

BOROUGH OF ALLENHURST
MINUTES
June 26, 2018

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding and Commissioner McLoughlin answering the roll call. Commissioner Bolan was not in attendance. Also in attendance was the Borough Clerk/Administrator and Borough Attorney.

The meeting was called to order at 7:30 P.M. with a salute to the flag.

Mayor McLaughlin announced that the notice requirements of R.S. 10:4-18 had been satisfied by delivering the required notice to the Coaster, posting the notice on the board in Borough Hall and filing a copy of said notice with the Borough Clerk.

COMMUNICATIONS:

A letter from Senator Cory A. Booker regarding President Donald Trump's budget which proposes the elimination of Community Development Block Grant (CDBG) Program and stating his intention to advocate for this program with the Senate Committee on Appropriation.

ANNOUNCEMENTS:

Proclamation commending Sergeant Lipari

ORDINANCES

ORDINANCES FINAL READING:

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

ORDINANCE #2018-09

AN ORDINANCE TO AMEND THE ORDINANCE ENTITLED, "AN ORDINANCE FIXING THE SALARIES OF ALL APPOINTED OFFICIALS AND EMPLOYEES OF THE BOROUGH OF ALLENHURST IN THE COUNTY OF MONMOUTH AND STATE OF NEW JERSEY (EXCEPTING MEMBERS OF THE POLICE DEPARTMENT)"

BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF ALLENHURST, COUNTY OF MONMOUTH, AS FOLLOWS:

SECTION I. That Ordinance No.: 2018-01 entitled "*An ordinance fixing the salaries of all appointed officials and employees of the Borough of Allenhurst in the County of Monmouth and State of New Jersey (excepting members of the police department)*" be and is hereby revised and amended to read as follows:

Section 1.

The salaries to be paid to elected and appointed officials, and employees of the Borough of Allenhurst, County of Monmouth (excepting members of the Police Department) and the time and payment for same is hereby affixed as follows:

<u>POSITION</u>	<u>MINIMUM</u>	<u>MAXIMUM</u>
Full-time Communication Officer	\$22,000.00	\$50,000.00
Part-time Communication Officer	\$10.00 per hour	\$20.00 per hour
TAC Officer	\$2,500.00	\$4,000.00

ORDAINED that except as herein above provided, the remainder of Ordinance No. 2018-01 shall remain unaltered and in full force and effect; and it is further

ORDAINED that the provisions of these ordinances 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 these ordinances 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.

There was no response to Mayor McLaughlin's request for public comments.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

ORDINANCES FIRST READING

Offered By: Comm. McLoughlin

Seconded By: Mayor McLaughlin

ORDINANCE #2018-10

AN ORDINANCE SUPPLEMENTING CHAPTER IX OF THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST ESTABLISHING CONTROLS FOR THE INVASIVE PLANT BAMBOO

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise certain portions of its existing Borough Code concerning the invasive plant, Bamboo and to take actions to control the same;

NOW THEREFORE, BE IT ORDAINED by the Borough of Allenhurst, County of Monmouth, State of New Jersey, that the Borough Code of the Borough of Allenhurst be and is hereby amended and supplemented to add to Chapter IX, subsection 9.8 as follows:

I. INVASIVE PLANT-BAMBOO.

1. Purpose. The purpose of this section is to protect and promote the public health through the control of the growth of bamboo, a specific invasive plant species.

2. Definitions. As used in this section, the following terms shall have the meanings indicated:

a) "*Enforcing Officer*" shall mean the Township Code Enforcement Officer or his or her designee.

b) "*Invasive Plants*" shall mean all native and non-native bamboo that grows out of place and is competitive, persistent, and pernicious. This species may damage trees, vegetation, or structures.

3. Control of Growth. All persons must control the growth of bamboo. Failure to control the spread of such vegetation beyond the boundaries of a resident's property is a violation of this section.

4. Inspections. All places and premises in the Borough of Allenhurst shall be subject to inspection by the enforcing officer. Such inspections shall be performed by such person, persons or agency duly authorized and appointed by the Borough of Allenhurst. Such inspection(s) shall be made if that official has reason to believe that any section of this chapter is being violated.

5. Violations and penalties.

a) Whenever an invasive plant, as defined by this section, is found on any plot of land, lot or any other premises or place, in violation of this section, a notice of violation shall be given to the owner, in writing, to remove or abate the same within such time as shall be specified therein, but in no case shall removal take more than thirty (30) days. In the even more time is needed for treatment and or removal, approval from the code enforcement officer, or his/her designee, is required. Any person violating any provision of this section shall be punished by a fine of not less than \$200 and not more than \$2000.

b) The cost of abatement shall be borne by the property owner.

II. REPEALER. The remainder of all other sections and subsections of the aforementioned ordinances not specifically amended by this Ordinance shall remain in full force and effect.

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

Offered By: Mayor McLaughlin

Seconded By: Comm. Bolan

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget; and,

WHEREAS, Said Director may also approve the insertion of an item of appropriation for equal amount;

Section 1

NOW, THEREFORE, BE IT RESOLVED, That the Board of Commissioners of the Borough of Allenhurst hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$4,000.00, which item is now available as revenue from Clean Communities Program pursuant to the provisions of Statute; and,

Section 2

BE IT FURTHER RESOLVED, That a like sum of \$4,000.00 be and the same is hereby appropriated under the caption of Clean Communities Program.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-161
A RESOLUTION TO HIRE PART-TIME DPW EMPLOYEE**

Offered By: Mayor McLaughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following be hired for the 2018 summer season:

Beach Sanitation

Justin Silverberg

\$10.00/hr.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-162
A RESOLUTION TO RE-ADOPT CABANA LISTS**

Offered By: Mayor McLaughlin

Seconded By: Comm. Bolan

WHEREAS, The Board of Commissioners have previously adopted cabana rules at the Allenhurst Beach Club; and,

WHEREAS, In conjunction with those rules, the Board has approved and adopted a waiting list for cabanas so that a record has been made; and,

WHEREAS, Any changes to this list will be made by resolution of the Board of Commissioners;

NOW, THEREFORE, BE IT RESOLVED, That the following list has been amended and is hereby approved by the Allenhurst Board of Commissioners as the official waiting list for cabanas as of June 26, 2018:

RESIDENT LIST

	<u>RESIDENT NAME</u>	<u>MEMBER ID</u>	<u>LOCKE R #</u>	<u>ADDRESS</u>	<u>DATE ON LIST</u>
1	CHERA, RICHARD	689	F-33	1 SPIER	7/6/2007
2	MARCH, JOAN	62	Z-21	5 CEDAR	7/18/2007
3	MAURO, ANTHONY	193	G-03	314 CORLIES	7/8/2009
4	SILVERMAN, MICHAEL	646	C-17	108 CEDAR	7/13/2009
5	GRIFFIN, JANEL	40	H-07	8 CEDAR	7/28/2009
6	SWEARER/FORBES, PAT	276	J-23	214 ALLEN	8/21/2009
7	CAUFIELD, KATHY & JIM	73	L-12	2 SPIER	8/26/2009

8	DWECK, JOSEPH & RACHEL	683	D-38	117 ALLEN	8/18/2010
9	PETTI, MARIE & MICHELLE	626	E-06	310 CORLIES	2/1/2011
10	MYER, ROSE	164	K-2	413 ALLEN	3/15/2011
11	KAMAJI, ALAIN & PASCALE	784	G-08	228 SPIER	6/1/2011
12	BEEGLE, JEAN & DR. WILLIAM	143	B-04	212 CEDAR	6/15/2012
13	SENET, NANCY	215	A-14	218 ELBERON	2/4/2013
14	STERNBERG, DENNIS & RANDI	335	D-24	1 CEDAR	2/20/2013
15	GLYNN, TOM & DINA	26	Z-29	312 ELBERON	2/20/2013
16	COHEN, JOE	767	E-36	4 CEDAR AVENUE	2/28/2013
17	CABASSO, LAVERNE AND ALAN	82	G-15	19 CORLIES	3/4/2013
18	BARNATHAN, JOSEPH	1024	G-20	55 NORWOOD	4/23/2013
19	TURTEL, PENNY & LARRY	1008	M-19	225 ALLEN	7/10/2013
20	BLANCO, EDWARD & BETH SUE	1004	D-29	310 SPIER	7/18/2013
21	BRAITLING, SHAUN & REBECCA	693	C-32	308 HUME	9/3/2013
22	AZIZO, BARBARA	474	G-27	9 CEDAR	10/9/2013
23	RYAN, PATRICIA & STEPHEN	118	B-03	118 CORLIES	3/24/2014
24	MICHALS, STEHPANIE	600	C-15	311 CORLIES	6/16/2014
25	SABBAGH, ROBIN	747	F-34	101 CORLIES	6/24/2014
26	KAMIN, JACK	747	F-34	306 ALLEN	7/7/2014
27	CATTAN, JOE	647	E-35	29 SPIER	7/7/2014
28	DWECK, ELI	800	F-03	303 ALLEN	7/16/2015
29	GABBAY, JOSEPH	797	F-24	25 CEDAR	8/15/2014
30	PELUSO, SAM	11	L-07	313 CEDAR	9/15/2014
31	AYERS, VICTOR & URSULA	793	M-12	238 ELBERON	11/17/2014
32	ADES, MAURICE	1018	E-29	10 ALLEN	12/19/2014
33	GIALANELLA, MRS.	181	K-19	215 SPIER AVE	3/31/2015
34	TAWIL, VICTOR & MRS.	611	F-09	107 CEDAR	4/1/2015
35	MISHAN, BARBARA	749	G-09	206 SPIER	4/20/2015
36	LEVY, DANIELLA	1037	G-25	5 SPIER	5/4/2015
37	SHALAM, MAURICE	441	P-C	205 PAGE	5/12/2015
38	BETESH, STEVEN	577	E-31	4 SPIER AVE	7/28/2015
39	MIZRAHI, RONALD	658	L-22	303 CORLIES	8/17/2015
40	CHERA, CAROL & ISSAC	362	G-21	203 ALLEN	8/25/2015
41	ANTEBY, HYMIE & REINA	766	E-21	303 NORWOOD	3/1/2016
42	HABERT, LEAH	665	F-32	302 ALLEN	6/16/2016
43	FELDMAN, GARY	1074	H-14	108 NORWOOD	6/24/2016
44	BEYDA, ROCHELLE	651	H-15	209 NORWOOD	7/11/2016

45	COHEN, SUSAN & ELLIOT	650	E-08	211 SPIER	7/14/2016
46	HABER, LILLIAN & DOUGLAS	744	E-30	30 SPIER	8/11/2016
47	HIDARY, STEVEN	1048	F-31	118 ALLEN	9/7/2016
48	MCNAMARA, JOHN	283	G-14	503 PAGE	2/1/2017
49	RACANIELLO, GERALDINE	228	B-15	111 ALLEN AVEN	4/11/2017
50	TOMAINO, KATHY & JOHN	1078	L-07	212 SPIER AVE	5/5/2017
51	MOSSERI, SOLOMON	704	F-22	231 CORLIES	6/23/2017
52	HIDARY, EDDIE	1048	G-09	233 CORLIES	10/30/2017
53	ABBATTIELLO, JACQUELINE	761	J-19	17 ELBERON	3/27/2018
54	MAMIYE, JEFFREY	1115	D-23	306 CEDAR	4/12/2018
55	DANA, ISAAC	1137	I-15	311 SPIER	5/25/2018

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-163
A RESOLUTION TO APPROVE RAFFLE LICENSE**

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst, that a non-draw raffle license, #RA-2-2018, be granted to the Allenhurst Fire Department, No. 1, which raffle shall be held on Saturday, August 25, 2018, from 6:00pm to 12:00pm, at the Allenhurst Beach Club, 1A Allen Avenue, Allenhurst.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-164
A RESOLUTION TO APPROVE BIKE RIDE IN BOROUGH OF ALLENHURST**

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

WHEREAS, The Center in Asbury Park have requested permission to host a portion of their annual Fundraising Bike Ride through the Borough of Allenhurst on Saturday, September 15, 2018; and,

WHEREAS, A route sheet has been provided which will take the bike ride down Ocean Avenue, starting at approximately 9:00 AM and ending at approximately 4:00 pm and a Certificate of Insurance for this event has been 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 Center in Asbury Park to run a portion of their annual Fundraising Bike Ride through Allenhurst on September 15, 2018.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-165
A RESOLUTION TO APPROVE SALARIES FOR 2018**

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

BE IT RESOLVED, That the following salaries be and are hereby approved for employees of the Borough of Allenhurst through July 1, 2018:

Communication Officers

TAC Officer – J. Henry	4,000.00
J. Henry	50,000.00
Melissa Duerr	50,000.00
T. Henry	26,530.00
M. DeHop	22,000.00

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-166
A RESOLUTION TO APPROVE CHANGE ORDER #3 FOR ALLENHURST BEACH
CLUB POOL DECKING IMPROVEMENTS**

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

WHEREAS, A contract was awarded to Demac Concrete Inc.; and,
WHEREAS, The scope of work was expanded to provide for the following:

2	Concrete Privacy Wall	-1,980.20
3	Reinforced Concrete Footing	4,000.00
4	Concrete Sidewalk, 4" Thick	-4,335.00
5	Miscellaneous Concrete Fill	-1,000.00
6	Concrete Deck, 6" Thick	-9,880.00
8	Deck Drain Inlet	1,500.00
9	6" PVC, Class 80	4,750.00
12	PVC Railing	5,040.00
SA 3-1	Vinyl Railing at Wall - 4 Steps	3,600.00
SA 3-2	Sealing Concrete Deck	5,000.00

WHEREAS, Demac Concrete Inc., has submitted a request for a Change Order for the additional work in the net amount of \$6,694.80 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. 3 in the amount of \$6,694.80 be approved, thereby amending the contract total to \$254,904.80.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-167
A RESOLUTION TO APPROVE ENGINEER CERTIFICATE**

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

WHEREAS, A contract was awarded to Demac Concrete Inc. for the Allenhurst Beach Club Pool Deck Improvements and,

WHEREAS, The Borough Engineer has reviewed the project and recommended payment as provided for in Engineer’s Certificate #4, which is on file in the Clerk’s office;

WHEREAS, Funds for this purpose shall be provided through the 2016-02 ABC Improvements Bond (C-04-55-972-218), and the CFO has so certified;

NOW, THEREFORE, BE IT RESOLVED, That Demac Concrete Inc. be compensated in the amount of \$106,486.80 for work done in accordance with the Engineer’s Certificate #4.

VOTE: Comm. McLoughlin-AYE; Mayor McLaughlin-AYE

**RESOLUTION #2018-168a
A RESOLUTION TO APPROVE ABC REFUNDS**

Offered By: Seconded By:

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

was built. The Borough Attorney stated that he would have to meet with the Commissioners to determine how to proceed.

Comm. McLoughlin stated that the Borough will have the Engineer go to the property again to compare the approved plans to what was built.

Mr. Gilman asked to let him know as quickly as possible what the Borough Attorney and the Commissioner conclude. He hopes if the property is not in compliance that they will not be given their Certificate of Occupancy, which would provide time to meet with the planning Board and rectify the situation.

Mrs. Gilman stated that she has had a problem with the construction and its timing. She stated there have been many problems with deliveries and construction vehicles to the point that you cannot even walk down the sidewalk. She has called the police many times but does not want to be a pain. The Mayor and the Commissioners stated that they are going to talk to the Chief of Police about the problems and find a way to fix them.

Mr. Gilman stated he would like to meet with the Commissioners after the moratorium to maybe come up with some suggestions and strategies to fix the problems for upcoming years.

Richard Fernicola asked about the tress put up on One Spier. The Borough Attorney stated they were put on the wrong side of the property line. The Borough Administrator has already notified the homeowner to rectify the situation.

Mr. Fernicola would like the commissioners to consider people's views when they review ordinances. He also asked if the Borough could stagger the timing of construction at properties. The Borough Attorney stated that the Borough cannot stagger construction times.

Mrs. Varley stated some of the houses in question were approved a while ago by the Planning Board and that no one realized that construction would be going on at the same time. She also asked about hedge violations on some properties. The Mayor told her to email the code enforcer.

Mr. Fernicola asked about Port-a-Potties and why could they not be put in backyards during construction. Commissioner McLoughlin responded that it has honestly never been a problem before. The Commissioners will look into changing the ordinance.

There being no further comments, public hearing was closed.

There being no further business or comments, Commissioner Bolan moved, seconded by Mayor McLaughlin that the meeting move to executive session at 8:30 PM. Motion carried.

After reconvening, Commissioner Bolan moved, seconded by Comm. Bolan that the meeting be adjourned at 9:15 PM. Motion carried.

Donna M. Campagna, RMC
Borough Clerk/Administrator