# 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:

POSITION	MINIMUM	<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.

**IV. SEVERABILITY**. If any section, paragraph, subdivision, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this Ordinance shall be deemed valid and effective.

**ORDAINED** that this Ordinance shall take effect twenty (20) days after the first publication thereof after final passage as provided by law.

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

#### **RESOLUTIONS**

# RESOLUTION #2018-155 A RESOLUTION TO RATIFY AND APPROVE MINUTES

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

**BE IT RESOLVED,** That the minutes of the regular meeting held June 12, 2018, be ratified and approved.

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

# RESOLUTION #2018-156 A RESOLUTION TO DISPENSE WITH READING OF MINUTES

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

**BE IT RESOLVED, t**hat the Clerk dispense with the reading of the minutes of the regular meeting held June 12, 2018.

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

# RESOLUTION #2017-157 A RESOLUTION TO APPROVE LIQUOR LICENSE RENEWAL

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

**WHEREAS,** The following business has made an application for the renewal of their liquor license for the 2018-2019 licensing year:

Hot Ice, Inc., 413-415 Main Street, Allenhurst, NJ - License No. 1301-44-003-005

**WHEREAS,** The Applicant has fulfilled all statutory obligations regarding such renewal; and,

**NOW, THEREFORE, BE IT RESOLVED,** By the Board of Commissioners of the Borough of Allenhurst that the Plenary Retail Distribution License No. 1301-44-003-005 owned by Hot Ice, Inc., is hereby renewed for the term of July 1, 2018 through and including June 30, 2019, with no special conditions.

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

## RESOLUTION #2017-158 A RESOLUTION TO APPROVE 2017 AUDIT

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

**WHEREAS,** N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

**WHEREAS,** The Annual Report of Audit for the year 2017 has been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S. 40A:5-6, and a copy has been received by each member of the governing body; and,

**WHEREAS,** The Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34; and,

**WHEREAS,** The Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, at a minimum, the sections of the annual audit entitled:

**General Comments** 

Recommendations and,

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

**General Comments** 

Recommendations

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

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

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

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

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

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

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

# RESOLUTION #2017-159 A RESOLUTION TO APPROVE CHAPTER 159

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 \$1,830.81, which item is now available as revenue from the Alcohol Education Rehabilitation Fund pursuant to the provisions of Statute; and, Section 2

**BE IT FURTHER RESOLVED,** That a like sum of \$1,830.81 be and the same is hereby appropriated under the caption of Alcohol Education Rehabilitation Fund.

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

RESOLUTION #2017-160 A RESOLUTION TO APPROVE CHAPTER 159 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

	RESIDENT NAME	MEMBE	LOCKE	ADDRESS	DATE ON
		R ID	<u>R #</u>		<u>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,	646	C-17	108 CEDAR	7/13/2009
	MICHAEL				
5	GRIFFIN, JANEL	40	H-07	8 CEDAR	7/28/2009
6	SWEARER/FORBES,	276	J-23	214 ALLEN	8/21/2009
	PAT				
7	CAUFIELD, KATHY	73	L-12	2 SPIER	8/26/2009
	& JIM				

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:

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

### RESOLUTION #2018-168b A RESOLUTION TO APPOINT SECRETARY TO THE PLANNING BOARD

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

**WHEREAS,** Gina Kneser, Planning Board Secretary, had tendered her resignation effective July 1, 2018; and,

WHEREAS, The Mayor and Board of Commissioners thank you for her service; and, WHEREAS, Gina Kneser, has agreed to stay on as a Special Consultant to the new Planning Board Secretary until the transitional training is complete; and,

**WHEREAS,** The Board of Commissioners has determined to make an appointment to the position of Secretary to the Planning Board and Special Consultant to the Planning Board Secretary;

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

Alison Gavin, be and she is hereby appointed Secretary to the Planning Board commencing at 12:01 AM, on July 1, 2018 and terminating December 31, 2018, at an annual salary of \$10,000.00 to be prorated from July 1<sup>st</sup> through December 31<sup>st</sup>; and,

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

Gina Kneser, be and she is hereby appointed special consultant to the Secretary to the Planning Board commencing at 12:01 AM, on July 1, 2018 and terminating when it is determined that the transitional training is complete, at an annual salary of \$10,000.00 to be prorated from July 1<sup>st</sup> through termination.

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

# #RESOLUTION 2018-169 A RESOLUTION TO CONFIRM PURCHASES

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

**WHEREAS,** Purchases were made for amounts over \$1,000.00 and it is the policy of the Borough that the Board of Commissioners approve or confirm said purchases; and;

**NOW, THEREFORE, BE IT RESOLVED**, That the following contracts are hereby confirmed:

OBS – Police Phone/Cad recordings	\$2,787.00
Fireflow Services, Inc – Fire pump, hose, and ladder testing	\$1,667.00
Home Depot – Monthly Purchases	\$3,307.65
Monmouth Building Center – Supplies ABC Project	\$2,469.47

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

# RESOLUTION #2018-170 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-AYE; Mayor McLaughlin-AYE

## RESOLUTION #2018-171 A RESOLUTION TO APPROVE BILLS & PAYROLL (6/15/2018 – 6/30/218)

Offered By: Mayor McLaughlin Seconded By: Comm. Bolan

**BE IT RESOLVED,** That bills and payrolls totaling \$305,030.59 be approved for payment; and,

**BE IT FURTHER RESOLVED,** That June 30, 2018 consolidated bill list be attached hereto and made a part thereof.

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

#### **ITEMS TO DISCUSS**

The Co-Principal Application of Kate Chambrovich was approved.

The Mayor gave a brief discussion on the railroad crossing closing. The Mayor, the Borough Administrator and the Borough Engineer went to a meeting on Monday June 25<sup>th</sup> with the new Commissioner of the Department of Transportation and other DOT representative. Congressman Pallone and a representative from Senator Gopal's office were in attendance as well. Congressman Pallone was very helpful in discussing the Borough's position and why the crossing should be kept open.

The DOT Commissioner was confused and thought the Borough agreed to the closing. The Mayor, Borough Administrator and Congressman Pallone told the Commissioner that was not the case. The Borough had met with the previous Commissioner, wrote letters, and had signed petitions, all disagreeing with the DOT's decision and fighting the proposed closing.

Congressman Pallone asked if the Borough would help pay for the cost of the upgrade if the DOT considered keeping it open. The DOT Commissioner stated she might entertain it. She tasked the Mayor and Borough to come up with a plan and discuss it with her. The DOT might also consider paying 50% of the cost. The Borough is in the process of exploring an avenue to fund the project and will report back to the Commissioner.

The special Event Permit for Dena Glynn was discussed. The permit was approved with restrictions: payment of \$100 permit fee, must comply with Borough noise ordinances, and must coordinate with the Beach Club Manager for staff.

The Mayor gave a brief discussion on the Railroad Park opening and how nice it was. He thanked the Borough Administrator for her hard work on the project.

### **PUBLIC COMMENTS**

Mr. Gilman stated that two weeks ago he came to a meeting to discuss his neighbor's property and the wall being constructed and that he felt they were not following the plan that was approved by the Planning Board. He said he has since had an opportunity to listen to the Planning Board Meeting recordings of the February 17, 2016 meeting. He stated that on the recording the Mayor had asked about the wall in question. The homeowners architect, under sworn testimony, responded that the wall would be resurfaced and the height would not change. Mr. Gillman believes that had the Planning Board realized that the project/wall would change his view of the Ocean, they would not have approved it. He would like to go the Planning Board and have them sign affidavits that if they knew the view would change they would not have approved.

The Borough Attorney stated that he would advise the Planning Board not to sign affidavits. The record is what the record is. He stated that there is a discrepancy of what was on the recording of the Planning Board Meeting and what was approved on the plan. The Borough Attorney stated that what he does know is that the Engineer reviewed and what was on the approved plan is what

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 cold 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 whey 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