

REGULAR MEETING – OCTOBER 27, 2008 – 7:30 P.M.

Pledge of Allegiance.

Roll Call: Commissioner Gorman, Mayor Mahon.

Absent: Commissioner McGovern

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 Gorman seconded by Mahon that the minutes of the meeting of October 14, 2008 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by Gorman seconded by Mahon that,

WHEREAS, the State of New Jersey has reduced financial aid to municipalities; and

WHEREAS, it is anticipated that the State of New Jersey will continue to reduce financial aid and in some instances eliminate all financial aid to municipalities; and

WHEREAS, the State of New Jersey has reduced financial aid to the Borough of Avon-by-the-Sea; and

WHEREAS, in the interest of reducing the tax burden upon the residents of Avon-by-the-Sea without compromising the current level of government services, the Borough of Avon-by-the-Sea shall offer early retirement benefits and incentives to certain employees.

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Avon-by-the-Sea will offer paid health benefits to Avon employees with at least twenty one (21) years of service with the Borough of Avon-by-the-Sea and at least twenty five (25) years of vested service in a New Jersey State Pension Plan who apply to retire on or after November 1, 2008 but by December 1, 2008, and retire by December 31, 2008. The payment of health benefits under this program shall expire when the eligible employee reaches the age at which he/she is entitled to and eligible to enroll in the Medicare program, at which time the payments shall be limited to the costs of secondary health insurance. Nothing contained herein shall be construed to provide any additional

benefits. All retirement benefits other than health insurance shall be based upon the employee's years of service to the Borough as of the date of retirement, as defined by the employee's employment contract in effect at the time of the employee's retirement.

The Vote:

Aye: All

No: None

Mayor explains resolution: Our present ordinance provides paid health benefits after 25 years in Avon. What we are doing here, as an incentive to have people take retirement who are at the higher end of the salary guide, we have calculated that for us to pick up those benefits after 21 years is four favor dollar wise. Even with replacement costs, the difference in salary between where people are who are here for 21 years and someone new coming in would more than offset the cost of picking up the benefits.

Marie Kenny – last meeting you granted an extension of sick leave for an employee. Is this something you do routinely? Mayor – No, it's not routine. We talked about it at length. We weren't establishing a practice. The sick leave benefits, we feel, are adequate. But, in this case, we had an employee who had a serious medical condition. His doctor would not allow him to return to work. He made request to us. We, at the same time, were considering how to adjust this situation in a long range plan. In the interim, we didn't want to leave him high and dry in terms of his employment. We considered it on an individual basis. It wasn't union related in anyway. We felt it was the right thing to do. It is not a practice that I would support on a regular basis.

Marie Kenny – after someone uses up their sick benefits, and are still disabled, don't they go on to state disability? Mr. Gallagher – we don't participate in the state disability plan. They have to retire on disability.

RESOLUTION offered by Mahon seconded by Gorman that the Board of Commissioners hereby authorize the Mayor to sign a change order for the contract with Lucas Construction Group, Inc., Lincoln & Woodland Avenue Improvements project, for a reduction in the amount of \$33,145.50 and an addition in the amount of \$14,062.50 for a net change of -\$19,083.00 for a revised contract amount of \$243,002.95.

The Vote:

Aye: All

No: None

Motion by Gorman seconded by Mahon that the bills in the amount of \$565,462.39 be approved for payment.

The Vote:

Aye: All

No: None

Mayor announces that the Municipal Building gym will be closed the weekend of Nov. 7th & 8th so the floor can be re-lined.

Also, the ballfield will be closed for 3 weeks starting approximately Nov. 1st for aerating and maintenance of the field. The fence will be locked.

Mayor asks if anyone would like to be heard?

It was asked if there is anything we can do to minimize the amount of vandalism that goes on during mischief night? Comm. Gorman respectfully disagrees. Feels that the amount of mischief that goes on has drastically decreased in last 20 years. Thinks the Police Dept. does a good job without incurring unnecessary expense in bringing in extra patrols. There will be normal, routine patrols.

It was asked if there are any updates on lane paving after sewer camera work that was done? Mr. Gallagher – there was no money put in this year’s budget for that. If we put it in, it will be in next year’s capital budget. We haven’t put in any money to fix any problems with sewer lines. Mayor – T&M has looked at the lanes and has prioritized which ones need to be done first and we’ll have a look at what the sewer conditions are, then we’ll have information we need to make determination as to how to go about repaving the lanes.

Marie Kenny – profit from sale of Ocean Ave. property – has it been decided where that is going? No, it has not. Used some surplus to offset taxes last year, but majority is in water capital surplus right now.

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

Francis E. Gorman, Commissioner

**Timothy M. Gallagher, RMC
Borough Clerk**