

REGULAR MEETING – OCTOBER 27, 2014 – 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 Mahon that the minutes of the meeting of October 14, 2014 be approved as written.

The Vote:

Aye: McGovern, Mahon (Comm. Gorman absent)

No: None

RESOLUTION offered by Mahon seconded by McGovern that the Mayor is hereby authorized to sign a contract between the Borough of Avon-By-The-Sea and the Associated Humane Societies for animal control services for the year 2015.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Gorman that,

WHEREAS, the owners of Block 35, Lot 6.01, 409 Ocean Avenue, Avon-by-the-Sea, N.J. has been successful in their appeal to The Tax Court of New Jersey and having agreed upon a settlement adjusting their assessed value as follows:

<u>2013 Assessment from Tax Duplicate</u>	<u>Tax Court Judgment</u>
1,972,900.00 Land	1,922,900.00 Land
1,374,700.00 Improvements	1,324,700.00 Improvements
<u>3,347,600.00 Total Assessment</u>	<u>3,247,600.00 Total Assessment</u>
\$34,580.71 taxes paid 2013	\$33,547.71 taxes due 2013

WHEREAS, this has resulted in their overpaying the property tax for the year 2013 in the amount of \$1,033.00 and statutory interest has been waived pursuant to N.J.S.A. 54:3-27.2 and,

WHEREAS, they have been awarded this judgment and therefore are entitled to a refund and,

WHEREAS, the fourth quarter 2014 property tax amount be reduced by \$1,069.00 for a total tax for 2014 of \$34,716.84 and,

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Avon-by-the-Sea, that the Tax Collector be authorized to refund the overpayment of \$1,033.00 for the year 2013 to Mr. Robert P. McGovern; mail the check to Timothy Middleton, Esq., 2517 Hwy 35, Bldg K.; Ste. 101, Manasquan, NJ 08736 and cancel \$1,069.00 from the fourth quarter 2014 property tax.

The Vote:

Aye: Gorman, Mahon

No: None

Abstain: McGovern

RESOLUTION offered by Gorman seconded by Mahon that the Board of Commissioners hereby authorizes the cancellation of 2014 water/sewer charges for the following accounts:

Block 50 Lot 13	222 Roosevelt Avenue	Overestimate	\$ 64.90
Block 34 Lot 11	132 Garfield Avenue	Demo	\$450.00
Block 36 Lot 7	101 Garfield Avenue, Rear	Overestimate	\$ 20.65
Block 50 Lot 7	205 Washington Avenue	Overestimate	\$ 26.55
Block 44 Lot 12	438 Washington Avenue	Overestimate	\$ 29.50
Block 18 Lot 3	329 Woodland Avenue	Demo	\$113.20

The Vote:

Aye: All

No: None

Motion by Gorman seconded by McGovern that the bills in the amount of \$698,991.24 be approved for payment.

The Vote:

Aye: All

No: None

Mayor asks if anyone would like to be heard?

Discussion took place on the dredging project with Tim Gallagher and Charlie Rooney.

Wally French said that the stop sign on Garfield Ave. is being covered by brush. Will let DPW know.

Marie Kenny – with approval of Commissioners the Garden Club is going to purchase new planters for Main St. They will be sandstone and a bit bigger than the current ones. They will get 14 of them. The Commissioners gave their approval and thanked the Garden Club.

The Commissioners introduce an ordinance after some discussion.

RESOLUTION offered by McGovern seconded by Mahon that,

ORDINANCE NO. 10-2014 entitled:

**“AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 123, ENTITLED NOISE, OF THE CODE
OF THE BOROUGH OF AVON-BY-THE-SEA,
MONMOUTH COUNTY.”**

introduced on first reading.

The Vote:

Aye: McGovern, Mahon

No: Gorman

Motion by Mahon seconded by McGovern that the above Ordinance No. 10-2014 be taken up on second reading with a hearing on November 10, 2014 at 7:30 p.m.

The Vote:

Aye: McGovern, Mahon

No: Gorman

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**