

**REGULAR MEETING – October 13, 2020**

**Join us by phone: 1-304-918-0726 PIN: 228 416 558#**

**Pledge of Allegiance.**

**Roll Call: Mayor Bonanno, Commissioner Mahon, Commissioner 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. This meeting is being held in person at 301 Main Street in the Borough gym as well by means of communications equipment. The public is directed to the Borough website at [avonbytheseanj.com](http://avonbytheseanj.com) for information regarding telephone access to the meeting. The public is asked to please mute their phones by either pressing the mute button on your phone or by pressing \*6. The public will be allowed to unmute their phone either by disabling the mute on their phone or by pressing \*6 for the public portion of the meeting.**

**Work Shop**

**Restaurants on Main Street outdoor tables during the fall and winter  
Downtown committee  
Diagonal parking  
Census extended until October 31, 2020**

**Regular Meeting**

**Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ that the minutes of the regular meeting of September 28, 2020 be approved as written.**

**Aye: \_\_\_\_**

**Nay: \_\_\_\_**

**ORDINANCE NO. 18-2020:**

**BOND ORDINANCE PROVIDING FOR VARIOUS 2020 ROAD IMPROVEMENTS BY AND IN THE BOROUGH OF AVON-BY-THE-SEA, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$245,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$245,000 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

**\_\_\_\_\_ made a motion that Ordinance 18-2020 be introduced on first reading, seconded by \_\_\_\_\_**

**Aye: \_\_\_\_**

**Nay: \_\_\_\_**

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 18-2020 be taken up on second reading with a hearing on October 26, 2020 at 7:00 p.m.

Aye: \_\_\_\_\_

Nay: \_\_\_\_\_

**Resolution No. 99 – Repairs to the 2016 Volvo Garbage Truck**

**BOROUGH OF AVON-BY-THE-SEA, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY, RESOLUTION NO. 99  
AUTHORIZING THE REPAIRS OF A 2016 VOLVO GARBAGE TRUCK  
FROM SANITATION EQUIPMENT CORP.**

WHEREAS, pursuant to N.J.S.A. 40A:11-11(6), the Borough of Avon-By-The-Sea (Borough) may, by this resolution and a properly executed purchase order purchase any goods or services from approved contract vendors under the ECSNJ (hereinafter “the co-op”); and

WHEREAS, the Borough of Avon-By-The-Sea has the need to purchase goods and services offered through the Co-op, including without limitation, parts to repair a garbage truck, contract 17/18-30 65MCESCCPS from Sanitation Equipment Corp. in the amount of \$3,942.56 and repairs not included in co-op in the amount of \$1,952.99 for a total payment of \$5,895.55;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners, in the County of Monmouth, New Jersey that it authorizes the Business Administrator or Qualified Purchasing Agent to purchase certain goods or services from the Co-op, pursuant to all conditions of the individual contracts; and

BE IT FURTHER RESOLVED, that pursuant to N.J.A.C.5:30-5.5(b), no contract amount shall be chargeable until such time as a certification of availability of funds is made by the Chief Financial Officer.

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to the following:

1. Scott Hauselt, Department of Public Works Supervisor; and
2. John Antonides, Chief Financial Officer.

Resolution No. 99 offered by \_\_\_\_\_, seconded by \_\_\_\_\_

Aye:

Nay:

**Resolution No. 100 – Halloween Curfew and Trick or Treat Hours**

BE IT RESOLVED, that I, Edward Bonanno, Mayor of the Borough of Avon-By-The-Sea, do hereby proclaim that commencing October 30<sup>th</sup> through November 1<sup>st</sup> 2020, NO child under the age of eighteen (18) years of age shall be permitted on the streets or lanes of the Borough of Avon By The Sea between the hours of 8:00 P.M. and 6:00 A.M., unless accompanied by their parent or guardian.

**BE IT FURTHER RESOLVED, that NO person of any age shall be permitted to wear a costume mask on any of the streets or lanes of the Borough of Avon-By-The-Sea between the dates and hours stated above.**

**Resolution No. 100 offered by \_\_\_\_\_, seconded by \_\_\_\_\_**

**Aye:**

**Nay:**

**Resolution No. 101 – Authorizing Change Order, Final Payment, Release of Performance Bond, and Acceptance of the Maintenance Bond for the Pool Ave. and Municipal Parking Lot Road Improvement Project**

**BOROUGH OF AVON-BY-THE-SEA, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, RESOLUTION NO. 101 “AUTHORIZING CHANGE ORDER NO. 1/ FINAL CHANGE ORDER DECREASING THE PRICE FROM \$293,203.30 TO \$281,677.89, WHICH IS A DECREASE OF 3.93% OR (\$11,525.41) FROM THE ORIGINAL CONTRACT AMOUNT, AND FINAL PAYMENT TO SHORETOP CONSTRUCTION CORP., AND AUTHORIZING ACCEPTANCE OF THE PROJECT AND RELEASE OF PERFORMANCE GUARANTEE AND ACCEPTANCE OF THE MAINTENANCE BOND FOR THE NJ DOT FY 2019 MUNICIPAL AND ROAD PROGRAM – POOLE AVENUE AND MUNICIPAL PARKING LOT ROAD IMPROVEMENT PROJECT.”**

**WHEREAS, the Borough of Avon-By-The-Sea and Shoretop Construction Corp. entered into a contract for the NJ DOT FY 2019 Municipal and Road Program – Poole Avenue and Municipal Parking Lot Road Improvement Project, and**

**WHEREAS, there was a decrease in the contract price from \$293,203.30 to \$281,677.89, a decrease of (\$11,525.41) or 3.93% decrease to the contract amount based on an adjustment of estimated quantities to match as-built quantities; and**

**WHEREAS, the aforesaid modification necessitates a change order to reflect the actual contract amount, which change order is permissible under the Local Public Contracts Law and the Local Government Services regulations with respect to the same; and**

**WHEREAS, the Borough Engineer recommends authorizing the Change Order, Accepting the Project, Releasing the Performance Guarantee and accepting the Maintenance Bond; and**

**WHEREAS, the Borough Attorney has reviewed the Borough Engineer’s memo of completion and Maintenance Bond and has found all of same to be satisfactory; and**

**NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth and State of New Jersey as follows:**

1. It hereby acknowledges that this project has been satisfactorily completed, accepts same and, accordingly, releases Performance Bond No. B1228916 issued by Selective Insurance Company of America in the amount of \$271,484.00.

2. It authorizes the appropriate municipal officials to pay the balance due on the final contract which it hereby accepts, and which has resulted in an adjusted contract amount of \$281,677.89.

3. It authorizes the acceptance of the 2 year Project Maintenance Bond No. B1228916, in the sum of \$70,419.47, and issued by the Selective Insurance Company of America.

4. It hereby directs the Borough Clerk to transmit certified copies of this resolution to the Borough CFO, Borough Engineer and Shoretop Construction Corp.

Resolution No. 101 offered by \_\_\_\_\_, seconded by \_\_\_\_\_

Aye:

Nay:

Resolution No. 102 – Person to Person Plenary Retail Distribution Liquor License Transfer from Jai Mataji Avon, Inc. to Casagrande Avon, LLC.

**BORROUGH OF AVON-BY-THE-SEA  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
RESOLUTION NO. 102, PERSON-TO-PERSON PLENARY RETAIL  
DISTRIBUTION LIQUOR LICENSE NO. 1305-44-002-004 TRANSFER  
FROM JAI MATAJI AVON, INC. TO CASAGRANDE AVON, INC.**

**WHEREAS, an application has been filed for a person-to-person transfer of Plenary Retail Distribution License No. 1305-44-002-004, heretofore issued to Jai Mataji Avon, Inc. for premises located at 312 Main Street, Avon, NJ 07717; and**

**WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and**

**WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as pertinent local ordinances and conditions consistent with Title 33; and**

**WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and licensed business and all additional financing obtained in connection with the licensed business;**

**NOW, THEREFORE, BE IT RESOLVED** that the Borough of Avon-By-The-Sea does hereby approve, effective November 3, 2020, the transfer of the aforesaid Plenary Retail Distribution License to Casagrande Avon, LLC, and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: “This license, subject to all its terms and conditions, is hereby transferred to Casagrande Avon, LLC, effective November 3, 2020.”

Resolution No. 102 offered by \_\_\_\_\_, seconded by \_\_\_\_\_  
Aye:  
Nay:

**Resolution No. 103 – Awarding All Full-Time Employees Two (2) Extra Vacation Days for the year 2020.**

**BE IT RESOLVED**, Mayor and Commissioners of the Borough of Avon-By-The-Sea, do hereby authorize two (2) extra vacation days for all full-time employees in recognition of all the extra work that was incurred due to the COVID-19 Pandemic for the year 2020. The two (2) extra vacation days must be used by December 31, 2020 and cannot be carried over into 2021 or be exchanged for monetary value.

Resolution No. 103 offered by \_\_\_\_\_, seconded by \_\_\_\_\_  
Aye:  
Nay:

**Resolution No. 104 – Extending Outdoor Dining Permits until November 30, 2020.**

**BE IT RESOLVED**, Mayor and Commissioners of the Borough of Avon-By-The-Sea, do hereby authorize extending the outdoor dining permits until November 30, 2020.

Resolution No. 104 offered by \_\_\_\_\_, seconded by \_\_\_\_\_  
Aye:  
Nay:

**Resolution No. 105 – Transfer of Water & Sewer Payment for 431 Woodland Ave. Rear to 431 Woodland Ave. Front**

**BE IT RESOLVED**, that the Board of Commissioners hereby authorizes the transfer of a 2020 water/sewer overpayment from account 237-1 (431 Woodland Ave., Rear) to account 237-0 (431 Woodland Avenue, Front) in the amount of \$116.68.

Resolution No. 105 offered by \_\_\_\_\_, seconded by \_\_\_\_\_  
Aye:  
Nay:

**Resolution No. 106 – Cancellation of 2020 Water/Sewer Charges for 34 Poole Ave.**

**BE IT RESOLVED, that the Board of Commissioners hereby authorizes the cancellation of 2020 water/sewer charges for the following accounts:**

**Block 43.02 Lot 10    34 Poole Ave.    Demo    \$291.68**

**Resolution No. 106 offered by \_\_\_\_\_, seconded by \_\_\_\_\_**

**Aye:**

**Nay:**

**Resolution No. 107 – Authorizing the Borough Administrator to sign an agreement with Watermen, LLC for the Municipal Marina Floating Docks**

**BE IT RESOLVED, that the Borough Administrator is authorized to sign an agreement with Watermen, LLC for the Municipal Marina Floating Docks –Annual Maintenance Activities project for an amount not to exceed \$3,000.00.**

**Resolution No. 107 offered by \_\_\_\_\_, seconded by \_\_\_\_\_**

**Aye:**

**Nay:**

**Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ that the bills in the amount of \$ be approved for payment.**

**Aye: \_\_\_\_**

**Nay: \_\_\_\_**

**Department Heads**

**Mayor Bonanno asks if anyone would like to be heard.**

**Motion by \_\_\_\_\_ seconded by \_\_\_\_\_ that being there is no further business, the meeting is adjourned.**

**Aye: \_\_\_\_**

**Nay: \_\_\_\_**