

REGULAR MEETING – NOVEMBER 10, 2008 – 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 Mahon seconded by Gorman that the minutes of the meeting of October 27, 2008 be approved as written.

The Vote:

Aye: All (Comm. McGovern absent)

No: None

RESOLUTION offered by McGovern seconded by Gorman that,

WHEREAS, there are unexpended balances of appropriations which are not needed, and other appropriations which will be deficient,

NOW, THEREFORE, BE IT RESOLVED that the following 2008 appropriation transfers be authorized:

FROM: Beach Legal	3,000.00
Beach Landfill	1,000.00
Beach Engineer	400.00
TO: Beach Gasoline	4,400.00
FROM: Elections	1,200.00
Bloodborne Pathogens	1,500.00
TO: Gasoline	2,700.00
FROM: Planning Board O.E.	4,000.00
Landfill	3,000.00
TO: Street Lighting	7,000.00

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by McGovern that the bid for Improvements to the Library Wall be awarded to Twin Cedars, Inc., Lavallette, NJ for the low bid amount of \$33,300.00 pending certification of funds by the C.F.O.

The Vote:

Aye: All

No: None

Mr. Gallagher explained that this is coming of the library budget this year. It has no impact on the Capital budget.

Sheila Watson, Librarian said that the entire perimeter wall, sidewalk, stairs and railing will be done.

RESOLUTION offered by Gorman seconded by McGovern that the Board of Commissioners hereby authorize Borough Administrator Timothy Gallagher to sign a Memorandum of Understanding between the Borough of Avon-By-The-Sea and Officer Thomas Calmon.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, due to years of sediment build-up, the future of Shark River Bay as a natural habitat for wildlife and as a source of recreation is threatened; and

WHEREAS, the dredging of Shark River Bay achieves three direct benefits: acceptable water quality, improved habitat and improved navigation; and

WHEREAS, over one million cubic yards of dredged material has been identified for removal from federal and state navigation channels and from public and private marinas; and

WHEREAS, accomplishment of this task in a reasonable number of years (i.e. less than 10 years) requires a minimum of 150,000 cubic yards dredged per year and a minimum permitted upland 10-acre de-watering facility site with transportation access, ideally adjacent to a roadway so that the material may be transported for beneficial use; and

WHEREAS, the dredged material would remain at a drying site for approximately six months before transportation to the Neptune Township landfill for beneficial reuse; and

WHEREAS, the five municipalities bordering the Shark River Bay (Neptune, Neptune City, Belmar, Avon and Wall) agree that it should be dredged and they jointly established a committee to develop a plan to dredge the river as well as develop a visioning plan for future protections and use of the river; and

WHEREAS, it is understood that the State of New Jersey Department of Transportation State Channel Dredging Program has over \$1 million in funds “on hold” in order to dredge Shark River Bay state channels and prepare a site to accept dredged materials; and

WHEREAS, the dredge plan presented to the committee identified a drying site adjacent to Shark River Bay at the former Camp Evans site in Wall Township which was used as a drying site in the past and is ideally suited for this purpose for environmental, economic and logistical reasons; and

WHEREAS, the Township of Wall has decided not to allow use of this historic drying site to dry the material from the proposed dredging, thereby stalling the project for over two years and threatening the vision for and the very existence of the Shark River Bay; and

WHEREAS, via numerous grants over a period of years the State of New Jersey has made a huge investment (\$8,447,498) in the Shark River Bay Region to date;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Avon-By-The-Sea does hereby urge the Township of Wall to help “Save the River” by allowing the use of the Camp Evans historic drying site for dredge material to ensure the very existence of Shark River Bay as a natural sanctuary for wildlife and a source of recreation for residents of and visitors to the region.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the bills in the amount of \$1,097,138.03 be approved for payment.

The Vote:

Aye: All (Mayor Mahon abstained from Pol. Dept. bills)

No: None

Mayor asks if anyone would like to be heard?

Chief Mahon reminded everyone about parking during snow. They will be removing the portable stop signs from 3rd Ave. intersections. Reminded everyone about reverse 911 and to let the police dept. know about any phone number changes.

Jeff Bramhall reminded all that we are in leaf season – don’t park cars on top of leaf piles. They have a new machine that is a little bigger than the old one so allow a little more room between your leaf piles and parking your car. Please bear with us, the leaves came down all at once, we are out there everyday. Karl Klug couldn’t make meeting but asked to remind everyone to turn off outside spigots, showers, sprinklers.

Sheila Watson thanked Commissioners for approving the wall project at the library. Library will be open during construction. Enter through the handicap entrance downstairs.

Marie Kenny asked if there was anything new on the marina? Barry Cooke has been unable to reach the attorney or owner of the property. Last he heard was that they were getting money to rehab the place to bring the marina back to working order.

Mr. Gallagher said that we have not withdrawn our applications for funding to buy the property.

Marie Kenny – pool area needs so much work, is there anything in the works to increase pool rates? Comm. McGovern said that they haven’t had any discussions about raising pool rates at this time.

Comm. McGovern announced the meeting being held here on Wed. at 7:00 pm about the dredging of Shark River.

Mr. Gallagher announced that the Boy Scouts will be collecting food Sat., Nov. 22nd.

Motion by McGovern seconded by Mahon 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**