

**REGULAR MEETING – DECEMBER 11, 2017**

**Pledge of Allegiance.**

**Roll Call: Commissioner Mahon, Commissioner Gorman, Mayor Magrini**

**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 Magrini seconded by Gorman that the minutes of the meeting of November 16, 2017 be approved as written.**

**The Vote:**

**Aye: All (Comm. Mahon absent)**

**No: None**

**Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 10-2017 entitled:**

**“AN ORDINANCE VACATING A PORTION  
OF A PUBLIC STREET IN THE BOROUGH  
OF AVON-BY-THE-SEA, IN THE COUNTY  
OF MONMOUTH, STATE OF NEW JERSEY,  
KNOWN AS SOUTH STATION AVENUE.”**

**The Board of Commissioners of the Borough of Avon-By-The-Sea do ordain as follows:**

**That a portion of a public street known as South Station Avenue, in the Borough of Avon-By-The-Sea, lying within the property known as Block 42, Lot 3 and any and all public rights and easements therein, be and the same is hereby vacated as more particularly defined in the attached metes and bounds description incorporated herein and made a part thereof.**

**Property Description: Portion of un-improved South Station Avenue within Block 42, Lot 3, Borough of Avon-By-The-Sea.**

**Beginning at a point, said point being distant the following two courses from the intersection of the westerly line of Main Street with southerly line of Jefferson Avenue;**

**a) Along the westerly line of Main Street South 23 degrees 00 minutes 00 seconds West 404.00 feet to a point, thence;**

b) Along the northerly line of Lot 3 North 74 degrees 58 minutes 30 seconds East 146.99 feet to a point, said point being the Point and Place of Beginning, thence running;

1) Along the northerly line of Lot 3 North 74 degrees 58 minutes 30 seconds West 50.49 feet to a point, thence;

2) South 23 degrees 00 minutes 00 seconds West 174.96 feet to a point in the southerly line of Lot 3, thence;

3) Along the southerly line of Lot 3 South 78 degrees 48 minutes 00 seconds East 51.08 feet to a point, thence;

4) North 23 degrees 00 minutes 00 seconds East 171.52 feet to a point in the northerly line of Lot 3, said point being the Point and Place of Beginning.

Containing 8,662.08 square feet (0.20 Ac.).

Would anyone like to be heard on the about Ordinance? Mary Piazza asked what the ordinance is about? The Mayor and Mr. Cooke explained that it was cleaning up some title issues.

Motion by Mahon seconded by Magrini that the above Ordinance No. 10-2017 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 Magrini seconded by Mahon that the Board of Commissioners hereby authorizes the refund of the overpayment of a 2017 property tax payment to the following:

Block 21, Lot 6 Society of Mt. Carmel 23 Norwood Ave. \$3,015.36

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Magrini that Barbara Suchecki is hereby appointed as the Community Development Representative and Steve Kegelman is appointed as the Alternate.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Magrini that,

WHEREAS, properties reflect 2017 tax and water/sewer balances and credit balances of less than \$10.00, and

WHEREAS, it is deemed unfeasible to incur the cost of collecting or refunding balances of less than \$10.00,

**NOW, THEREFORE, BE IT RESOLVED**, by the Governing Body of the Borough of Avon-By-The-Sea that the Tax Collector, pursuant to R.S. 54:4-91 and R.S. 54:4-91.2 is authorized and directed to cancel the 2017 tax and water/sewer balances less than \$10.00 and credit balances of less than \$10.00 for each of the properties.

**The Vote:**

**Aye: All**

**No: None**

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

**WHEREAS** *N.J.S.A. 40A: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.

**NOW, THEREFORE BE IT RESOLVED** as follows:

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

**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. 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.**

**This resolution shall take effect immediately upon passage.**

**The Vote:**

**Aye: All**

**No: None**

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

**WHEREAS**, the Borough of Avon-by-the-Sea is the owner of a loader weight; and

**WHEREAS**, the Borough of Avon-by-the-Sea has determined that there is no current nor anticipated use or utility for said equipment; and

**WHEREAS**, the Borough of Eatontown has a current and future need for the equipment and seeks to purchase same from the Borough of Avon-by-the-Sea for \$800.00.

**NOW, THEREFORE BE IT RESOLVED** that the Borough of Avon-by-the-Sea is authorized to sell the equipment to the Borough of Eatontown for \$800.00 in “as is” condition with no warranty or guarantee;

**BE IT FURTHER RESOLVED** that Mayor John Magrini be authorized to sign the Bill of Sale.

**The Vote:**

**Aye: All**

**No: None**

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

**WHEREAS**, the Borough of Avon-by-the-Sea is the owner of a garbage truck more specifically identified as 1994 Volvo GMC/White VIN 4V2JCBME7RR832034; and

**WHEREAS**, the Borough of Avon-by-the-Sea has determined that there is no current nor anticipated use or utility for said vehicle; and

**WHEREAS**, the Borough of Bradley Beach has a current and future need for the vehicle and seeks to purchase same from the Borough of Avon-by-the-Sea for \$20,000.00.

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Avon-by-the-Sea is authorized to sell the vehicle to the Borough of Bradley Beach for \$20,000.00 in “as is” condition with no warranty or guarantee; and it is

**BE IT FURTHER RESOLVED** that Mayor John Magrini be authorized to sign the vehicle certificate of title and sales agreement.

**The Vote:**

**Aye: All**

**No: None**

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

**WHEREAS**, there are unexpended balances of appropriations which are not needed, and other appropriations which will be deficient,

**NOW, THEREFORE, BE IT RESOLVED** that the following 2017 appropriation transfers be authorized:

<b>FROM: Elections O.E.</b>	<b>\$1,200.00</b>
<b>TO: Engineer O.E.</b>	<b>\$1,200.00</b>
<b>FROM: Legal O.E.</b>	<b>\$2,500.00</b>
<b>TO: Public Buildings Heating</b>	<b>\$2,500.00</b>
<b>FROM: Lifeguard S&amp;W</b>	<b>\$2,600.00</b>
<b>TO: Lifeguard O.E.</b>	<b>\$2,600.00</b>
<b>FROM: Gatetenders O.E.</b>	<b>\$600.00</b>
<b>TO: Beach Engineer O.E.</b>	<b>\$600.00</b>

**FROM: Collection of Taxes O.E. \$1,200.00**  
**TO: Public Buildings Heating \$1,200.00**

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

**Motion by Magrini seconded by Mahon that the bills in the amount of \$682,529.40 be approved for payment.**

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

**Department Head reports:**

**Terry Mahon, Police Chief – some people have called about street lights being out. JCP&L now wants citizens to call them directly to report street lights being out. Also, tree trimming is occurring over the next few weeks. The special needs registry is now up. It is a confidential way for the public to let first responders know who may need special attention in the event of an emergency.**

**Charlie Rooney, Engineer – lane project is substantially complete, weather may be a problem for finishing up the project until it becomes warmer. The road project, west of Main St., will be able to start around March if we go to bid early next year. It is a DOT project which we have received grant money for and consequently the money must be used on busier roads.**

**Mayor and Comm. Mahon – further discussion with Charlie regarding the road project.**

**Mr. January – asked if the hay on the road near the Norwood is from the Lane project's company truck spilling oil. Mayor said yes.**

**Mr. Rooney said the company has offered to re-mill and pave the affected area from the oil spill.**

**Barry Cooke, Attorney – has nothing to report.**

**Further discussion points after Department Head reports.**

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

**Mayor introduced the idea of Mr. Renna donating bocce ball courts and other items from the Norwood Inn to the Borough.**

**Mayor and Comm. Gorman both unsure of how much use the courts will get. Also, concerned with the courts taking up storage space for DPW.**

**Mr. Melnykevich asked if there will be a second meeting this month. The Mayor said no.**

**Mayor said the Business Administrator is working with the Department Heads on the 2018 budget process.**

**Mrs. Piazza expressed concerns with the current snow plowing process. Mayor defends current system, but will check with Scott to see if anything else can be done.**

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

**The Vote:**

**Aye: All**

**No: None**

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**John B. Magrini, Mayor**

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**Robert Mahon, Commissioner**

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**Francis E. Gorman, Commissioner**

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**Marc Freda,  
Acting Borough Clerk**