

REGULAR MEETING – SEPTEMBER 22, 2014 – 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 McGovern seconded by Gorman that the minutes of the meeting of August 11, 2014 be approved as written.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Mahon that the minutes of the meeting of August 25, 2014 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

BOND ORDINANCE NO. 9-2014 entitled:

“ BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS OF THE BOROUGH OF AVON-BY-THE-SEA, MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$640,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$434,250 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

be introduced on first reading.

The Vote:

Aye: All

No: None

Motion by Mahon seconded by McGovern that the above Bond Ordinance No. 9-2014 be taken up on second reading with a hearing on October 14, 2014 at 7:30 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Avon has received a grant of \$200,000.00 from the New Jersey Department of Transportation and wishes to amend its 2014 budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Avon-by-the-Sea hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2014 in the sum of \$200,000.00 which is now available as a revenue from:

MISCELLANEOUS REVENUES:

**Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:
State and Federal Revenues Off-Set with Appropriations:
New Jersey Department of Transportation Grant pursuant to provisions of Statute, and**

BE IT FURTHER RESOLVED, that a like sum of\$200,000.00 be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

(a) Operations Excluded from 5% CAPS

**State and Federal Programs Off-Set by Revenues:
New Jersey Department of Transportation Grant – Other Expenses**

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this Resolution to the Director of Local Government Services.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WHEREAS, the owners of Block 34 Lot 5, 121 Sylvania 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>2013 Assessment from Tax Duplicate</u> | <u>Tax Court Judgment</u> |
|---|--------------------------------------|
| 882,000.00 Land | 882,000.00 Land |
| 526,000.00 Improvements | 353,000.00 Improvements |
| <u>1,408,000.00 Total Assessment</u> | <u>1,235,000.00 Total Assessment</u> |
| \$14,544.64 taxes paid 2013 | \$12,757.55 taxes due 2013 |

WHEREAS, this has resulted in their overpaying the property tax for the year 2013 in the amount of \$1,787.09; and statutory interest has been waived pursuant to N.J.S.A. 54:3-27.2 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 CFO be authorized to refund the overpayment of \$1,787.09 for the year 2013 to the owner of record Talmage, Calvin C., Jr. & Loraine K.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WHEREAS, the owner of Block 34 Lot 17, 403 First Avenue, Avon-by-the-Sea, N.J., Peter Smith, has applied for a Veteran's property Tax Deduction and:

WHEREAS, the applicant has been found eligible and entitled to the said deduction for the tax year 2014,

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 grant the deduction and to cancel \$250.00 for the year 2014.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Borough of Avon-By-The-Sea wishes to dispose of public property no longer needed for public use;

NOW, THEREFORE, BE IT RESOLVED, as per N.J.S.A. 40A:11-36(2), the Borough of Avon-By-The-Sea wishes to sell to the Avon-By-The-Sea First Aid Squad a 1998 ambulance #8656 which is in possession of the Avon-By-The-Sea First Aid Squad. The Borough Administrator is hereby authorized to sign the title of said vehicle over to the Avon-By-The-Sea First Aid Squad for a cost of one dollar (\$1.00).

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that the following people be appointed to the Avon Environmental Commission:

Sandra Lavalley McLaughlin

John Kennedy

The Vote:

Aye: All

No: None

Motion by Gorman seconded by McGovern that the bills in the amount of \$645,006.11 be approved for payment.

The Vote:

Aye: All

No: None

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**