

**REGULAR MEETING – MARCH 28, 2011 – 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 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 Gorman seconded by Mahon that the minutes of the meeting of March 14, 2011 be approved as written.**

**The Vote:**

**Aye: All**

**No: None**

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

**ORDINANCE NO. 1-2011 entitled:**

**“ AN ORDINANCE TO AMEND AND SUPPLEMENT THE 2011-2012 SALARIES OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF AVON-BY-THE-SEA.”**

**be introduced on first reading.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the above Ordinance No. 1-2011 be taken up on second reading with a hearing on April 11, 2011 at 7:30 p.m. in the Municipal Building.**

**The Vote:**

**Aye: All**

**No: None**

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

**ORDINANCE NO. 2-2011 entitled:**

**“ AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 113, LAND DEVELOPMENT, OF THE CODE OF THE BOROUGH OF AVON-BY-THE-SEA.”**

**be introduced on first reading.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by Mahon seconded by Gorman that the above Ordinance No. 2-2011 be taken up on second reading with a hearing on April 11, 2011 at 7:30 p.m. in the Municipal Building.**

**The Vote:**

**Aye: All**

**No: None**

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

**BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-By-The-Sea, County of Monmouth, that the Borough is hereby permitted to defer school tax, not to exceed 50% of the levy of \$3,148,518.00 of the unpaid balance, and**

**WHEREAS, the current deferred school tax is \$1,496,730.70, and**

**BE IT FURTHER RESOLVED that an additional amount of \$77,000.00 of unpaid school tax be deferred, bringing the total to \$1,573,730.70,**

**BE IT FURTHER RESOLVED that two certified copies of this resolution be forwarded to the Director of the Division of Local Government Services.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby approve a Raffles license for the Belmar Elementary PTO to be held on April 29, 2011 at The Columns.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby approve a 50/50 license for the Belmar Elementary PTO to be held on April 29, 2011 at The Columns.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby approve a 50/50 license for Wag On Inn Rescue to be held on May 15, 2011 at Country By The Sea.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby approve a Raffles license for Wag On Inn Rescue to be held on May 15, 2011 at Country By The Sea.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that,**

**WHEREAS, N.J.S.A. 54:4-91.1, and as amended by P.L. 1991 C. 75, requires the collector to submit to the governing body on or before May 1<sup>st</sup> annually, a list of uncollectible taxes for the year 2010 for cancellation.**

**NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Avon-by-the-Sea, County of Monmouth, State of New Jersey, hereby authorizes and directs the cancellation of the following taxes for 2010: None**

**BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Tax Collector and Tax Assessor.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by Mahon seconded by McGovern that the Board of Commissioners hereby authorize, upon the recommendation of the Tax Collector, that the Borough participate in the electronic file sharing with search companies. Based upon one file transfer per week, a single up front payment of \$300.00 will be accepted for one year's worth of electronic data, beginning April 1, 2011 through March 31, 2012. This fee will be increased if additional weekly files are requested.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that,**

**WHEREAS, the Borough of Avon-By-The-Sea wishes to dispose of public personal property no longer needed for public use, and**

**WHEREAS, the items to be disposed of are,**

- 1. A 1978 Hahn Fire Truck**
- 2. A 1994 Chevy Caprice**

**NOW, THEREFORE, BE IT RESOLVED, that the property will be sold for scrap to the scrap yard providing the highest quote per 100 pounds.**

**The Vote:**

**Aye: All**

**No: None**

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

**WHEREAS, intellectual and developmental disabilities are conditions which affect more than 7 million Americans and their families;**

**WHEREAS, public awareness and education enhance a community's understanding of the issues affecting people with intellectual and developmental disabilities;**

**WHEREAS, people with intellectual and developmental disabilities can be vital and vibrant members of our communities, improving the quality of life for all of us;**

**WHEREAS, the month of March has been designated Arc Awareness Month by the state of New Jersey with 20 chapters of The Arc undertaking public awareness, educational and fundraising initiatives;**

**WHEREAS, The Arc of Monmouth serves over 2000 individuals with intellectual Disabilities throughout Monmouth County and advocates for and with people with intellectual and developmental disabilities and their families;**

**WHEREAS, The Arc of Monmouth is celebrating 62 years of service to families and individuals throughout Monmouth County;**

**THEREFORE, BE IT RESOLVED, that Robert Mahon, Mayor of the Borough of Avon-By-The-Sea does hereby proclaim March, 2011 as**

### **DEVELOPMENTAL DISABILITIES AWARENESS MONTH**

**In the Borough of Avon, New Jersey and urges that the citizens of Avon, New Jersey give full support to efforts towards enabling people with intellectual and developmental disabilities to live full and productive lives of inclusion in our communities.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the bills in the amount of \$232,285.12 be approved for payment.**

**The Vote:**

**Aye: All (Mayor abstains from P.D. bills)**

**No: None**

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

**Joe Ventimiglia asked if there is money to repair lanes and fix potholes? The Mayor said potholes are being repaired now. The repair of the lanes has been talked about. We've looked at the engineer's report regarding the sewer lines which run under the lanes. Going to address the concerns with the sewer lines before repairing the lanes. Administrator and Water Supt. have looked at the report. \$160,000 has been put in the budget for sewer repairs. When the budget passes, we'll go out and pinpoint the sewers for repair. Mr. Gallagher has driven down each lane and prioritized the need for repairs.**

**Someone asked about status of Marina – Mr. Gallagher said we are waiting on a grant of \$860,000. That money will be used the bulkhead and docks. Will need DEP permit and go out to bid for the work, so it probably won't be this summer that the work starts.**

**Mr. Gallagher announced that the budget hearing will be April 11, 2011. The newspaper misprinted the date.**

**Also announced the electronics must now be recycled. There is a drop off area at the public works garage for Avon residents only.**

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

**The Vote:**

**Aye: All**

**No: None**

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**Robert Mahon, Mayor**

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**Robert P. McGovern, Commissioner**

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**Francis E. Gorman, Commissioner**

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