

REGULAR MEETING – SEPTEMBER 10, 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 August 27, 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. 14-2018 entitled:

**“AN ORDINANCE AMENDING CHAPTER
32 OF THE CODE OF THE BOROUGH OF
AVON-BY-THE-SEA, ENTITLED “POLICE
DEPARTMENT”.**

32-4. The Police Committee shall be responsible for providing recommendations to the Board of Commissioners for the hiring and promotion of police officers. The Police Committee shall consist of the Director of the Department of Public Safety (“governing body representative”), the Borough Administrator (“administration representative”) and the Chief of Police (“police department representative”). In the event of a vacancy, the appropriate authority shall select a substitute interim representative from the respective government body or department vacancy. The Police Committee shall perform its duties as set forth in the Rules and Regulations of the Borough of Avon-By-The-Sea Police Department.

Would anyone like to be heard on the above ordinance?

Ms. Pesce - What is the ordinance about? Mayor said it amends the Police Committee.

Motion by Gorman seconded by Mahon that the above Ordinance No. 14-2018 be approved on second reading and its passage published in a newspaper as required by law.

The Vote:

Aye: Mahon, Gorman

No: None

Abstain: Magrini

Motion by Mahon seconded by Gorman to have Marc Freda serve on the Police Committee as Kerry McGuigan recused herself.

The Vote:

Aye: Mahon, Gorman

No: None

Abstain: Magrini

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 16-2018 entitled:

**“AN ORDINANCE VACATING A PORTION
OF A PUBLIC STREET IN THE BOROUGH
OF AVON-BY-THE-SEA, IN THE COUNTY OF
MONMOUTH, STATE OF NEW JERSEY,
KNOWN AS SOUTH STATION AVENUE.”**

The Board of Commissioners of the Borough of Avon-By-The-Sea do ordain as follows:

That a portion of a public street known as South Station Avenue, in the Borough of Avon-By-The-Sea, lying within the property known as Block 42, Lot 3 and any and all public rights and easements therein, be and the same is hereby vacated as more particularly defined in the attached metes and bounds description incorporated herein and made a part thereof.

Property Description: Portion of un-improved South Station Avenue within Block 42, Lot 3, Borough of Avon-By-The-Sea.

Beginning at a point, said point being distant the following two courses from the intersection of the westerly line of Main Street with southerly line of Jefferson Avenue;

a) Along the westerly line of Main Street South 23 degrees 00 minutes 00 seconds West 404.00 feet to a point, thence;

b) Along the northerly line of Lot 3 North 74 degrees 58 minutes 30 seconds West 146.99 feet to a point, said point being the Point and Place of Beginning, thence running;

1) Along the northerly line of Lot 3 North 74 degrees 58 minutes 30 seconds West 50.49 feet to a point, thence;

2) South 23 degrees 00 minutes 00 seconds West 174.96 feet to a point in the southerly line of Lot 3, thence;

3) Along the southerly line of Lot 3 South 78 degrees 48 minutes 00 seconds East 51.08 feet to a point, thence;

4) North 23 degrees 00 minutes 00 seconds East 171.52 feet to a point in the northerly line of Lot 3, said point being the Point and Place of Beginning.

Containing 8,662.08 square feet (0.20 Ac.).

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

Motion by Gorman seconded by Mahon that the above Ordinance No. 16-2018 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,

WHEREAS, N.J.A.C. 5:34-7.15 authorizes local contracting units to enter into Commodity Resale Agreements for the purchase of certain commodities from other contracting units; and

WHEREAS, the County of Monmouth has authorized the renewal of the Monmouth County Commodity Resale System (System Identifier 99174 – MCCRS), for the period of October 1, 2018 through September 30, 2023; and

WHEREAS, it would be in the best interest of the Borough of Avon-By-The-Sea to become or remain a member of the Monmouth County Commodity Resale System for that period.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-By-The-Sea that the Mayor and Administrator are hereby authorized to execute the attached Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution, along with the executed Commodity Resale Agreement to Elizabeth Perez, Shared Services Coordinator, County of Monmouth, Hall of Records Annex, First Floor, 1 East Main Street, Freehold, New Jersey, 07728.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Magrini that the Mayor and Borough Administrator are hereby authorized to sign a Municipal Assistance/Shared Service Agreement with the County of Monmouth, pursuant to N.J.S.A. 40A:65-1 et. seq. This agreement shall be in effect for a ten (10) year period from October 1, 2018 until September 30, 2028.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that,

BE IT RESOLVED that the Board of Commissioners of the Borough of Avon-By-The-Sea formally approves the grant application with the New Jersey Department of Transportation for the improvements to the Municipal Parking Lot and Poole Avenue;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners and Borough Administrator are hereby authorized to submit

an electronic grant application to the New Jersey Department of Transportation on behalf of the Borough of Avon-By-The-Sea.

BE IT FURTHER RESOLVED that the Board of Commissioners and Borough Administrator are hereby authorized to sign the grant agreement on behalf of the Borough of Avon-By-The-Sea and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The Vote:

Aye: All

No: None

Motion by Magrini seconded by Gorman that the bills in the amount of \$555,341.29 be approved for payment.

The Vote:

Aye: All

No: None

Department Head Reports:

Barry- Nothing to report.

Karl- Will be flushing hydrants end of September in preparation for switching over to using NJ American.

Mayor- Will the switch be before or after the hydrants are flushed? Karl- After.

Joe Scalise- Will the water be brown again? Karl- Yes, that is possible while flushing hydrants.

Scott- Thanked everyone for not putting plastic in their recycling the past few weeks. Leaf pickup begins October first, asked residents to keep the leaves in bags or on their property until then to avoid leaves and brush getting pushed down storm drains and sewers.

Joe Scalise- Asked the Governing body if there were lessons learned from the summer.

Comm. Mahon- Typically speak with Department Heads to ask for their input.

Mayor- May instruct Dept. heads to have reports ready for the next meeting.

Sheila W- Apologized for disruption of services in the Library last week. The Library air conditioning is broken and she is in the process of getting quotes to replace the AC unit.

Charley Rooney- All quiet.

Comm Mahon- Asked Charley about the check valves being put into the storm drains to prevent water from flooding into Poole Avenue.

Charley- Success on the valves depends on maintenance.

Mayor- Asked Kerry to check with Steve Kegelmann regarding the status of the check valves.

Lt. Haar- Thanks all Borough police officers, especially Sgt McGrath for the tireless efforts this summer. Advised the public of sustained high tides, rain and wind which will come with Hurricane Florence hitting the Carolinas head on later this week.

Comm. Gorman- Reads a letter he received from Jerry Gorman of Farmingdale. Mr. Gorman recapped the story of a Class I assisting a special needs adult crossing the street safely. He complimented the officer who is Special Officer Troy Haines...Commissioner Gorman said he was happy to receive this letter and did say he is not related to Jerry Gorman. Complimented the PD for all their efforts this summer and happy the compliments far outweighed the complaints.

Owen Daly- Warrior Challenge seemed like a great success. Thanked the Police Department and Public Works for their efforts. Also, asked about the bridge closure.

Mayor & Comm. Mahon- Bridge work will begin September 17.

Kerry- Beach just shy of the anticipated revenues for 2018 by only \$2,000. The beach collected \$1,655,021. Also, water/sewer bills will be going out later this week.

Wally French- Asked how much of the beach utility budget came out of surplus? **Kerry-** \$200,000.

Comm. Gorman- Thanked Chief Mahon for all of his leadership and dedication these last 15 years as Chief of Police.

Mayor asks if anyone would like to be heard?

Marie Kenny- Thanked the Governing Body for having lifeguards on duty weekends in September.

Comm. Gorman- As the storm approaches, emergency management will send out notifications

Motion by Magrini seconded by Mahon 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**