional thirty days, or any part thereof. The request for additional time due to hardships must be addressed in writing to the chief of police.

6. When a construction permit has been issued, roll-off containers/dumpsters on private property must be removed prior to the issuance of the certificate of occupancy.

7. When no construction permit has been issued, roll-off containers/dumpsters on private property must be removed within thirty (30) days.

8. Firm supplying the roll-off container/dumpsters on either private or public property is responsible for any damage in the public right-of-way including, but not limited to, roadbeds, curbs, aprons, sidewalks and trees.

9. The public property roll-off/dumpster permit shall be conspicuously posted on the job site.

b. The chief of police may refuse the issuance of a permit hereunder if the placement of a roll-off container/dumpster at any street location shall constitute a public nuisance or hazard because of contour, narrow width, traffic or other conditions peculiar to the street at or near the proposed location.

#### 16-26.7 Penalty.

Any person who violates any provision of this chapter shall receive written notice of said violation, warning said party to take action; if no action is taken within twenty-four (24) hours, a summons may be issued. Any person who violates any provision of this chapter shall, upon conviction thereof, be punished by a fine not exceeding two thousand (\$2,000.00) dollars or by imprisonment in the county jail for a term not exceeding ninety days, in accordance with the General Penalty section of this Code, '1-5.1(a). A separate offense shall be deemed committed on each day during or on which a violation occurs or continues.

**AND IT IS FURTHER ORDAINED** that except as herein above provided, the remainder of Chapter XVI, Solid Waste Management, 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. Bolan \_\_\_\_; Mayor McLaughlin \_\_\_\_.

**RESOLUTIONS**

**RESOLUTION #2021-193**

**A RESOLUTION TO RATIFY AND APPROVE MINUTES**

Offered By:

Seconded By:

**BE IT RESOLVED**, That the minutes of the Regular Meeting of August 24, 2021 be ratified and approved.

VOTE: Comm. McLoughlin - \_\_\_; Comm. Bolan- \_\_\_; Mayor McLaughlin- \_\_\_

**RESOLUTION #2021-194**

**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 August 24, 2021.

VOTE: Comm. McLoughlin - \_\_\_; Comm. Bolan- \_\_\_; Mayor McLaughlin- \_\_\_

**RESOLUTION #2021-195**

**A RESOLUTION TO APPROVE L.E.S.O. PROGRAM**

Offered By:

Seconded By:

**WHEREAS**, The Borough has been an active participant in the Law Enforcement Support Office 1033 program, commonly known as LESO; and,

**WHEREAS**, The State of New Jersey now requires the governing body of each municipality to pass a resolution authorizing continued participation in this program; and,

**WHEREAS**, It is the recommendation of the Chief of Police that the Borough continue its participation;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, that it approves the Borough's participation in LESO.

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

**RESOLUTION #2021-196**

**A RESOLUTION TO APPOINT ZONING OFFICER**

Offered By:

Seconded By:

**WHEREAS**, There is a need to hire a new Zoning and Code Officer for the Borough of Allenhurst; and,

**WHEREAS**, The Board of Commissioners has determined to make an appointment to the positions of Zoning and Code Officer for the Borough of Allenhurst;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, as follows:

Michael E. Mulcahy, be and he is hereby appointed Zoning and Code Officer for the Borough of Allenhurst commencing at 12:01 AM, on September 1, 2021 and terminating December 31, 2021, at an annual salary of \$20,000.00 to be prorated from September 1, 2021 through December 31, 2021.

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



**RESOLUTION #2021-197**

**A RESOLUTION TO APPROVE RACE IN BOROUGH OF ALLENHURST**

Offered By:

Seconded By:

**WHEREAS**, The Ellie Ruby Foundation has requested permission to host a portion of their Fundraising Warrior Walk through the Borough of Allenhurst on Sunday, October 17, 2021; and,

**WHEREAS**, A route sheet has been provided which will take place along Ocean Avenue, starting at approximately 12:00PM and ending at approximately 3:00 pm and a Certificate of Insurance for this event will be provided; and,

**WHEREAS**, The Police Chief has reviewed the information given for this event and has recommended approval of same;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners, that approval is hereby given to The Ellie Ruby Foundation to run a portion of their Fundraising Warrior Walk through Allenhurst on October 17, 2021.

VOTE: Comm. McLoughlin-\_\_\_; Comm. Bolan-\_\_\_; Comm. McLaughlin-\_\_\_

**RESOLUTION #2021-198**

**A RESOLUTION TO APPROVE MEMBERS IN ALLENHURST FIRST AID SQUAD**

Offered By:

Seconded By:

**WHEREAS**, The Membership Committee of Allenhurst First Aid Squad has received applications for membership from Doris Klimowicz and Brandon Harrington; and,

**WHEREAS**, The Membership Committee has advised the Board of Commissioners that Doris Klimowicz and Brandon Harrington are acceptable for membership;

**NOW, THEREFORE, BE IT RESOLVED**, That Doris Klimowicz and Brandon Harrington are 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. Bolan-\_\_\_; Comm. McLaughlin-\_\_\_

**RESOLUTION #2021-199**

**A RESOLUTION TO APPROVE JUNIOR MEMBERS IN ALLENHURST FIRST AID SQUAD**

Offered By:

Seconded By:

**WHEREAS**, The Membership Committee of Allenhurst First Aid Squad has received an application for membership as a Junior Member in the Cadet Program from the following :

Kate McLoughlin  
Ashley Reis  
Elizabeth Regn  
Niti Patel  
Riley Manfredi  
Mary Catherine Harbey  
and:

**WHEREAS**, The Membership Committee has advised the Board of Commissioners that those listed are acceptable for membership.

**NOW, THEREFORE, BE IT RESOLVED**, That those listed are approved for membership in Allenhurst First Aid Squad as Junior Members in the Cadet Program.

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

VOTE: Comm. McLoughlin-\_\_\_; Comm. Bolan-\_\_\_; Comm. McLaughlin-\_\_\_

**RESOLUTION #2021-200**

**RESOLUTION APPOINTING SPECIAL POLICE OFFICER/CLASS I**

Offered By:

Seconded By:

**WHEREAS**, there exists a need within the Police Department to appoint an part-time as-needed Special Law Enforcement Officer (SLEO), Class I to cover open shifts ; and

**WHEREAS**, it is the recommendation of the Chief of Police that seasonal as-needed Class I Officer Kevin C. Bailey be appointed.

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Allenhurst that Kevin C. Bailey is hereby appointed as part-time as-needed SLEO Class I Officer effective September 15, 2021, and;

**BE IT FURTHER RESOLVED** that said appointment be compensated at an hourly rate of \$14.00 per hour.

VOTE: Comm. McLoughlin-\_\_\_; Comm. Bolan-\_\_\_; Comm. McLaughlin-\_\_\_

**RESOLUTION #2021-201**

**A RESOLUTION TO AMEND WAGES FOR BEACH EMPLOYEES**

Offered By:

Seconded By:

**WHEREAS**, Beach Manager, Paul McDonnell, requested that the wages be amended for certain for Beach Employees;

**BE IT RESOLVED**, By the Board of Commissioners that the hourly wage of Beach Recreation be amended as listed below:

Name	Amended Wage	Effective Date
Zach Coyne	\$14.00	8/25/2021

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Bolan\_\_\_\_; Comm. McLaughlin\_\_\_\_

**RESOLUTION #2021-202**

**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:

Alexandros Poniros	Deck	\$11.10	Hour
Michael Poniros	Deck	\$11.10	Hour
Frank McCann	Poolside	\$11.10	Hour

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Bolan\_\_\_\_; Comm. McLaughlin\_\_\_\_

**RESOLUTION #2021-203**

**A RESOLUTION AUTHORIZING BOROUGH PLANNER HEYER, GRUEL & ASSOCIATES AS AFFORDABLE HOUSING PLANNER AND TO PREPARE A HOUSING ELEMENT AND FAIR SHARE PLAN**

Offered By:

Seconded By:

**WHEREAS**, the Borough of Allenhurst appointed Heyer, Gruel & Associates as Borough Planner pursuant to the provisions of *N.J.S.A. 19:44A-20.5* respecting the award of professional contracts and the procedures set forth therein on January 12, 2021; and

**WHEREAS**, the term of the contract was for 1 year; and

**WHEREAS**, the Borough Administrator/Clerk Donna Campagna determined and certified in writing that the value of the services will exceed \$17,500; and

**WHEREAS**, the Borough has determined that circumstances have required the preparation of a Housing Element/Fair Share Plan addressing the components of the Borough’s affordable housing obligation including the preparation of a vacant land assessment; and

**WHEREAS**, the cost to prepare a Housing Element/Fair Share Plan was not anticipated at the time of contract award in January 12, 2021; and

**WHEREAS**, the Borough wishes to authorize a separate line item under the umbrella of the Borough Planner professional services contract previously awarded for affordable housing planning services and the preparation of a Housing Element/Fair Share Plan with a not to exceed cost of \$25,000 to be billed hourly at the fee schedule set forth in the previously awarded professional services contract; and

**WHEREAS**, the anticipated term of this contract is for 1 year; and

**WHEREAS**, Heyer, Gruel & Associates has completed and submitted a Business Entity Disclosure Certification which certifies that Heyer, Gruel & Associates and the principals thereof, have not made any reportable contribution to a political or candidate committee for any presently sitting elected Commissioner of the Borough of Allenhurst in the previous one year, and that the contract will prohibit Heyer, Gruel & Associates and the principals thereof from making any reportable contributions through the term of the Agreement; and

**WHEREAS**, the Certified Financial Officer has certified that funds for this purpose shall be provided for in the budget for the year 2021;

**NOW THEREFORE, BE IT RESOLVED** by the Board of Commissioners of 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 Mayor and Borough Administrator/Clerk be and are hereby authorized to amend the Borough Planner professional services contract entered into on January 18, 2021 with Heyer, Gruel & Associates, as described herein; and be it further

**RESOLVED**, that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution; and be it further

**RESOLVED**, that a copy of this resolution shall be published in the Coaster as required by law within then (10) days from the date hereof; and be it further

**RESOLVED**, that the Borough Administrator/Clerk shall maintain a copy of this resolution, and the Agreement with the appointee, on file in her Office and make the same available for public inspection during business hours.

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Bolan\_\_\_\_; Comm. McLaughlin\_\_\_\_

#### **RESOLUTION #2021-204**

#### **A RESOLUTION TO APPROVE RACE IN BOROUGH OF ALLENHURST**

Offered By:

Seconded By:

**WHEREAS**, The Special Olympics New Jersey and the Jersey Shore Running Club have requested permission to run a portion of their annual RunAPalooza Race to Benefit Special Olympics through the Borough of Allenhurst on Saturday, April 2, 2022; and,

**WHEREAS**, A parade route has been provided which will take the marathon down Ocean Avenue, starting at approximately 9:00 AM and ending at approximately Noon and a Certificate of Insurance for this event will be provided; and,

**WHEREAS**, The Police Chief has reviewed the information given for this event and has recommended approval of same;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners, that approval is hereby given to the Special Olympics New Jersey and the Jersey Shore Running Club to run a portion of their annual RunAPalooza through Allenhurst on April 2, 2022, contingent upon the Borough receiving a Certificate of Insurance prior to the event.

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

**RESOLUTION #2021-205**  
**A RESOLUTION TO AMEND CAPITAL BUDGET**

Offered By:

Seconded By:

**WHEREAS**, The local capital budget for the year 2021 was adopted on the 25<sup>th</sup> day of May, 2021; and,

**WHEREAS**, It is desired to amend said adopted capital budget section;

**NOW, THEREFORE, BE IT RESOLVED**, By the Board of Commissioners of the Borough of Allenhurst, County of Monmouth, that the following amendment to the capital budget be made:

**FROM**  
**CAPITAL BUDGET (CURRENT YEAR ACTION)**  
**2021**

Project	Estimated Total Cost	Amounts Reserved in Prior Years	Planned Funding Services for Current Year 2021					Debt Authorized	To Be Funded in Future Years
			2021 Budget Appropriation	Capital		Grants-in-Aid & Other Funds			
				Improvement Fund	Capital Surplus				
Office Equipment	\$10,000		\$10,000						
Improvements to Public Buildings	15,000		15,000						
Police Vehicle	41,500		41,500						
Police Equipment	25,000		25,000						
Beach Equipment & Improvements	40,000		40,000						
Public Works Equipment	10,000		10,000						
Fire Equipment	15,000		15,000						
Improvements to Spier Ave	450,000						\$450,000		
Borough Hall ADA Improvements	250,000						250,000		
<b>Total All Projects</b>	<b>\$856,500</b>		<b>\$156,500</b>				<b>\$700,000</b>		

**FROM**  
**3 YEAR CAPITAL PROGRAM 2021 - 2023**  
**ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2021	2022	2023			
			Office Equipment	\$10,000		\$10,000		
Improvements to Public Buildings	15,000		15,000					
Police Vehicle	41,500		41,500					
Police Equipment	25,000		25,000					
Beach Equipment & Improvements	40,000		40,000					
Public Works Equipment	10,000		10,000					
Fire Equipment	15,000		15,000					

Improvements to Spier Ave	450,000		450,000					
Borough Hall ADA Improvements	250,000		200,000					
<b>Total All Funds</b>	<b>\$856,000</b>		<b>\$156,000</b>					

**FROM**  
**3 YEAR CAPITAL PROGRAM 2021 – 2023**  
**SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Project	Estimated Total Cost	Budget Appropriations		Capital	Capital Surplus	Grants	Bonds and Notes	
		Current Year 2021	Future Years	Improvement Fund		in-Aid and Other Funds	General	Self- Liquidating
Office Equipment	\$10,000	\$10,000						
Improvements to Public Buildings	15,000	15,000						
Police Vehicle	41,500	41,500						
Police Equipment	25,000	25,000						
Beach Equipment & Improvements	40,000	40,000						
Public Works Equipment	10,000	10,000						
Fire Equipment	15,000	15,000						
Improvements to Spier Ave	450,000						\$450,000	
Borough Hall ADA Improvements	250,000						250,000	
<b>Total All Funds</b>	<b>\$856,500</b>	<b>\$156,500</b>					<b>\$700,000</b>	

**TO**  
**CAPITAL BUDGET (CURRENT YEAR ACTION)**  
**2021**

Project	Estimated Total Cost	Amounts Reserved in Prior Years	2021 Budget Appropriation	Capital	Capital Surplus	Grants-in-Aid & Other Funds	To Be	
				Improvement Fund			Debt Authorized	Funded in Future Years
Office Equipment	\$10,000		\$10,000					
Improvements to Public Buildings	15,000		15,000					
Police Vehicle	41,500		41,500					
Police Equipment	25,000		25,000					
Beach Equipment & Improvements	40,000		40,000					
Public Works Equipment	10,000		10,000					
Fire Equipment	15,000		15,000					
Improvements to Spier Ave	450,000						\$450,000	
Borough Hall ADA Improvements	200,000						200,000	
Purchase of Fire Truck	750,000			\$37,500			712,500	
<b>Total All Funds</b>	<b>\$1,556,500</b>		<b>\$156,500</b>	<b>\$37,500</b>			<b>\$1,362,500</b>	

**TO  
3 YEAR CAPITAL PROGRAM 2021 - 2023  
ANTICIPATED PROJECT SCHEDULE AND FUNDING REQUIREMENT**

Project	Estimated Total Cost	Estimated Completion Time	Funding Amounts per Budget Year					
			2021	2022	2023			
Office Equipment	\$10,000		\$10,000					
Improvements to Public Buildings	15,000		15,000					
Police Vehicle	41,500		41,500					
Police Equipment	25,000		25,000					
Beach Equipment & Improvements	40,000		40,000					
Public Works Equipment	10,000		10,000					
Fire Equipment	15,000		15,000					
Improvements to Spier Ave	450,000		450,000					
Borough Hall ADA Improvements	200,000		200,000					
Purchase of Fire Truck	750,000		750,000					
<b>Total All Funds</b>	<b>\$1,556,500</b>		<b>\$1,556,500</b>					

**TO  
3 YEAR CAPITAL PROGRAM 2021 - 2023  
SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS**

Project	Estimated Total Cost	Budget Appropriations		Capital Improvement Fund	Capital Surplus	Grants in-Aid and Other Funds	Bonds and Notes	
		Current Year 2021	Future Years				General	Self- Liquidating
Office Equipment	\$10,000	\$10,000						
Improvements to Public Buildings	15,000	15,000						
Police Vehicle	41,500	41,500						
Police Equipment	25,000	25,000						
Beach Equipment & Improvements	40,000	40,000						
Public Works Equipment	10,000	10,000						
Fire Equipment	15,000	15,000						
Improvements to Spier Ave	450,000						\$450,000	
Borough Hall ADA Improvements	200,000						200,000	
Purchase of Fire Truck	750,000			\$37,500			712,500	
<b>Total All Funds</b>	<b>\$1,556,500</b>	<b>\$156,500</b>		<b>\$37,500</b>			<b>\$1,362,500</b>	

**BE IT FURTHER RESOLVED,** That the above item will be provided for in the 2021 Capital Budget; and,

**BE IT FURTHER RESOLVED,** That three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Bolan\_\_\_\_; Comm. McLaughlin\_\_\_\_

**RESOLUTION #2021-206**

**A RESOLUTION TO AWARD CONTRACT FOR IMPROVEMENTS TO SPIER AVENUE**

Offered By:

Seconded By:

**WHEREAS**, The Clerk advertised for bids for the Improvements to Spier Avenue; and,  
**WHEREAS**, The following 4 bids were received:

Earle Asphalt Company	\$262,213.13
Fiore Paving Co. Inc.	284,385.00
Fernandes Construction, Inc.	303,396.60
L & L Paving Company, Inc.	358,050.00

**WHEREAS**, The Borough Attorney and Borough Engineer have reviewed the bids for compliance and recommend the contract be awarded to Earle Asphalt Company, the lowest bidder; and

**WHEREAS**, Funds for this purpose are available in the appropriation entitled “2021-02 Improvements to Spier Place”, and the Chief Finance Officer has so certified;

**NOW, THEREFORE, BE IT RESOLVED**, That a contract be awarded to Earle Asphalt Company, the lowest of two bidders on their total bid of \$262,213.13, for construction of the Improvements to Spier Avenue.

VOTE:Comm. McLoughlin-\_\_\_; Comm. Bolan-\_\_\_; Mayor McLaughlin-\_\_\_.

**RESOLUTION #2021-207**

**A RESOLUTION TO APPOINT PLANNING BOARD MEMBERS**

Offered By:

Seconded By:

**WHEREAS**, The Board of Commissioners has been informed that there are vacancies on the Allenhurst Planning Board; and,

**WHEREAS**, The Board of Commissioners wishes to fill the vacancies:

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

**Class IV Members (4 Year Term):**

Richard Cumisky be and is hereby appointed to replace Samuel Boyd, to serve out Mr. Boyd’s remaining term expiring on December 31, 2022; and

**Alternate Members (1 Year Term):**

Steven Ryan be and is hereby appointed to replace Anthony Mauro as Alternate #2, to serve out Mr. Mauro’s remaining term expiring on December 31, 2021;

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

VOTE:Comm. McLoughlin-\_\_\_; Comm. Bolan-\_\_\_; Mayor McLaughlin-\_\_\_.



**RESOLUTION #2021-208**  
**A RESOLUTION TO APPROVE ENGINEER CERTIFICATE #3 FOR**  
**IMPROVEMENTS TO CEDAR AVENUE**

Offered By:

Seconded By:

**WHEREAS**, A contract was awarded to Fernandes Construction, Inc. for improvements to Cedar Avenue; and,

**WHEREAS**, The Borough Engineer has reviewed the project and recommended final payment as provided for in Engineer's Certificate #3, which is on file in the Clerk's office;

**WHEREAS**, Funds for this purpose shall be provided through the Transportation Trust Fund;

**NOW, THEREFORE, BE IT RESOLVED**, That Fernandes Construction, Inc. be compensated in the amount of \$7,206.75 as final payment for work done on the Cedar Avenue Improvement project in accordance with Engineer's Certificate #3; and,

**BE IT FURTHER RESOLVED**, That Fernandes Construction, Inc., be released from their Performance Bond and that the one-year Maintenance Bond filed by Fernandes Construction, Inc., be accepted.

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

**RESOLUTION #2021-209**  
**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 #2021-210**  
**A RESOLUTION TO APPROVE BILLS AND PAYROLL (9-1-2021 to 9-30-2021)**

Offered By:

Seconded By:

**BE IT RESOLVED**, That bills and payroll totaling \$529,923.93 be approved for payment; and,

**BE IT FURTHER RESOLVED**, That the September 30, 2021 consolidated bill list be attached hereto and made a part thereof.

VOTE: Comm. McLoughlin\_\_\_\_; Comm. Bolan\_\_\_\_; Comm. McLaughlin\_\_\_\_