

REGULAR MEETING – APRIL 23, 2018

Pledge of Allegiance.

Roll Call: Commissioner Mahon, Commissioner Gorman, Mayor Magrini

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 direction 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 Magrini that the minutes of the meeting of April 9, 2018 be approved as written.

The Vote:

Aye: All (Comm. Mahon absent)

No: None

Motion by Gorman seconded by Mahon that the Public Hearing on the 2018 budget be opened.

The Vote:

Aye: All

No: None

Statements from Commissioner Mahon, CFO John Antonides and Auditor Robert Hulsart.

Mayor asks if anyone has any questions or comments on the 2018 budget?

Wally French- Asked about the surplus.

John Antonides & Bob Hulsart- More surplus left compared to last year.

John January- Asked about the effect of pre-paying taxes.

John Antonides- No, it does not affect the surplus. The pre-paid taxes are actually listed as a liability on the books.

Further discussion on County and School budgets.

Marie Kenny- Are Bond Ordinances part of the budget?

John Antonides- The 5% down payment is.

Motion by Mahon seconded by Magrini that the public hearing on the 2018 budget be closed.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Gorman that,

WHEREAS, the 2018 budget requires \$3,903,000.00 to be raised in property taxes, and

WHEREAS, a summary of said budget was published in the April 5, 2018 edition of The Coast Star, and

WHEREAS, full copies of said budget are available in the office of the Borough Clerk, and

WHEREAS, a public hearing of said budget has been conducted,

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-By-The-Sea that it hereby adopts the 2018 Municipal Budget in the amount of \$4,839,500.00.

The Vote:

Aye: All

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 5-2018 entitled:

**“AN ORDINANCE TO AMEND AND SUPPLEMENT
THE SALARIES OF THE OFFICERS AND EMPLOY-
EES OF THE BOROUGH OF AVON-BY-THE-SEA.”**

BE IT HEREBY ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, County of Monmouth, New Jersey, the following:

GENERAL PROVISIONS:

1. The following salaries and wages are established as per the Borough Code.
2. Any pay shall be prorated on a per diem basis if necessary.
3. Board of Commissioners shall be able to hire a new employee in any employment designation at a particular salary level anywhere between the starting and maximum base for the designation in recognition of person's previous training and experience.
4. These schedules and provisions shall continue in effect until subsequently amended.
5. With the exception of certain instances especially and separately directed by the Board of Commissioners, the provisions contained in all schedules below shall be paid retroactively to January 1 of the year 2018 as soon as practical after formal adoption of this ordinance on all earnings paid to date.
6. Regular full-time Police salaries are subject to the current contract with the Avon Policemen's Association of Local PBA No. 50.
7. Regular full-time Public Works and Utility salaries are subject to the current contract with the Teamsters Local Union No. 701 which is on file in the office of the Clerk.
8. Regular full-time Supervisors are subject to the current contract which is on file in the office of the Clerk.

9. The Borough Tax Collector/Administrator is subject to the current contract which is on file in the office of the Clerk.

10. The regular full-time Borough Clerk, Acting Borough Clerk, Deputy Borough Clerk and Administrative Assistant are subject to the current contracts which are on file in the office of the Clerk.

SECTION 1.

Governing Body:

Mayor	\$ 4,500.00
Commissioner	3,000.00
Commissioner	3,000.00

Police Department:

Police Chief	\$131,471.00
Captain	120,982.00
Lieutenant	113,662.00
Sargent	109,985.00

Police Officer hired after 01/01/00

Police Officer (after 8 years)	106,415.00
Police Officer (after 12 years)	106,415.00
Police Officer (after 11 years)	98,816.00
Police Officer (after 10 years)	91,746.00
Police Officer (after 9 years)	86,228.00
Police Officer (after 8 years)	81,199.00
Police Officer (after 7 years)	76,169.00
Police Officer (after 6 years)	71,137.00
Police Officer (after 5 years)	66,109.00
Police Officer (after 4 years)	61,080.00
Police Officer (after 3 years)	56,767.00
Police Officer (after 2 years)	52,455.00
Police Officer (after 1 years)	48,144.00
Police Officer (Probationary)	44,552.00
Police Officer (Academy)	41,677.00

Temporary / part-time / hourly employees – all rates are reflective of employees being paid on an hour-for-hour basis in quarter hour increments rounded to the nearest quarter hour.

Class I Special Officers (hourly)

First Year	13.00
Second Year	13.50
Third Year	14.00
Class I Supervisor	14.00 – 16.00

Class II Special Officers (hourly)

First Year	15.50
Second Year	16.00
Third Year	16.50

School Crossing Guards (Daily)	30.00
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Fire Department

Fire Chief	675.00
Deputy Chief	560.00
Captain	445.00
First Lieutenant	390.00
Second Lieutenant	340.00
Chief Engineer	295.00

Assistant Engineer	225.00
<u>Borough Office</u>	
Borough Clerk	61,200.00
Acting Borough Clerk	60,000.00
Tax Collector	61,200.00
Deputy Clerk	59,157.00
Administrative Assistant	37,259.00
<u>Water/Sewer Department</u>	
Superintendent	115,654.00
Part-Time/Seasonal (Hourly)	11.00 – 15.00
Part-Time Assistant Superintendent	3,000.00
<u>Library</u>	
Librarian	58,306.26
Library Aides	9.50 – 18.00
<u>Street / Sanitation Departments</u>	
Superintendent	99,960.00
Employees hired prior to 1/1/05	
Step 9 (after 13 years)	78,945.00
Employees hired after 1/1/05	
Step 16 (after 15 years)	60,166.00
Step 15 (after 14 years)	58,760.00
Step 14 (after 13 years)	57,354.00
Step 13 (after 12 years)	55,982.00
Step 12 (after 11 years)	54,578.00
Step 11 (after 10 years)	53,172.00
Step 10 (after 9 years)	51,766.00
Step 9 (after 8 years)	50,360.00
Step 8 (after 7 years)	48,955.00
Step 7 (after 6 years)	47,299.00
Step 6 (after 5 years)	45,699.00
Step 5 (after 4 years)	42,710.00
Step 4 (after 3 years)	39,915.00
Step 3 (after 2 years)	37,304.00
Step 2 (after 1 year)	34,863.00
Step 1 (probationary-1 st year)	32,583.00
Sanitation/Street Helpers (year round, at will)	11.00 – 14.00
Summer Sanitation Helpers (hourly)	11.00 – 12.00
Summer Street Helpers (hourly)	8.60 – 10.00
Recycle Person	10.50

SECTION 2. The annual salaries of the following Borough Employees are hereby fixed and determined as follows:

Borough Administrator	30,600.00
Tax Assessor	8,400.00
Hotel/Rooming House Inspector	575.00
Municipal Judge	19,000.00
Welfare Director	3,650.00
Fire Inspector	3,600.00
Plumbing Inspector	8,800.00
Electrical Inspector	9,700.00
Recreation Director	19,125.00
Chief Financial Director	30,000.00
Emergency Management Coordinator	2,000.00
Assistant Emergency Management Coordinator	2,000.00

Code Enforcement Official	6,500.00
Construction Code Official	39,576.00
Zoning Official	12,240.00
Construction Code Secretary	4,000.00
Recycling Secretary	2,900.00
Property Maintenance	16,320.00
Building Inspector	12,240.00
Fire Code Official	15,700.00
Marina Coordinator	2,550.00
Emergency Management Administrator	10,500.00
FEMA Coordinator	23,500.00
Flood Plain Manager	20,000.00

SECTION 3. The annual salaries of the following Borough Employees are hourly or daily as follows:

Planning Board Secretary	8,200.00
Municipal Attorney	130.00
Municipal Prosecutor	2,100.00 retainer plus 575.00 per session
Assistant Fire Bureau	13.00
Grant Coordinator	25.00 – 31.00
Public Defender/Alternate Public Defender	225.00 per session
Skilled Laborer	20.00 – 70.00
Occasional Employees	6.00 – 25.00

SECTION 4. The annual salaries of the following Summer Employees are hereby fixed and determined as follows:

Recreation Director	4,100.00
Beachfront Supervisor	16,000.00
Chief Lifeguard	11,000.00 – 14,500.00
Assistant Chief Lifeguard	5,000 – 9,000.00
Beach Lifeguards (Daily)	
Captain	117.00
Step 6	106.00
Step 5	102.00
Step 4	96.00
Step 3	91.00
Step 2	87.00
Step 1	84.00
Beach Public Buildings Custodians	11.00 – 12.50
Beach Cleaners	8.60
Beach Cashiers (Daily)	
1-3 years	82.00
4 years and over	87.00
Gate Tenders (Hourly)	8.60
Sales Manager (Hourly)	15.00
Pool Clean-Up Person	8.60
Pool Manager	7,500.00
Assistant Pool Manager (Hourly)	15.00
Pool Lifeguards (Daily)	
Step 4	77.00
Step 3	73.00
Step 2	71.00
Step 1	69.00
Pool Cashiers (Daily)	
1-3 years	69.00
4 years and over	72.00
Beach Flowers	250.00/week

SECTION 5 – OVERTIME. The annual salaries heretofore fixed and determined are based on a forty (40) hour work week for all full time employees. In the event said employees are authorized by the Supervisor of their department to work overtime, said employee shall be entitled to be paid one and one-half times the hourly rate that their annual salaries would equal on a forty (40) hour basis for each hour of overtime. The Police Department and Public Works Department shall be governed by their contract. Overtime pay shall not apply to the Supervisors who are considered to be on call for Borough business at all times; however, compensatory time will be allowed pursuant to their respective contracts.

SECTION 6 – PAID HOLIDAYS. All full time employees will receive fourteen (14) paid holidays off, which must be taken during the calendar year.

SECTION 7 – PAID VACATION. All full time employees with the exception of employees covered by a separate contract are entitled to annual vacation leave according to the following schedule:

New employees – for the first year’s work	1 week
After the first year and up to the tenth year	2 weeks
After the tenth year and up to the twentieth year	3 weeks
After the twentieth year	4 weeks

SECTION 8 – LONGEVITY. All full time non-contractual employees shall receive as additional compensation the following:

<u>Beginning with the:</u>	<u>Longevity Amount:</u>
Fifth year of service	2% of base salary
Tenth year of service	4% of base salary
Fifteenth year of service	6% of base salary
Twentieth year of service	8% of base salary

All contractual employees shall receive additional compensation pursuant to their respective contracts. Longevity will be paid during the first pay period of December of that year and will not be a part of the monthly earnings.

Does not apply to employees hired after January 1, 2016.

SECTION 9 – PERSONAL DAYS. All full time employees shall be entitled to personal days pursuant to their respective contracts.

SECTION 10 – HEALTH INSURANCE. The Borough shall provide full time Borough employees with health insurance coverage as provided by the applicable contract. Other than police officers, Borough employees shall contribute 1.5% of their base salary towards the cost of health insurance. Police Officers shall contribute as per the conditions of their contract.

The Borough shall continue to pay premiums for any Borough employee who has retired after not less than twenty-five (25) years of full time service until said employee reaches the age at which time he/she is entitled to and eligible to enroll in the Medicare program as their primary insurer. The Borough shall pay for the secondary/supplemental insurer.

SECTION 11 – SICK TIME. Full time employees shall be entitled to sick days pursuant to their respective contracts.

SECTION 12 – TERMINAL LEAVE. All full time employees shall be entitled to terminal leave pay pursuant to their respective contracts.

SECTION 13. All other terms and conditions of the contracts of the Police Department, Public Works Department, Borough Supervisors, Borough Clerk, Acting Borough Clerk, Deputy Clerk, Tax Collector/Borough Administrator and Administrative Assistant between the parties are hereby ratified and reconfirmed.

SECTION 14. This ordinance shall take effect upon final passage and publication according to law, and shall be retroactive to January 1, 2018.

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

Motion by Mahon seconded by Gorman that the above Ordinance No. 5-2018 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 Bond Ordinance No. 6-2018 entitled:

“ BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND ACQUISITIONS OF THE BOROUGH OF AVON-BY-THE-SEA, MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$126,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$119,700 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Avon-By-The-Sea, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$126,000, and further including the aggregate sum of \$6,300 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by the virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$119,700 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation And Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Speed Limit Signs	\$ 3,000	\$ 2,850	5 years
b) Fire Department Equipment	16,000	15,200	5 years
c) Various Police Equipment	19,000	18,050	5 years
d) DPW Yard Remediation	10,000	9,500	5 years
e) Police Department Shed	5,000	4,750	5 years
f) Various Equipment for Garbage Trucks	33,000	31,350	5 years
g) Beach Lockers	40,000	38,000	5 years
Totals:	\$ 126,000	\$ 119,700	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose, and/or grant monies already approved and receivable.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to the ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A.40A:2-8.1(3)(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Avon-By-The-Sea is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (a) The improvement or purpose described in section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited hereby.**
- (b) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 5.0 years.**
- (c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$119,700, and the obligations authorized herein will be within all debt limitations prescribed by that law.**
- (d) An aggregate amount not exceeding \$0.00 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.**

Section 7. Any grant monies received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements, or if other than the grants referred to in Section 1 hereof, to payment of the obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Would anyone like to be heard on the above ordinance?

Marie Kenny- Asked for further explanation on what is included in the Bond ordinance.

Kerry McGuigan, Administrator - Consists of various police equipment, speed limit signs and beach lockers.

Mayor - The lockers will be located by the boardwalk near the showers. Still working on ironing out the details including a lottery system.

Motion by Magrini seconded by Gorman that the above Ordinance No. 6-2018 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 Bond Ordinance No. 7-2018 entitled:

“ BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL WATER IMPROVEMENTS OF THE BOROUGH OF AVON-BY-THE-SEA, MONMOUTH COUNTY, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$52,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$49,400 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The several improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Avon-By-The-Sea, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sum of money therein stated as the appropriation made for each improvement or purpose, such sums amounting in the aggregate to \$52,000, including the aggregate sum of \$2,600 as the down payment for the improvements or purposes required by the Local Bond Law. The down payments have been made available by the virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$49,400 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation And Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Sanitary Sewer Repairs	\$25,000	\$23,750	10 years

b) Water Meters	8,000	7,600	5 years
c) Improve. To Water System	14,000	13,300	10 years
d) Poole Ave. Tide Flex Valve	5,000.00	4,750.00	5 years
Totals:	\$52,000	\$49,400	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose, and/or grant monies already approved and receivable.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to the ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A.40A:2-8.1(3)(a). The Chief Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Avon-By-The-Sea is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (e) The improvement or purpose described in section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited hereby.
- (f) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 8.75 years.
- (g) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community

Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$49,400, and the obligations authorized herein will be within all debt limitations prescribed by that law.

- (h) An aggregate amount not exceeding \$500 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.**

Section 7. Any grant monies received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

Motion by Magrini seconded by Mahon that the above Ordinance No. 7-2018 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 Bond Ordinance No. 8-2018 entitled:

“BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL BEACH IMPROVEMENTS OF THE BOROUGH OF AVON-BY-THE-SEA, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING THE AGGREGATE AMOUNT OF \$134,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$127,300 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF.”

BE IT ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. The improvements described in Section 3 of this bond ordinance are hereby authorized to be undertaken by the Borough of Avon-By-The-Sea, New Jersey as general improvements. For the several improvements or purposes described in Section 3, there are hereby appropriated the respective sums of money therein stated as the appropriation made for each

improvement or purpose, such sums amounting in the aggregate to \$134,000, including the aggregate sum of \$6,700 as the several down payments for the improvements or purposes required by the Local Bond Law. The down payments have been made available by the virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the several improvements or purposes not covered by application of the several down payments, negotiable bonds are hereby authorized to be issued in the principal amount of \$127,300 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. The several improvements hereby authorized and the several purposes for which the bonds are to be issued, the estimated cost of each improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each improvement and the period of usefulness of each improvement are as follows:

<u>Purpose</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
a) Emergency Pagers	\$ 3,000	\$2,850	5 years
b) Beach Tractor	91,500	86,925	5 years
c) Lifeguard Personal Equipment	13,000	12,350	5 years
d) Various Lifeguard Equipment	4,000	3,800	5 years
e) Quad Lifeguard Vehicle	14,000	13,300	5 years
f) Beach Entrance Signs	8,500	8,075	5 years
Totals:	\$134,000	\$127,300	

The excess of the appropriation made for each of the improvements or purposes aforesaid over the estimated maximum amount of bonds or notes to be issued therefor, as above stated, is the amount of the down payment for each purpose.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer; provided that no note shall mature later than one year from its date. The notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with notes issued pursuant to the ordinance, and the Chief Financial Officer's signature upon the notes shall be conclusive evidence as to all such determinations. All notes issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A.40A:2-8.1(3)(a). The Chief

Financial Officer is hereby authorized to sell part or all of the notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the notes sold, the price obtained and the name of the purchaser.

Section 5. The capital budget of the Borough of Avon-By-The-Sea is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Clerk and is available there for public inspection.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

- (i) The improvement or purpose described in section 3 of this bond ordinance are not current expenses. They are all improvements or purposes that the Borough may lawfully undertake as general improvements, and no part of the costs thereof has been or shall be specially assessed on property specially benefited hereby.**
- (j) The average period of usefulness, computed on the basis of the respective amounts of obligations authorized for each purpose and the reasonable life thereof within the limitations of the Local Bond Law, is 5.0 years.**
- (k) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such Statement shows that the gross debt of the Borough as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$165,300, and the obligations authorized herein will be within all debt limitations prescribed by that law.**
- (l) An aggregate amount not exceeding \$0.00 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated costs indicated herein for the purposes or improvements.**

Section 7. Any grant monies received for the purpose described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 8. The full faith and credit of the Borough are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Borough, and the Borough shall be obligated to levy ad valorem taxes upon all the taxable real property within the Borough for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 9. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

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

Motion by Magrini seconded by Mahon that the above Ordinance No. 8-2018 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 Magrini that,

ORDINANCE NO. 9-2018 entitled:

**“AN ORDINANCE AUTHORIZING A SPECIAL
EMERGENCY APPROPRIATION OF \$2,500
FOR THE PREPARATION OF TAX MAPS BY
THE BOROUGH OF AVON-BY-THE-SEA, IN
THE COUNTY OF MONMOUTH, NEW JERSEY”**

be introduced on first reading.

The Vote:

Aye: All

No: None

Motion by Gorman seconded by Magrini that the above Ordinance No. 9-2018 be taken up on second reading with a hearing on May 14, 2018 at 7:00 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by Mahon seconded by Magrini that,

ORDINANCE NO. 10-2018 entitled:

**“AN ORDINANCE AUTHORIZING A SPECIAL
EMERGENCY APPROPRIATION OF \$25,000
FOR THE PREPARATION OF A MASTER
PLAN, AND AMENDMENTS RELATING
THERE TO.”**

be introduced on first reading.

The Vote:

Aye: All

No: None

Motion by Mahon seconded by Magrini that the above Ordinance No. 10-2018 be taken up on second reading with a hearing on May 14, 2018 at 7:00 p.m.

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Mahon that the Board of Commissioners hereby authorizes the cancellation of 2018 water for the following account:

Block 33 Lot 17.02 200 Lincoln Ave., Lawn Overestimate \$73.75

The Vote:

Aye: All

No: None

RESOLUTION offered by Magrini seconded by Gorman that Anthony Papa be appointed as Pool Manager for the 2018 summer season.

The Vote:

Aye: All

No: None

Motion by _____ seconded by _____ that the bills in the amount of \$210,663.85 be approved for payment.

The Vote:

Aye: ____

No: ____

Mayor asks if anyone would like to be heard?

Kerry- Town garage sale is Saturday May 5th and the DOT Bridge meeting is Tuesday April 24 at the Marina.

Wally French- Asked when the Bridge will be completed?

Kerry- The preliminary plan is to finish in 2023.

Charley Rooney, Engineer - The Road program is to start next week.

Mayor - asked of the road condition on Lakeside and Bridge Street. Suggested the Borough should look into re-paving those streets soon.

Marie Kenny- Thanked Erin from the Coast Star for putting in the article last week on the Post Office.

Mayor- Said he is meeting with the Postmaster in Belmar to discuss the town's inconsistent mail delivery especially on the North side of town.

Mary Beth McKinless from 501 Main Street Villas – concerned with people using the private parking lot who should not be using it.

Mayor & Commissioner Gorman - perhaps discuss with the owner of the complex to get new signs. Commissioner Gorman also said he will bring this to the attention of the Police Chief.

Further discussion on people speeding in town.

RESOLUTION offered by Magrini seconded by Mahon that,

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss:

Any matter involving the employment of any specific prospective public officer or employee employed or appointed by the public body.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW, THEREFORE, BE IT RESOLVED that the public be excluded from this meeting.

The Vote:

Aye: All

No: None

Motion by Magrini seconded by Mahon that being there is no further business, the meeting is adjourned.

The Vote:

Aye: All

No: None

John B. Magrini, Mayor

Robert Mahon, Commissioner

Francis E. Gorman, Commissioner

**Marc Freda,
Acting Borough Clerk**