

REGULAR MEETING – JUNE 10, 2013 – 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.

RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby authorize the refund of a 2013 second quarter property tax overpayment to the following:

Block 34, Lot 14 Deutsch/Meehan 122 Garfield Avenue \$3,215.79

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by McGovern authorizing a refund of overpaid taxes caused by Tax Court Judgment Docket no. 0010543-2011 for the year 2011,

WHEREAS, the owners of Block 8 Lot 2.02, 40 East End Avenue, Avon-by-the-Sea, N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2011 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
1,362,500.00 Land	1,000,000.00 Land
368,600.00 Improvements	350,000.00 Improvements
<u>1,731,100.00 Total Assessment</u>	<u>1,350,000.00 Total Assessment</u>
\$17,432.18 taxes paid 2011	\$13,594.50 taxes due 2011

WHEREAS, this has resulted in their overpaying the property tax for the year 2011 in the amount of \$3,837.68, and

WHEREAS, the Stipulation reflects that the 2012 assessment be reduced to \$1,350,000.00, and

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Avon-by-the-Sea, that the Tax Collector be authorized to refund the overpayment of \$3,837.68 for the year 2011 to the owner of record Johann & Beverly Schneider.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Gorman that the Board of Commissioners hereby authorizes the cancellation of 2013 water/sewer charges for the following accounts:

Block 52 Lot 6.05	A/C#988-0	50 East End Ave.	Demo	\$ 75.00
Block 48.01 Lot 13	A/C#913-0	318 McKinley Pl.	Demo	\$202.50
Block 51 Lot 6	A/C#971-0	130 Washington Ave.	Demo	\$150.00
Block 48.01 Lot 12	A/C#915-0	301 Washington Ave.	Demo	\$210.47

The Vote:

Aye: Gorman, Mahon

No: None

Abstain: McGovern

RESOLUTION offered by McGovern seconded by Mahon that,

BE IT RESOLVED that the Board of Commissioners do hereby grant a renewal of the Plenary Retail Distribution License No. 1305-44-002-003 to CHARLES A. CASAGRANDE, Jr. T/A CASAGRANDE MARKET at the fee of \$1,425.00. Said license effective July 1, 2013.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WHEREAS, the Board of Commissioners has received a letter requesting that Fifth Avenue between Sylvania Lane and Sylvania Avenue be blocked off for the purpose of holding a “Family Reunion”, and

NOW, THEREFORE, BE IT RESOLVED as follows:

- 1. That Fifth Avenue between Sylvania Lane and Sylvania Avenue may be blocked for the purpose of conducting a “Family Reunion” on July 13th between the hours of 11:00 a.m. and 9:00 p.m. The blocking of the street may not exceed these hours.**
- 2. The blocking shall be accomplished by the use of “street horses” or such other method in the discretion of the Chief of Police, which are clearly visible in the prevailing lighting conditions and which provide acceptable protection to avoid entry into the street by any motor vehicles.**
- 3. The organizers of said event must contact each and every property owner, and/or tenant with property touching on said portion of the street.**
- 4. In the conducting of said event, all statutes, ordinances and applicable regulations and laws must be complied with. This includes, but is not limited to those statutes, ordinances, regulations and laws pertaining to the sale and consumption of alcoholic beverages and the control of noise.**
- 5. This resolution is subject to the approval of the Police Department.**
- 6. The organizers are responsible to insure that the street is clean and free of debris following the event.**

The Vote:

Aye: McGovern, Mahon

No: None

Abstain: Gorman

Motion by McGovern seconded by Gorman that the bills in the amount of \$301,314.70 be approved for payment.

The Vote:

Aye: All (Mayor Mahon abstains from P.D. bills)

No: None

Department Head reports:

Jeff Bramhall, DPW Supt. – now going to single stream recycling – can combine all recyclables (glass, plastic, aluminum, paper, newspaper) in one container. DPW is on summer hours now 6:30 am to 2:30 am.

Charlie Rooney, Engineer – sanitary sewer work underway; floating dock bid due on 6/18. Next lanes to be done: Sylvania Ln. from Marine Pl. to 4th Ave. and 2nd Ave. to 1st Ave., Lincoln Ln. from 3rd Ave. to 4th Ave. and 4th Ave. to 5th Ave.

Karl Klug, Water Supt. – switched back to Avon water – seems a little better but a little early to tell.

Terry Mahon, Police Chief – reviewed noise ordinance: construction can be done from 8:00 am to 5:00 pm Mon. thru Sat., no Sundays. Landscapers can work 8:00 am to 8:00 pm Mon. thru Sat., no Sundays. Homeowners only can mow on Sundays beginning at noon.

Chief Mahon also said that he has 3 new Class II special officers and 10 new Class I officers.

Mayor asks if anyone would like to be heard? No one.

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

The Vote:

Aye: All

No: None

Robert Mahon, Mayor

Robert P. McGovern, Commissioner

Francis E. Gorman, Commissioner

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