

REGULAR MEETING – MAY 13, 2013 – 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 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 McGovern seconded by Gorman that the minutes of the meeting of April 8, 2013 be approved as written.

The Vote:

Aye: All

No: None

Motion by McGovern seconded by Gorman that the minutes of the meeting of April 22, 2013 be approved as written.

The Vote:

Aye: All (Mayor Mahon absent)

No: None

Mayor announces that this is the time advertised for second reading and hearing on Ordinance No. 1-2013 entitled:

“ AN ORDINANCE TO AMEND AND SUPPLEMENT THE 2013-2014 SALARIES OF THE OFFICERS AND EMPLOYEES OF THE BOROUGH OF AVON-BY-THE-SEA.”

BE IT HEREBY ORDAINED by the Governing Body of the Borough of Avon-by-the-Sea, in the 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 that 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 2013 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 Loan 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 Clerk/Administrator is subject to the current contract which is on file in the office of the Clerk (collectively the Supervisors and Borough Clerk shall be referred to herein as “Supervisors”).
10. The regular full-time Assistant Borough Clerk, Tax Collector and Administrative Assistant are subject to the current contracts which are on file in the office of the Clerk.
11. The Court Administrator is subject to the current contract which is on file in the office of the Clerk.

SECTION 1. SALARIES/WAGES

<u>Department/Position</u>	<u>2013</u>	<u>2014</u>
<u>Governing Body</u>		
Mayor	4,500.00	4,500.00
Commissioner	3,000.00	3,000.00
Commissioner	3,000.00	3,000.00
<u>Police Department</u>		
Police Chief	119,077.00	121,459.00
Captain	109,577.00	111,768.00
Lieutenant	102,947.00	105,005.00
Police Officer hired before 9/24/98		
Police Officer (after 5 years)	96,383.00	98,311.00
Police Officer hired after 1/01/00		
Police Officer (after 8 years)	96,383.00	98,311.00
Police Officer hired after 1/01/01		
Police Officer (after 11 years)	96,383.00	98,311.00
Police Officer (after 10 years)	88,175.00	88,175.00
Police Officer (after 9 years)	82,871.00	82,871.00
Police Officer (after 8 years)	78,038.00	78,038.00
Police Officer (after 7 years)	73,204.00	73,204.00
Police Officer (after 6 years)	68,369.00	68,369.00
Police Officer (after 5 years)	63,535.00	63,535.00
Police Officer (after 4 years)	58,707.00	58,707.00
Police Officer (after 3 years)	54,557.00	54,557.00
Police Officer (after 2 years)	50,414.00	50,414.00
Police Officer (after 1 year)	46,269.00	46,269.00
Police Officer (Probationary)	42,818.00	42,818.00
Police Officer (Academy)	40,054.00	40,054.00

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	11.25
Second Year	11.75

Third Year		12.25
Class II Special Officers (hourly)		
First Year		14.00
Second Year		14.50
Third Year		15.50
Fourth Year		16.00
School Crossing Guards (hourly)		
<u>Fire Department</u>		
Fire Chief	675.00	675.00
Deputy Chief	560.00	560.00
Captain	445.00	445.00
First Lieutenant	390.00	390.00
Second Lieutenant	340.00	340.00
Chief Engineer	295.00	295.00
Assistant Engineer	225.00	225.00
<u>Borough Office</u>		
Borough Clerk	114,877.00	117,174.00
Tax Collector	48,537.00	49,508.00
Deputy Clerk	53,580.00	54,652.00
Administrative Assistant	33,746.00	34,421.00
<u>Water/Sewer Department</u>		
Superintendent	104,751.00	106,846.00
Part-time/seasonal (hourly)	11.00-15.00	11.00-15.00
<u>Library</u>		
Librarian	52,044.00	53,085.00
Librarian aides (part-time, hourly)	9.00-17.50	9.00-17.50
<u>Public Works/Street Department</u>		
Superintendent	103,987.00	106,006.00
Employees hired prior to 1/1/05		
Step 9 (after 13 years)	71,328.10	72,754.66
Step 8 (after 11 years)	65,044.76	66,670.88
Step 7 (after 8 years)	61,305.18	62,837.81
Employees hired after 1/1/05		
Step 13 (after 12 years)	52,625.00	52,625.00
Step 12 (after 11 years)	51,304.00	51,304.00
Step 11 (after 10 years)	49,982.00	49,982.00
Step 10 (after 9 years)	48,661.00	48,661.00
Step 9 (after 8 years)	47,339.00	47,339.00
Step 8 (after 7 years)	46,018.00	46,018.00
Step 7 (after 6 years)	44,462.00	44,462.00
Step 6 (after 5 years)	42,959.00	42,959.00
Step 5 (after 4 years)	40,148.00	40,148.00
Step 4 (after 3 years)	37,521.00	37,521.00
Step 3 (after 2 years)	35,067.00	35,067.00
Step 2 (after 1 year)	32,772.00	32,772.00
Step 1 (Probationary-1 st year)	30,629.00	30,629.00

Sanitation Department

Sanitation employees' salaries are equivalent to the street department employees listed above with the exception of:

Sanitation/Street helpers year round “at will”	11.00-13.50
Summer Sanitation helpers (hourly)	10.50-11.50
Summer Street helpers (hourly)	7.50-8.00

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

Tax Assessor	8,400.00
Hotel/Rooming House Inspector	575.00
Municipal Judge	17,913.00-18,272.00
Municipal Court Administrator	36,433.00
Welfare Director	3,650.00
Fire Inspector	2,600.00
Plumbing Inspector	7,000.00
Electrical Inspector	7,000.00
Recreation Director	18,000.00
Chief Financial Officer	30,000.00
Emergency Management Coordinator	2,000.00
Assistant Emergency Management Coordinator	1,000.00
Code Enforcement Official	6,000.00
Construction Code Official	7,000.00 – 9,000.00
Zoning Official	6,000.00
Construction Code Secretary	3,600.00
Recycling Secretary	2,200.00
Building Inspector	7,000.00 – 8,500.00

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

Planning Board Secretary	7,140.00-7,283.00
Municipal Attorney	140.00
Municipal Prosecutor (per court session)	2,000.00 retainer plus 275.00/session
Deputy Court Administrator	15.00
Bureau of Fire Safety	21.00
Assistant Fire Bureau	11.00
Grant Coordinator	20.00 – 30.00
Occasional Employees	6.00 – 25.00
Public Defender	225.00/session

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

Recreation Director	4,000.00
Beachfront Supervisor: (yearly)	
First Year	8,500.00
Second Year	9,500.00
Third Year	10,500.00
Fourth Year	11,500.00
Five or More Years	12,500.00
Chief Lifeguard	7,500.00 – 8,500.00
Beach Lifeguards: (daily)	
Captain	98.00-100.00
Step 6	92.00-94.00
Step 5	90.00-92.00
Step 4	86.00-88.00
Step 3	82.00-84.00
Step 2	77.00-79.00
Step 1	72.00-74.00
Beach Public Buildings: Custodians	10.00-12.00
Beach Cleaners	6.75-7.00
Beach Cashiers: (daily)	
1-3 years	70.00
4 years and over	74.00

Gate tenders (daily)	53.00
Sales Manager (hourly)	14.00
Pool Clean-Up Person	6.50-6.75
Pool Manager	7,500.00
Assistant Pool Manager (hourly)	15.00
Pool Lifeguards (daily)	
Step 4	74.00
Step 3	70.00
Step 2	65.00
Step 1	60.00
Pool Cashiers (daily)	
1 to 3 years	65.00
4 years and over	70.00

SECTION 5. (OVERTIME) The annual salaries heretofore fixed and determined are based on a 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 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 first year and up to the tenth year	2 weeks
After tenth year and up to twenty years	3 weeks
After twenty years	4 weeks

SECTION 8. (LONGEVITY) All full time non-contractual employees and the Municipal Court Judge shall receive as additional compensation the following:

<u>Beginning with</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
Twenty-fifth year of service	10% 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.

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 1.75% of their base salary towards the cost of health insurance.

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.

The Municipal Court Clerk shall not receive terminal leave benefits.

SECTION 13. All other terms and conditions of the contracts of the Police Department, Public Works Department, Borough Supervisors, Borough Clerk, Deputy Clerk, Tax Collector 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, 2013.

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

Motion by McGovern seconded by Gorman that the above Ordinance No. 1-2013 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 Mahon seconded by McGovern that,

BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-By-The-Sea that we pledge the following listed collateral security to the Federal Emergency Management Agency (FEMA) on the Promissory Note for a Community Disaster Loan for \$1,626,160.00 executed on May 13, 2013 pursuant to Section 417 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act, Public Law 93-288, as amended, and FEMA Regulation, 44 CFR 206, Subpart K. We further understand that failure to repay any outstanding principal and related interest on those portions of the loans which do not qualify for loan cancellation as determined by FEMA or any successor agency will result in forfeiture of as much as the listed collateral security as is necessary to collect such outstanding principal and interest.

“The promissory note is payable from and secured by a pledge of the applicant's revenues for each fiscal year while any of the loan is outstanding, after a provision has been made for the payments required in connection with any outstanding indebtedness of the applicant.”

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Mahon that the Mayor is hereby authorized to sign a Deed of Dedication and Perpetual Storm Damage Reduction Easement for the State of New Jersey.

The Vote:

Aye: All

No: None

RESOLUTION offered by McGovern seconded by Gorman that the Administrator is hereby authorized to sign an amendment to the lease with CBS Outdoor, Inc.

The Vote:

Aye: All

No: None

Motion by Gorman seconded by McGovern that the bills in the amount of \$2,030,384.44 be approved for payment.

The Vote:

Aye: All (Mayor Mahon abstains)

No: None

Dept. Head reports: Sheila Watson, Librarian; Charlie Rooney, Engineer; Lt. Mike Pelech, Police Dept.; Karl Klug, Water Supt.

Mayor asks if anyone would like to be heard?

Bob Spiotta thanked everyone for their help in rescuing he and his wife from their home during the storm.

Marie Kenny – thanked the town for a great town wide yard sale.

Linda Henderson – asked what plans does the Planning Board have for elevating homes in town. She was advised to speak to the Planning Board.

Motion by McGovern seconded by Gorman 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**