

REGULAR MEETING – MAY 14, 2018

Pledge of Allegiance.

Roll Call: Commissioner Mahon, Mayor Magrini

Absent: Commissioner Gorman

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 Mahon seconded by Magrini that the minutes of the meeting of April 23, 2018 be approved as written.

The Vote:

Aye: All

No: None

Motion by Mahon seconded by Magrini that the minutes of the Special meeting of May 9, 2018 be approved as written.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 9-2018 entitled:

“AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF \$2,500 FOR THE PREPARATION OF TAX MAPS BY THE BOROUGH OF AVON-BY-THE-SEA, IN THE COUNTY OF MONMOUTH, NEW JERSEY”

BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth, New Jersey, as follows:

SECTION 1. Pursuant to the Local Budget Law of New Jersey, and in particular N.J.S.A. 40A:4-53, a special emergency appropriation in the amount of \$2,500 is hereby authorized and made for the purpose of the preparation of tax maps by the Borough of Avon-By-The-Sea, in the County of Monmouth, New Jersey.

SECTION 2. The Borough is hereby authorized to finance such appropriation from surplus funds available or by issuing special emergency notes from time to time in accordance with the provisions of N.J.S.A. 40A:4-55, all as shall be determined by and pursuant to a resolution or resolutions of the Borough to be hereafter adopted.

SECTION 3. In accordance with the requirements of N.J.S.A. 40A:4-53, a copy of this ordinance as adopted shall be filed with the Director of Local

Government Services in the Department of Community Affairs of the State of New Jersey.

SECTION 4. This Ordinance shall take effect after publication after final adoption, as provided by law.

Would anyone like to be heard on the above ordinance? No one.

Motion by Magrini seconded by Mahon that the above Ordinance No. 9-2018 be approved on second reading and its passage published in a newspaper as required by law.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 10-2018 entitled:

“AN ORDINANCE AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION OF \$25,000 FOR THE PREPARATION OF A MASTER PLAN, AND AMENDMENTS RELATING THERETO.”

WHEREAS, N.J.S.A. 40A:4-53(d) provides for a municipality to adopt by Ordinance special emergency appropriations for the engagement of special consultants for the preparation, re-examination and updates of master plans when required to conform to the planning laws of the State of New Jersey; and

WHEREAS, the Board of Commissioners of the Borough of Avon-By-The-Sea has determined and does hereby authorize a special emergency appropriation in an amount not to exceed \$25,000 to fund the preparation of an update to the Borough’s Master Plan; and

WHEREAS, to finance the appropriation authorized by this ordinance, special emergency notes of the Borough shall be authorized by a resolution of the Board of Commissioners to be adopted in accordance with the provisions of N.J.S.A. 40A:4-55.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of Avon-By-The-Sea as follows:

SECTION 1.

a. In accordance with N.J.S.A. 40A:4-53(d), a special emergency appropriation is hereby authorized for the purpose of carrying out the re-examination and revision of the Borough of Avon-By-The-Sea Master Plan as mandated by N.J.S.A. 40A:55D-89 and shall be deemed a special emergency appropriation in the amount of \$25,000.

b. The authorization to finance the appropriation shall be provided for in succeeding annual budgets by the inclusion of at least one-fifth (1/5) the amount authorized by this ordinance and as provided in N.J.S.A. 40A:55.

SECTION 2. That two (2) certified copies of this ordinance be filed with the Director of the Division of Local Government Services.

SECTION 3. This Ordinance shall take effect immediately upon final passage and publication in accordance with law.

Would anyone like to be heard on the above ordinance? No one.

Motion by Magrini seconded by Mahon that the above Ordinance No. 10-2018 be approved on second reading and its passage published in a newspaper as required by law.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that a Walk-a-thon to benefit St. Jude Children's Research Hospital be approved to take place on June 9th from 6:00 am to 1:00 pm on the Avon Boardwalk.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that the Avon 5-K Run to benefit the Avon First Aid Squad be approved to take place on June 2nd at 8:30 am on the Avon Boardwalk and throughout town.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Magrini that the Borough Administrator is hereby authorized to sign the proposal with Realty Appraisal Co. to do the 2018 added assessments.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that the Borough Administrator is hereby authorized to sign the maintenance agreement with Irons Air Conditioning & Heating.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Magrini that the Board of Commissioners grant permission for the Avon Fire Department to close Batchelor Place from 1:00 p.m. to 9:00 p.m. on June 9th for their annual BBQ.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that,

WHEREAS, every day, 96 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should have be now celebrating her 21st birthday; and

WHEREAS, to help honor Hadiya – and the 96 Americans whose lives are cut short and the countless survivors who are injured by shootings every day – a national coalition of organizations has designated June 1st, 2018, the first Friday in June, as the 4th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 1st, the first Friday in June in 2018, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 1, 2018 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE, BE IT RESOLVED, that Mayor John Magrini of the Borough of Avon-by-the Sea, New Jersey declares the first Friday in June, June 1, 2018, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives and to remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

The Vote:

Aye: All

No: None

Barbara Willis – this is a national event and she is appreciative of the town's support.

Motion by Magrini seconded by Mahon that the bills in the amount of \$1,230,618.96 be approved for payment.

The Vote:

Aye: All

No: None

Department Head reports.

Karl Klug, Water Supt. - Flushing hydrants this week.

Sheila Watson, Librarian - Library summer hours begin June 11.

Kerry McGuigan, Administrator - 2017 Road Program underway, complete curbing by this week and hope to finish the entire project by Memorial Day weekend.

Mayor asks if anyone would like to be heard?

Mayor - welcomes the County Tax Board Commissioners Cliff Moore and Renee Luttrell.

Cliff Moore - Reads letter from Mayor of Avon several years ago when Avon decided to leave the Assessment Demonstration Program (ADP). The County allowed 8 towns including Avon to leave the ADP due to the ongoing investigation which has since been closed with no evidence of illegal activity...The ADP has been nominated for a national award which has been modified since it began. Cliff and Renee further explained the cost savings advantages of joining the ADP with the cost being \$70 per line item for a Revaluation but the internal inspections associated with joining the ADP is \$23 per line item over 5 years. Cliff explained just because the assessment goes up, taxes do not necessarily go up with the goal being more transparent and cost effective for municipalities.

Wally French - What does ADP stand for?

Cliff - Assessment Demonstration Program

Kelly Cutillo - Is there an option to stay out of the ADP?

Cliff - Probably not, since the County will eventually be able to legally mandate all towns join the program.

Steve Mazout - Will all properties have to change each year?

Cliff - The assessor is required to review all line items.

Barry Cooke - Asked about Freehold Township

Cliff - Freehold is changing their assessments every 4 years internally.

Barry - concerned with the yo-yo effect

Cliff - implemented a 3 year sampling period for sales analysis to address one sale making the market in a small town like Avon.

Barry - Avon only had one appeal this year without being a part of the ADP.

Cliff - wants the public to know they have the possibility of eventually being forced legally to join the ADP.

Maureen Dommell - What other problems have occurred with the program?

Cliff - There have been problems with the Freeze Act since the 3-year freeze on assessments after winning their tax appeal does not exist any longer in the new program.

Joe Burns - Discussion on high property taxes in New Jersey.

Cliff - Tax Board can only control ensuring the assessments are accurate, cannot control budgets levied by towns and the county.

John January - Who appoints the Tax Board Commissioners?

Cliff - The Governor.

John January - why would we change if our numbers are good?

Cliff - if the market experiences peaks and valleys the Assessor would be able to make the necessary adjustments without having to wait multiple years for a revaluation.

Mayor - how is the ADP program received in other similar towns?

Cliff- the Tax Board only hears bad things, have not received any complaints from the smaller towns.

Cliff - The ADP has eliminated CH 123 to make it easier for Assessors to make changes and to win the appeal.

Bob Mahon- asked about the 100% requirement?

Cliff- Does not apply to everyone and have since backed off.

Tom Kern- If property values declines, would the tax rate change?

Bob Mahon- Would have to cut services in the budget.

Barry- Still concerned with the lack of sales to push a fair market analysis.

Cliff- the 3-year sales period which has been implemented to avoid that problem.

Mr. Dommell- Market changes are inevitable to happen over ten years; this program seems to address that issue.

Mayor- Governing Body has a decision to make.

Cliff- Thanked the Governing Body and the public for their time.

Tom Kern- Asked about the Beach lockers

Mayor- Lockers will be ready by end of June. The Borough needs to draft an ordinance.

Joe Burns - Dissatisfied with the Post Office.

Bob Mahon - Met with the Post Office and other town representatives from Belmar and Bradley Beach. 14 new employees have recently been hired to start in Belmar which has become a training ground.

Kerry – These new employees will be accompanied by supervisors on their routes to ensure they do a better job.

Barb Willis - Concerned with lawn mower noise and people not curbing their dog.

Motion by _____ seconded by _____ that being there is no further business, the meeting is adjourned.

The Vote:

Aye: ____

No: ____

John B. Magrini, Mayor

Robert Mahon, Commissioner

**Marc Freda,
Acting Borough Clerk**