

REGULAR MEETING – OCTOBER 28, 2013 – 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.

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the Borough of Avon has received a grant of \$250,000.00 from the State of New Jersey and wishes to amend its 2013 budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of Avon-by-the-Sea hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2013 in the sum of \$250,000.00 which is now available as a revenue from:

MISCELLANEOUS REVENUES:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:

Monmouth County Open Space Grant pursuant to provisions of Statute, and

BE IT FURTHER RESOLVED, that a like sum of\$250,000.00 be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

(a) Operations Excluded from 5% CAPS

State and Federal Programs Off-Set by Revenues:

Monmouth County Open Space Grant-Other Expenses

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this Resolution to the Director of Local Government Services.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS *N.J.S.A. 40A:11-11(10)* authorizes contracting units to establish a Joint Purchasing System and to enter into a Joint Purchasing Agreement for its administration; and

WHEREAS the Borough of Neptune City, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Joint Purchasing System for the provision and performance of goods and services; and

WHEREAS, on October 15, 2013 the governing body of the Borough of Neptune City, County of Monmouth, State of New Jersey duly considered participation in a Joint Purchasing System for the provision and performance of goods for Police Department Equipment for Training Purposes, including but not limited to Simunitions Equipment.

WHEREAS, the following towns wish to enter into this agreement with the Borough of Neptune City; the Borough of Avon-by-the-Sea, the Borough of Belmar, the Borough of Bradley Beach, the Borough of Lake Como and the Borough of Spring Lake.

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE: This Resolution shall be known and may be cited as the Joint Purchasing Resolution of the Borough of Avon-by-the-Sea.

AUTHORITY: Pursuant to the provisions of *N.J.S.A. 40A:11-10* the Mayor is hereby authorized to enter into a Joint Purchasing Agreement with the Lead Agency.

CONTRACTING UNIT: The Lead Agency shall be responsible for complying with the provisions of the Local Public Contracts Law (*N.J.S.A. 40A:11-1 et seq.*) and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE: This resolution shall take effect immediately upon passage.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WHEREAS, The Monmouth County Board of Taxation, pursuant to *NJSA 54:4-2.27* adopted the percentage level of taxable value of real property for the County of Monmouth at 100 percent of the true value; and

WHEREAS, on June 19, 2013 the Monmouth County Board of Taxation ordered the Borough of Avon-by-the-Sea to implement the Assessment Demonstration Program and to perform annual reassessments and 20% inspections for the next five years (2014-2018); and

WHEREAS, Realty Data Systems, LLC, a new firm founded by Realty Appraisal Company, located at 55 White Road, Suite C Shrewsbury, NJ 07702 is qualified to serve the Borough in this matter.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Avon-by-the-Sea, County of Monmouth, State of New Jersey as follows:

- 1. The firm Realty Data Systems, LLC is hereby retained to perform the reassessment inspections in accordance with the Proposal Covering Real Data Collection and Verification Services in accordance with the Assessment Demonstration Program dated September 12, 2013 for a contract amount of \$23,270.00.**
- 2. The Mayor is hereby authorized and directed to execute the Proposal submitted by Realty Data Systems, LLC.**
- 3. This contract is awarded without competitive bidding as a “professional service contract” in accordance with NJSA 40:11-1 et seq of the Local Public Contracts Law. However, competitive proposals were requested and Realty Data Systems, LLC was the only quote received.**
- 4. Pursuant to N.J.S.A 40A:11-5(1) this resolution and contract itself shall be available for public inspection at the Borough Clerk’s office during regular business hours.**

**The Vote:
Aye: All
No: None**

RESOLUTION offered by McGovern seconded by Mahon that the Board of Commissioners hereby authorizes the cancellation of 2013 water/sewer charges for the following accounts:

Block 16 Lot 15.03	318 Woodland Ave., Front	Demo \$125.00
Block 16 Lot 15.03	318 Woodland Ave., Rear	Demo \$125.00
Block 35 Lot 4	35 Sylvania Avenue	Demo \$507.50
Block 47 Lot 3	437 Jefferson Avenue	Demo \$107.30
Block 51 Lot 3.01	105 Lincoln Avenue	Demo \$125.00

**The Vote:
Aye: All
No: None**

RESOLUTION offered by Mahon seconded by McGovern 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 30th through November 3, 2013, 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

Motion by McGovern seconded by Mahon that the bills in the amount of \$386,508.84 be approved for payment.

The Vote:

Aye: All

No: None

Mayor asks if anyone would like to be heard?

Some discussion regarding boardwalk buildings took place.

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

The Vote:

Aye: All

No: None

Robert Mahon, Mayor

Robert P. McGovern, Commissioner

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