

**REGULAR MEETING – APRIL 13, 2015 – 7:30 P.M.**

**Pledge of Allegiance.**

**Roll Call: Commissioner McGovern, Commissioner Gorman, Mayor Mahon**

**Borough Clerk reads the following statement:**

**This is a regular meeting of the Board of Commissioners of the Borough of Avon-By-The-Sea and notice of time, date and place has been transmitted to the area newspapers, Avon Board of Education, Avon Public Library and the Avon Post Office in compliance with the rules and regulations of the Open Public Meetings Law.**

**Fire Exits are located in the direction I am indicating. In case of fire, you will be notified by an alarm bell. If so notified, please move in a calm, orderly manner to the nearest smoke free exit. Thank you.**

**Motion by Gorman seconded by McGovern that the minutes of the meeting of March 23, 2015 be approved as written.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by Mahon seconded by McGovern that the Public Hearing on the 2015 budget be opened.**

**The Vote:**

**Aye: All**

**No: None**

**Mr. Gallagher states that due to a budget amendment, we cannot adopt the budget tonight, but we can hold the public hearing. We will then read the amendment to the budget. It will be published and we will have a public hearing on just the amendment at the next meeting on April 27<sup>th</sup>.**

**Mayor Mahon – this evening’s public hearing on the 2015 proposed budget is intended to provide background information on the budget development process and it’s implication for the taxpayers. Present tonight is our C.F.O. John Antonides and our auditor, Robert Hulsart. They worked closely with us in preparing this budget. They will provide an overview of the proposed budget and answer any questions you may have.**

**Mayor – total general appropriations for the 2015 budget is \$7,783,765.45. This is \$1,358,535.85 more than last year. Revenue includes \$500,000 from surplus, which is less than what we appropriated from surplus last year, \$3,283,291.09 from misc. sources including state aid grants and local fees and \$145,021.58 from receipt of delinquent taxes with remaining \$3,855,453.38 to be raised in property taxes. The total increase of amount to be raised by taxes is \$57,453.38 more than the amount raised in 2014, which will result in a .005 cent per \$100 tax increase in the proposed municipal budget for 2015. For the average assessment of \$871,000, the tax increase would be \$49.65.**

**Mayor – in reviewing this budget, it is important to note, and this refers back to the increase I talked about in the total general appropriation, the significant increase in the general appropriation by a FEMA receivable, which is shown on Sheet 10, of \$2,710,864.75. The bottom line is the increase to the tax payers is less than last year, not even \$50 for the year. In the presenting**

**this budget, we believe it represents a concerted effort of the Borough to continue to provide the services our community deserves while at the same time reflecting a reasonable cost for those services.**

**John Antonides – The Borough of Avon’s budget consists of 3 budget items: Current Operating Budget, the Water/Sewer Utility Budget & the Beach Utility Budget. The water/sewer & beach utilities have no effect on the Municipal tax rate. Water/Sewer is offset by user fees and the beach utility is offset by beach badge sales. Challenges in preparing the 2015 budget was the lost of several lost ratables continuing from Hurricane Sandy and related expenses continuing from the hurricane.**

**Bob Hulsart – the amendment we are passing tonight doesn’t change the amount we’re raising in the budget. It’s just bookkeeping for some of the federal requirements of FEMA for the Dept. of Local Government Services.**

**Mayor asks if anyone has any questions or comments on the 2015 budget? No one.**

**Motion by Gorman seconded by McGovern that the public hearing on the 2015 budget be closed.**

**The Vote:**

**Aye: All**

**No: None**

**Mr. Gallagher – mostly what this amendment is – FEMA receivable going from \$2,710,864.75 to \$210,379.00. We were told couple of years ago to deal with it one way and now being told to do it another way.**

**Mr. Antonides – basically what it is, we received this money during the year, we had a pay down of the note that comes due in Oct. We paid down the note and in the past we left excess money in reserves to offset the budget. This year they said we are not going to do that. You have to pay that down, lower the charge and raise \$200,000 which we don’t have in reserve anymore. We have a receivable set up, because we talked to Steve and he gave us our numbers – the money coming in this year. So we offset the appropriation with that receivable from FEMA.**

**Mr. Gallagher said there will be a public hearing on this amendment on April 27<sup>th</sup>.**

**Please see attachment at the end of these minutes for the amendment.**

**Motion by Mahon seconded by McGovern that the amendment to the 2015 budget be approved.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Mahon that the Board of Commissioners hereby authorize the refund of a 2015 property tax overpayment to the following:**

**Block 12, Lot 11            Grasso            \$693.89**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Mahon that the Board of Commissioners hereby authorizes the cancellation of 2015 water/sewer charges for the following accounts:**

<b>Block 42, Lot 3(A/C#800-1)</b>	<b>1 Main Street</b>	<b>Erroneous</b>	<b>\$1,221.30</b>
<b>Block 1, Lot 11.02</b>	<b>510 Lakeside Ave.</b>	<b>C/O Date</b>	<b>80.00</b>

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Mahon that the Board of Commissioners hereby authorize, upon the recommendation of the Tax Collector, that the Borough participate in the electronic file sharing with search companies. Based upon one file transfer per week, a single up front payment of \$200.00 will be accepted for one year's worth of electronic data, beginning April 1, 2015 through March 31, 2016. This fee will be increased if additional weekly files are requested.**

**The Vote:**

**Aye: All**

**No: None**

**Mayor announces that an application has been received for the renewal of the Seasonal Retail Consumption License for the Avon Hotel Corp., 601 Ocean Avenue.**

**Are there any objections to this license renewal? Someone asked that the applicant be asked to abide by these regulations, specifically the noise. Mr. Gallagher said that the applicant receives a copy of this resolution with the license.**

**RESOLUTION offered by McGovern seconded by Mahon that,**

**BE IT RESOLVED that the Board of Commissioners do hereby approve the renewal of the Seasonal Retail Consumption License No. 1305-34-004-003 for the Avon Hotel Corp., T/A the Columns at the fee of \$1,500.00 effective May 1, 2015 with the following conditions:**

- 1. No amplifiers inside or outside that disturb neighbors.**
- 2. No interior or exterior lighting be directed at neighbors.**
- 3. No loud music.**
- 4. No additional bars shall be constructed on premises.**
- 5. The following dress code shall be enforced: No bathing suits after 7:00 p.m.**
- 6. Any recommendations of the Fire Inspector and/or Hotel/Rooming House Inspector are complied with.**
- 7. The Board of Commissioners have the right to restrict the operation of the porch.**
- 8. Alcoholic beverages served with food service only on the porch. No new porch seating after 10:00 p.m. All porch service ceased by 11:00 p.m.**
- 9. Raw bar/grille room will provide food & bar service as per submitted plans to the Borough.**
- 10. Licensee must establish and maintain a smoking area outside their establishment on their own property. A map of said area must be submitted to the Borough office for approval.**

**The Vote:**

**Aye: All**

**No: None**

**Mayor announces that an application has been received for the renewal of the Seasonal Retail Consumption License for the Norwood Inn, 618 Second Avenue.**

**Are there any objections to this license renewal? No one.**

**RESOLUTION offered by McGovern seconded by Mahon that,**

**BE IT RESOLVED that the Board of Commissioners do hereby approve the renewal of the Seasonal Retail Consumption License No. 1305-34-001-004 for the Key East, Inc., T/A the Norwood Inn, at the fee of \$1,500.00 effective May 1, 2015 with the following conditions:**

- 1. No amplifiers inside or outside that disturb neighbors.**
- 2. No interior or exterior lighting be directed at neighbors.**
- 3. No loud music.**
- 4. No additional bars shall be constructed on premises.**
- 5. Patio bar hours restricted to 11:00 a.m. to 9:00 p.m.**
- 6. The Norwood Avenue door to be used as an Emergency Exit only.**
- 7. The following dress code shall be enforced: No bathing suits after 7:00 p.m.**
- 8. Any recommendations of the Fire Inspector and/or Hotel/Rooming House Inspector are complied with.**
- 9. Licensee must establish and maintain a smoking area outside their establishment on their own property. A map of said area must be submitted to the Borough office for approval.**

**The Vote:**

**Aye: All**

**No: None**

**Resolution offered by Gorman seconded by Mahon that the Board of Commissioners hereby approve a 50/50 Raffles License for Avon-By-The-Sea Education Foundation to be held on May 16, 2015 at the Avon Marina, 2 Main St., Avon.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the bills in the amount of \$642,457.38 be approved for payment.**

**The Vote:**

**Aye: All**

**No: None**

**Dept. Head reports:**

**Karl Klug, Water Supt. – water main lining is under way. (Unable to hear all of report).**

**Charlie Rooney, Engineer - curbing on Ocean Ave. almost done. Next phase is Roosevelt Ave. with curbing, sidewalks and full reconstruction of street to be done. Final phase will be paving of 3 lanes: Sylvania Lane from 2<sup>nd</sup> to 4<sup>th</sup> Aves., Garfield Lane from 2<sup>nd</sup> to 3<sup>rd</sup> Aves., and Lincoln Lane from 2<sup>nd</sup> to 3<sup>rd</sup> Aves. Project is about a week behind.**

**Terry Mahon, Police Chief – Class I's are being hired. Class II's halfway through training.**

**Mayor Mahon mentioned the passing of an important person in our town – Lloyd Tasse. Resident, former police chief, member of Fire & 1<sup>st</sup> Aid Dept. He was all-around good citizen & outstanding member of the community. Expressed sympathy at his passing.**

**Mayor asks if anyone would like to be heard?**

**Bill Bing – said there was a problem with people not abiding by the 2 hour parking limit on Lincoln Ave. Chief will look into it.**

**Russ Nicolossi, 523 Washington Ave. – complained about water and water bill, lack of notice by contractors working. Also, complained about lights from apt. bldg. across the street shining into his windows. Mr. Gallagher will send property maint. officer to check it out.**

**Mr. Gallagher announced that FEMA just put out a flyer that if you feel you're in a flood zone and you want to appeal that ruling, you have 90 days, beginning on April 2<sup>nd</sup>, to do so. Just received the info. today. You can go to the website & appeal it yourself or call the Borough office and talk to Steve Kegelman.**

**Motion by Gorman seconded by McGovern that being there is no further business, the meeting is adjourned.**

**The Vote:**

**Aye: All**

**No: None**

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**Robert Mahon, Mayor**

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**Robert P. McGovern, Commissioner**

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**Francis E. Gorman, Commissioner**

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**Timothy M. Gallagher, RMC  
Borough Clerk**

WHEREAS, the local municipal budget for the year 2015 was approved on the 9th of March, 2015, and

WHEREAS, the public hearing on said budget has been advertised, and

WHEREAS, it is desired to amend said approved budget, now

THEREFORE, BE IT RESOLVED, by the Borough Council of the Borough of Avon-by-the-Sea, County of Monmouth, that the following amendments to the approved budget of 2015 be made

by the Board of Commis

	<b>Fro</b>
<u>Anticipated Revenues</u>	
Miscellaneous Revenues:	
Special Items of General Revenues anticipated with prior written consent	
FEMA Receivable	\$ 2,710,864.75
 Total Miscellaneous Revenues	 3,283,291.09
 Subtotal General Revenues	 3,283,291.09
 Total Revenues	 7,783,765.47
 <u>Appropriations</u>	
Excluded from "Caps"	
Deferred Charges - Municipal	
Special Emergency Authorizations- 5 Years (N.J.S. 40A:4-55)	2,710,864.75
 Total Deferred Charges-Municipal-Excluded from "Caps"	 2,710,864.75
 H-2 Total General Appropriations for Municipal Purposes Excluded from "Caps"	 4,092,894.15
 Subtotal General Appropriations	 4,092,894.15
 Total General Appropriations	 7,783,765.47
 <b>BEACH BUDGET</b>	
<u>Appropriations</u>	
Contribution To:	
Public Employees Retirement System	\$ 23,000.00
Police and Firemen's Retirement System	43,000.00

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

BE IT FURTHER RESOLVED, that this amendment be advertised in the Coast Star on April 16, 2015 and a public hearing be held on April 27th at the Municipal Building at 7:00p.m.

It is certified that this is a true copy of a resolution amending the 2015 budget.