

REGULAR MEETING – OCTOBER 22, 2018

Pledge of Allegiance.

**Roll Call: Commissioner Gorman, Mayor Magrini
Absent: Commissioner 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 Magrini seconded by Gorman that the minutes of the meeting of September 24, 2018 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Gorman that,

ORDINANCE NO. 17-2018 entitled:

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

be introduced on first reading.

The Vote:

Aye: All

No: None

Motion by Magrini seconded by Gorman that the above Ordinance No. 17-2018 be taken up on second reading with a hearing on November 13, 2018 at 7:00 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Gorman that,

BE IT RESOLVED, that I, John B. Magrini, Mayor of the Borough of Avon-By-The-Sea, do hereby proclaim that commencing October 26th through October 31st 2018, 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 RESOLVED, 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 Gorman seconded by Magrini that,

WHEREAS, the Police Department is recommending the Board of Commissioners approve a grant application to NJ Division of Highway Safety for a grant entitled “2018 Drunk Driving Enforcement Fund” for the purpose of funding the borough program of Drunk Driving Enforcement; and

WHEREAS, the grant application has been reviewed by the Department Head and Administrator.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-by-the-Sea, that it does hereby authorize submission of a grant application to the NJ Division of Highway Safety for a grant entitled “2018 Drunk Driving Enforcement Fund” for the purpose of funding the borough program of Drunk Driving Enforcement; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Avon by the Sea that Detective Anthony Pecelli of the Police Department serve as the project manager for this grant application; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Avon by the Sea, that the Project Manager, Administrator, and Lieutenant are hereby authorized to sign the grant on behalf of the borough.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Magrini that the Board of Commissioners hereby resolve to appoint Michael Haar to the position of Chief of Police effective November 1, 2018 subject to a written contract which the governing body is authorized to sign on behalf of the Borough.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Magrini that the Board of Commissioners hereby resolve to appoint Timothy McGrath to the position of Captain in the Borough Police Department effective November 1, 2018.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Gorman that the Board of Commissioners hereby approve a special events application for the Home & School Association’s Free Throw Contest Fundraiser to be held on November 17, 2018.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Gorman that the Board of Commissioners hereby approve a special events application for the Turkey Trot to be held on November 22, 2018.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Magrini that the Board of Commissioners hereby approve a special events application for Ryann Bannerman and the NJ Honor Society's Fundraiser to be held on January 12, 2019.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Magrini that,

WHEREAS, the Board of Commissioners of the Borough of Avon-by-the-Sea seek to promote the revitalization of and reinvestment in properties located along the northern portion of the Borough's Main Street corridor to improve the appearance and function of this area in a manner that will benefit the citizens of the Borough and promote the general welfare of the community; and

WHEREAS, N.J.S.A. 40A:12A-14 authorizes the Borough to determine, by resolution, whether any area of the municipality is an area in need of rehabilitation according to the criteria set forth therein; and

WHEREAS, the Borough requested that T&M Associates undertake a planning analysis on behalf of the Borough to determine if the properties located within Block 3, Block 4.01 and 4.02 on the Borough's tax maps ("the study area") could be designated as an area in need of rehabilitation pursuant to the requirements of the Local Redevelopment and Housing Law, (P.L 1992, c.79; "LRHL"); and

WHEREAS, T&M Associates has provided the Board of Commissioners with a planning report dated October 18, 2018 (copy attached) indicating that the study area in its entirety complies with the statutory criteria for designation as an area in need of rehabilitation as specified in Section 14 of the LRHL (N.J.S.A. 40A:12A-14); and,

WHEREAS, the Board of Commissioners has determined that the properties in the study area identified in Figure 1 in the planning report satisfy at least one, or more, of the criteria set forth in N.J.S.A. 40A:12A-14: and,

WHEREAS, the Borough Commissioners has further determined that a program of rehabilitation as defined in N.J.S.A. 40A:12A-3 may be expected to prevent further deterioration and promote the overall development of the Borough; and

WHEREAS, the Board of Commissioners finds that such a designation will provide benefits to the Borough of Avon-by-the-Sea and the property owners within the designated area and ensure that that future development in this area of the Borough occurs in an orderly manner consistent with other planned development in the Borough; and,

WHEREAS, the Board of Commissioners on October 22, 2018, referred this resolution to the Avon-by-the-Sea Planning Board and requested that the Planning Board review this resolution and the aforementioned planning report and offer its comments and recommendations regarding the potential designation of areas of the Borough as areas in need of rehabilitation pursuant to N.J.S.A. 40A:12A-14; and

WHEREAS, on November 8, 2018, pursuant to N.J.S.A. 40A:12A-14, the Avon-by-the-Sea Borough Planning Board will consider, at its regular meeting, the Planner's Report dated October 18, 2018 from T&M Associates and review

and consider the proposed resolution designating the study area as an area in need of rehabilitation.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-by-the-Sea:

1. That the study area shown in Figure 1 in the planning report attached herein is hereby designated as an “area in need of rehabilitation;” and,
2. A certified copy of this resolution shall be forwarded the Commissioner of the New Jersey Department of Community Affairs.
3. A copy of this resolution shall be forwarded to T&M Associates and the Avon-by-the-Sea Borough Tax Assessor.

The Vote:

Aye: All

No: None

Motion by Magrini seconded by Gorman that the bills in the amount of \$362,109.27 be approved for payment.

The Vote:

Aye: All

No: None

Donna Miller - T&M has provided the Borough a planning report regarding the North End of town. Hope to promote and improve the appearance and function of the properties in that area on Main Street. The Governing Body must first refer the report to the Planning Board for their review before any further action is taken. T&M will continue to look for grant opportunities to help attract investment to the area. Will also look into re-zoning properties for the highest and best use.

Ms. Farmer- Asked what the owner of Schneider’s is looking to do with the property.

Mayor- Mr. Schneider is not looking to develop the lot himself.

Steve Mazout- Asked about Block 3 Lot 3 (815 Main St)

Mayor- It is Borough property which is not part of the study area.

Ms. Farmer- Asked about the gas station property.

Mayor- Current owners at Planning board now.

Charley Rooney- Gas station lot is environmentally safe per the reports given to the Planning Board.

Comm. Gorman- Acknowledged the high demand for residential properties in Avon. Also need to determine if the current infrastructure can support more development in town.

Mayor- the Borough has not been able to attract businesses to Main Street in recent years.

Ms. Solomita- Will they build town homes or houses?

Mayor- Not sure, will be up to the developer.

Mayor asks if anyone would like to be heard?

Barry & Kerry- nothing to add.

Charley- Looking at the flooding issues on Norwood lane between Third and Fourth Avenues.

Frank McGovern- The flooding also extends into Second and Third Avenues as well.

Frank McGovern- Asked about the soon to be vacant Lt. & Sgt. positions in the Police Department.

Comm. Gorman- Will include the new Chief in the process which will begin in the coming weeks.

Shaun McGrath (Belmar resident) - Interested in expanding their beach chair rental business into Avon.

Mayor- Commissioners will have to review, it has been over 30 years since a similar business has been in place here in Avon.

Motion by Magrini seconded by Gorman that being there is no further business, the meeting is adjourned.

The Vote:

Aye: All

No: None

John B. Magrini, Mayor

Francis E. Gorman, Commissioner

**Marc Freda, RMC
Borough Clerk**