

REGULAR MEETING – OCTOBER 15, 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 Gorman that the minutes of the meeting of September 23, 2013 be approved as written.

The Vote:

Aye: All

No: None

The following two Bond Ordinances were already adopted, but due to a technicality in the publishing, the Bond Attorney recommended they be advertised again.

Mayor announces that this is the time advertised for second reading and hearing on Bond Ordinance No. 3-2013 entitled:

“ BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL WATER IMPROVEMENTS OF THE BOROUGH OF AVON-BY-THE-SEA, MONMOUTH COUNTY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

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

Motion by McGovern seconded by Mahon that the above Bond Ordinance No. 3-2013 be approved on second reading and its passage published in a newspaper as required by law.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Bond Ordinance No. 4-2013 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 \$865,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

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

Motion by McGovern seconded by Mahon that the above Bond Ordinance No. 4-2013 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 that,

WHEREAS, Avon 18 Acquisitions, LLC, 702 Main Street, Block 2, Lot 1, 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 2013 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 \$737,600.00

Judgment Assessment was \$537,600.00

Difference = \$200,000.00

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 \$139.02 for the overpayment of the fourth quarter 2013 property tax to Avon 18 Acquisitions, LLC, PO Box 188, Bradley Beach, NJ 07720 and cancel \$2,066.00 from the fourth quarter 2013 property tax.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, Ann Nylund and Anthony Roccanova, 15 Garfield Avenue Unit 203, Block 37, Lot 8.203, 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 2013 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 \$437,500.00
Judgment Assessment was \$240,000.00
Difference = \$197,500.00

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 \$897.21 for the overpayment of the fourth quarter 2013 property tax to Brach Eichler, LLC, c/o Ann Nylund & A. Roccanova, 101 Eisenhower Parkway, Roseland, NJ 07068 and cancel \$2,040.18 from the fourth quarter 2013 property tax.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by McGovern that the contract for the 2013 Road Improvement Program and Reconstruction of Lanes be awarded to Earle Asphalt Co., Wall, NJ for the lowest bid amount of \$430,513.13. The award of bid is subject to the review and approval of the NJ Department of Transportation.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that,

WHEREAS, the Borough of Avon-By-The-Sea intends to participate in the County of Maricopa, Arizona contract for lumber, maintenance and hardware supplies, #11019, to purchase said materials through the U.S. Communities Government Purchasing Alliance (“U.S. Communities”),

WHEREAS, information regarding the contract may be found on the U.S. Communities website at www.uscommunities.org,

WHEREAS, the Borough of Avon-By-The-Sea anticipates joining the U.S. Communities contract on 9/24/13. The current County of Maricopa, Arizona term for contract #11019 is 8/1/11 to 7/31/14,

WHEREAS, it is the intent of the QPA to make a contract award to The Home Depot pursuant to the proposal submitted in response to the County of Maricopa, Arizona RFP.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Avon-By-The-Sea is permitted to join national cooperative purchasing agreements under the authority of N.J.S.A. 52:334-6.2(b)(3).

BE IT FURTHER RESOLVED, that the comment period ends 10/31/13.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that the Board of Commissioners hereby approve Jason Downing for membership in the Avon Fire Department.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the bills in the amount of \$595,228.05 be approved for payment.

The Vote:

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

No: None

Dept. Head's reports:

Sheila Watson, Librarian – thanked the Fire Dept. for “adopting” the annual book fair and giving them a place to hold it. It will be Sat., Nov. 30th from 10 am to 4 pm along with the annual craft fair.

Mayor read a letter that he received from a resident thank Karl for his quick response and helping hand he gave when they had a water main break recently.

Karl Klug, Water Supt. – flushing hydrants next couple of weeks.

Greg Torchia, Police Dept. – turn in unused meds. Oct. 23rd from 10-2.

Mr. Gallagher – he and CFO completed Best Practices Worksheet. We have to achieve a certain score in order to receive state aid. However, we don't receive state aid, but we did achieve our score.

Mayor announced the hiring of a construction supervisor for the work on the boardwalk. Will be responsible for the day to day supervision of the project and will report to Mr. Gallagher at least once a week regarding progress.

Mayor asks if anyone would like to be heard?

Discussions on water, pavilion and marina took place.

Motion by Gorman seconded by McGovern 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**