

1 THE BOROUGH OF ALLENHURST
 2 REMOTE ACCESS
 3 BOARD OF COMMISSIONERS MEETING
 4 MONMOUTH COUNTY

5 TRANSCRIPT OF
 6 PROCEEDINGS

7

8 April 13, 2021
 9 7:30 p.m.

10

11 BOARD OF COMMISSIONERS

12 DAVID McLAUGHLIN, Mayor
 13 CHRISTOPHER McLOUGHLIN, Deputy Mayor
 14 TERRANCE BOLAN, Commissioner
 15 DONNA M. CAMPAGNA, Clerk

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1 A P P E A R A N C E S

2 BIRDSALL & LAUGHLIN, L.L.C.
 3 BY: DAVID A. LAUGHLIN, ESQ.
 4 1720 State Highway 34
 5 Wall, New Jersey 07719
 6 Attorney for the Borough of Allenhurst.

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1 (The Pledge of Allegiance is
 2 recited.)

3 MAYOR McLAUGHLIN: Donna, can you
 4 take a roll call, please.

5 MS. CAMPAGNA: Sure. Commissioner
 6 McLoughlin?

7 COMMISSIONER McLOUGHLIN: I'm here.

8 MS. CAMPAGNA: Commissioner Bolan?

9 COMMISSIONER BOLAN: What? Present.

10 MS. CAMPAGNA: Mayor McLaughlin?

11 MAYOR McLAUGHLIN: I'm here.

12 Let's see, notice requirements of state
 13 statute have been satisfied by delivering the
 14 required notice to The Coaster and The Asbury
 15 Park Press, posting the notice on the bulletin
 16 board in Borough Hall, and the filing of said
 17 notice with the Borough Clerk.

18 Donna, we have some communications.

19 MS. CAMPAGNA: Yes. We have a
 20 resolution from the Township of Colts Neck
 21 recommending the repeal legalizing the legalizing
 22 Marijuana. And a notice from New Jersey American
 23 Water regarding a public hearing on approval
 24 changing the levels of Purchase Water Adjustment
 25 Clause and the Purchase Wastewater Treatment

1 Clause.

2 And no announcements.

3 MAYOR McLAUGHLIN: All right.

4 (Inaudible.)

5 MAYOR McLAUGHLIN: Welcome back,
 6 everybody. This is one of our first meetings back
 7 -- inaudible -- This meeting is in person.

8 We've got three Resolutions -- three
 9 ordinances for Final Reading. So Ordinance
 10 #2021-05, I will offer it.

11 COMMISSIONER McLOUGHLIN: Second.

12 MAYOR McLAUGHLIN: We're now going to
 13 open it to the public. Does anybody have any
 14 comments or questions on this? This is the Final
 15 Reading. This is amending the Redevelopment Plan.
 16 Anybody in the audience have questions?

17 Okay. First I need you to please say your
 18 name and your address. Sir.

19 STEVEN: I just want to make sure
 20 you got me on speaker. Mind if I sit? I'd feel
 21 more comfortable. Okay.

22 COMMISSIONER BOLAN: I prefer the
 23 head stand.

24 STEVEN: Is everyone comfort, if
 25 I remove my mask?

5

1 MR. POLHAMUS: Okay, Steven Polhamus. I'm
 2 an attorney with Wilentz, Goldman and Spitzer. -
 3 I'm representing the Allenhurst Taxpayers
 4 Association with regards to the -- inaudible. The
 5 Association would like to reiterate its former
 6 public comments on this matter as well as it's
 7 letter to the Board of Commissioners requesting
 8 that the Redevelopment
 9 Plan include the provision of an independent
 10 environmental consultant in order to oversee and
 11 insure the clients with -- environmental
 12 requirements.

13 Do you mind if I -- inaudible. So what the
 14 Association would like to provide to the Board of
 15 Commissioners is that this Redevelopment Plan
 16 considers significant environmental in the
 17 redevelopment plan area it includes the demolition
 18 of the JCP&L building and demolition of the local
 19 Department of Public Works, removal of
 20 contaminated materials from the sites, as well as
 21 soil remediation, all manner of demo cleanup
 22 activities -- inaudible.

23 Now this is a significant environmental
 24 undertaking with potentially higher -- inaudible
 25 -- I don't think it would be hyperbolic to say

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1 is not a particularly burdensome request and this
 2 is something that really insures that the Borough
 3 maintains environmental compliance with the utmost
 4 of significant environmental -- inaudible.

5 In regard to that the Taxpayers Association
 6 would ask the Borough to consider tabling this
 7 vote and incorporating the requirement for the
 8 environmental consultant to be appointed within
 9 the Redevelopment Plan.

10 As a second point, for the people who have
 11 started counting, I would like to address that
 12 there appears to be -- inaudible -- between the
 13 Redevelopment Plan as it's proposed and the
 14 Lancaster Plan (phonetic). Within the
 15 Redevelopment Plan it states that the existing
 16 buildings are contemplated by the plans to be
 17 demolished, as such demolition of these structures
 18 shall not require a Certificate of Appropriateness
 19 or demolition pursuant to Section 11E, A1C of the
 20 Historic Preservation Ordinance and that's at
 21 pages 5 through 10B.

22 However this is contrary to the Historic
 23 Preservation Ordinance adopted by the Borough. If
 24 you are applying for demolition of historic
 25 property in the Borough of Allenhurst, you have to

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1 then this could quite possibly be the most
 2 significant environmental undertaking of the
 3 Borough of Allenhurst for the next 50 years. I
 4 mean the development of these sites are
 5 contaminated. The sites are large. There are no
 6 comparable sites within the Borough. And you --
 7 inaudible -- by our own consultant to be
 8 considered by the Board.

9 An independent environmental consultant to
 10 provide for higher requirements, environmental
 11 compliance that is required under New Jersey DEP
 12 standards. And furthermore by appointing an
 13 independent environmental consultant there would
 14 be a direct line of communication from Board of
 15 Commissioners and an informed consultant to
 16 insure that environmental compliance is filled to
 17 the utmost.

18 Now the appointment of the independent
 19 consultant is fairly common in other redevelopment
 20 plans. It was actually put in a previously
 21 agreement -- inaudible -- and the appointment of
 22 independent environmental consultant is also
 23 aggregated by the Board of Commissioners on the
 24 Borough of Allenhurst Website. It's under the FAP
 25 section under redevelopment requirements. So this

8

1 file an application to the Historic Preservation
 2 Commission. The Historic Preservation Commission
 3 has to review and the Historic Preservation
 4 Commission has to issue a Certificate of
 5 Appropriateness in order to comply.

6 This Redevelopment Plan circumvent those
 7 requirements. Actually under the 2018 Master Plan
 8 Reexamination Report the Borough is charged with
 9 continue to utilize and vigorously enforce the
 10 Historic Preservation Ordinance. That's at page 9
 11 of the Reexamination Report.

12 Inaudible -- compliance is not vigorously
 13 enforce the historic preservation ordinance it
 14 circumvents in large part the historic
 15 preservation ordinance. It doesn't require the
 16 same level of votes -- the same level of
 17 procedural -- inaudible.

18 This is a significant divergence between
 19 the underlying Master Plan and the proposed
 20 Redevelopment Plan and in affect the Association
 21 would like to the Board of Commissioners to
 22 consider -- or at least make note of it in the
 23 minutes -- inaudible -- overall the Taxpayers
 24 Association would like you to note that we believe
 25 this plan warrants further review and in public

<p style="text-align: right;">9</p> <p>1 request that the Board of Commissioners consider 2 tabling the vote on that until -- inaudible. 3 COMMISSIONER BOLAN: Thank you. 4 MAYOR McLAUGHLIN: Thank you. 5 PAUL CIGNONE: So consistent with 6 the attorney who just spoke, I think I have the 7 resolution that took place back 1999 in my hand. I 8 think it should be thoroughly reviewed to go over 9 the procedures that are required. I think it 10 should be reviewed by the Board of Commissioners 11 take any actions on this whatsoever. 12 In addition to what was cited previously 13 this plan is inconsistent with we were challenged 14 to do by Congressman Pollack (phonetic) going back 15 to 1999. And we were challenged -- we challenged 16 him back on this to make sure that whatever the 17 development plan was that might be affected by the 18 holes was construed in such a way that we make 19 sure that we -- the Board can go ahead and stop me 20 here, which I hope to make sure that it is 21 consistent with the past and the history of 22 Allenhurst, New Jersey. Consistent with that 23 past. 24 If you take a look at this document it 25 would show you that there are some 350 residences</p>	<p style="text-align: right;">10</p> <p>1 in town, approximately half of those residences, 2 170 were built prior 1905. They were built on 3 properties which were federally larger than your 4 standard lots that you have in town here. If you 5 take a look at the proposal and you see 6 particularly with the townhouses that that 7 historical prospective is totally ignored. The 8 density is beyond anything we thought of when we 9 created those documents back in 1999. 10 If you were to go around town and you took 11 a look at those properties that are not subject to 12 this resolution those are properties that were 13 built after 1941 and you go back to the reasoning 14 that they're not affected is the reasoning was 15 that there kind of seems that there was -- those 16 properties were transferred that they might be 17 reconstructed to look more like the history of 18 this town and the buildings that are primarily 19 have been built before 1905. 20 So I think when you take a look at our 21 commitment like in the past this beautiful town, 22 what the town looks like, the cherished properties 23 that are in the town and then you take a look at 24 this plan that I took a look at -- I hope 25 everybody got a chance to look at them, you'll see</p>
<p style="text-align: right;">11</p> <p>1 that first in density of those properties is 2 absolutely different. I would eventually say and 3 eventually question what is the benefit of having 4 the density that's created by this project to the 5 town and the citizens of Allenhurst, New Jersey. I 6 don't see any benefit at all. I will debate the 7 tax benefit whatsoever. I'm knowledgeable of what 8 our expenses are today and we are one of the 9 lowest taxed towns in the state. We do a great 10 job with our budget. I don't see any benefit -- 11 whatsoever of creating all this additional taxable 12 income with the risk of things like pollution 13 methods demonstrated earlier with the earlier 14 speaker and also of presence, the picture of what 15 the town shows today. It showed in the past -- 16 inaudible. And I would suggest that any vote on 17 this be tabled to reconsider the -- inaudible. 18 Any questions? 19 COMMISSIONER BOLAN: Anyone else? 20 Inaudible. 21 RICHARD FERNICOLA: Richard 22 Fernicola, 7 Spier Avenue. And I would like the 23 -- attorney for his presentation. I really agree 24 with everything he offered. And I especially 25 appreciate the comment before and intuitive words</p>	<p style="text-align: right;">12</p> <p>1 from Chairman Cignone and I completely agree 2 obviously with everything he had referred to. I 3 was specifically concerned about what the Chairman 4 was actually pointing out about the historic 5 preservation element as well as the attorney in 6 reference to the fairness, the justification 7 provided of Allenhurst stating on this process on 8 page 26 of your March 9th Commissioner's meeting 9 as it relates to this topic. Mr. Barree, is that 10 how you pronounce it, Barree. Barree, I'm not 11 sure. He had exchanged words with the Mayor and 12 Governing Body about this process and spoke about 13 how the Certificate of Appropriateness would not 14 apply to buildings across the street or any of the 15 buildings. And the justification for that was 16 apparently concerned flexibility issues. None of 17 it related necessarily to any of the parameters 18 which we applied to whether a house could be 19 demolished or improved or renovated. From the 20 text it says in reference to the buildings, this 21 is Mr. Barree, page 11 of 22 VOICES: It's Barree. 23 RICHARD FERNICOLA: John Barree from 24 the transcript. Possibilities and restraints 25 associated with how those buildings are laid out,</p>

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1 some of the -- inaudible -- inherent in adaptive
 2 reviews, looking at the project over the last
 3 couple of years we determined that it provides a
 4 lot of more -- inaudible -- and a lot more
 5 flexible design and just a better overall project
 6 to move away from that adaptive -- inaudible --
 7 and look at the -- inaudible -- of all the
 8 structures.
 9 If that criteria -- inaudible -- the town
 10 would look different today whether to add
 11 flexibility -- inaudible -- these are just
 12 completely unfair and inconsistent -- inaudible --
 13 as how the Planning Board moved everybody
 14 squareness with the Master Plan -- inaudible -- as
 15 opposed to saying it's consistent. In truth the
 16 detail -- inaudible.
 17 Thank you.
 18 MAYOR McLAUGHLIN: Thank you.
 19 Anybody else? State your name and your address.
 20 ELAINE : Elaine -- inaudible, at 1
 21 Page Avenue. I was just wondering how long is
 22 this construction project expected to go on? One
 23 year? Two years? We live right near at the end
 24 of the street. This is going to be a loud
 25 construction noise for us for one year. Two

15

1 years of meetings about this project. It's taken
 2 two years to get this, step one, adopting an
 3 ordinance so this could move forward. We've had
 4 several meetings at this Firehouse, the pictures
 5 of the buildings, public input. Some of you have
 6 been here. Some of you obviously have not. This
 7 is not a time where we're addressing questions
 8 like infrastructure. Obviously things like that
 9 are taken into consideration. Everything is taken
 10 into consideration. This is really step one.
 11 We've finally reached a tentative, "this looks
 12 good" type of plan that's gone to the Planning
 13 Board and come back from them to us, okay. Let's
 14 go. Step one.
 15 Does anybody have questions about step one,
 16 please come forward? Otherwise, you know, I don't
 17 feel that well. I'd like to move on.
 18 You've already spoken, Richard so...
 19 RICHARD FERNICOLA: Well I haven't
 20 had the opportunity to respond to you, Mr. Bolan.
 21 COMMISSIONER BOLAN: That's not the
 22 topic.
 23 Inaudible.
 24 MAYOR McLAUGHLIN: Let's stick to the
 25 topic tonight and not get sarcastic. As

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1 years? Two and a half years? How long --
 2 MAYOR McLAUGHLIN: What we're doing
 3 tonight is trying to -- this is an amendment to
 4 the Redevelopment Agreement. Then we have to do a
 5 Developers' Agreement which is like the next step.
 6 When we do the Developers' Agreement those details
 7 get -- And believe we have the same concerns. I
 8 live right down the street as well so I have the
 9 same concerns as you do as the audience too.
 10 So when we get that next stage a lot of
 11 these questions will be answered and be before the
 12 Commission for further comments. All right.
 13 ELAINE: Thank you.
 14 MAYOR McLAUGHLIN: Anybody else have
 15 any questions? Again give your full name and your
 16 address.
 17 SAM RUSSO: Sam Russo, 3 (inaudible)
 18 Avenue. Just looking forward we should have a
 19 little consideration for the police force --
 20 inaudible -- We're having difficulty now just with
 21 the summertime -- inaudible -- now yearly. I'm
 22 concerned with the police force and -- inaudible.
 23 MAYOR McLAUGHLIN: The answer to that
 24 is whatever has to be done.
 25 COMMISSIONER BOLAN: We've had two

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1 Commissioner Bolan was saying though this is the
 2 first step in the process. And again all the
 3 infrastructure, all that stuff has to be addressed
 4 by the developer. It has to be improvements
 5 giving us the developer's process and then -- I'm
 6 going to introduce Matt Jessup -- he can walk you
 7 through it a little bit. Inaudible.
 8 Again this is the first step in a process.
 9 It's not "Oh, this is it." This has to go back,
 10 if we come to an agreement. There's a Developers'
 11 Agreement to be signed and we agree to that. Site
 12 Plan approval goes back to the Planning Board and
 13 they review it.
 14 So again this is a process. You asked a
 15 question and we're answering you. Yes, that stuff
 16 will be reviewed, any improvement -- inaudible.
 17 Anybody else have any questions?
 18 ROBERT FERNICOLA: Robert Fernicola,
 19 7 Spier Avenue. Okay. This isn't the first step
 20 in the process. This is the last step. Once
 21 this is amended we no longer -- inaudible -- Your
 22 holding the last carrot.
 23 Inaudible.
 24 PAUL FERNICOLA: This is going to be
 25 a legacy. There is no greater threat to the

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1 charm and quaintness of this community.
 2 Inaudible. The density, the volume of these
 3 quarters. We just closed the railroad tax. I mean
 4 I can only imagine the volume of vehicles. In
 5 terms of the traffic, going up and down the
 6 street, the parking. The parking is --
 7 Inaudible.
 8 ROBERT FERNICOLA: Okay, so what is
 9 -- and I'm only asking, Terry, what's the worst
 10 case scenario for the builders -- inaudible.
 11 COMMISSIONER BOLAN: To build
 12 high-density, low-income housing, a highrise here.
 13 And we can't stop it.
 14 ROBERT FERNICOLA: Okay. So can't
 15 you stop it? That's a question I have. What's
 16 the --
 17 COMMISSIONER BOLAN: We talked to
 18 lawyers --
 19 ROBERT FERNICOLA: So why aren't the
 20 lawyers free to inform the public --
 21 COMMISSIONER BOLAN: They have.
 22 They're here. They have.
 23 ROBERT FERNICOLA: So who's the
 24 lawyer, Terry?
 25 COMMISSIONER BOLAN: John Barree and

19

1 requirements are and whether they can really build
 2 this highrise. I'd like to hear from the lawyers.
 3 I'm sure the people here would like to hear from
 4 the attorneys as to why this Board is acting --
 5 you don't think you're acting quickly but no one
 6 really knew about it. So this is the first time
 7 people really, really found out. But I'll get --
 8 COMMISSIONER BOLAN: Are you
 9 suggesting we apply the normal requirements --
 10 inaudible. Are you suggesting that?
 11 ROBERT FERNICOLA: Did I say that,
 12 Terry?
 13 COMMISSIONER BOLAN: You said --
 14 ROBERT FERNICOLA: I said I'm sure.
 15 No, Terry, listening to the picnic plate
 16 (phonetic) your guys saying that. Okay. I said
 17 that I'm sure you required you put it in the
 18 Coaster, complied with the notice requirements
 19 under the law. But what really happened here was
 20 that a public being missing -- inaudible -- on the
 21 Website it said that all meeting were to be ZOOM
 22 on the Website. I knew at least 10 people that
 23 were trying to get this meeting tonight --
 24 inaudible. I tried getting it. I was sitting at
 25 my house trying to get on the meeting. Couldn't

18

1 --
 2 ROBERT FERNICOLA: Okay, so don't you
 3 have them speak to the public?
 4 COMMISSIONER BOLAN: They have.
 5 ROBERT FERNICOLA: Can I speak,
 6 Terry? Can you just let me speak?
 7 COMMISSIONER BOLAN: They have, Rob.
 8 You weren't here. They have.
 9 ROBERT FERNICOLA: Yeah, Terry, you
 10 know what? I tried to go on the ZOOM Meeting. I
 11 knew 15 other people that wanted to go on the ZOOM
 12 Meeting. But the Website says that this was going
 13 to be a ZOOM, I understand the notice was in the
 14 Coaster. I'm sure you complied with the building
 15 occupancy. But you're essentially shutting out
 16 the public from this debate. And I mean it,
 17 there were a lot of people that were trying to go
 18 on the ZOOM Meeting tonight to hear what was going
 19 on. You know what's going to happen that in 100
 20 years of this town there's nothing that's going to
 21 affect this community more than this project. And
 22 what I'm concerned about is what is the worst case
 23 scenario? I don't know what the minimum
 24 requirements are for -- inaudible.
 25 I'd like to know what the minimum

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1 get on. But that's not the point I'm trying to
 2 make here. What I wanted -- what I really want to
 3 know is what is the worst case scenario? Is this
 4 cure worst than the disease? I don't know. I
 5 mean I'd love to know. Because what's going up
 6 here or what's proposed to go up, there is just no
 7 doubt is going to change the face of this town
 8 forever. And that's going to be your legacy that
 9 this was done. I know you're trying to do what
 10 you think is best based on the opinions of the
 11 attorneys.
 12 And I remind you your opinions in attorneys
 13 with a version of Loch Arbour. They told me, ah
 14 Scottie's going here. Inaudible. And that would
 15 have been very advantageous to have for us
 16 without a tax -- inaudible -- et cetera. That's
 17 not what we're here for today. I mean I really
 18 want to know what the worst case scenario is here
 19 because anytime I've made a decision out of
 20 threats or fear its -- inaudible -- and you know,
 21 I'm worried that you guys pushed against the wall
 22 are now going to be making this decision that is
 23 just going to take away the charming, really it's
 24 going to kind of look like Main Street in Belmar
 25 if it's built.

21

1 All the traffic, all of the cars, I mean I
 2 think about overflow just going down the streets.
 3 The Beach Club is going to have to deal with.
 4 This thing could be the biggest threat to the
 5 town. There may be a better option. You're
 6 right, Terry, it may be a better option. But I
 7 don't feel that. I don't think the people know if
 8 that's the only option. And what's the rush? Why
 9 at this meeting you'd be able to amend the plan?
 10 That's another thing I don't understand.
 11 I think really when you're affecting the town this
 12 much, it's in the middle of a pandemic where
 13 people really haven't been able to talk with one
 14 another, to get some answers --
 15 Inaudible.
 16 ROBERT FERNICOLA: So, Terry, I think
 17 it's the Mayor who actually is the one that's runs
 18 the meeting so...
 19 So how long is the time limit?
 20 MAYOR McLAUGHLIN: Five minutes.
 21 COMMISSIONER BOLAN: One more minute.
 22 ROBERT FERNICOLA: Okay.
 23 COMMISSIONER BOLAN: Forty-eight
 24 seconds.
 25 ROBERT FERNICOLA: Well, Terry, you

23

1 about taxing with the trains or something --
 2 inaudible.
 3 (Inaudible.)
 4 GABRIEL BIANCA: You can't
 5 understand. Sure. So according to the pamphlet
 6 that I got there are springs flowing under that
 7 property and my building on that property and --
 8 inaudible -- I don't know much about that because
 9 I don't know nothing about nature but that seems
 10 to be affecting that's specifically why I came
 11 here. So I'm just wondering if we have people in
 12 this town that have our own, say, unique to
 13 protect.
 14 COMMISSIONER McLOUGHLIN: I would
 15 suggest that if this goes through your best course
 16 of action is to go the Planning Board when they're
 17 there for site plan approval as part of the
 18 discussion. I will also ask John Barree, who is
 19 part of Heyer and Gruel would that be an action
 20 --
 21 MR. BARREE Yes, absolutely. The
 22 Borough's Engineer will be represented to discuss
 23 that as part of context of the site plan review
 24 with the Planning Board and -- inaudible.
 25 All the environmental issues will be

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1 know I speak for myself. I speak for a lot of
 2 people that I know. And maybe this project
 3 doesn't happen. Maybe the press are that serious
 4 -- inaudible -- but I just don't understand why
 5 when such significant impact on this town there
 6 wasn't more awareness of the community. I mean
 7 the builder went up there, didn't say it was being
 8 built. It said town -- inaudible. And people
 9 can't even sit here and talk amongst each other
 10 during COVID. You'd normally go out to a party
 11 and go to a friend's house people would be talking
 12 about this. We're in the midst of pandemic and
 13 this thing -- inaudible. I mean this, this is
 14 going to be your guys' legacy of changing the town
 15 forever at the end of the day.
 16 COMMISSIONER BOLAN: Thank you,
 17 Robert.
 18 ROBERT FERNICOLA: Thank you, Terry.
 19 MAYOR McLAUGHLIN: Anyone else have
 20 any comments or questions? Yes, ma'am, in the
 21 back.
 22 GABRIEL BIANCA: A quick question.
 23 Hi. My name is Gabriel Bianca (phonetic). I
 24 live at 307 -- inaudible. Inaudible -- I came
 25 here in response to two -- inaudible -- talking

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1 reviewed as part of the project. As far as any
 2 site-specific concerns the Planning Board will
 3 review those specific concerns as part of its
 4 review of future project, sites. And the
 5 Borough's Engineer will be responsible for
 6 reviewing any plans that put forward the potential
 7 impacts and anything on the environmental issues.
 8 MAYOR McLAUGHLIN: Anyone else in the
 9 audience?
 10 (No audible response.)
 11 MAYOR McLAUGHLIN: Let the record
 12 show there's nobody else in the audience.
 13 COMMISSIONER BOLAN: I'd like to
 14 vote.
 15 MAYOR McLAUGHLIN: Well offered.
 16 COMMISSIONER McLOUGHLIN: Second.
 17 MAYOR McLAUGHLIN: All those in
 18 favor?
 19 COMMISSIONERS: Aye.
 20 MAYOR McLAUGHLIN: Ordinance 2021-06,
 21 Final Reading. I will offer.
 22 COMMISSIONER McLOUGHLIN: Second.
 23 MAYOR McLAUGHLIN: Vote. The
 24 audience, anybody have any comments or questions
 25 on this? Dr. Fernicola.

25

1 RICHARD FERNICOLA: Is this the
 2 comment period?
 3 MAYOR McLAUGHLIN: Specific to the
 4 ordinance.
 5 COMMISSIONER McLOUGHLIN: With
 6 reference to 2021-06.
 7 RICHARD FERNICOLA: Is that the
 8 adoption of the Redevelopment Plan?
 9 COMMISSIONER McLOUGHLIN: No, that
 10 one we just did.
 11 MAYOR McLAUGHLIN: We just did that
 12 one.
 13 COMMISSIONER McLOUGHLIN: 2021-06 is
 14 now dealing with the beach trees at the Allenhurst
 15 Beach Club.
 16 RICHARD FERNICOLA: I have no
 17 comment.
 18 MAYOR McLAUGHLIN: Okay. Let the
 19 record show that nobody has any comments. All
 20 those in favor?
 21 COMMISSIONERS: Aye.
 22 MAYOR McLAUGHLIN: Ordinance 2021-07
 23 and this is another Final Reading. I will offer
 24 it.
 25 COMMISSIONER McLOUGHLIN: Second.

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1 MAYOR McLAUGHLIN: Ordinance 2021-09,
 2 again still this is the First Reading. And
 3 Ordinance for the Borough of Allenhurst
 4 prohibiting the operation of any class of cannabis
 5 business businesses within its geographic
 6 boundaries of Allenhurst. Again it's a First
 7 Reading for public comment. I'll offer it.
 8 COMMISSIONER McLOUGHLIN: Second.
 9 MAYOR McLAUGHLIN: All those in
 10 favor?
 11 COMMISSIONERS: Aye.
 12 COMMISSIONER McLOUGHLIN: I'd like to
 13 offer the Consent Agenda Resolution 2021-90 to
 14 2021-102, I will offer.
 15 COMMISSIONER BOLAN: Second.
 16 MAYOR McLAUGHLIN: All those in
 17 favor?
 18 COMMISSIONERS: Aye.
 19 COMMISSIONER McLOUGHLIN: I'd like to
 20 offer Resolution 2021-103 approving bills and
 21 payroll. I'll offer.
 22 COMMISSIONER BOLAN: Second.
 23 MAYOR McLAUGHLIN: All those in
 24 favor?
 25 COMMISSIONERS: Aye.

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1 MAYOR McLAUGHLIN: Anybody in the
 2 audience have any comments or questions on this?
 3 Mr. Inaudible.
 4 MALE VOICE: Please give a heading of
 5 what that ordinance is.
 6 MAYOR McLAUGHLIN: Sure. This is
 7 development regulations of the --
 8 (Inaudible.)
 9 MAYOR McLAUGHLIN: Planning Board.
 10 It's about escrow, escrow fees for the Planning
 11 Board so that the town doesn't incur the cost.
 12 Anybody else?
 13 MAYOR McLAUGHLIN: I'll offer.
 14 COMMISSIONER McLOUGHLIN: Second.
 15 MAYOR McLAUGHLIN: All those in
 16 favor?
 17 COMMISSIONERS: Aye.
 18 MAYOR McLAUGHLIN: This is a First
 19 Reading, Ordinance 2021-08, this is a model
 20 ordinance to exceed the Municipal Budget
 21 Appropriation Limits. So I will offer that.
 22 COMMISSIONER McLOUGHLIN: Second.
 23 MAYOR McLAUGHLIN: All those in
 24 favor?
 25 COMMISSIONERS: Aye.

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1 MAYOR McLAUGHLIN: Donna, you said
 2 you had something you want to discuss.
 3 MS. CAMPAGNA: I just have one beach
 4 item. Donna Convery at Cabana P-22 is requesting
 5 her daughter Nicole Convery to be made
 6 co-principal on the cabana and that Nicole has
 7 been a member of the cabana for more than five
 8 years.
 9 MAYOR McLAUGHLIN: Yeah, I don't have
 10 any either.
 11 MS. CAMPAGNA: And that's all I have.
 12 (Inaudible.)
 13 MAYOR McLAUGHLIN: All right. All
 14 within the public. Does anybody in the public
 15 have any comments or questions? This is General
 16 Comments.
 17 How are you there, sir? How you
 18 doing?
 19 MALE VOICE: Good.
 20 MAYOR McLAUGHLIN: You usually pass
 21 me on the boardwalk.
 22 MALE VOICE: Saw your wife. She
 23 didn't want to come to the meeting.
 24 MAYOR McLAUGHLIN: No comment.
 25 BILL KAPLAN: My name is Bill

29

1 Kaplan (phonetic). I live at 307 Hume Street. I
 2 would like to take this opportunity to thank --
 3 inaudible -- for all you've done for the
 4 town. I've been living in town for 26 years and
 5 I've known him for that long. While we gave each
 6 other a hard time he's going to be sorely missed
 7 even though I'm sure I'll see him down at
 8 Cravings.
 9 And also there's another retiree coming up
 10 in the Fall. Know the people which is good. I'm
 11 not -- inaudible --
 12 COMMISSIONER BOLAN: -- retire at
 13 all. You've got plenty of years left --
 14 BILL KAPLAN: -- I do have one
 15 quick question and with regard, I knew you were
 16 going to pass the Resolution. Can this be
 17 altered if somewhere along the line the
 18 redevelopment -- something changes? Can it be
 19 altered or will feet be held to the fire?
 20 MAYOR McLAUGHLIN: In what respect?
 21 BILL KAPLAN: Well based on some of
 22 things that we heard tonight there are people that
 23 have, you know, organizations that have issues.
 24 But how much further they may go with the issues,
 25 I don't think any of us knows. Hopefully --

31

1 when you look at your tax bill, I think it's
 2 almost a little over 40 percent of it goes to the
 3 county. Okay. So in offering a tax credit --
 4 inaudible. It doesn't go to the town. So for
 5 every dollar we're receive 100 percent of a
 6 dollar.
 7 For right now we're reviewing those things
 8 and they're going to come back to us with a report
 9 with recommendations -- inaudible.
 10 BILL KAPLAN: Will there be a meeting
 11 when you do find out all of that?
 12 MAYOR McLAUGHLIN: Yes. That will be
 13 --
 14 BILL KAPLAN: Inaudible -- also be a
 15 discussion.
 16 MAYOR McLAUGHLIN: Yes.
 17 BILL KAPLAN; Will the developers --
 18 inaudible
 19 MAYOR McLAUGHLIN: That's all a part
 20 of what we next do. The next step is the
 21 Developers' Agreement. So then -- inaudible --
 22 but there's a lot of steps that are involved with
 23 this. And I think what Donna was trying to point
 24 out is, I think it might be a good time just to
 25 have Matt -- Matt is our redevelopment attorney.

30

1 inaudible -- hopefully, you know, things can be
 2 resolved. But what I'm saying is can the
 3 developer come back and say you passed this and
 4 etched in stone? Can it be changed or modified?
 5 COMMISSIONER McLOUGHLIN: We're going
 6 to go to the Redevelopment Agreement which will
 7 be completed with redeveloper now. So we will
 8 have to do, which will kind of finalize the
 9 process -- inaudible -- plus your point the number
 10 of units at this point is quote "etched in stone".
 11 That is what they're -- that matter is fact.
 12 BILL KAPLAN: And that's based on --
 13 inaudible.
 14 Okay, also one of the other things prior to
 15 all of this did the Commissioners stop or crush
 16 figures to see what tax benefits will be based
 17 on what was past tonight?
 18 MAYOR McLAUGHLIN: We did and we've
 19 actually -- we wouldn't rely on us. We actually
 20 have our professional who's doing that for the
 21 town. And we haven't come to a final conclusion
 22 or look at this to go over his final
 23 recommendation. And there's different ways to
 24 look it. There's tax credit that could be
 25 offered. And what a tax credit does is you know,

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1 And if you don't Matt, maybe you could just stand
 2 up and maybe explain again to the group how it
 3 works -- inaudible.
 4 Thank you, Matt.
 5 MR. JESSUP: Sure. Good evening,
 6 Mayor. My name is Matt Jessup, McManimon,
 7 Scotland and Bauman. A couple of things to your
 8 point. All raised good points.
 9 First, I think from the Commissioner's
 10 prospective a lot of the things you've heard
 11 tonight we believe either have been addressed or
 12 will be addressed in the coming of meetings. To
 13 that end there are really two hearings that are
 14 coming up both of which will be subject to public
 15 meetings. One of which is a specific public
 16 hearing. Those being the Redeveloper Agreement
 17 and Financial Agreement.
 18 The Redeveloper Agreement is essentially
 19 the agreement that memorializes the business terms
 20 between the town and the developer for the
 21 construction of the project. It will address
 22 issues like construction time table stated earlier
 23 by one of the residents, like how long will they
 24 take from start to finish. When can they build.
 25 When can't they build. They're on location with

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1 respect to the environmental issues. There's no
 2 secret as was discussed earlier. That there will
 3 be remediation required on one or both of these
 4 sites.

5 The Redevelopment Agreement is the document
 6 that will address the responsibilities, the
 7 rights, the obligation, all of the laws that have
 8 to be followed with the involvement of DEP, the
 9 State Agency that governs remediation, and
 10 development of a licensed site remediation expert,
 11 who has their license on the line certifying that
 12 remediation -- inaudible -- all of those things,
 13 issues are being addressed in the Redeveloper
 14 Agreement.

15 This will be forthcoming once this plan is
 16 adopted, and that has to go through a public
 17 process. Everyone will be able to comment --
 18 inaudible --

19 The second agreement is a Financial
 20 Agreement, how -- inaudible -- payment in lieu of
 21 tax which will essentially pay the Municipality
 22 not just for cost of the constituent services
 23 raised by the project, cost of the police going up
 24 -- inaudible -- those costs and insuring that the
 25 amount of revenue produced to the Borough by the

35

1 presents during another public hearing with the
 2 public participating again.

3 So there's many sort of public processes
 4 that still have to come.

5 BILL KAPLAN: Okay. My final
 6 question would be in the Redevelopment Plan that,
 7 the newest one that -- inaudible -- it seems that
 8 the Commissioners have the power to give away the
 9 Moratorium time frame to the developer; is that
 10 correct?

11 MAYOR McLAUGHLIN: Yes, it does.

12 BILL KAPLAN: Before that is agreed
 13 upon will that also be included in front of, you
 14 know, considering myself, Bob and I -- nobody is
 15 closer to me. So, you know, to have input on
 16 that. Because that to me is kind of I've been to
 17 enough meetings with you have waived time limits
 18 for other projects. Kind of print that somewhere
 19 along the line. I don't want that to be the
 20 slippery slope that gets us caught into certain
 21 problem of allowing them to do it and not me to do
 22 it and, you know, that's -- inaudible --

23 Inaudible.

24 MAYOR McLAUGHLIN: Anybody else?
 25 Richard.

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1 project -- inaudible -- are at least limited to if
 2 not in excess of the cost of all of those
 3 increased services that the Borough would --
 4 inaudible. We don't want on a project that will
 5 cost the Borough money -- inaudible.

6 That financial agreement is covered by
 7 ordinance which means we have two public meetings
 8 at which the public will be able to attend and
 9 like this ordinance a specific public hearing on
 10 that -- inaudible -- and all of the business
 11 terms the analysis that we've been discussing
 12 with the financial adviser, all of that will be
 13 made out to the public before that's finally
 14 adopted by the Commissioners, unlike this
 15 ordinance.

16 This is the fourth public meeting --
 17 inaudible -- on the Redevelopment Plan. The
 18 Financial Agreement only requires two meetings.
 19 So it almost feels like half the time that there
 20 have been public meetings just in the last month
 21 on this Redevelopment Plan that was finally
 22 adopted tonight. But there is a basically a
 23 multi-stacked public process with respect to the
 24 next two steps. All which have to happen before
 25 the developer can then go to Site Plan where he

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1 RICHARD FERNICOLA: Richard
 2 Fernicola, 7 Spier Avenue. Just a general comment
 3 I reviewed a item on the March 9th meeting and
 4 Mayor Steven Haber commented about density issues.
 5 If you were in the apartments about three room
 6 apartment, average four room, 300 people and
 7 another five for the townhouses there was another
 8 hundred so -- inaudible -- we're going to be on
 9 the beach with another 500 people and Mayor
 10 McLaughlin said -- inaudible.

11 VOICES: Too loud. Pull the mike
 12 away.

13 RICHARD FERNICOLA: I'm sorry about
 14 that. The mike was too low.

15 But in any event related to stormwater
 16 management, everything is deferred to another day,
 17 a future day, like those things are less important
 18 than a committee to review or give the investors
 19 false polls -- inaudible -- in reading that
 20 transcript that all of these important issues are
 21 pushed to some other day and we could be sitting
 22 with miles of open space there and these guys
 23 aren't being able to pay for anything toward the
 24 future. I will tell you that I was around on the
 25 first committee for redevelopment and I know about

