

**REGULAR MEETING – APRIL 11, 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 McGovern seconded by Gorman that the minutes of the meeting of March 28, 2011 be approved as written.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the hearing on the 2011 budget be opened.**

**The Vote:**

**Aye: All**

**No: None**

**Mayor Mahon – this evening’s public hearing on the 2011 proposed budget is intended to provide background info. on the budget development process and it’s implications for the taxpayers. Present tonight is our C.F.O. John Antonides and a rep. from our auditor’s office, Rich Hellenbrecht. They will provide an overview and answer any questions.**

**Total appropriations for this 2011 budget is \$5,306,730.90. Revenue includes \$416,000 from surplus, \$1,088,361.90 from misc. sources including state aid grants and local fees, \$134,000 from receipt of delinquent taxes with the remaining \$3,678,369 to be raised in property taxes. Misc. revenues include \$64,753 from the cell tower contract. Included in the \$416,000 in anticipated surplus is \$77,000 in deferred school tax. The total increase in the amount to be raised by taxes is \$139,291 which will result in a tax increase of 1.014/\$100 or \$14 per \$100,000 of assessment. For example, a \$900,000 assessment which is slightly above the average in Avon, will have an increase for the year of \$126 or \$10.50/month. This budget represents a decrease in appropriations of \$281,214 while maintaining the same quality of community services. This was accomplished while incurring significant increases in pension contributions and major reductions in sources of revenues. In presenting this budget we believe that it represents a concerted effort to continue to provide services that our community requests and deserves while at the same time it reflects a reasonable cost for these services.**

**John Antonides – the Borough utilizes a zero-based budgeting format. This format requires justification itemizing in detail all funding requests from zero dollars to the amount requested. A zero-based budget ensures more accurate budgeting and eliminates increased spending without detailed justification. Avon’s budget consists of 3 components – current, water/sewer, and beach. Beach and water/sewer has no effect on your municipal tax rate. Water/sewer is offset by user fees and beach is offset by badge sales. State law mandates that the municipal budget must be balanced with revenues equaling appropriations. Main sources of revenue are property taxes, federal & state grants, state aid, surplus, local revenue and delinquent taxes. The Commissioners in preparation of the budget have maintained all existing services which results in a small tax increase.**

**Rich Hellenbrecht – pension costs are \$130,000 over the previous year. That is the bulk of the tax increase. This is something we have no control over.**

**Mayor asks if there are any questions or comments from the public?**

**Dick Connors – how do you justify the increase in salaries with the state economy the way it is? Mayor – a lot of salary negotiations have been on-going. A lot of our working groups were without a contract for a long time. That’s true of the Police Dept., so in that negotiation that was a multi-year settlement. We looked at the zero for one year. We weren’t able to accomplish it in the process. We felt we made reasonable settlement with them based on circumstances we were faced with. We had 2 years without a contract. We made some major changes in how those settlements were arrived at. Mr. Gallagher – police salaries increased from 1,032,000 to 1,037,000; administration from 64,000 to 66,000; DPW from 187,500 to 189,500; sanitation from 142,500 to 143,500. This comes to about \$10,000 on nearly 6 million dollar budget.**

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

**WHEREAS, the 2011 budget requires \$3,678,369.00 to be raised in property taxes, and**

**WHEREAS, a summary of said budget was published in the March 31, 2011 edition of The Coast Star, and**

**WHEREAS, full copies of said budget are available in the office of the Borough Clerk, and**

**WHEREAS, a public hearing of said budget has been conducted,**

**NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-By-The-Sea that it hereby adopts the 2011 Municipal Budget in the amount of \$5,306,730.90.**

**The Vote:**

**Aye: All**

**No: None**

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

**WHEREAS, the local municipal budget for the year 2011 was approved on the 14<sup>th</sup> day of March, 2011, and**

WHEREAS, the public hearing on said budget has been held as advertised, and

WHEREAS, it is desired to amend said approved budget,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-By-The-Sea, County of Monmouth, that the following amendments to the approve budget of 2011 be made:

	<u>FROM</u>	<u>TO</u>
<b>6. Amount to be Raised by Taxes</b>		
<b>For Support of Municipal Budget:</b>		
a) Local Tax for Municipal Pur-		
poses Including Reserve for		
Uncollected Taxes	\$ 3,678,369.00	\$ 3,344,149.00
Minimum Library Tax		
Per R.S. 40:54-80	0.00	334,220.00

BE IT FURTHER RESOLVED, that two certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services for his certification of the local municipal budget so amended.

The Vote:

Aye: All

No: None

The Mayor explained that this resolution is moving the library out of line item on budget and moving it to an item on the tax bill. It will show as a separate tax on the tax bill. This is by state law. The reason is because some libraries do not give back their surplus. It is not our case. Library surplus goes right back to the town's surplus. Other towns are not doing that. They need to show exactly where it was and then need resolution giving money back.

Mayor announces that this is the time advertised for second reading and hearing on 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 IT HEREBY ORDAINED by the Governing Body of the Borough of Avon-by-the-Sea, in the County of Monmouth, New Jersey, the following:

#### GENERAL PROVISIONS

1. The following salaries and wages are established as per the Borough Code.
2. Any pay shall be prorated on a per diem basis if necessary.
3. Board of Commissioners shall be able to hire a new employee in any Employment Designation at a particular salary level anywhere between the starting and maximum base for the designation in recognition of that person's previous training and experience.

4. These schedules and provisions shall continue in effect until subsequently amended.
5. With the exception of certain instances especially and separately directed by the Board of Commissioners, the provisions contained in all schedules below shall be paid retroactively to January 1 of the year 2011 as soon as practical after formal adoption of this ordinance on all earnings paid to date.
6. Regular full-time Police salaries are subject to the current contract with the Avon Policemen's Association of Local PBA No. 50.
7. Regular full-time Public Works and Utility salaries are subject to the current contract with the Teamsters Loan Union No. 701 which is on file in the office of the Clerk.
8. Regular full-time Supervisors are subject to the current contract which is on file in the office of the Clerk.
9. The Borough Clerk/Administrator is subject to the current contract which is on file in the office of the Clerk (collectively the Supervisors and Borough Clerk shall be referred to herein as "Supervisors").
10. The regular full-time Assistant Borough Clerk, Tax Collector and Administrative Assistant are subject to the current contracts which are on file in the office of the Clerk.
11. The Court Administrator is subject to the current contract which is on file in the office of the Clerk.

**SECTION 1. SALARIES/WAGES**

<u>Department/Position</u>	<u>2011</u>	<u>2012</u>
<b><u>Governing Body</u></b>		
Mayor	4,500.00	4,500.00
Commissioner	3,000.00	3,000.00
Commissioner	3,000.00	3,000.00
<b><u>Police Department</u></b>		
Police Chief	114,453.18	116,742.24
<u>Department/Position</u>	<u>2011</u>	<u>2012</u>
Captain	104,808.00	107,428.00
Lieutenant	98,466.00	100,928.00
<b>Police Officer hired before 9/24/98</b>		
Police Officer (after 5 years)	92,188.00	94,493.00
Police Officer (after 4 years)	77,656.00	
Police Officer (after 3 years)	73,995.00	
<b>Police Officer hired after 1/01/00</b>		
Police Officer (after 8 years)	92,188.00	94,493.00
Police Officer (after 7 years)	79,893.00	
Police Officer (after 6 years)	73,800.00	
Police Officer (after 5 years)	67,705.00	
Police Officer (after 4 years)	61,611.00	
Police Officer (after 3 years)	56,196.00	
Police Officer (after 2 years)	50,778.00	
Police Officer (after 1 year)	45,362.00	
Police Officer (Probationary)	41,978.00	
Police Officer (Academy)	39,269.00	

<b>Police Officer hired after 1/01/01</b>		
Police Officer (after 11 years)	92,188.00	94,493.00
Police Officer (after 10 years)	86,447.00	86,447.00
Police Officer (after 9 years)	81,247.00	81,247.00
Police Officer (after 8 years)	76,508.00	76,508.00
Police Officer (after 7 years)	71,769.00	71,769.00
Police Officer (after 6 years)	67,028.00	67,028.00
Police Officer (after 5 years)	62,290.00	62,290.00
Police Officer (after 4 years)	57,551.00	57,551.00
Police Officer (after 3 years)	53,488.00	53,488.00
Police Officer (after 2 years)	49,425.00	49,425.00
Police Officer (after 1 year)	45,362.00	45,362.00
Police Officer (Probationary)	41,978.00	41,978.00
Police Officer (Academy)	39,269.00	39,269.00

Temporary/part-time/hourly employees – all rates are reflective of employees being paid on an hour-for-hour basis in quarter hour increments rounded to the nearest quarter hour.

<b>Dispatchers (hourly)</b>	<b><u>Maximum Hourly Rate</u></b>
First Year	11.00
Second Year	11.50
Third Year	12.50
Fourth Year	13.00
<b>Class I Special Officers (hourly)</b>	
First Year	11.00
Second Year	11.50
Third Year	12.00
<b>Class II Special Officers (hourly)</b>	
First Year	13.50
Second Year	14.00
Third Year	15.00
<b>School Crossing Guards (hourly)</b>	9.75

<u>Department/Position</u>	<u>2011</u>	<u>2012</u>
<b><u>Fire Department</u></b>		
Fire Chief		675.00
Deputy Chief		560.00
Captain		445.00
First Lieutenant		390.00
Second Lieutenant		340.00
Chief Engineer		295.00
Assistant Engineer		225.00
<b><u>Borough Office</u></b>		
Borough Clerk	110,416.02	112,624.34
Tax Collector	46,652.00	47,585.00
Deputy Clerk	51,499.00	52,529.00
Administrative Assistant	32,435.00	33,084.00
<b><u>Water/Sewer Department</u></b>		
Superintendent	100,948.38	102,967.34
Part-time/seasonal (hourly)	11.00-13.00	11.00-13.00
<b><u>Library</u></b>		
Librarian	50,024.00	51,024.00
Librarian aides (part-time, hourly)	9.00-17.50	9.00-17.50
<b><u>Public Works/Street Department</u></b>		
Superintendent	99,948.78	101,947.75
Employees hired prior to 1/1/05		

Step 9 (after 13 years)	68,223.51	69,929.10
Step 8 (after 11 years)	65,044.76	66,670.88
Step 7 (after 8 years)	61,305.18	62,837.81
Step 6 (after 6 years)	56,871.97	58,293.77
Step 5 (after 4 years)	54,233.79	55,589.63
Step 4 (after 3 years)	49,339.20	50,572.68
Step 3 (after 2 years)	45,943.68	47,092.28
Step 2 (after 1 year)	41,590.56	42,630.32
Step 1 (Probationary)	38,559.29	39,523.27

**Employees hired after 1/1/05**

Step 13 (after 12 years)	51,593.06	51,593.06
Step 12 (after 11 years)	50,297.55	50,297.55
Step 11 (after 10 years)	49,002.05	49,002.05
Step 10 (after 9 years)	47,706.54	47,706.54
Step 9 (after 8 years)	46,411.04	46,411.04
Step 8 (after 7 years)	45,115.53	45,115.53
Step 7 (after 6 years)	43,589.89	43,589.89
Step 6 (after 5 years)	42,115.83	42,115.83
Step 5 (after 4 years)	39,360.84	39,360.84
Step 4 (after 3 years)	36,785.11	36,785.11
Step 3 (after 2 years)	34,378.55	34,378.55
Step 2 (after 1 year)	32,128.85	32,128.85
Step 1 (Probationary-1 <sup>st</sup> year)	30,028.16	30,028.16

**Sanitation**

**Department**

Sanitation employees' salaries are equivalent to the street department

employees listed above with the exception of:

Sanitation/street helpers year round "at will"	9.25-12.50
Summer sanitation helpers (hourly)	9.75-10.50
Summer Street Helpers (hourly)	7.25-7.75

**SECTION 2. The annual salaries of the following Borough Employees are hereby fixed and determined as follows:**

Tax Assessor	8,400.00
Hotel/Rooming House Inspector	575.00
Municipal Judge	17,218.00-17,562.00
Municipal Court Administrator	35,019.00-35,719.00
Welfare Director	3,650.00
Fire Inspector	2,600.00
Plumbing Inspector	6,500.00 – 7,500.00
Electrical Inspector	6,500.00 – 7,500.00
Recreation Director	18,000.00
Chief Financial Officer	30,000.00
Emergency Management Coordinator	2,000.00
Assistant Emergency Management Coordinator	1,000.00
Code Enforcement Official	6,000.00
Construction Code Official	7,000.00 – 8,000.00
Zoning Official	6,000.00
Construction Code Secretary	3,600.00
Recycling Secretary	2,200.00
Building Inspector	7,000.00 – 8,000.00

**SECTION 3. The annual salaries of the following Employees are hourly or daily as follows:**

Planning Board Secretary	20.00-30.00
Municipal Attorney	130.00
Municipal Prosecutor (per court session)	2,000.00 retainer plus 275.00/session
Deputy Court Administrator	15.00
Bureau of Fire Safety	21.00

Assistant Fire Bureau	11.00
Grant Coordinator	20.00 – 30.00
Occasional Employees	6.00 – 25.00
Public Defender	225.00/session

**SECTION 4. The annual salaries of the following Summer Employees are hereby fixed and determined as follows:**

Recreation Director	3,000.00-4,000.00
Beachfront Supervisor: (yearly)	
First Year	8,500.00
Second Year	9,500.00
Third Year	10,500.00
Fourth Year	11,500.00
Five or More Years	12,500.00
Chief Lifeguard	7,500.00 – 8,500.00
Beach Lifeguards: (daily)	
Captain	94.00-96.00
Step 6	88.00-90.00
Step 5	86.00-88.00
Step 4	82.00-84.00
Step 3	78.00-80.00
Step 2	73.00-75.00
Step 1	68.00-70.00
Beach Public Buildings:	
Custodians	9.00 – 11.50
Beach Cleaners	6.75-7.00
Beach Cashiers: (daily)	
1-3 years	67.00-69.00
4 years and over	72.00-74.00
Gate tenders (daily)	53.00
Sales Manager (hourly)	13.50-14.00
Pool Clean-Up Person	6.00-6.50
Pool Manager	7,500.00
Assistant Pool Manager (hourly)	15.00
Pool Lifeguards (daily)	
Step 4	72.00-74.00
Step 3	68.00-70.00
Step 2	63.00-65.00
Step 1	58.00-60.00
Pool Cashiers (daily)	
1 to 3 years	65.00
4 years and over	70.00

**SECTION 5. (OVERTIME)** The annual salaries heretofore fixed and determined are based on a 40 hour work week for all full time employees. In the event said employees are authorized by the Supervisor of their department to work overtime, said employee shall be entitled to be paid one and one-half times the hourly rate that their annual salaries would equal on a 40 hour basis for each hour of overtime. The Police Department and Public Works Department shall be governed by their contract. Overtime pay shall not apply to the Supervisors who are considered to be on call for Borough business at all times; however, compensatory time will be allowed pursuant to their respective contracts.

**SECTION 6. (PAID HOLIDAYS)** All full time employees will receive fourteen (14) paid holidays off, which must be taken during the calendar year.

**SECTION 7. (PAID VACATION)** All full time employees with the exception of employees covered by a separate contract are entitled to annual vacation leave according to the following schedule:

New employees – for the first year’s work	1 week
After first year and up to the tenth year	2 weeks
After tenth year and up to twenty years	3 weeks
After twenty years	4 weeks

**SECTION 8. (LONGEVITY)** All full time non-contractual employees and the Municipal Court Judge shall receive as additional compensation the following:

<u>Beginning With</u>	<u>Longevity Amount</u>
Fifth year of service	2% of base salary
Tenth year of Service	4% of base salary
Fifteenth year of service	6% of base salary
Twentieth year of service	8% of base salary
Twenty-fifth year of service	10% of base salary

All contractual employees shall receive additional compensation pursuant to their respective contracts.

Longevity will be paid during the first pay period of December of that year and will not be a part of the monthly earnings.

**SECTION 9. (PERSONAL DAYS)** All full time employees shall be entitled to personal days pursuant to their respective contracts.

**SECTION 10. (HEALTH INSURANCE)** The Borough shall provide full time Borough employees with health insurance coverage as provided by the applicable contract. Other than police officers, Borough employees shall contribute 1.5% of their base salary towards the cost of health insurance. Police officers shall contribute 1.75% of their base salary towards the cost of health insurance.

The Borough shall continue to pay premiums for any Borough employee who has retired after not less than twenty-five (25) years of full time service until said employee reaches the age at which time he/she is entitled to and eligible to enroll in the Medicare program as their primary insurer. The Borough shall pay for the secondary/supplemental insurer.

**SECTION 11. (SICK TIME)** Full-time employees shall be entitled to sick days pursuant to their respective contracts.

**SECTION 12. (TERMINAL LEAVE)** All full time employees shall be entitled to terminal leave pay pursuant to their respective contracts.

The Municipal Court Clerk shall not receive terminal leave benefits.

**SECTION 13.** All other terms and conditions of the contracts of the Police Department, Public Works Department, Borough Supervisors, Borough Clerk, Deputy Clerk, Tax Collector and Administrative Assistant between the parties are hereby ratified and reconfirmed.

**SECTION 14.** This ordinance shall take effect upon final passage and publication according to law, and shall be retroactive to January 1, 2011.

**Would anyone like to be heard on the above ordinance? No one.**

**Motion by McGovern seconded by Mahon that the above Ordinance No. 1-2011 be approved on second reading and its passage published in a newspaper as required by law.**

**The Vote:**

**Aye: All**

**No: None**

**Mayor announces that this is the time advertised for second reading and hearing on 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.”**

**Would anyone like to be heard on the above ordinance?**

**Richard Maloney, Plan. Bd. Chair. – explained some of the recommendations the Planning Board is making. Further discussion took place.**

**Motion by Mahon seconded by \_\_\_\_\_ that the above Ordinance No. 2-2011 be approved on second reading and its passage published in a newspaper as required by law.**

**The Vote:**

**Aye: \_\_\_\_ (Ordinance didn't pass due to lack of a second)**

**No: \_\_\_\_**

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

**BOND ORDINANCE NO. 3-2011 entitled:**

**“BOND ORDINANCE PROVIDING FOR VARIOUS  
CAPITAL BEACH IMPROVEMENTS OF THE  
BOROUGH OF AVON-BY-THE- SEA, IN THE  
COUNTY OF MONMOUTH, NEW JERSEY, APPRO-  
PRIATING THE AGGREGATE AMOUNT OF \$120,000  
THEREFOR AND AUTHORIZING THE ISSUANCE  
OF \$114,000 BONDS OR NOTES OF THE BOROUGH  
TO FINANCE PART OF THE COST THEREOF.”**

**be introduced on first reading.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the above Bond Ordinance No. 3-2011 be taken up on second reading with a hearing on April 25, 2011 at 7:30 p.m. in the Municipal Building.**

**The Vote:**

**Aye: All**

**No: None**

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

**BOND ORDINANCE NO. 4-2011 entitled:**

**ø BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL WATER IMPROVEMENTS OF THE BOROUGH OF AVON-BY-THE-SEA, MONMOUTH COUNTY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$500,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$475,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”**

**be introduced on first reading.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the above Bond Ordinance No. 4-2011 be taken up on second reading with a hearing on April 25, 2011 at 7:30 p.m. in the Municipal Building.**

**The Vote:**

**Aye: All**

**No: None**

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

**BOND ORDINANCE NO. 5-2011 entitled:**

**“ BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS OF THE BOROUGH OF AVON-BY-THE-SEA, MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$600,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$570,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”**

**be introduced on the first reading.**

**The Vote:**

**Aye: All**

**No: None**

**Motion by McGovern seconded by Gorman that the above Bond Ordinance No. 5-2011 be taken up on second reading with a hearing on April 25, 2011 at 7:30 p.m. in the Municipal Building.**

**The Vote:**

**Aye: All**

**No: None**

**Mayor announces that an application has been received for the renewal of the Seasonal Retail Consumption License for the Norwood Inn, 618 Second Avenue.**

**Are there any objections to this license renewal? No one.**

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

**BE IT RESOLVED that the Board of Commissioners do hereby approve the renewal of the Seasonal Retail Consumption License No. 1305-34-001-004 for the Key East, Inc., T/A the Norwood Inn, at the fee of \$1,500.00 effective May 1, 2011 with the following conditions:**

- 1. No amplifiers inside or outside that disturb neighbors.**
- 2. No interior or exterior lighting be directed at neighbors.**
- 3. No loud music.**
- 4. No additional bars shall be constructed on premises.**
- 5. Patio bar hours restricted to 11:00 a.m. to 8:00 p.m.**
- 6. The Norwood Avenue door to be used as an Emergency Exit only.**
- 7. The following dress code shall be enforced: No bathing suits after 7:00 p.m.**
- 8. Any recommendations of the Fire Inspector and/or Hotel/Rooming House Inspector are complied with.**
- 9. Licensee must establish and maintain a smoking area outside their establishment on their own property. A map of said area must be submitted to the Borough office for approval.**

**The Vote:**

**Aye: All**

**No: None**

**Mayor announces that an application has been received for the renewal of the Seasonal Retail Consumption License for the Avon Hotel Corp., 601 Ocean Avenue.**

**Are there any objections to this license renewal? No one.**

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

**BE IT RESOLVED that the Board of Commissioners do hereby approve the renewal of the Seasonal Retail Consumption License No. 1305-34-004-003 for the Avon Hotel Corp., T/A the Columns at the fee of \$1,500.00 effective May 1, 2011 with the following conditions:**

- 1. No amplifiers inside or outside that disturb neighbors.**
- 2. No interior or exterior lighting be directed at neighbors.**
- 3. No loud music.**
- 4. No additional bars shall be constructed on premises.**
- 5. The following dress code shall be enforced: No bathing suits after 7:00 p.m.**
- 6. Any recommendations of the Fire Inspector and/or Hotel/Rooming House Inspector are complied with.**
- 7. The Board of Commissioners have the right to restrict the operation of the porch.**
- 8. Alcoholic beverages served with food service only on the porch. No new porch seating after 10:00 p.m. All porch service ceased by 11:00 p.m.**
- 9. Raw bar/grille room will provide food & bar service as per submitted plans to the Borough.**
- 10. Licensee must establish and maintain a smoking area outside their establishment on their own property. A map of said area must be submitted to the Borough office for approval.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that the contract for the Water Storage Tank Rehabilitation be awarded to U.S. Tank Painting, Inc., Millstone Twp., NJ for the low bid of \$25,000.00.**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby authorize the refund of a 2011 duplicate tax payment to the following:**

**Block 34 Lot 6.01 CoreLogic Tax Service 115 Sylvania Ave. \$3,682.04**

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION offered by Gorman seconded by McGovern that the Board of Commissioners hereby approve the appointment of John Anderson to the Avon Fire Department.**

**The Vote:**

**Aye: All**

**No: None**

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

**WHEREAS, the Mandatory Source Separation and Recycling Act, P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and**

**WHEREAS, it is the intent and spirit of the Mandatory Source Separation and Recycling Act to use the tonnage grants to develop new municipal recycling programs and to continue and expand existing programs; and**

**WHEREAS, the New Jersey Department of Environmental Protections promulgating recycling regulations to implement the Mandatory Source Separation and Recycling Act; and**

**WHEREAS, the recycling regulations impose on municipalities certain requirements as a condition for applying for tonnage grants, including, but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and**

**WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants for the calendar year 2010 will memorialize commitment of this municipality to recycling and indicate assent of the Board of Commissioners to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and recycling regulations; and**

**WHEREAS, such a resolution should designate the individual authorized to ensure that the application is properly completed and timely filed.**

**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners of the Borough of Avon-By-The-Sea hereby endorses the submission of a Municipal Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection, Office of Recycling and designates Jeff Bramhall to ensure that the said application is properly filed.

**BE IT FURTHER RESOLVED** that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust fund to be used solely for the purposes of recycling.

**The Vote:**

**Aye: All**

**No: None**

**RESOLUTION** offered by McGovern seconded by Gorman that Country By The Sea is granted permission to use Marine Place behind Country By The Sea for a Home & Garden event on May 7, 2011 from 9:00 a.m. to 5:00 p.m.

**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 Monmouth Medical Center Foundation to be held on May 22, 2011 at The Norwood Inn.

**The Vote:**

**Aye: All**

**No: None**

**Motion** by McGovern seconded by Gorman that the bills in the amount of \$304,039.21 be approved for payment.

**The Vote:**

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

**No: None**

**Supervisor's report:**

**Jeff Bramhall, DPW Supt.** – as of Jan. 1<sup>st</sup> no electronics are allowed in the trash. This is a state law. There is a drop off area at the DPW yard and all stores licenses to sell electronics in NJ are supposed to take your old electronics when you buy new.

**Karl Klug, Water Supt.** – replaced some water mains, couple of new hydrants going in.

**Charley Rooney, Engineer** – Norwood Ave. contractors coming back to finish up a few items.

**Doug Carter, Recreation Dir.** – announced that the spring and summer activities are beginning.

**Lt. Mike Pelech, Avon P.D.** – they are gearing up for the summer. Have hired 5 new Class I officers.

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

**David Schneck - wanted to introduce himself as a Libertarian running for Assembly in the 30<sup>th</sup> Legislative District.**

**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**