

REGULAR MEETING – DECEMBER 14, 2015 – 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 Mahon seconded by McGovern that the minutes of the meeting of November 9, 2015 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

BOND ORDINANCE NO. 14-2015 entitled:

**“ AN ORDINANCE REAPPROPRIATING \$100,000 -
PROCEEDS OF OBLIGATIONS NOT NEEDED FOR
THEIR ORIGINAL PURPOSES IN ORDER TO PROVIDE
FOR CONTINUED CONSTRUCTION OF THE DPW
BUILDINGS IN AND BY THE BOROUGH OF AVON-BY-
THE-SEA, COUNTY OF MONMOUTH, NJ.”**

be introduced on first reading.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Mahon that the above Bond Ordinance No. 14-2015 be taken up on second reading with a hearing on December 28, 2015 at 7:30 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

ORDINANCE NO. 15-2015 entitled:

**“AN ORDINANCE TO AMEND AND SUPPLEMENT
CHAPTER 104, ENTITLED “FLOOD DAMAGE
PREVENTION” OF THE CODE OF THE BOROUGH
OF AVON-BY-THE-SEA, MONMOUTH COUNTY.”**

be introduced on first reading.

The Vote:

Aye: All

No: None

Motion by Mahon seconded by McGovern that the above Ordinance No. 15-2015 be taken up on second reading with a hearing on December 28, 2015 at 7:30 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by McGovern that the Board of Commissioners hereby authorizes the cancellation of 2015 water/sewer charges for the following accounts:

Block 21 Lot 3	41 Norwood Ave.	Demo	\$ 58.36
Block 21 Lot 3	41 Norwood Ave. (R)	Demo	\$116.66
Block 52 Lot 2	112 Second Ave.	Demo	\$ 28.84

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby authorize the refund of a 2015 property tax overpayment to the following:

Block 16 Lot 1.04	Corelogic	\$1,183.07
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The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that,

WHEREAS, properties reflect 2015 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 2015 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 McGovern seconded by Mahon that,

WHEREAS, there exists miscellaneous debits and credits older than six months in the Borough's bank accounts, and

WHEREAS, cancellation of these miscellaneous debits and credits would provide for a more accurate and efficient means of maintaining the Borough's records, and

WHEREAS, the Borough's Chief Financial Officer recommends that these items be canceled from the Borough records.

NOW, THEREFORE, BE IT RESOLVED BY THE Borough Commissioners of the Borough of Avon-By-The-Sea that the Chief Financial Officer cancel any miscellaneous debits and credits older than six months from the Borough's bank accounts to Operations.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WEHREAS, the Borough of Avon-By-The-Sea has applied for and has been awarded a grant in the amount of \$83,930.00 from the hazardous Discharge Site Remediation Fund Municipal Grant Program through the Department of Environmental Protection and the New Jersey Economic Development Authority for the Remedial Action along with report preparation of the 2 Main Street property;

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the Borough of Avon-By-The-Sea that the above referenced grant is hereby accepted and the Administrator is hereby authorized to execute grant documents as an authorized representative thereunder, as the representative for the Borough of Avon-By-The-Sea.

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the New Jersey Economic Development Authority.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Mahon authorizing the Administrator to sign the NJ DOT Office of Maritime Resources I-BOAT NJ Memorandum of Agreement for the Avon-By-The-Sea Riverfront Park and Marina Project, Phase 2 – Cycle 2015-1.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by McGovern that the Board of Commissioners of the Borough of Avon-By-The-Sea hereby approve the submittal of a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Portions of Washington Avenue, South Station Avenue, Laird Avenue and Rulon Street.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners and Borough Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Avon-By-The-Sea-00599 to the New Jersey Department of Transportation on behalf of the Borough of Avon-By-The-Sea.

BE IT FURTHER RESOLVED, that the Board of Commissioners and Borough Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Avon-By-The-Sea and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that the Mayor is hereby authorized to notify the Monmouth County Board of Taxation that the Borough of Avon-By-The-Sea will opt out of the Assessment Development Program.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern the Mayor and Clerk are hereby authorized to sign a release agreement between the Borough of Avon-By-The-Sea and NJ Municipal Environmental Risk Management Fund.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that Breaker Electric, Clarksburg, NJ, be awarded the contract for electric installation in 2 DPW buildings for the low quote price for \$39,670.00.

The Vote:

Aye: All No: None

RESOLUTION offered by Mahon seconded by Gorman 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 2015 appropriation transfers be authorized:

FROM: Legal O.E.	1,000.00
TO: Police O.E.	1,000.00

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that the Board of Commissioners hereby approve a change order for the contract with J. Fletcher Creamer & Son, Inc., 2015 Water Main Cleaning & Lining project for an additional amount of \$11,500.00 for a revised contract amount of \$512,565.00.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Mahon that the following people be hired as Class II Special Police Officers:

Samuel Seldor, Brian Mason, Cynthia M. Buckel

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that the Board of Commissioners hereby approve an application for a Blue Light Permit for Patrick M. Duffy, Volunteer Fireman.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the bills in the amount of \$1,009,359.58 be approved for payment.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by McGovern that the contract with Realty Data Systems be terminated.

The Vote:

Aye: All

No: None

Department Head reports:

Karl Klug, Water Supt. – reminded everyone to turn off outside showers, sprinklers, etc. for the winter.

Jeff Bramhall, DPW Supt. – will be out there picking up leaves until they are all gone.

Sheila Watson, Librarian – some minor repair work will be taking place at the library, may be possible closures.

Charlie Rooney, Engineer – 2015 road program-Washington Ave. from Ocean to 3rd is completed. East End Ave. will be done in the spring. Working on projects for next year.

Terry Mahon, Police Chief – hired 3 new Class II Officers. Looking at applications for Class I's for next summer. Will be training with other Police Depts. at the school next week (active shooter scenario).

Mayor commends the Garden Club for a great job done on the Christmas decorations around town.

Marie Kenny thanked Jeff & his crew for their help doing the decorations.

Mayor asks if anyone would like to be heard?

Howard Hardie asked about COAH. Discussion took place with Mr. Gallagher & Mr. Cooke.

Frank McGovern asked about assessing program. Discussion took place.

John January asked about docks at marina. Discussion.

Marie Kenny suggested getting people involved with cleaning up the beach – being part of the solution instead of part of the problem.

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

The Vote:

Aye: All

No: None

Robert Mahon, Mayor

Robert P. McGovern, Commissioner

Timothy M. Gallagher, RMC

Francis E. Gorman, Commissioner

Borough Clerk