

REGULAR MEETING – JULY 26, 2010 – 7:30 P.M.

Pledge of Allegiance.

Roll Call: Commissioner McGovern, Mayor Mahon.

Absent: Commissioner Gorman

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 June 28, 2010 be approved as written.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Mahon that the minutes of the meeting of July 12, 2010 be approved as written.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that the Board of Commissioners hereby authorize the extension of the grace period for the Third Quarter 2010 Taxes and,

WHEREAS, the Borough of Avon Tax Office failed to receive official notice of the 2010 Tax Rate and State Aid Certification for CY 2010 Property Tax Bills in a timely manner, causing a delay in the printing and mailing of the third quarter tax bills beyond the June 14, 2010 deadline, and

WHEREAS, according to NJSA 54:4-66.3, it is necessary to have a grace period of 25 days from the mailing date of the tax bills, after which the interest accrues back to the statutory due date of August 1, 2010.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-by-the-Sea that the Tax Collector be authorized to extend the grace period for the third quarter 2010 to August 17, 2010.

NOW, THEREFORE, BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Avon-by-the-Sea that any payments for the third quarter 2010 received after August 17, 2010, will be charged interest from the original due date of August 1, 2010 by the guidelines set by NJSA 54:4-67.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that the contract for Norwood Avenue Improvements, Phase 2, be awarded to DeFino Contracting, Cliffwood Beach, NJ for the low bid amount of \$684,724.04. Subject to the certification of availability of funds by the C.F.O. and approval of the D.O.T.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Borough of Avon-By-The-Sea desires to complete roadway and drainage improvements on Garfield Avenue from First Avenue to Ocean Avenue and Jefferson Avenue from Main Street to Fourth Avenue, and

WHEREAS, said improvements are estimated to cost \$186,200.00.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the Borough of Avon-By-The-Sea, formally approves the grant application for the above stated project.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA-2011-Avonbytheseaborough-00293 to the New Jersey Department of Transportation on behalf of the Borough of Avon-By-The-Sea.

BE IT FURTHER RESOLVED, that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Avon-By-The-Sea and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Board of Commissioners has received a letter requesting that a portion of Marine Place from Sylvania Lane to Sylvania Avenue be blocked off for the purpose of holding an “anniversary celebration”, and

WHEREAS, it is the judgment of the Board of Commissioners that such events promote the general welfare and “spirit” of the community, and

WHEREAS, it is recognized that such social events must be carefully planned and conducted so as to avoid injury, inconvenience or other types of harm, and

WHEREAS, granting such a request is within the authority of the Board of Commissioners,

NOW, THEREFORE, BE IT RESOLVED, that a portion of Marine Place from Sylvania Lane to Sylvania Avenue may be blocked for the purpose of conducting an “anniversary celebration” on August 21st & 22nd, 2010 between the hours of 7:00 a.m. and 6:00 p.m. The blocking of the street may not exceed these hours.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police for his coordination with any other such departments that may be involved.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that,

WHEREAS, the Board of Commissioners has received a letter requesting that Fifth Avenue between Garfield Avenue and Garfield Lane be blocked off for the purpose of holding a “peach festival” by the Avon Methodist Church, and

WHEREAS, it is the judgment of the Board of Commissioners that such events promote the general welfare and “spirit” of the community, and

WHEREAS, it is recognized that such social events must be carefully planned and conducted so as to avoid injury, inconvenience or other types of harm, and

WHEREAS, granting such a request is within the authority of the Board of Commissioners,

NOW, THEREFORE, BE IT RESOLVED that Fifth Avenue between Garfield Avenue and Garfield Lane may be blocked for the purpose of conducting a “peach festival” on August 14, 2010 between the hours of 1:00 p.m. and 5:00 p.m. The blocking of the street may not exceed these hours.

BE IT FURTHER RESOLVED, that a copy of this resolution be forwarded to the Chief of Police for his coordination with any other such departments that may be involved.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Mahon that the bills in the amount of \$539,081.87 be approved for payment.

The Vote:

Aye: All

No: None

Mayor asks if anyone would like to be heard?

Frank ? – how many bid on the road work? Mr. Gallagher said 6.

Some asked about beach revenues? For 2010 - \$1,071,753; this time last year was \$859,795. The pool is \$7,000 ahead of last year.

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

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