

REGULAR MEETING – NOVEMBER 24, 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 McGovern seconded by Mahon that the minutes of the meeting of November 10, 2008 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Borough of Avon-By-The-Sea is a member of the Monmouth Municipal Joint Insurance Fund, and

WHEREAS, said renewed membership terminates as of December 31, 2008 unless earlier renewed by agreement between the Municipality and the Fund, and

WHEREAS, the Municipality desires to renew said membership;

NOW, THEREFORE, BE IT RESOLVED, as follows:

- 1. The Borough of Avon-By-The-Sea agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the bylaws, rules and regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.**
- 2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.**

The Vote:

Aye: Commissioner McGovern, Commissioner Gorman, Mayor Mahon

No: None

RESOLUTION offered by Mahon seconded by McGovern that,

WHEREAS, the New Jersey Board of Public Utilities, Office of Clean Energy administers the Local Government Energy Audit Program, an incentive program to assist local government agencies to conduct energy audits and to encourage implementation of energy conservation measures; and,

WHEREAS, the Governing Body of the Borough of Avon-by-the-Sea has decided to apply to participate in the Local Government Energy Audit Program; and,

WHEREAS, the facilities to be audited are in New Jersey, are owned by the Borough of Avon-by-the-Sea, are served by a New Jersey regulated public utility, and that the Borough of Avon-by-the-Sea has not already reserved \$100,000 in the Program this year as of this application; and,

WHEREAS, it is acknowledged that acceptance into the Program is dependent on the Scope of Work and cost proposal, and that Program rules will have to be met in order to receive incentive funds; and,

WHEREAS, upon acceptance into the Program, the Borough of Avon-by-the-Sea will prepare Facility Data Forms and Scopes of Work for each facility to be audited, solicit quotations from the authorized contractors, and submit the Part B application; and,

WHEREAS, the Borough of Avon-by-the-Sea understands that energy audit work cannot proceed until a Application Approval Notice is received from the Program; and,

NOW, THEREFORE, BE IT RESOLVED by the Governing Body of the Borough of Avon-by-the-Sea, approves the submission of an Application for participation in the Local Government Energy Audit Program of the New Jersey Board of Public Utilities.

The Vote:

Aye: All

No: None

Mr. Gallagher explained that this grant is for 75% of cost of the audit. We pay 25%. If we do what the audit tells us to or any part of it, we get out 25% back.

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for equal amount,

WHEREAS, the Borough of Avon has received a grant of \$1,912.32 from the State of New Jersey Department of Environmental Protection and wishes to amend its 2008 budget to include this amount as revenue,

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners hereby request the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2008 in the sum of \$1,912.32 which item is now available as a revenue from:

MISCELLANEOUS REVENUES:

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:

Department of Environmental Protection Recycling Grant

pursuant to provisions of statute, and

BE IT FURTHER RESOLVED, that a like sum of \$1,912.32 be and the same is hereby appropriated under the caption:

GENERAL APPROPRIATIONS

(a) Operations Excluded from 5% CAPS

State and Federal Programs Off-Set by Revenues:

Department of Environmental Protection Recycling Grant

BE IT FURTHER RESOLVED, that the Borough Clerk forward two copies of this Resolution to the Director of Local Government Services.

The Vote:

Aye: All

No: None

Mr. Gallagher explained that the above resolution allows us to spend money received that is not in the current budget.

RESOLUTION offered by Mahon seconded by McGovern that the Board of Commissioners hereby authorize the Borough Clerk to sign a one year contract with the Associated Humane Societies, Inc. for animal control services for 2009.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the bills in the amount of \$938,107.95 be approved for payment.

The Vote:

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

No: None

Mayor asks if anyone would like to be heard?

Comm. Gorman encouraged everyone to attend the meeting in Wall Twp. Tomorrow night in support of the Shark River dredging project.

It was asked if there was anything on affordable housing – Mayor explained that they met with our consultant and he reviewed with us what our remaining obligations are. He indicated to us that there have been some minor changes. He put together a plan that he considers to be our actual requirement at this time. The plan has to go before the Planning Board to make them aware of it and get their approval which we are doing on Dec. 11th. The plan pretty much reflects continuation of the last plan we had.

Motion by Gorman 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**