

REGULAR MEETING – OCTOBER 25, 2010 – 7:30 P.M.

Pledge of Allegiance.

Roll Call: Commissioner McGovern, Mayor Mahon, Commissioner Gorman

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 McGovern seconded by Gorman that the minutes of the meeting of October 12, 2010 be approved as written.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Bond Ordinance No. 14-2010 entitled:

“REFUNDING BOND ORDINANCE AUTHORIZING THE ISSUANCE OF NOT TO EXCEED \$1,150,000 PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS BY THE BOROUGH OF AVON-BY-THE-SEA, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY (THE “MCIA”) FOR THE PURPOSE OF REFUNDING CERTAIN BONDS HERETOFORE ISSUED BY THE BOROUGH TO THE MCIA.”

WHEREAS, pursuant to the Local Bond Law, N.J.S.A. 40A:2-1 et seq., as amended and supplemented (the “Local Bond Law”), the Borough of Avon-By-The-Sea, in the County of Monmouth, State of New Jersey (the “Borough”), had previously issued General Obligation Bonds (the “1998 Bonds”) to the Monmouth County Improvement Authority (the “MCIA”) in connection with the MCIA’s 1998 Pooled Governmental Loan Program; and

WHEREAS, \$1,030,000 of such 1998 Bonds are currently outstanding and can be defeased or are subject to redemption prior to their stated maturity, as applicable (the “Refunded Bonds”); and

WHEREAS, the MCIA and the Borough have determined that refunding bonds can be issued to defease or refund, in whole or in part, such Refunded Bonds which, under current market conditions, can generate a debt service savings to the Borough; and

WHEREAS, the Borough has determined to provide for the defeasance or refunding of the Refunded Bonds through its issuance of General Obligation Refunding Bonds in a principal amount not to exceed \$1,150,000 to the MCIA, as provided in this refunding bond ordinance.

NOW, THEREFORE, BE IT ORDAINED AND ENACTED BY THE BOROUGH COUNCIL OF THE BOROUGH OF AVON-BY-THE-SEA, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring), AS FOLLOWS:

Section 1. In order to finance the purposes described in Section 2 hereof, negotiable refunding bonds of the Borough hereby designated as General Obligation Refunding Bonds (the “Refunding Bonds”) are hereby authorized to be issued to the MCIA in a principal amount not to exceed \$1,150,000. The proceeds of the Refunding Bonds are hereby appropriated to the purposes described in Section 2 hereof.

Section 2. (a) The purposes for which the Refunding Bonds are to be issued are (i) defeasing or refunding the principal amount of Refunded Bonds, including the payment of interest accrued thereon to the date fixed for redemption or defeasance, as applicable, and the redemption price thereof, if applicable, and (ii) paying the cost of the issuance relating to the Refunding Bonds, including printing, advertising, accounting, financial and legal expenses, rating agency fees, underwriter’s discount, bond insurance premium, if any, and MCIA costs of issuance, which may include any of the foregoing set forth in this Section 2(a)(ii).

(b) The aggregate cost of issuing the Refunding Bonds, as provided by N.J.S.A. 40A:2-51(b) (which amount includes all items described in Section 2(a)(ii) hereof) will not exceed \$55,000. Such amount is included in the maximum authorized principal amount set forth in Section 1 hereof.

(c) The Refunded Bonds shall be defeased or called for redemption, as applicable, prior to maturity thereof as provided in the Refunded Bond certificates. A portion of the proceeds from the sale of the Refunding Bonds shall be deposited in trust by the MCIA to provide for the payment and retirement of the Refunded Bonds. Any moneys held in trust by the MCIA may be invested as provided in N.J.S.A. 40A:2-60.

Section 3. Any further provisions as to terms of sale, deposit, securing, regulation, investment, reinvestment, disposition or application of the proceeds of the Refunding Bonds, and matters in connection therewith, shall be determined by resolution of the Borough adopted prior to the issuance of the Refunding Bonds.

Section 4. The Borough Council hereby delegates to the Chief Financial Officer or Business Administrator of the Borough the power to sell the Refunding Bonds at private sale to the MCIA, to determine the terms of the Refunding Bonds and to perform such other actions and make such other determinations.

Section 5. The Borough Council hereby authorizes and delegates to the Chief Financial Officer or the Administrator, in consultation with Wilentz, Goldman & Spitzer, P.A., Woodbridge, New Jersey (“Bond Counsel”) and Robert A. Hulsart & Co., Belmar, New Jersey (the “Borough Auditor”), the authority to negotiate and execute on behalf of the Borough any document for the purchase and sale of the Refunding Bonds to the MCIA.

Section 6. All other matters relating to the Refunding Bonds shall be performed or determined pursuant to a resolution of the Borough, or the performance or determination thereof shall be delegated by resolution of the

Borough to an official or officer of the Borough, Bond Counsel or the Borough Auditor.

Section 7. A certified copy of this refunding bond ordinance, as introduced and adopted upon first reading, shall be filed with (i) the Director of the Division of Local Government Services in the New Jersey Department of Community Affairs prior to final adoption hereof, together with the statement signed by the Chief Financial Officer of the Borough required by N.J.S.A. 40A:2-55, and (ii) the MCIA.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the Refunding Bonds authorized by this refunding bond ordinance. The Refunding Bonds shall be direct, unlimited obligations of the Borough, and, unless paid from other sources, the Borough shall be obligated to levy *ad valorem* taxes upon all the taxable property within the Borough for the payment of the Refunding Bonds and the interest thereon without limitation as to rate or amount.

Section 9. After passage upon first reading of this refunding bond ordinance, the Borough Clerk is hereby authorized and directed to publish a summary of this refunding bond ordinance, together with a Notice of Pending Bond Ordinance, at least once in a newspaper qualified under N.J.S.A. 40A:2-19, at least seven (7) days prior to the date set for public hearing and further consideration for final passage (which date shall be at least ten (10) days after introduction and first reading). The Borough Clerk is further directed to comply with all provisions of N.J.S.A. 40A:2-17(b) regarding postings, publications, and the provision of copies of this refunding bond ordinance.

Section 10. After final adoption of this refunding bond ordinance by the Borough Council, the Borough Clerk is hereby directed to publish a summary of this refunding bond ordinance, as finally adopted, together with a Bond Ordinance Statement (with appropriate completions, insertions and corrections), at least once in a newspaper qualified under N.J.S.A. 40A:2-19.

Section 11. The Borough Council hereby covenants on behalf of the Borough to take any action necessary or refrain from taking such action in order to preserve the tax-exempt status of the Refunding Bonds authorized hereunder as is or may be required under the Internal Revenue Code of 1986, as amended, and the regulations promulgated thereunder (the "Code"), including compliance with the Code with regard to the use, expenditure, investment, timely reporting and rebate of investment earnings as may be required thereunder.

Section 12. The purpose of the issuance of the Refunding Bonds is to effect a debt service savings to the Borough.

Section 13. This bond ordinance shall take effect twenty (20) days after the first publication hereof after final adoption, as provided herein and the Local Bond Law, but not prior to the time that the consent of the Local Finance Board, Division of Local Government Services in the New Jersey Department of Community Affairs has been endorsed upon a certified copy of this refunding bond ordinance as finally adopted, as provided by N.J.S.A. 40A:2-55.

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

Motion by McGovern seconded by Gorman that the above Bond Ordinance No. 14-2010 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 Ordinance No. 15-2010 entitled:

**“ ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 70, GUEST HOUSES AND HOTELS, OF
THE CODE OF THE BOROUGH OF AVON-BY-THE-
SEA, MONMOUTH COUNTY, NEW JERSEY. ”**

Chapter 70 GUEST HOUSES AND HOTELS

- 70-1. Application for license.**
- 70-1.1. Application for inactive license.**
- 70-2. License fees.**
- 70-3. Hotel and Guest House Inspector.**
- 70-4. Inspections; issuance or denial of license.**
- 70.4.1. Denial, suspension or revocation of license.**
- 70-5. Register of guests.**
- 70.5.1. Managers.**
- 70-5.2. Filing of names of managers.**
- 70-5.3. Failure to comply.**
- 70-6. Minimum dimensions of sleeping rooms.**
- 70-7. Required fire escapes.**
- 70.8. Air space in sleeping rooms; windows.**
- 70-9. Alteration of rooms for sleeping; restrictions.**
- 70-10. Sign restrictions.**
- 70.11. Toilet requirements.**
- 70-12. Cooking in sleeping rooms prohibited.**
- 70.13. Posting of Article.**
- 70.14. Service of food or beverages.**
- 70-15. Private Residence Prohibited.**
- 70-16. Violations and penalties.**

[HISTORY: Adopted by the Board of Commissioners of the Borough of Avon-by-the-Sea: Art. I, 4-13-48 as Ord. No. 36; Art. 11,5-11-48 as Ord. No. 35. Sections 70-3, 70-16 and 70-21 amended at time of adoption of Code; see Ch. 1, General Provisions, Art. I. Other amendments noted where applicable.]

GENERAL REFERENCES

Fire prevention — See Ch. 99.

Licensing of businesses — See Ch. 117.

ARTICLE I Licensing and Regulation [Adopted 4-13-48 as Ord. No. 36]

70-1. Application for license.

No person, firm or corporation shall engage in the business of conducting, maintaining or operating a hotel or guest house in the Borough of Avon-by-the-Sea, in which more than one (1) person is boarded or lodged, either with or without service of meals, for a consideration, without making application in writing to the Borough Clerk for a license, upon forms furnished by the Board of Commissioners, signed by the owner or operator of such hotel or guest house, and setting forth the following:

- A. Full name and address of proprietor or operator of such hotel or guest house.**
- B. Location of the hotel or guest house.**
- C. Number and location of bedrooms of hotel or guest house.**
- D. Statement of sanitary facilities of such hotel or guest house.**
- E. A statement authorizing the Hotel and Rooming House Inspector or any other officer or agent of the Borough of Avon-by-the-Sea to enter upon said premises at any time to inspect said premises for the purpose of ascertaining whether or not said premises is operated in compliance with the ordinances of the Borough of Avon-by-the-Sea.**
- F. A list of those persons to be designated as managers pursuant to § 70-5-2. [Added 8-25-80 by Ord. No. 16-1980]**

70-1.1. Application for inactive license. [Added 6-1-87 by Ord. No. 9-1987]

The owner(s) of premises previously permitted to be operated as a guest house may apply for an annual in- active license for the premises provided that the same shall not be used or held out for use as a guest house thereunder. The owner(s) shall execute an acknowledgment of the inactive status of the license and the license itself shall be endorsed to show its inactive status. Said license shall not be transferable. The fee for said license shall be that established by Section 70-2. The inspection requirements of this chapter shall not apply to an inactive license.

70-2. License fees.

The proprietor or operator of every hotel or guest house in the Borough of Avon-by-the-Sea shall, at the time of filing the application set forth in § 70-1, tender an annual license fee based upon the number of sleeping rooms in the premises operated, as follows: Ten Dollars (\$10.00) per room, minimum fee Two Hundred Fifty Dollars (\$250.00).

70-3. Hotel and Guest House Inspector. [Amended 8-27-79 by Ord. No. 7-1979; 4-12-93 by Ord. No. 5-1993]

There shall be appointed by the Board of Commissioners an inspector of hotels and guest houses, to be known as the "Hotel and Guest House Inspector." Said Inspector shall serve on a yearly basis and shall be appointed annually by the Board of Commissioners. He shall make such investigations and inspections as shall be necessary to determine whether or not the provisions of this Article are being observed. He shall report all violations to the Board of Commissioners. Said Inspector may be paid a salary to be established from time to time by the Board of Commissioners.

70-4. Inspections; issuance or denial of license.

- A. Any application for a license to conduct or operate a hotel or guest house shall be referred to the Hotel and Guest House Inspector, and said Inspector shall make an inspection of such hotel or guest house in which said business is to be conducted, to ascertain if the building thereon is suitable for said purpose and if said building complies with the provisions of this Article and any and all ordinances and regulations of the Borough of Avon-by-the-Sea and with the laws of the State of New Jersey. Said Inspector shall report, in writing, the result of his examination, and if said report of said Inspector discloses that said premises for which said license is sought complies with the provisions of this Article and with all other ordinances and regulations of the Borough of Avon-by-the-Sea and with the laws of the State of New Jersey, the Board of Commissioners shall authorize and direct the Borough Clerk to issue a license to conduct and operate the business of hotel or guest house on said premises, which license shall be signed by the Director of Revenue and Finance and attested by the Borough Clerk.**
- B. If said Inspector shall determine, upon inspection of said premises for which said license is applied, that the building thereon does not comply with this Article or with all other ordinances and regulations of the Borough of Avon-by-the-Sea, or with the laws of the State of New Jersey, then and in that event, no license shall be granted to conduct the business of operating a hotel or guest house on said premises, and said application fee shall be returned to said applicant.**
- C. Nothing herein contained shall prevent the Chief of Police or the Chief of the Fire Department or the Clerk of the Board of Health or the Inspector of Buildings, or any of them, from inspecting or investigating the premises to determine whether or not the ordinances and regulations of the Borough of Avon-by-the-Sea are being complied with.**
- D. Nothing contained in this section shall prevent the Board of Commissioners from invoking the provisions of § 70-4.1. [Added 8-25-80 by Ord. No. 16-1980]**

70-4.1. Denial, suspension or revocation of license. [Added 8-25- 80 by Ord. No. 16-1980]

- A. The license applied for or issued pursuant to this Article may be denied, suspended or revoked by the Board of Commissioners for violations of this Article; violations of applicable health, safety and fire laws, codes and regulations; violations of other laws, ordinances and regulations; and for other good cause. Notice of the proposed denial, suspension or revocation shall be given in writing to the applicant or licensee at the address stated on the application or license setting forth the reasons therefor and the proposed action to be taken.**
- B. Upon written request made within five (5) days of the giving of such notice, the applicant or licensee may request a hearing which shall be held within thirty (30) days thereafter. Within fourteen (14) days after the conclusion of the hearing, the Board of Commissioners shall render its decision in writing setting forth its reasons for the action taken.**

70-5. Register of guests.

Every person, firm or corporation operating a hotel or guest house shall maintain a register of guests with their names and permanent residences, which said register shall be available for inspection by the Hotel and Guest House Inspector or by any other officer or agent of the Borough of Avon-by-the-Sea.

70-5.1. Managers [Added 8-25-80 by Ord. No. 16-1980]

Every hotel having the capacity to accommodate fifty (50) guests or more shall have on the premises at all times a manager who shall be in charge of and responsible for said premises. The manager on duty at any particular time shall be identified by name at the registration desk of the hotel by a placard bearing the following legend:

(Name of premises)

MANAGER ON DUTY

(NAME)

Such placard shall be prominently displayed at the registration desk, and the lettering thereon shall be at least two (2) inches high.

70-5.2. Filing of names of managers. [Added 8-25-80 by Ord. No. 16-1980]

The names of those persons designated as managers pursuant to § 70-5.1 shall be registered with the Borough Clerk at the time of the license application. Any changes in the list of designated persons shall be immediately reported in writing to the Borough Clerk.

70-5.3. Failure to comply. [Added 8-25-80 by Ord. No. 16-1980]

No person not so registered with the Borough Clerk as a manager shall act in that capacity. Any hotel required by § 70-5.1 to have a manager on the premises and failing to comply with the requirements regarding same shall be in violation of this Article and shall be liable in accordance with § 70-16.

70-6. Minimum dimensions, of sleeping rooms.

Every sleeping room in a hotel or guest house in the Borough of Avon-by-the-Sea shall have a clear height between floor and ceiling of not less than seven (7) feet. Its least horizontal dimensions shall be not less than seven (7) feet, and it shall have a floor area not smaller than seventy (70) square feet.

70-7. Required fire escapes. [Added 6-26-56 by Ord. No. 83]

Sleeping rooms on or above the third-floor level of every hotel and guest house, except those equipped with metal fire escapes, shall be equipped with emergency means of escape tested and approved by the Borough Hotel and Guest House Inspector.

70-8. Air space in sleeping rooms; windows.

No room in any hotel or guest house which is occupied or is intended, arranged or designed to be occupied for sleeping purposes shall be so overcrowded that there shall be afforded less than four hundred (400) cubic feet of air space to each person twelve (12) years of age and over and two hundred (200) cubic feet of air space to each child under twelve (12) years of age. No greater number of occupants than thus established shall be permitted to sleep in any one (1) room. No room shall be used for a sleeping room which does not open to the outside of the building on the street or alley side or to a yard or court, and each sleeping room shall have at least one (1) window and one (1) door. The total area of windows shall be not less than ten percent (10%) of the floor area of the room, including the area of every recess or alcove. Each window shall be constructed to permit at least fifty percent (50%) of its full area to be opened, either the top or bottom or side. The tops of all such windows shall be not more than two (2) feet below the ceiling of any sleeping room. If the report of the Inspector discloses that any sleeping room

does not vary by more than ten percent (10%) from any of the requirements as to dimensions and window size and area set forth in § 70-6 and in this section, the Board of Commissioners may at its discretion authorize the issuance of a license, provided that said building complies with all other provisions and requirements of this Article.

70-9. Alteration of rooms for sleeping; restrictions. [Amended 8-25-80 by Ord. No. 16-1980]

No room in any hotel or guest house not originally constructed as a sleeping room shall be used for such purpose unless such room has been or shall be altered or remodeled to comply with the provisions of this Article, and no cellar, outbuilding or other area shall be used or occupied as a sleeping room or rooms unless such room or rooms comply with the provisions of this Article and unless such building is equipped with toilet facilities as provided in § 70-11, and no porches shall be occupied as sleeping rooms unless the adjoining space is occupied by the same party, and then only if the cubic content and floor space thereof comply with the provisions of this Article.

70-10. Sign restrictions.

No hotel or guest house containing less than twenty-five (25) sleeping rooms shall erect more than one (1) sign on said premises in which said business is conducted and said signs on said hotels and guest houses containing less than twenty-five (25) sleeping rooms shall occupy not more than four hundred ninety-six (496) square inches of space and shall be attached to the side or front of the building in which said business is conducted or operated.

70-11. Toilet requirements.

In every hotel and guest house, there shall be toilets in the ratio of at least one (1) toilet for every twelve (12) occupants or fraction of such number.

70-12. Cooking in sleeping rooms prohibited.

No gas, coal or electric range or stove or any other apparatus or appliance shall be used for the cooking or preparation of food or shall be installed in any room in any hotel or guest house which is occupied or is intended, arranged or designed to be occupied for sleeping purposes, nor shall any food be cooked or otherwise be prepared or stored in any room in any hotel or guest house, which room is occupied or is intended, arranged or designed to be occupied for sleeping purposes.

70-13. Posting of Article.

There shall be posted in a conspicuous place in every hotel or guest house a copy of this Article, which copy shall be furnished by the Borough Clerk upon application for same.

70-14. Service of food or beverages. [Added 5-11-48 by Ord. No. 37]

No meals, food or beverages shall be served by the owner, proprietor or operator of any hotel or guest house licensed under the provisions of this Article, except within the confines of the building so licensed.

70.15. Private Residence Prohibited.

It shall be unlawful for any owner of a private residence to engage in the business of lodging or boarding of persons.

70-16. Violations and penalties.²

[Amended 4-22-02 by Ord. No. 5-2002] Any person who violates any provision of this Article shall, upon conviction thereof, be liable to the penalty provided by Chapter I, Section 1-15.

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

Motion by Gorman seconded by McGovern that the above Ordinance No. 15-2010 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 Ordinance No. 16-2010 entitled:

**“ ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 161, VEHICLES AND TRAFFIC, OF THE
CODE OF THE BOROUGH OF AVON-BY-THE-SEA,
MONMOUTH COUNTY, NEW JERSEY. ”**

ARTICLE XII. Schedules.

161-45. Schedule XVI: Speed Limits.

Add:

<u>Name of Street</u>	<u>Speed Limit (MPH)</u>	<u>Location</u>
Washington Lane	10	Entire length
Miller Place	10	Entire length

All other conditions of this ordinance shall remain the same.

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

Motion by Gorman seconded by McGovern that the above Ordinance No. 16-2010 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 Ordinance 17-2010 entitled:

**“ AN ORDINANCE ESTABLISHING THE BOROUGH
OF AVON-BY-THE-SEA MUNICIPAL ELECTIONS
ON THE SAME DAY AS NOVEMBER GENERAL
ELECTIONS ARE HELD AND EXTENDING THE
TERMS OF OFFICE FOR THE EXISTING COM-
MISSIONERS. ”**

WHEREAS, the Borough of Avon-By-The-Sea is a Commission Form of Government, with nonpartisan elections, pursuant to N.J.S.A. 40:69A-1 et seq.; and

WHEREAS, nonpartisan municipal elections were required to be conducted on the second Tuesday in May pursuant to the Uniform Nonpartisan Elections Law, set forth in N.J.S.A. 40:45-1 et seq.; and

WHEREAS, the Legislature adopted, and on January 14, 2010 Acting Governor Sweeney signed into law as Chapter 196 of the Laws of 2009, an amendment to the Uniform Nonpartisan Elections Law to permit municipalities to adopt an ordinance to change the time of nonpartisan elections to correspond with the November general elections; and

WHEREAS, the Board of Commissioners of the Borough of Avon-by-the-Sea believes that such a measure would result in substantial savings by eliminating separate and costly elections, while generating larger voter interest in municipal elections.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea in the County of Monmouth, State of New Jersey, as follows:

Section 1

Pursuant to N.J.S.A. 40-75-2 et seq. the election and term of office for commissioners shall be at the time of the November general election and shall serve for a term of four years beginning on January 1 following such election. Accordingly, the term of the commissioners holding office at the time of the adoption of this ordinance shall be extended until December 31 beyond the expiration date of the commissioners present term.

This ordinance shall be effective January 1, 2011 as provided by Chapter 196 of the Laws of 2009.

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

Motion by McGovern seconded by Mahon that the above Ordinance No. 17-2010 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, 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 29th through October 31st 2010, 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 McGovern seconded by Mahon that the bid for UST Removal at the Avon Marina be awarded to Charles J. Hoffman, Jr. & Son, Wall, NJ, for the low bid of \$18,262.21. The award is made subject to certification of funds by the C.F.O. and review of the bid documents by the Borough Attorney.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that Timothy Gallagher, Borough Administrator, is hereby authorized to sign an amendment to the Green Acres Project Agreement.

The Vote:

Aye: All

No: None

Motion by Gorman seconded by McGovern that the bills in the amount of \$463,920.60 be approved for payment.

The Vote:

Aye: All

No: None

Mayor asks if anyone would like to be heard?

John Magrini announced the Harvest Festival sponsored by the Home & School Assn. to be held at the Norwood Inn, Fri., Oct. 29th at 7:00 pm.

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**