

REGULAR MEETING – SEPTEMBER 23, 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.

Motion by McGovern seconded by Mahon that the minutes of the meeting of September 9, 2013 be approved as written.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and a hearing on Ordinance No. 5-2013 entitled:

“ AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 17, ENTITLED “FIRE DEPARTMENT” OF THE CODE OF THE BOROUGH OF AVON-BY-THE-SEA, IN THE COUNTY OF MONMOUTH, NEW JERSEY.”

BE IT ORDAINED that Chapter 17 is amended as follows:

17-2. Qualifications for Membership.

No person shall hereafter become a member of the Fire Department of the Borough of Avon-By-The-Sea or any unit thereof unless he or she is above the age of eighteen (18) years and not over the age of forty five (45) years. Applicant must be a resident of the Borough, or contiguous town, to include Belmar, Neptune, Neptune City or Bradley Beach, or be an immediate family member of an active, exempt, or life member in good standing of the Avon Fire Department (immediate family member is defined for this purpose as child, grandchild, parent, niece, nephew or sibling). If an applicant is a non-Avon resident, and meets the requirements herein, he or she must permanently reside within a five (5) mile radius of the Borough of Avon-By-The-Sea.

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

Motion by McGovern seconded by Mahon that the above Ordinance No. 5-2013 be approved on second reading and its passage published in a newspaper as required by law.

The Vote:

Aye: McGovern, Mahon

No: None

Abstain: Gorman

Mayor announces that this is the time advertised for second reading and a hearing on Ordinance No. 6-2013 entitled:

**“AN ORDINANCE TO AMEND AND SUPPLEMENT
THE SALARIES OF THE OFFICERS AND EMPLOY-
EES OF THE BOROUGH OF AVON-BY-THE-SEA.”**

SECTION 3. The annual salaries of the following Employees are hourly or daily as follows:

Addition of:	Skilled Laborer	\$20.00 - \$70.00
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Would anyone like to be heard on the above Ordinance? Someone asked why we are increasing salaries? Mr. Gallagher explained if we bid work out ourselves, we have still have to pay prevailing wages. This ordinance enables us to hire people and pay them close to that rate. These are temporary positions and no benefits will be paid.

Motion by Mahon seconded by McGovern that the above Ordinance No. 6-2013 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 McGovern seconded by Mahon approving submission of a grant application and executing a grant contract with the New Jersey Department of Transportation for the Ocean Avenue Curbing and ADA Ramps Improvement project.

NOW, THEREFORE, BE IT RESOLVED that Council of Avon-By-The Sea formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED that the Board of Commissioners and Clerk are hereby authorized to submit an electronic grant application identified as MA-2014-Avon-By-The-Sea Borough-00630 to the New Jersey Department of Transportation on behalf of the Borough of Avon-By-The-Sea.

BE IT FURTHER RESOLVED that Board of Commissioners and Clerk 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

RESOLUTION offered by Mahon seconded by Gorman 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, the Borough of Avon-By-The-Sea wishes to sell to the Borough of Atlantic Highlands approximately 60 LF of metal sheeting at a sale price of \$24,500.00.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the bills in the amount of \$326,870.71 be approved for payment.

The Vote:

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

No: None

Mayor asks if anyone would like to be heard?

Lt. Haar & Det. Torchia from the Police Dept. announced the arrest of 3 individuals involved with the recent string of burglaries in the area.

Rich Monahan, 414 Woodland Ave. – was on the Building Committee and was disappointed that they had to hear next steps being taken from newspaper and word of mouth. There was no communication from anyone, like, here's where we are going, appreciate your work, etc.

A lengthy discussion took place regarding the building of the boardwalk pavilion restaurant.

Someone asked about FEMA reimbursement – Steve Kegelman, Deputy Emerg. Mgt. Coord. explained that we have been approved for approx. 3.3 million. When we are all finished with everything and no longer have any outstanding invoices, we will contact FEMA to close out the project, at which time we look for dollar for dollar reimbursement up to 90%.

Will assembly building be built the same time as restaurant? No, possibly next season.

Marina project will be starting end of week.

Sylvan Lake will be dredged.

Next lane paving project will include Sylvania Lane from Marine Pl. to 4th Ave.; Sylvania Lane from 1st Ave. to 3rd Ave.; Lincoln Lane from 3rd Ave. to 5th Ave.

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**