

REGULAR MEETING – MARCH 23, 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 Mayor that the minutes of the meeting of March 9, 2009 be approved as written.

The Vote:

Aye: All (Comm. Gorman absent)

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

BOND ORDINANCE NO. 6-2009 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 \$550,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$346,750 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. 6-2009 be taken up on second reading with a hearing on April 13, 2009 at 7:30 p.m. in the Municipal Building.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that,

WHEREAS, N.J.S.A. 40A:4-19 provides that every municipality must make temporary appropriations during the period of January 1st to adoption of the budget sufficient to cover commitments made during the period of January 1st to the date of adoption of the 2009 budget,

WHEREAS, the 2009 budget will not be adopted until after April 1st and commitments need to be covered until the date of adoption.

WHEREAS, the total emergency resolutions adopted in the year 2009 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A. 40A:4-20) including this resolution total \$2,027,851.05.

NOW, THEREFORE, BE IT RESOLVED, that these appropriations shall constitute an amendment to the 2009 Temporary Budget of \$1,511,138.29 for the Borough of Avon-By-The-Sea, Monmouth County, New Jersey.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Division of Local Government services requires the adoption of a Local Capital Budget, and

WHEREAS, the local capital budget for the year 2009 has not yet been adopted, and

WHEREAS, it is desired to adopt a temporary capital budget for the year 2009,

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-By-The-Sea, County of Monmouth, that the following capital appropriation be made:

	Estimated	Amounts Reserved in	2009 Budget Appropriation	Capital Improvement Fund	Capital Surplus	Grants-in-Aid & Other Funds	Debt Authorized
Variuos Road Im-Provements	475,000	Prior Years	475,000	14,500	0.00	185,000	275,500
Municipal Pool Renovations	75,000		75,000	3,750	0.00	0.00	71,250
Total All Projects	550,000		550,000	18,250	0.00	185,000	346,750

BE IT FURTHER RESOLVED, that the above item will be provided for in the 2009 Capital Budget, and

BE IT FURTHER RESOLVED, that three certified copies of this resolution be filed forthwith in the Office of the Director of Local Government Services.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon 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 1st annually, a list of uncollectible taxes for the year 2008 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 2008:

Block 3 Lot 2 Borough of Avon 2008 \$1,518.17 Reason = Tax Exempt

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 McGovern seconded by Mahon that the Board of Commissioners hereby authorize the cancellation of 2009 water/sewer charges for the following accounts:

Block 29 Lot 17	414 Lincoln Avenue	High Estimate	\$278.40
Block 15 Lot 15	422 Sylvania Avenue	C/O Date	87.50

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon 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, 2009 through March 31, 2010. This fee will be increased if additional weekly files are requested.

The Vote:

Aye: All

No: None

Motion by Gorman seconded by McGovern that the bills in the amount of \$285,770.76 be approved for payment.

The Vote:

Aye: All (Mayor abstains from Pol. Dept. bills)

No: None

Mayor asks if anyone would like to be heard?

Leo Fink – Avon had highest percentage of tax increase for 2008 according to an article he read? Mayor read same article and has asked for clarification as to where the information came from. Has not had response yet.

Al Hilton – find better solution for removal of garbage from beach? Comm. McGovern have been looking at different solutions – trucks, containers, evening pick-up, etc.

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**