

REGULAR MEETING – MARCH 22, 2010 – 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 8, 2010 be approved as written.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 2-2010 entitled:

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

ARTICLE X

Fees, Guaranties and Inspections

113-47. Fees for Review and Hearings.

- a. Every application for development shall be accompanied by a check or checks payable to the Borough of Avon-by-the-Sea. Such fees shall be submitted prior to the scheduling of any hearing of any application for development. Separate checks shall be submitted for application and escrow fees.**
- b. The following fees shall be required for applications for development. The applicant is required to pay an Application Fee and a Professional Services Escrow Fee for fees charged by a professional, including but not limited to, review and advise of development application, review and preparation of documents and inspection of developments under construction, review by outside consultants as determined by the board, and preparation of any reports and resolutions. The applicant shall be responsible for the entire cost of professional fees. With regard to Professional Services Escrow Fees, the listed fee is the initial fee to be provided. In the event that more than 75% of the initial professional escrow fee is**

utilized, the Planning Board Secretary shall request additional fees to cover anticipated additional costs. Such additional fees shall be provided by the applicant prior to the next scheduled hearing. No hearing shall be held without the requested fees being deposited with the Borough at least ten (10) days in advance of the scheduled hearing.

c.

Classification	Application Fee	Professional Services Initial Escrow Fee
(1) Application for Site Development Permit	\$ 25.00	
(2) Application Municipal Land Use Certificate	\$ 50.00	
(3) Subdivision		
Minor	\$ 350.00 /Lot	\$ 1,000.00
Major, Preliminary	\$ 350.00 /Lot	\$ 500.00/Lot
Major, Final	\$ 350.00 /Lot	\$ 500.00/Lot
Informal Review	\$ 250.00 /Lot	\$ 500.00/Lot
Extension of Time	\$ 350.00 /Lot	\$ 500.00
(4) Site Plans		
Major, Preliminary	\$ 750.00	\$ 1,800.00
Major, Final	\$ 500.00	\$ 1,000.00
Informal Review	\$ 350.00	\$ 500.00
Extension of Time	\$ 350.00	\$ 500.00
Appeals of Zoning Officer Decision	\$ 350.00	\$ 1,000.00
Interpretations	\$ 350.00	\$ 1,000.00
C-1 or C-2 Variances		
Residential	\$ 150.00 /variance	\$ 1,800.00
Non-residential	\$ 300.00 /variance	\$ 1,800.00
Use (D1 – D6)		
Residential	\$ 350.00 /Lot	\$ 1,800.00
Non-residential	\$ 750.00	\$ 2,500.00
(4) Conditional Use	\$ 300.00	
(5) Appeal to Committee of Planning Board “D” variance approval	\$ 500.00	\$ 750.00
(6) Special Meetings	\$ 750.00	\$ 1,000.00
(7) Certified List of	\$ 20.00	

Classification	Application Fee
Property Owners	
(8) Copy of Minutes or Decision of Planning Board	\$0.25 for pages 1 thru 10 \$0.20 for pages 11 thru 20 \$.015 for all additional pages

- d. Where one (1) application represents several elements, the sum of all fees shall be paid.

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

Motion by McGovern seconded by Mahon that the above Ordinance No. 2-2010 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 Gorman seconded by McGovern that,

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

WHEREAS, a list of said public property is on file and available for public review in the Clerk's office,

NOW, THEREFORE, BE IT RESOLVED, that the property will be sold for scrap or be sold on a first come basis at a set price after adequate public notification.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that,

WHEREAS, a successful State Tax Court Appeal judgment was awarded to Block 40.02, Lot 8 and,

WHEREAS, the assessed value for Block 40.02, Lot 8, changed by a \$16,500.00 reduction, resulting in an overpayment of taxes and interest of \$852.71 and,

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of the Borough of Avon-by-the-Sea, that the Tax Collector be and is hereby authorized to reduce the billings on Block 40.02, Lot 8 due to the successful State Tax Court Appeal, for taxes and interest in the amount of \$852.71.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby authorize the refund of the overpayment of 2009 property tax payments to the following:

Block 51 Lot 9.02 Higgins 110 Washington Ave. \$ 72.00

The Vote:

Aye: All

No: None

Motion by Mahon seconded by Gorman that the bills in the amount of \$589,025.16 be approved for payment.

The Vote:

Aye: All (Mayor abstained from P.D. bills)

No: None

Mayor asks if anyone would like to be heard? No one.

Motion by Mahon 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**