

REGULAR MEETING – MAY 10, 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 Mahon that the minutes of the meeting of April 26, 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. 3-2010 entitled:

**“ ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 64, BEACHES, OF THE CODE OF THE
BOROUGH OF AVON-BY-THE-SEA, MONMOUTH
COUNTY, NEW JERSEY. ”**

Article II. Registration and Admission to Beaches.

64-7. Fees for Badges.

The fees for identification badges shall be as follows:

- (1) Badge valid from opening day through closing day: ninety dollars (\$90.00).**
- (2) Senior Citizen (age sixty five (65) and over): Badge valid from opening day through closing day: forty five dollars (\$45.00).**
- (3) Young Adult (age twelve (12) through eighteen (18): Badge valid from opening day through closing day: forty five dollars (\$45.00).**
- (4) Wrist I.D. Bands for one (1) day (including weekends and holidays): nine dollars (\$9.00).**

All other terms and conditions of this ordinance shall remain in effect.

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

Motion by McGovern seconded by Mahon that the above Ordinance No. 3-2010 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. 4-2010 entitled:

**“ ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 133, RECREATION FEES AND FACILITIES,
OF THE CODE OF THE BOROUGH OF AVON-BY-THE-
SEA, MONMOUTH COUNTY, NEW JERSEY. ”**

ARTICLE IV. Municipal Swimming Pool.

133-17. Charges for Badges.

The following rates shall be charged for the identification badges issued, which badges shall not be transferable and without which no person may use the said facility:

- A. Season Adult Badges (ages 15 through 59): Residents: eighty dollars (\$80.00). Non-residents: ninety dollars (\$90.00).**
- B. Season Child Badges (ages 3 through 14): Residents: sixty dollars (\$60.00). Non-residents: seventy dollars (\$70.00).**
- C. Daily Guest Badge, available to season badgeholders only: nine dollars (\$9.00) for adults (ages 15 and over); eight dollars (\$8.00) for children (ages 3 through 14).**
- D. Senior Citizens Badges (age 60 through 69): Residents: sixty dollars (\$60.00). Non-residents: seventy dollars (\$70.00).**

All other terms and conditions of this ordinance shall remain the same.

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

Motion by Gorman seconded by McGovern that the above Ordinance No. 4-2010 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,

ORDINANCE NO. 5-2010 entitled:

**“ ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 161, VEHICLES AND TRAFFIC, 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 Gorman seconded by McGovern that the above Ordinance No. 5-2010 be taken up on second reading with a hearing on May 24, 2010 at 7:30 p.m. in the Municipal Building.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern 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 \$3,326,376.00 of the unpaid balance, and

WHEREAS, the current deferred school tax is \$1,253,501.75, and

BE IT FURTHER RESOLVED that an additional amount of \$243,228.95 of unpaid school tax be deferred, bringing the total to \$1,496,730.70,

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 Mahon seconded by McGovern that,

WHEREAS, the voters of the Avon-By-The-Sea School District at an election duly held on April 20, 2010, rejected the proposed 2010-2011 School Budget submitted by the Avon-By-The-Sea Board of Education which called for a local tax levy of \$3,136,758.00 and a debt service of \$31,760.00, and

WHEREAS, the Commissioner of Finance and Borough Administrator did meet and consult with members of the Board of Education Finance Committee and the School Superintendent and School Administrator,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Avon-By-The-Sea hereby determines that a general fund tax levy of \$3,116,758.00 is necessary and sufficient to provide a thorough and efficient education in the Avon-By-The-Sea School District for the fiscal year July 1, 2010 to June 30, 2011 and additionally debt service of \$31,760.00, and

BE IT FURTHER RESOLVED, that the general fund tax levy represents a reduction of \$20,000.00 from the tax levy submitted by the Board of Education, and

BE IT FURTHER RESOLVED, that this reduction be accomplished in the following areas:

1. Tuition to other LEAs within the state – Regular	\$3,000.00
2. Administration	
a. Reduction of legal fees	4,000.00
3. School Sponsored Athletics	7,800.00
4. School Sponsored Extra Curricular Activities	250.00
5. Transportation – Student Services	4,950.00

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby authorize the refund of second quarter 2010 property tax payments to the following:

Block 8 Lot 5.04 Residences at Avon 809 Ocean Unit 4 \$792.16

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Board of Commissioners hereby approve the contract between the Borough of Avon-By-The-Sea and Teamsters Local Union No. 701. Said contract effective January 1, 2010 through December 31, 2012.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the bills in the amount of \$934,661.91 be approved for payment.

The Vote:

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

No: None

Dept. Heads report:

Jeff Bramhall, Supt. D.P.W. – We have a junk mail dumpster at D.P.W. now. It is voluntary only at this time.

Karl Klug, Water Supt. – water plant up and running this week. Will be flushing hydrants soon.

Charlie Rooney, Engineer – Norwood Ave. Phase II project will be done in the fall.

Sheila Watson, Librarian – summer hrs. begin 2nd Mon. in June. Will be working on the front doors – received grant from Monmouth County Historical Commission.

Barry Cooke, Attorney – draft of bonfire ordinance done.

Mr. Gallagher – we applied for a federal grant about 1 ½ yrs. ago for replacement of the old pumper fire truck. We were awarded \$261,250. Introduces Harry Cuttrel, Pres. of the Avon Fire Dept. who will discuss further.

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**