

REGULAR MEETING – JULY 13, 2009 – 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 June 22, 2009 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that,

ORDINANCE NO. 12-2009 entitled:

“ AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 104, ENTITLED “FLOOD DAMAGE PREVENTION” OF THE CODE OF THE BOROUGH OF AVON-BY-THE-SEA, MONMOUTH COUNTY, NEW JERSEY. ”

be introduced on first reading.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the above Ordinance No. 12-2009 be taken up on second reading with a hearing on July 27, 2009 at 7:30 p.m. in the Municipal Building.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Avon Home and School Association is hereby approved to conduct a 50/50 Raffle to be held at the Avon Elementary School, Lincoln & Fifth Aves, Avon, September 28, 2009 at 2:30 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman giving permission for the Special Operations Warrior Foundation to use the East End Avenue Beach for a charity event on July 18, 2009.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Robin McGill School of Dance has permission to hold a fund raising car wash in the Municipal parking lot on August 15th from 9:00 a.m. to 1:00 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby approve the following Hotel and Rooming House licenses.

Hotel Licenses:

The Columns Hotel

The Norwood Inn

The Cashelmara Inn

Rooming House Licenses:

Frank Giordano

The Atlantic View Inn

The Twin Pines

Sophie Feskos

The Ocean View Inn

The Avon Manor

Inactive Licenses:

Craig Suchecki

Nora Lane

The Lee House

Winifred Larkin

Muriel Rodgers

The Vote:

Aye: All

No: None

RESOLUTION offered by _____ seconded by _____ authorizing the refund of fees paid by Kevin & Renee McGorry to appeal a decision made by the Avon Zoning Official. The amounts to be refunded are:

Application Fee	\$210.00
Other Fees	247.44
Escrow Account	<u>700.00</u>
For a total of :	\$1,157.44

The Vote:

Aye: ____

No: ____ (See next page)

Barry Cooke, Borough Attorney – his recommendation is that the Board not pass this resolution. This is a request for reimbursement for an appeal before the Planning Board. There's been no favorable decision from the Planning Board in favor of the applicant and even if there was, his opinion would be it still shouldn't be done. My concern for this particular application is that one of the Commissioners participated in the appeal. The Commissioner could be a beneficiary of this decision by the Board.

Kevin & Renee McGorry were present. Further discussion took place between the McGorry's and Mr. Cooke.

No motion was made to pass resolution. Mayor said as no motion was made the resolution dies.

Motion by McGovern seconded by Gorman that the bills in the amount of \$345,708.01 be approved for payment.

The Vote:

Aye: All

No: None

Reports from Dept. Heads:

Sheila Watson, Librarian – book sale took place this weekend and \$4,400 was made. We recycled all of the left over hard covered books. Thanked Mrs. Murday, Marie Kenny, Wally French & Kathy O'Neil for their help. Also, reported that the wall is still being worked on. Not expecting stairs to be done until Sept.

Karl Klug, Water Supt. – new equipment at water plant is running. Engineer is putting together specs for pigging to be done in Sept.

Terry Mahon, Police Chief – working on trying to slow traffic on Sylvania Ave.

Mayor and Barry Cooke announced that the Borough now owns a marina!

Mayor asks if anyone would like to be heard?

John Pheifer, 19 Norwood Ave. – complained that the wall at the pool for the kids to play ball on is noisy. Comm. McGovern said they are looking into ways to remedy the problem.

Jim Sarno, 24 Norwood Ave. – asked about noise ordinance. Swim teams at pool very early, Borough mowing grass very early. Commissioners will discuss not mowing so early with DPW. Have talked to swim teams about keeping noise down. Can call police if they get noisy.

Discussion took place on the safety and security of the marina.

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

The Vote:

Aye: All

No: None

Robert Mahon, Mayor

Robert P. McGovern, Commissioner

Francis E. Gorman, Commissioner

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