

MINUTES
April 13, 2021

The Meeting of the Board of Commissioners of the Borough of Allenhurst was held on the above date with Mayor McLaughlin presiding with Commissioner McLoughlin and Commissioner Bolan answering the roll call. Also in attendance was the Borough Clerk 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:

Resolution from the Township of Colts Neck Urging the immediate repeal of Senate Bill 3454 Legalizing Marijuana
Notice from NJAW regarding a public hearing on approvals to change the levels of its Purchase Water Adjustment Clause and the Purchase Wastewater Treatment Clause.

ANNOUNCEMENTS:

None

ORDINANCES

ORDINANCES FINAL READING

ORDINANCE #2021-05 – Final Reading

ORDINANCE #2021-05

**AN ORDINANCE OF THE BOROUGH OF ALLENHURST, IN THE
COUNTY OF MONMOUTH, NEW JERSEY ADOPTING THE AMENDED
MAIN STREET REDEVELOPMENT PLAN PURSUANT TO THE LOCAL
REDEVELOPMENT AND HOUSING LAW**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, on November 15, 2004, in accordance with the provisions of the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "**Redevelopment Law**"), the Borough of Allenhurst (the "**Borough**") designated certain property fronting on Main Street or Deal Lake as an area in need of redevelopment (as further described in the Redevelopment Plan defined below, the "**Redevelopment Area**"); and

WHEREAS, in accordance with the provisions of the Redevelopment Law, the Borough enacted the "Main Street Redevelopment Plan" in October 2006, as amended November 2007 (the "**Prior Redevelopment Plan**") for the Redevelopment Area; and

WHEREAS, the Borough wishes to amend and restate the Redevelopment Plan to, among other things, propose a townhouse development on the east side of Main Street that is sensitive to the historical context of the Borough's residential neighborhoods, modify the Prior Redevelopment Plan by proposing the demolition (rather than adaptive reuse) of the Art Deco Jersey Central Power & Light (JCP&L) buildings along the west side of Main Street, and revise the concept for the redevelopment of the Borough's DPW/Waterworks site on the southside of Hume Street to permit new construction; and

WHEREAS, Heyer, Gruel & Associates has prepared an amended redevelopment plan for the Redevelopment Area, entitled, "Main Street Redevelopment Plan", amended March 2021 (the "**Referred Redevelopment Plan**"); and

WHEREAS, on March 9, 2021, the Borough adopted Resolution #2021-73, authorizing and directing the Borough Planning Board (the "**Planning Board**") to review the Referred Redevelopment Plan and to advise the Borough of its findings in connection therewith in accordance with N.J.S.A. 40A:12A-7(e); and

WHEREAS, on March 10, 2021, the Planning Board held a duly noticed and constituted public meeting, at which it determined that the Referred Redevelopment Plan is generally consistent with the Borough's Master Plan, and recommended that the Borough adopt the Referred Redevelopment Plan, subject to certain recommended revisions which are set forth in a letter from the Planning Board Attorney dated March 17, 2021 (the "**Planning Board Report**") which Planning Board Report is incorporated herein as though set forth at length herein; and

WHEREAS, the Borough Commissioners of the Borough (the "**Borough Commissioners**") have reviewed the Planning Board Report and desire to approve Planning Board comments 1 and 5 through 10, inclusive, as enumerated in the Planning Board Report (collectively, the "**Approved Revisions**"); and

WHEREAS, pursuant to N.J.S.A. 40A:12A-7(e), the Borough Commissioners desire to disapprove Planning Board comments 2 through 4, inclusive and 11 through 13, inclusive, as enumerated in the Planning Board Report (collectively, the "**Disapproved Revisions**"), for the following reasons:

Comment 2 – The Referred Redevelopment Plan, under the heading "IMPLEMENTATION OF THE REDEVELOPMENT PLAN – Conditions in Redevelopment Agreement(s)" adequately addresses the requirement of the redeveloper to undertake off-site improvements. Further, the Borough Commissioners anticipate that any redevelopment agreement for the Redevelopment Area will also address requirements of the redeveloper to undertake off-site improvements;

Comment 3 – The Referred Redevelopment Plan, under the heading "DISTRICT STANDARDS – Townhouse Residential District – Additional Standards" adequately prohibits bedrooms on the ground floor of the townhouse units. Further, the Borough Commissioners anticipate that any redevelopment agreement for the Redevelopment Area will contain floor plans for such townhouse units that illustrate that the ground floor of the townhouse units are not conducive to construct a bedroom on the ground floor;

Comment 4 – Responsibility for utility connections is already adequately addressed by existing applicable Borough ordinance;

Comment 11 – The Borough has determined it is not feasible to have the front yard set back of the proposed townhouses facing Elberon Avenue to match those of the existing single family homes on Elberon Avenue, as such a change would fundamentally alter the proposed redevelopment project and would impede the Borough's ability to effectuate the Redevelopment Plan and the Borough's Master Plan;

Comment 12 – The Planning Board retains the ability to evaluate the color scheme for any proposed project in the Redevelopment Area when the Planning Board reviews such project for site plan approval, and can evaluate the color scheme via the requirements of the Borough's historic preservation ordinance at that time;

Comment 13 – If a rooftop bar is allowed or permitted within the Redevelopment Area, it will be subject to the Borough's existing noise ordinance and, as such, additional language in the Redevelopment Plan is not necessary; and

WHEREAS, Heyer, Gruel & Associates has prepared an amended redevelopment plan for the Redevelopment Area, entitled, "Main Street Redevelopment Plan", amended April 2021, inclusive of the Approved Revisions (the "**Amended Redevelopment Plan**"), which Amended Redevelopment Plan is on file in the Office of the Borough Clerk and available for public inspection;

WHEREAS, the Borough now desires to adopt the Amended Redevelopment Plan.

NOW, THEREFORE, BE IT ORDAINED, by the Borough Commissioners of the Borough of Allenhurst, in the County of Monmouth, New Jersey (not less than a majority of the full authorized membership thereof affirmatively concurring), as follows:

1. The aforementioned recitals hereof are incorporated herein as though set forth at length herein.

2. The Borough Commissioners have reviewed the Planning Board Report and hereby approve such Approved Revisions as set forth in the Amended Redevelopment Plan. The Borough Commissioners hereby further disapprove the Disapproved Revisions for the reasons set forth herein.

3. The Amended Redevelopment Plan is hereby approved and adopted pursuant to N.J.S.A. 40A:12A-7 and shall supersede the Prior Redevelopment Plan in its entirety. Accordingly, the Prior Redevelopment Plan is no longer of full force or effect.

4. All of the provisions of the Amended Redevelopment Plan shall supersede the applicable development regulations of the Borough's municipal code in accordance with the terms of the Amended Redevelopment Plan, and the sections of the zoning map of the Borough that relate to the Redevelopment Area are hereby amended to incorporate the provisions of the Amended Redevelopment Plan.

5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

6. This Ordinance shall take effect in accordance with applicable law.

See Public Comments Section

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

ORDINANCE #2021-06 – Final Reading

ORDINANCE #2021-06

**AN ORDINANCE REVISING CHAPTER X OF THE
BOROUGH CODE OF THE BOROUGH OF ALLENHURST
ENTITLED “BEACH REGULATIONS.”**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

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 Beach Regulations to address the needs of the community.

BE IT ORDAINED, By the Board of Commissioners of the Borough of Allenhurst that Section 10-1.4 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

10-1.4 Membership Card/Beach Badge

NO ONE will be permitted entrance into the Beach Club without being identified as a member or guest of a member. Identification points will be set up at each Beach Club entrance for member’s convenience. Each member must have a current picture on file to enter the Beach Club.

BE IT FURTHER ORDAINED, By the Board of Commissioners of the Borough of Allenhurst, that Section 10-1.6 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

10-1.6 Service and Use Charges.

a. Resident Charges.

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
1.	Non-shower bathhouse	\$1,185.00	\$1,435.00
2.	A/B Shower bathhouse	\$1,582.50	\$1,832.50
3.	Shower bathhouse	\$1,482.50	\$1,732.50
4.	Cabana	\$2,960.00	\$3,210.00
Facilities Use Charge Per Person:			
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$60.00	\$60.00
7.	Age 5 and over	\$85.00	\$85.00
8.	Age 65 and older	\$60.00	\$60.00
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

b. Nonresident Charges.

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
1.	Non-shower bathhouse	\$1,780.00	\$2,030.00
2.	A/B Shower bathhouse	\$2,575.00	\$2,825.00
3.	Shower bathhouse	\$2,370.00	\$2,620.00
4.	Cabana	\$5,850.00	\$6,100.00
Facilities Use Charge Per Person:			

No.	Service	Fees, if paid on or before due date	Fees, if paid after due date
5.	Children under 3 years of age	No Charge	No Charge
6.	Children Ages 3 and 4	\$155.00	\$155.00
7.	Age 5 and over	\$260.00	\$260.00
8.	Age 65 and older	\$160.00	\$160.00
Beach Fee			
9.	Ages 12 years or more	\$80.00	\$80.00
10.	Children under 12 years of age	No Charge	No Charge

c. Half Season Charges.

1. The fees specified in preceding paragraphs a. and b. are for full season memberships in the Allenhurst Beach Club.

2. Rates for half season shall be two-thirds (2/3) of the full season rate for facilities use charge per person and two-thirds (2/3) of the full season rate for beach fee per person.

3. A half season shall be considered to run from the date of the opening of the Beach Club for the season consecutively until the midway point of the season, or from the midway point of the season consecutively to the day of the closing of the Beach Club for the season and for no other period.

4. A person or persons desiring a half season membership must utilize a bathhouse or cabana of a full season member, subject to the provisions of subsection 10-1.7 and must present signed, written permission of such member to so utilize the bathhouse or cabana for the exact half season period involved.

d. Guest Charges.

1. Each individual bathing guest (age 3 and older) using a member's bathhouse or cabana must submit one (1) guest pass per day; Children, age 3 and under will be admitted at no charge. Guest passes from the previous season will be valid for use in the current season, or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules, when guests are accompanied by a registrant of the Allenhurst Beach Club Facilities.

2. Guest tickets will be sold individually at the discretion of the governing body, for \$15.00 per Guest ticket. Individual Guest tickets are good for one individual, for one day's admission. Guest tickets will only be valid for use in the current season or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules.

3. Packages of Guest tickets will be sold in groups of ten (10) passes for \$150.00. Packages of Guest tickets may be sold at a discount at the discretion of the Board of Commissioners. There is no limit on the number of packages that may be purchased but, be advised, that they are only valid for use in the current season or for such time as the Board of Commissioners may determine in the Allenhurst Beach Club Rules.

e. Combination Charges: Where there is a joint tenancy by an Allenhurst resident registrant and a nonresident in any of the accommodations referred to in paragraphs a. and b. hereof, the rates for said accommodations will be as follows:

No.	Service	Fees
1.	Non-shower bathhouse	*\$1,482.50
* Resident Pays, \$592.50 ; Non-Resident Pays, \$890.00		
2.	A/B Shower bathhouse	*\$2,078.75
* Resident Pays, \$791.25 ; Non-Resident Pays, \$1,287.50		
3.	Shower bathhouse	*\$1,926.25
* Resident Pays, \$741.25 ; Non-Resident Pays, \$1,185.00		

No.	Service	Fees
4.	Cabana	*\$4,405.00
* Resident Pays, \$1,480.00 ; Non-Resident Pays, \$2,925.00		

f. Catamaran & Kayak Storage Fees

1. There shall be a “Catamaran storage fee” of two hundred (\$200.00) dollars for the “season” for those wishing to store a Catamaran at the Allenhurst Beach Club, during the “season.” Space for Catamarans is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Catamaran, at the Allenhurst Beach Club except during the “season.”

2. There shall also be a “Kayak storage fee” of one hundred (\$100.00) dollars for the “season” for those wishing to store a kayak at the Allenhurst Beach Club, during the “season.” Space for Kayaks is limited and shall be on a first come, first serve basis. No one shall be permitted to store any private property, including any Kayak, at the Allenhurst Beach Club except during the “season.”

g. There shall be assessed a fifty (\$50.00) dollar activity fee per facility. All monies from this fee shall go towards activities planned at the Allenhurst Beach Club.

h. A Recreation Program shall be established which shall be open to all children who are members of the Allenhurst Beach Club between the ages of five (5) years and twelve (12) years at the discretion of the Recreation Director. The program shall run for seven (7) weeks, during the Beach Club season from 10:00 a.m. to 3:00 p.m., Monday through Friday and will not run on those days the Beach Club is closed for inclement weather or any other unforeseen circumstance.

The cost for participation in this program will be four hundred fifty (\$550.00) dollars for the first child and four hundred (\$495.00) dollars per child for additional children from the same family. Additional weeks may be offered at the discretion of the Recreation Director.

i. A Swim Team shall be established which shall be open to all children who are members of the Allenhurst Beach Club between the ages of five (5) years and twelve (12) years at the discretion of the Swim Team Coach. The cost for participation in this program will be fifty (\$50) dollars per child.

j. A Junior Lifeguard Program shall be established which shall be open to all children who are members of the Allenhurst Beach Club. The cost for participation in this program will be fifty (\$50) dollars per child.

k. There shall be assessed a fee of \$340 for a Nanny Membership. A Nanny is defined as someone who is 18 years of age, or older, and is responsible for the care of member children under the age of 14. The Nanny can only use the Allenhurst Beach Club through this membership when she is in the company of the children with whom she is charged with caring. This membership is exclusively for the nanny named in the member’s application and is non-transferrable and non-refundable.

BE IT FURTHER ORDAINED, By the Board of Commissioners of the Borough of Allenhurst, that Section 10-1.7 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

10.1.7 Occupancy Restriction

It is to be noted that the bathhouses and cabanas described above are restricted in their use as follows:

- a. Minimum Occupancy: Two (2) persons, at least one (1) of whom shall be an adult.
- b. Maximum Occupancy for Bathhouses: Two (2) families, but not to exceed a total of ten (8) persons unless approved by the Board of Commissioners.
- c. Maximum Occupancy for Cabanas: Two (2) families, but not to exceed a total of ten (10) persons unless approved by the Board of Commissioners.
- d. Each family consists of no more than three (3) generations, (grandparents, parents, children).
- e. Additional Families may be added for a facility surcharge of \$250 or \$125 for those aged 65 and older.

BE IT FURTHER ORDAINED, By the Board of Commissioners of the Borough of

Allenhurst, that Section 10-1.8 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

10-1.8 Late Fee

Fees must be paid on or before the due date determined by the Board of Commissioners and stated on the membership documentation each year. There will be a late fee assessed in the amount of \$250.00 for any outstanding balances received after the due date. New memberships after that date will not be subject to a late fee.

BE IT FURTHER ORDAINED, By the Board of Commissioners of the Borough of Allenhurst, that Section 10-1.14 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

10-1.14 Counselor-In-Training (CIT) Program

- a. A Counselor-In-Training, (CIT) Program shall be established which shall be open to members of the Allenhurst Beach Club who are a minimum of 13 years of age. Membership and number of CIT's accepted to the Program shall be at the discretion of the Recreation Director. The CIT Program shall run in conjunction with the Recreation Program, with the exception of pre-camp staff training which will be held before the start of the Recreation Program.
- b. The CIT Program is an educational program, with a curricula designed to develop the people and technical skills necessary to be an effective camp/recreational counselor. CIT Programs teach management and leadership skills and can provide basic training in such skills as group leadership, time management and a variety of outdoor skills. CIT Programs can lead to leadership opportunities at school, in extracurricular activities and at future jobs.
- c. The Borough of Allenhurst makes no guarantee that participation in this program will lead to employment either with the Borough or with any other employer.
- d. Counselors in Training will be matched with a counselor in a unit to provide assistance during program time, meals, and field trips. CIT's will attend staff meetings and work closely with the CIT Coordinator, who will provide each CIT with two evaluations, one after the second week and one at the end of the summer.
- e. CIT's will be subject to the same code of behavior and policies as regular program staff and shall participate in all aspects of the recreation program. Under the supervision of a senior counselor, they will:
 1. Make the Recreation Program fun, helping to devise and plan games and activities.
 2. Supervise setting up and cleaning up.
 3. Help provide a safe and supportive atmosphere for participants.
CIT's will always work with a counselor and/or the CIT Coordinator.
CIT's will work with the CIT Coordinator to learn the basics of child development, programming, and supervision procedures and policies, etc.
CIT's will work with staff to develop and co-lead workshops or games.
CIT's will participate in informal and formal activities with participants in the Recreation Program.
- f. Those CIT's not meeting the expectations of the program may be dismissed at the discretion of the Recreation Director.

BE IT FURTHER ORDAINED, By the Board of Commissioners of the Borough of Allenhurst, that Section 10-2.7 of Chapter X, BEACH REGULATIONS of the Codified Ordinances of the Borough of Allenhurst be amended as follows: (the following language shall replace that presently existing in the Codified Ordinances):

10-2.7. No smoking and Beach Refuse

- a) **No Smoking.** "Smoking" under N.J.S.A 26:3D-57 means "the burning of, inhaling from, exhaling the smoke from, or the possession of a lighted cigar, cigarette, pipe or

any other matter or substance which contains tobacco or any other matter that can be smoked, or the inhaling or exhaling of smoke or vapor from an electronic smoking device”. It is hereby established that no person shall smoke on the Beach or in the ABC, as hereinafter defined, at any time except in designated “smoking areas:” as indicated by signs posted by the Borough. For the purpose of this Chapter, the term “beach” shall mean all areas east of the public boardwalk, including, but not limited to, all cabana areas and walkways, the ABC, jetties, dunes, the beach and waters immediately adjacent thereof. The penalty for a violation of this section shall be a fine of not less than \$100 for the first offense, \$250 for the second offense and \$500 for each subsequent offense.

- b) Beach Refuse.** No person shall throw or discard any bottles, cans, paper or other refuse, including, but not limited to, cigarette butts, cigar butts, and other tobacco products, in the Beach or in the ABC and all refuse and paper and litter shall be placed in refuse containers provided therefore. The penalty for a violation of this section shall be \$100.00 and two (2) days community service.

EXCEPT AS HEREIN PROVIDED, the Codified Ordinances of the Borough of Allenhurst shall remain in full force and effect.

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.

This Ordinance shall take effect after publication and adoption according to law.

No Public Comments.

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

ORDINANCE #2021-07 – Final Reading

ORDINANCE #2021-07

AN ORDINANCE AMENDING AND SUPPLEMENTING THE BOROUGH CODE OF THE BOROUGH OF ALLENHURST, CHAPTER XXVI ENTITLED “DEVELOPMENTAL REGULATIONS OF THE BOROUGH OF ALLENHURST”

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Borough Council of the Borough of Allenhurst has determined that it is in the best interests of the community to revise portions of its existing Borough Code concerning the Development Regulations, to address escrows and costs for monitoring approved projects by amending section 26-8.1.

NOW THEREFORE, BE IT ORDAINED by the Governing Body of the Borough of Allenhurst that Chapter 26 of the Borough Code of the Borough of Allenhurst, be and is hereby amended and supplemented as follows:

SECTION 1. The existing §26-8.1 is hereby deleted in its entirety and replaced with the following modified §26-8.1, which shall henceforth read as follows:

26-8.1 Fees

- a. Every application for i) site plan review, ii) subdivision reviews, iii) requests for variance relief, iv) application for a certificate of appropriateness, v) drainage plan review, vi) zoning review and/or vii) pool installation shall be accompanied by the appropriate fee in accordance with the schedule set forth in §26-8.1c herein. The application fees charged are to cover the costs associated with the administrative and clerical processing of the application and are not refundable.
- b. 1. Professional review costs for attorneys, planners, engineers or other professionals or experts retained by or on behalf of the Borough for the purpose of review, analysis, inspection or preparation of documents or reports relating to development applications shall be charged to and shall be paid for by the applicant, inclusive of such fees as are incurred by the Borough to conduct inspections to determine that the project has been performed as per the approved plans. The Borough shall make

- all payments to the professionals for services rendered to the Borough for the review of applications, review and preparation of documents and inspection of property.
2. An applicant shall be responsible to reimburse the Borough for all expenses of professional personnel incurred and paid by it necessary to process an application for development before a municipal agency, and to assure its completion in accordance with the approved plans, such as, but not limited to:
 - (A) Charges for reviews by professional personnel of applications, plans and accompanying documents.
 - (B) Issuance of reports by professional personnel to the municipal agency setting forth recommendations resulting from the review of any documents submitted by the applicant.
 - (C) Charges for any telephone conference or meeting requested or initiated by the applicant, its attorney or any of its experts or representatives.
 - (D) Review of additional documents submitted by the applicant and issuance of reports relating thereto.
 - (E) Review or preparation of easements, developer's agreements, deeds or the like.
 - (F) Preparation for and attendance at all meetings.
 - (G) The cost of expert advice or testimony obtained by the municipal agency for the purpose of corroborating testimony of applicant's experts.
 - (H) All professional inspection fees incurred by the Borough to assure that any and all projects undertaken pursuant to a i) site plan review, ii) subdivision reviews, iii) requests for variance relief, iv) application for a certificate of appropriateness, v) drainage plan review, vi) zoning review and/or vii) pool installation, including Engineers review, Surveyors review, elevation compliance check, Code Compliance Officers as well as any and all fees and costs incurred by the Borough to assure that the subject project has been constructed according to the approved application.
 3. The applicant shall, at the time of filing of an application, deposit with the Borough in the form of a certified or bank check, the amount prescribed herein. The deposit shall be placed into an escrow account pursuant to N.J.S.A. 40:55D-53.1, and fees shall be collected in accordance with the schedule set forth in §26-8.1c herein.
 4. Those funds shall be placed in a separate account by the Borough Clerk and an accounting shall be kept of each applicant's deposit. All professional charges shall be paid from the account and charged to the applicant. Any monies not expended for professional services shall be returned to the applicant upon final approval, denial or withdrawal of the application. If, at any time during the procedure, seventy-five percent (75%) of the monies posted are expended, the applicant shall be required to post such additional sums as may be required by the Borough Secretary to cover professional costs. All payments charged to the deposit shall be pursuant to vouchers from the professionals stating the hours spent, the hourly rate and the expenses incurred. The Borough shall render a written final accounting to the developer on the uses to which the deposit was put. Thereafter, the Borough shall, upon written request, provide copies of the vouchers to the developer. The applicant shall not be entitled to proceed with the application or any development until such time as the necessary monies have been posted to guarantee payment of professional service fees.

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c. Application and Escrow Fee Schedule.

	Type of Application	Application Fee	Escrow Amount
Subdivisions			
1.	Sketch Plat	\$150.00	\$500.00
2.	Preliminary Plat	\$300.00 + \$100.00 per lot	\$3000.00 + \$100.00 per lot
3.	Final Plat	\$100.00	\$1500.00 + \$100.00 per lot
Site Plans			
1.	Preliminary	\$500.00	\$3000.00
2.	Final	\$300.00	\$500.00
Variance Relief			
1.	Special Question or Interpretation	\$300.00	\$500.00
2.	Hardship	\$300.00	\$1000.00
3.	Use	\$500.00	\$1000.00
4.	Signs Only	\$150.00	\$300.00
Certificate of Appropriateness			
1.	Application	\$500.00	\$1500.00
2.	Application for new construction	\$1000.00	\$4000.00
Additional Fees			
1.	Construction permit in bed of mapped street or drainage right-of-way or lacking street frontage	\$300.00	\$500.00
2.	Special meeting Costs	\$1500.00	\$1000.00
3.	Official Map Appeals	\$200.00	\$500.00
4.	Determination of percentage of impervious surface	\$100.00	No Escrow
5.	Zoning Determination	\$100.00	\$1000.00
6.	Zoning Determination with Determination of Impervious surface	\$150.00	\$1000.00
7.	Pool Permit Application per §26-5.11	\$200.00	\$1000.00
8.	Drainage System Application	\$200.00	\$1000.00

SECTION 2. A copy of this Ordinance, upon introduction, shall be provided to all appropriate municipal agencies, including the Planning Board, for their review and comment pursuant to applicable New Jersey Statutes.

SECTION 3. Any ordinances or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed as of the effective date of this Ordinance. All other provisions of the Allenhurst Borough Code are ratified and remain in full force and effect.

SECTION 4. If any provision of this Ordinance or the application of such provision to any person or circumstance is declared invalid, such invalidity shall not affect the other provisions of applications of this Ordinance which can be given effect, and to this end, the provisions of this Ordinance are declared to be severable.

SECTION 5. This Ordinance shall take effect immediately upon its passage and adoption according to law.

No Public Comments.

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

ORDINANCES FIRST READING

ORDINANCE #2021-08 – First Reading

**ORDINANCE #2021-08
CALENDAR YEAR 2021
MODEL ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A: 4-45.14)**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Board of Commissioners of the Borough of Allenhurst in the County of Monmouth finds it advisable and necessary to increase its CY 2021 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 2.5% increase in the budget for said year, amounting to \$120,237.99 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the Board of Commissioners hereby determines that any amount authorized herein above that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Borough of Allenhurst, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2021 budget year, the final appropriations of the Borough of Allenhurst shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 2.5%, amounting to \$120,237.99 and that the CY 2021 municipal budget for the Borough of Allenhurst be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption; and,

BE IT 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,

BE IT FURTHER ORDAINED, that the Ordinance shall take effect after publication and adoption according to law.

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

ORDINANCE #2021-09 – First Reading

**ORDINANCE #2021-09
AN ORDINANCE BY THE BOROUGH OF ALLENHURST PROHIBITING THE
OPERATION OF ANY CLASS OF CANNABIS BUSINESSES WITHIN ITS
GEOGRAPHICAL BOUNDARIES**

Offered By: Mayor McLaughlin

Seconded By: Comm. McLoughlin

Company Inc, for a Maintenance Contract for the Elevator at the Restaurant at the Allenhurst Beach Club in the amount of \$1,824 in annual fees, paid monthly

RESOLUTION #2021-96

RESOLUTION TO ADOPT 2021 MUNICIPAL BUDGET

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

BE IT RESOLVED, That the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2021;

General Appropriations For:

- | | |
|--|--------------|
| 1. Appropriations within CAPS
Municipal Purposes | 4,779,790.00 |
| 2. Appropriations Excluded from CAPS
Municipal Purposes | 1,104,380.00 |
| 3. Reserve for Uncollected Taxes | 115,483.40 |
| 4. Total General Appropriations | 5,999,653.40 |
| 5. Less: Anticipated Revenues Other Than Current Property Tax | 3,157,408.00 |
| 6. Difference: Amount to be Raised by Taxes for Support of Municipal Budget
Local Tax for Municipal Purposes Including Reserve for
Uncollected Taxes | 2,842,245.40 |

BE IT FURTHER RESOLVED, That said Budget be published in the The Coaster Newspaper on April 15, 2021.

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

RESOLUTION #2021-97

A RESOLUTION FOR SELF-EXAM OF MUNICIPAL BUDGET

Offered By: Comm. McLoughlin

Seconded By: Comm. Bolan

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and,

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and,

WHEREAS, Pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Allenhurst has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough meet the necessary conditions to participate in the program for the 2021 budget year;

NOW, THEREFORE, BE IT RESOLVED, By the Board of Commissioners of the Borough of Allenhurst that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification. The governing body has found the budget has met the following requirements:

- That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
 - Payment of interest and debt redemption charges
 - Deferred charges and statutory expenditures
 - Cash deficit of preceding year
 - Reserve for uncollected taxes
 - Other reserves and non-disbursement items
 - Any inclusions of amounts required for school purposes
- That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met. (Complies with the CAP law.)
- That the budget is in such form arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
- That pursuant to the Local Budget Law:
 - All estimates of revenue are reasonable, accurate and correctly stated;
 - Items of appropriations are properly set forth
 - In itemization, form, arrangement, and content, the budget will permit the exercise of the comptroller function within the municipality.

OPEN PUBLIC HEARING:

See attached transcript of this meeting for details.

There being no further business or comments, Comm. McLoughlin moved, seconded by Comm. Bolan that the meeting move to executive session at 8:22 PM. Motion carried.

After reconvening, Mayor McLaughlin moved, seconded by Comm. Bolan that the meeting be adjourned at 8:45 PM. Motion carried.