

**REGULAR MEETING – OCTOBER 24, 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 October 11, 2011 be approved as written.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by Mahon seconded by McGovern that,**

**WHEREAS, Hines, Everett D. & Theresa M., 101 Third Avenue, Block 48.01, Lot 14.05, 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 \$2,613,300.00  
Judgment Assessment was \$1,961,800.00  
Difference = \$651,500.00**

**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 \$3,291.51 for the overpayment of the fourth quarter 2011 to Everett D. & Theresa M. Hines c/o Timothy Middleton, Esq., 2517 Highway 35, Building K, Suite 101, Manasquan, NJ 08736 and cancel \$6,650.61 from the fourth quarter 2011 property tax, \$1,640.16 from the first quarter 2012, and \$1,640.15 from the second quarter 2012.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by Gorman seconded by McGovern that all the bids received for the Third and Fourth Avenue Improvements project be rejected.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by Mahon seconded by McGovern that,**

**WHEREAS, the Board of Commissioners of the Borough of Avon-By-The-Sea in the County of Monmouth deems it appropriated to enhance the recruitment and retention of volunteer firefighters and emergency medical volunteers in the Borough of Avon-By-The-Sea, and**

**WHEREAS, the State of New Jersey has enacted P.L. 1998, c. 145 which permits municipal governments to allow their firefighting and emergency medical volunteers to take advantage of the Volunteer Tuition Credit Program at no cost to the municipal government.**

**NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-By-The-Sea in the County of Monmouth that the Volunteer Tuition Credit Program as set forth in P.L. 1998, c. 145 is herewith adopted for the volunteer firefighters and emergency medical volunteers in the municipality, and**

**BE IT FURTHER RESOLVED, that the Borough Administrator, Timothy Gallagher, is herewith delegated the responsibility to administer the program and is authorized to enter into all agreements and to maintain files of all documents as may be required under the P.L. 1998, c. 145, a copy of which is herewith made part of this resolution.**

**The Vote:**

**Aye: McGovern, Mahon**

**No: None**

**Abstain: Gorman**

**RESOLUTION offered by McGovern seconded by Mahon authorizing the application for Nonconforming Maturity Schedule to be filed with the Local Finance Board pursuant to N.J.S.A. 40a:2-26(e),**

**WHEREAS, the Borough of Avon-By-The-Sea desires to make application to the Local Finance Board for its review and approval of a proposed maturity schedule with respect to the issuance of its general obligation bonds,**

**WHEREAS, the Borough of Avon-By-The-Sea believes that:**

**(a) it is in the public interest to accomplish such purpose,**

**(b) the amounts to be expended for each such purpose or improvements are not unreasonable or exorbitant,**

**(c) the proposal will not create an undue financial burden to be placed upon the local unit or units.**

**NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-By-The-Sea as follows:**

**Section 1. The application to the Local Finance Board is hereby approved by the Board of Commissioners of the Borough of Avon-By-The-Sea, and the Chief Financial Officer of the Borough of Avon-By-The-Sea, bond counsel and financial advisor, along with other representatives of the Borough, are hereby authorized to prepare such application and represent the Borough in matters pertaining thereto.**

**Section 2. The Chief Financial Officer is hereby directed to prepare and file the proposed maturity schedule with the Local Finance Board as a part of such application.**

**Section 3. The Local Finance Board is hereby respectfully requested to consider such application and to its approval as provided by the applicable New Jersey Statute.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by Mahon seconded by Gorman that the Mayor is hereby authorized to sign an equipment lease between Outdoor Ice Rink Partners, LLC and the Borough of Avon-By-The-Sea.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the bills in the amount of \$170,932.89 be approved for payment.**

**The Vote:**

**Aye: All**

**No: None**

**Mayor asks if anyone would like to be heard?**

**Marie Kenny – do we have a figure on the total debt service of the town? Mr. Gallagher – we have an annual debt statement that it prepared every year. It is about \$9.8 mil. which is less then ½ of 1% of our assessed value. By law we can go as much as 3%. This figure is a combination of the current, beach and water accts. So the beach utility pays part and the water utility pays part.**

**Wally French – is it possible to arrange beach sand so that so much doesn't wash up in street during storms? Yes, DPW has plans to pull sand away from the bulkhead.**

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

**The Vote:**

**Aye: All**

**No: None**

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**Robert Mahon, Mayor**

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**Robert P. McGovern, Commissioner**

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**Francis E. Gorman, Commissioner**

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**Timothy M. Gallagher, RMC  
Borough Clerk**