

REGULAR MEETING – AUGUST 27, 2012 – 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 Mahon seconded by Gorman that the minutes of the meeting of July 9, 2012 be approved as written.

The Vote:

Aye: All (Comm. McGovern absent)

No: None

Motion by McGovern seconded by Mahon that the minutes of the meeting of August 13, 2012 be approved as written.

The Vote:

Aye: All (Comm. Gorman absent)

No: None

RESOLUTION offered by McGovern seconded by Gorman that pursuant to N.J.S.A. 40:55D-64 the Board of Commissioners is referring the following amendment to the Borough Land Use Ordinance, Section 113-18B(6), to the Borough Unified Planning Board for any recommendations:

- (6) No row or cluster of three (3) or more trees or shrubs that exceed ten (10) feet in height, will be allowed in any side or rear yard unless otherwise required or permitted in this ordinance. For the purpose of this section, “row or cluster” shall describe an arrangement forming a fence-like barrier.**

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby approve the following due dates of the cycle one (whole town) accounts for the second half 2012 water/sewer billing:

Third Quarter 2012 due October 1, 2012

Fourth Quarter 2012 due December 1, 2012

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that the Mayor is hereby authorized to sign a stipulation of settlement agreement in the Peter Barbur vs Joseph Ho and the Borough of Avon-By-The-Sea action.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the bills in the amount of \$173,747.79 be approved for payment.

The Vote:

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

No: None

Mayor asks if anyone would like to be heard?

Discussion took place on the above resolution regarding shrubs.

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**