

Borough of Avon-By-The-Sea  
Regular Meeting Agenda – October 25, 2021

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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 being held at the Avon Marina, 2 Main Street, Avon 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.

**Swearing in of Officer Nicholas Saulys as Patrolman**

**Resolution No. 120 – Retirement of Police Canine Relic**

WHEREAS, K-9 handler Patrolman David Barry has announced his K-9 partner Relic should retire due to age; and

WHEREAS, K-9 Relic began his career with the Avon by the Sea Police Department on September 23, 2013 and upon successful completion of training, K9 Relic was put into service on January 1, 2014; and

WHEREAS, during K-9 Relics career he received four letters of commendation for exceptional service, was awarded two Unit Citations from PBA #50 for valor, an responded to and assisted in over 250 calls for service including narcotic searches, tracking, building searches and criminal apprehension; and

WHEREAS, on numerous occasions, K-9 Relic assisted the Monmouth County Prosecutors Office, Drug Enforcement Agency and Federal Bureau of Investigation with warrant and narcotic searches; and

WHEREAS, K-9 Relic, throughout his entire career, K-9 Relic successfully completed over six training courses in specialized tactics and has excelled in community policing and assisted the department in fostering valuable relationships with our residents; and

NOW, THEREFORE, BE IT RESOLVED, that the Commissioners of the Borough of Avon-By-The-Sea authorizes the Avon-By-The Sea Police Department to retire the K-9 known as Relic from the K-9 Unit.

\_\_\_\_\_ made a motion to approve the resolution, seconded by \_\_\_\_\_

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

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

**Workshop**

Community Disaster Loan (CDL) for Super Storm Sandy damage to Avon - Loan forgiven  
Leisure's program  
Halloween Borough children's event  
Election Day, early voting update  
Sylvania Avenue

**Regular Meeting**

Municipal Clerk asks if anyone has any questions about agenda items only.

- **Best Practices Inventory Discussion**

**BOND ORDINANCE 28-2021** Introduction

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF A NON-PASSENGER SPORT UTILITY VEHICLE FOR THE POLICE DEPARTMENT, IN AND BY THE BOROUGH OF AVON-BY-THE-SEA, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY; APPROPRIATING \$43,500 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$41,400 BONDS OR NOTES TO FINANCE PART OF THE COST THEREOF**

\_\_\_\_\_ made a motion that Ordinance 28-2021 be introduced on first reading, seconded by \_\_\_\_\_

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

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 28-2021 be taken up on second reading with a hearing on November 8, 2021 at 7:00 p.m.

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

**ORDINANCE 29-2021** Introduction

**COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF AVON-BY-THE-SEA CHAPTER §17 “FIRE DEPARTMENT”, SECTION §17-2 “QUALIFICATIONS FOR MEMBERSHIP”**

\_\_\_\_\_ made a motion that Ordinance 29-2021 be introduced on first reading, seconded by \_\_\_\_\_

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

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 29-2021 be taken up on second reading with a hearing on November 8, 2021 at 7:00 p.m.

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

**ORDINANCE NO. 30-2021** Introduction

**AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET AND BULKHEAD, ADJACENT TO BLOCK 47 LOTS 7.01, 7.02 (406 RIVERSIDE AVENUE) IN THE BOROUGH OF AVON-BY-THE-SEA, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

\_\_\_\_\_ made a motion that Ordinance 30-2021 be introduced on first reading, seconded by \_\_\_\_\_

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

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 30-2021 be taken up on second reading with a hearing on November 8, 2021 at 7:00 p.m.

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

**ORDINANCE NO. 31-2021 Introduction**

**AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET AND BULKHEAD, ADJACENT TO BLOCK 47 LOT 7.03 (101 FOURTH AVE), IN THE BOROUGH OF AVON-BY-THE-SEA, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

\_\_\_\_\_ made a motion that Ordinance 31-2021 be introduced on first reading, seconded by \_\_\_\_\_

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

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 31-2021 be taken up on second reading with a hearing on November 8, 2021 at 7:00 p.m.

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

**ORDINANCE NO. 32-2021 Introduction**

**AN ORDINANCE VACATING A PORTION OF A PUBLIC STREET AND BULKHEAD, RIVERSIDE AVENUE AS SHOWN IN EXHIBIT A, IN THE BOROUGH OF AVON-BY-THE-SEA, COUNTY OF MONMOUTH, STATE OF NEW JERSEY**

\_\_\_\_\_ made a motion that Ordinance 32-2021 be introduced on first reading, seconded by \_\_\_\_\_

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

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 32-2021 be taken up on second reading with a hearing on November 8, 2021 at 7:00 p.m.

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

**Consent Agenda**

Municipal Clerk states “All matters listed below are considered to be routine in nature and will be enacted by one motion. There will be no separate discussion on these items. If any discussion is desired by the governing body, that particular item will be removed from the consent agenda and will be considered separately”. Would any member of the governing body wish to remove any of the items from the consent agenda to discuss individually?

• **Resolution No. 121 – Mischief Night/Halloween Curfew**

BE IT RESOLVED, that the Mayor and Commissioners of the Borough of Avon-By-The-Sea, do hereby proclaim that commencing October 29th through October 31st 2021, 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. 122 – Authorizing entering into a Cooperative Pricing Agreement**

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the County of Bergen, hereinafter referred to as the "Lead Agency " has offered voluntary participation in the New Jersey Cooperative Purchasing Alliance # CK04- a Cooperative Pricing System for the purchase of goods and services; and

WHEREAS, on October 25, 2021 the governing body of the Borough of Avon-By-The-Sea, County of Monmouth, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services; and

NOW, THEREFORE, BE IT RESOLVED as follows:

1. This RESOLUTION shall be known and may be cited as the Cooperative Pricing Resolution of the Borough of Avon-By-The-Sea.
  2. Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Mayor of the Borough of Avon-By-The-Sea is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.
  3. The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.
- **Resolution No. 123 – Appointing Brad Child as the Alternate Fire Official**

The Board of Commissioners hereby appoint Brad Child as the Alternate Fire Official effective October 12, 2021.

- **Resolution No. 124 – Authorizing the Mayor to sign a contract with the Associated Humane Societies.**

BE IT RESOLVED, that the Mayor is hereby authorized to sign a contract between the Borough of Avon-By-The-Sea and the Associated Humane Societies for animal control services for the year 2022.

- **Resolution No. 125 – Authorizing the Mayor to sign the MOD-IV Service Agreement with the County of Monmouth**

WHEREAS, rules and regulations of the State of New Jersey, Department of Treasury, Division of Taxation, provide for a uniform system of maintaining and reporting tax information as to real estate throughout the State of New Jersey by municipalities and counties, which is commonly known as MODIV Property Assessment Computer System; and

WHEREAS, the County of Monmouth has the facilities to provide the computer services necessary in order to comply with the aforesaid rules and regulations; and

WHEREAS, pursuant to P.L.2013, c.15 (C.54:1-104) each municipal assessor in a demonstration county shall utilize the same property assessment software as is used by the county tax board and all real property assessment functions required pursuant to State law, including the revaluation or reassessment of real property, as well as other assessment-based functions such as the development of a compliance plan, maintenance of assessments and the calculation of added assessments shall be performed using the property assessment software.

WHEREAS, pursuant to P.L.2013, c.15 (C.54:1-104) the county tax board participating in the demonstration program shall provide MOD-IV and CAMA software to each municipality that does not use the software, at no cost to those municipalities, and shall provide, at no cost to those municipalities, training in the use of the software to the assessors of those municipalities, and to their respective staff members. Thereafter, each municipality shall pay an annual fee per each taxable line item in the municipality to the county tax board for the MOD-IV and CAMA service.

WHEREAS, the Shared Services Act and Consolidation Act, namely C. 40A:65-1, provides a mechanism through which counties and municipalities may enter into agreements for the provision of services for each other.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-By-The-Sea that the Mayor is authorized to sign the MOD-IV Shared Service Agreement with the County of Monmouth.

- **Resolution No. 126 – Adopting a Domestic Violence Policy**

WHEREAS, on or about October 15, 2019, the New Jersey Civil Service Commission issued a Statewide Domestic Violence Policy for Public Employers; and

WHEREAS, pursuant to N.J.S.A. 11A:2-6a(b)(1), “The [Civil Service Commission] shall develop a uniform domestic violence policy, which all public employers shall adopt and distribute to their employees, regardless of whether a public employer is subject to the provisions of Title 11A, Civil Service, of the New Jersey Statutes”; and

WHEREAS, the Township of Holmdel seeks to update its Personnel Policies and Procedures Manual to comply with N.J.S.A. 11A:2-6a(b)(1) and adopt a Township specific Domestic Violence Policy; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth, that the Bough of Avon-By-The-Sea Policies and Procedures Manual is updated as follows:

1. The Domestic Violence Policy, attached hereto, is hereby adopted and incorporated into the Township of Holmdel Personnel Policies and Procedures Manual.
2. The Township of Holmdel Personnel Policies and Procedures Manual shall designate Kerry McGuigan as primary Human Resources Officer (HRO) for purposes of the Domestic Violence Policy.
3. The Table of Contents of the Township’s Personnel Policies and Procedures Manual shall be updated to reflect the Township’s adoption of the Domestic Violence Policy.

BE IT FURTHER RESOLVED that a copy of the updated Township of Holmdel Personnel Policies and Procedures Manual is on file with the Clerk’s office; and

BE IT FURTHER RESOLVED that a copy of this Resolution shall be forwarded to the Township Clerk for distribution to all Township employees.

- **Resolution No. 127 – Adopting a Protection and Safe Treatment of Minors Policy**

WHEREAS, The Borough of Avon-By-The-Sea is charged with protecting the health, safety, and welfare of all its citizens, including children under the age of 18 and to that end is firmly committed to protecting children under the care and supervision of the Borough from all forms of physical, mental, sexual, and emotional abuse. The Borough is committed to establishing and implementing safeguards to eliminate opportunities for abuse of children entrusted to the care of the Borough; and

WHEREAS, pursuant to the Employment Practices Liability Compliance Program, it is necessary to adopt a policy addressing the Protection and Safe Treatment of Minors; and

WHEREAS, the Table of Contents of the Borough’s Personnel Policies and Procedures Manual shall be updated to reflect the Borough’s adoption of the Domestic Violence Policy; and

NOW, THEREFORE, BE IT RESOLVED by the Commissioners of the Borough of Avon-By-The-Sea that the Policy Addressing the Protection and Safe Treatment of Minors attached hereto is hereby adopted.

- **Resolution No. 128 – Approving Special Events**

Wounded Warriors    North End of Avon Beach  
October 29, 2021 Set Up 3:00 PM – 7:00 PM  
October 30, 2021 Event 7 AM – 11 AM

- **Resolution No. 129 – Cancellation of 2021 Water/Sewer Charges**

The Board of Commissioners hereby authorizes the cancellation of 2021 water/sewer charges for the following accounts:

Block 16 Lot 2	335 Norwood Ave. (Rear)	Erroneous	\$961.70
Block 35 Lot 3	37 Sylvania Ave.	Demo	\$175.00
Block 43.02 Lot 11	95 Fifth Ave.	Demo	\$175.00
Block 54 Lot 3	19 Washington Ave. (Rear)	Demo	\$175.00
Block 54 Lot 3	19 Washington Ave. (Front)	Demo	\$175.00

- **Approval of minutes from the September 27, 2021, Meeting**
- **Approving the payment of bills in the amount of \$824,562.85**

Municipal Clerk asks if anyone has any questions regarding the consent agenda items.

\_\_\_\_\_ made a motion to approve the consent agenda, seconded by \_\_\_\_\_

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

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

- **Department Head Reports**

Municipal Clerk asks if anyone from the public would like to be heard.

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