

REGULAR MEETING – OCTOBER 26, 2009 – 7:30 P.M.

Pledge of Allegiance.

Roll Call: Commissioner McGovern, Mayor Mahon.

Absent: 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 13, 2009 be approved as written.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and a hearing on Bond Ordinance No. 15-2009 entitled:

**“ ORDINANCE REAPPROPRIATING \$60,000.00
PROCEEDS OF OBLIGATIONS NOT NEEDED
FOR THEIR ORIGINAL PURPOSES IN ORDER
TO PROVIDE FOR WATER MAIN CLEANING
IN AND BY THE BOROUGH OF AVON-BY-THE-
SEA, COUNTY OF MONMOUTH, NEW JERSEY. ”**

BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

SECTION 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$60,000 of the proceeds of obligations originally made available pursuant to Bond Ordinance No. 7-2008 finally adopted July 14, 2008 of the Borough of Avon-By-The-Sea, in the County of Monmouth, New Jersey are no longer necessary for Various Capital Water Improvements for which the obligations previously were authorized. \$60,000 of the said proceeds are hereby reappropriated to provide for Water Main Cleaning in Avon-By-The-Sea.

SECTION 2. The Capital Budget of the Borough of Avon-By-The-Sea is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith.

SECTION 3. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Mayor explained ordinance.

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

Motion by McGovern seconded by Mahon that the above Bond Ordinance No. 15-2009 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 26th through November 1st 2009, 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 Board of Commissioners hereby authorize the refund of 2009 water/sewer overpayments to the following:

Block 26 Lot 12	Gamble	432 Garfield Ave.	\$284.10
Block 53 Lot 7	Gioia	12 Washington Ave.	\$153.12

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that the Board of Commissioners hereby authorize the refund of 2009 property tax overpayments to the following:

Block 6 Lot 5.01	Donnelly	226 Norwood Ave.	\$1,751.14
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The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that the Board of Commissioners hereby authorize the Mayor to sign a change order for the contract with Lucas Construction Group, Norwood Avenue Improvements - Phase I, for a reduction in the amount of \$9,090.00 and an addition in the amount of \$27,301.50 for a total addition of \$18,211.50. The total revised amount of the contract is \$366,805.08.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Mayor that the bills in the amount of \$533,408.32 be approved for payment.

The Vote:

Aye: All

No: None

Comm. McGovern said that D.P.W. has been pruning trees. Some trees weren't done as cars were parked in the way. Contact D.P.W. and they can coordinate something to trim these missed trees.

Mayor asks if anyone would like to be heard? No one.

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

The Vote:

Aye: All

No: None