

REGULAR MEETING – JUNE 25, 2018

Pledge of Allegiance.

Roll Call: Commissioner Mahon, Commissioner Gorman, Mayor Magrini

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 Magrini seconded by Mahon that the minutes of the meeting of June 11, 2018 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Gorman that,

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2017 as been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

**GENERAL COMMENTS
RECOMMENDATIONS**

as evidence by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provision of R.S. 52:27BB-52 - to wit:

R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Avon-By-The-Sea hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Magrini that the Borough Administrator is authorized to sign the renewal contract with Horizon Dental with no cost increase this year.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that Marc Freda is hereby appointed as Borough Clerk effective April 30, 2018 for a three-year term.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that,

WHEREAS, the Board of Commissioners has received a letter requesting that Second Avenue between Washington Avenue and the Shark River be blocked off for the purpose of holding a social gathering for the residents, and

WHEREAS, it is the judgment of the Board of Commissioners that such events promote the general welfare and spirit of the community, and

WHEREAS, granting such a request is within the authority of the Board of Commissioners,

NOW, THEREFORE, BE IT RESOLVED as follows:

1. **That Second Avenue between Washington Avenue and the Shark River may be blocked for the purpose of holding a social gathering for the residents on July 3, 2018.**
2. **The blocking shall be accomplished by the use of street horses or such other method in the discretion of the Chief of Police.**
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. **The organizers are responsible to insure that the street is clean and free of debris following the event.**

The Vote:

Aye: All

No: None

Motion by Gorman seconded by Magrini that the bills in the amount of \$616,806.11 be approved for payment.

The Vote:

Aye: All

No: None

Mayor asks if anyone would like to be heard?

Commissioner Mahon – Very significant there were no recommendations made in the 2017 Audit Report.

Kerry- The pool is ahead by \$3,000 and the beach is down \$30,000. Hoping good weather will help revenues.

Ms. Farmer- Asked about the nj.com article which mentions proposed legislation about consolidating towns under 5,000 people.

Comm. Mahon- Every town has different priorities making them unique. Towns in New Jersey want to preserve their unique interests and identities.

Mayor Magrini- Study done by Rutgers revealed consolidating smaller towns does not automatically reduce costs.

Comm. Gorman- The 2017 audit shows Avon is in great financial shape.

Joe Keulik Monmouth Ave, Bradley Beach- Asked about the status of the Schneiders building.

Mayor- Should be getting knocked down soon.

Mark Kirshenbaum- Mentioned the Assessment Demonstration Program. Advocated for the Governing Body to not join the program. Claimed Avon should consider hiring retired Assessors to do the field work.

Jim Tuohy- Asked about the Pavillion not taking care of their garbage on the boardwalk.

Mayor- Will speak with Scott to resolve the issue.

Michael Lurch - Revealed his results of the flag voting facilitated by the municipal offices. The most popular flag was the design of the lamp posts along Main Street and Ocean Avenue.

Commissioners – Thanked Michael for his efforts.

RESOLUTION offered by Magrini seconded by Mahon that,

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Any matter involving pending or anticipated litigation.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

The Vote:

Aye: All

No: None

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

The Vote:

Aye: All

No: None

John B. Magrini, Mayor

Robert Mahon, Commissioner

Francis E. Gorman, Commissioner

**Marc Freda, RMC
Borough Clerk**

