

REGULAR MEETING – OCTOBER 11, 2011 – 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 directions 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 Gorman seconded by McGovern that the minutes of the meeting of September 26, 2011 be approved as written.

The Vote:

Aye: All

No: No

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Borough of Avon-By-The-Sea is a member of the Monmouth Municipal Joint Insurance Fund, and

WHEREAS, said renewed membership terminates as of December 31, 2011 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. The Borough of Avon-By-The-Sea agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the bylaws, rules and regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.**
- 2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.**

The Vote:

Aye: ___

No: ___

RESOLUTION offered by Mahon seconded by McGovern that the Borough of Avon-By-The-Sea is authorized to hire an outside assessor, Robert Gagliano, at a cost not to exceed \$5,000.00. Said assessor will provide the Borough with assessment reports to aid the Borough in certain pending tax appeals.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Citizens of the Borough of Avon By The Sea have been subjected to vandalism during this time of year, and

WHEREAS, this vandalism is the result primarily of children under the age of eighteen (18) running through the streets and lanes of the Borough.

NOW, THEREFORE, BE IT KNOWN, that I, Robert Mahon, Mayor of the Borough of Avon-By-The-Sea, do hereby proclaim that commencing October 28th through October 31st 2011, NO child under the age of eighteen (18) years of age shall be permitted on the streets or lanes of the Borough of Avon By The Sea between the hours of 8:00 P.M. and 6:00 A.M., unless accompanied by their parent or guardian.

BE IT FURTHER KNOWN, that NO person of any age shall be permitted to wear a mask on any of the streets or lanes of the Borough of Avon-By-The-Sea between the dates and hours stated above.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WHEREAS, Kevin Lotosky, 709 Ocean Avenue, Unit 34, Block 9, Lot 46, owner of property on the tax map of the Borough of Avon-by-the-Sea, did file an appeal with the Monmouth County Board of Taxation for the year 2011 and,

WHEREAS, the Monmouth County Board of Taxation has entered a judgment in the appeal wherein the assessment on said property was reduced as follows:

Original Assessment was \$235,200.00

Judgment Assessment was \$215,200.00

Difference = \$20,000.00

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-by-the-Sea, County of Monmouth, that the Tax Collector of the Borough of Avon be instructed to refund \$201.40 for the overpayment of the fourth quarter 2011 to Capricorn Properties, LLC and cancel \$201.40 from the fourth quarter 2011 property tax, \$50.35 from the first quarter 2012, and \$50.35 from the second quarter 2012.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WHEREAS, Capricorn Properties, LLC, 700 Main Street, Block 2, Lot 4, owners of property on the tax map of the Borough of Avon-by-the-Sea, did file an appeal with the Monmouth County Board of Taxation for the year 2011 and,

WHEREAS, the Monmouth County Board of Taxation has entered a judgment in the appeal wherein the assessment on said property was reduced as follows:

Original Assessment was \$601,300.00
Judgment Assessment was \$435,000.00
Difference = \$166,300.00

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-by-the-Sea, County of Monmouth, that the Tax Collector of the Borough of Avon be instructed to refund \$84.21 for the overpayment of the fourth quarter 2011 to Capricorn Properties, LLC and cancel \$1,674.64 from the fourth quarter 2011 property tax, \$418.66 from the first quarter 2012, and \$418.66 from the second quarter 2012.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that the Board of Commissioners hereby authorize the refund of a 2011 property tax duplicate payment to the following:

Block 31 Lot 1.02 CoreLogic Real Estate 229 Sylvania Ave. \$2,988.32

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that the Board of Commissioners hereby authorize the refund of a 2012 property tax prepayment to the following:

Block 31 Lot 1.02 Russell 229 Sylvania Ave. \$2,844.28

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Mahon that the bills in the amount of \$428,402.24 be approved for payment.

The Vote:

Aye: All

No: None

Dept. Heads:

Jeff Bramhall, D.P.W. Supt. – leaf season, put leaves our, we will pick up. Landscapers must take their own stuff.

Charlie Rooney, Engineer – road projects beginning – 3rd Ave. from Woodland to Norwood; 4th Ave. from Sylvania to Woodland. Working on plans for new bulkhead at marina; sanitary sewer project upgrade project – will be working in several lanes.

Lt. Pelech, P.D. – parking changes from diagonal to parallel on Nov. 14th. Political signs must be removed 1 week after election. Speed limit on Ocean Ave. changes on Nov. 14th.

Mayor asks if anyone would like to be heard?

Someone asked about recycling of cardboard.

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**