

Borough of Avon-By-The-Sea  
Regular Meeting Agenda – December 28, 2021

---

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.

**Workshop**

Beach Badge Sales  
Update on pool complex improvements and repairs  
Municipal Building parking lot

**Regular Meeting**

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

**ORDINANCE 34-2021** Hearing

**AN ORDINANCE OF THE BOROUGH OF AVON-BY-THE-SEA, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF AVON-BY-THE-SEA WITH THE ADDITION OF CHAPTER §172 ENTITLED “VOLUNTEER EMERGENCY SERVICES”**

Public comment.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 34-2021 be approved on second reading and its passage published in a newspaper as required by law.

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

**ORDINANCE 35-2021** Hearing

**AN ORDINANCE OF THE BOROUGH OF AVON-BY-THE-SEA, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING THE CODE OF THE BOROUGH OF AVON-BY-THE-SEA WITH THE ADDITION OF SECTION §17-24 “STIPEND” TO CHAPTER §17 ENTITLED “FIRE DEPARTMENT”**

Public comment.

Motion by \_\_\_\_\_, seconded by \_\_\_\_\_ that the above Ordinance No. 34-2021 be approved on second reading and its passage published in a newspaper as required by law.

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. 154 – 2022 Meeting Dates and Times**

WHEREAS, the Open Public Meetings Act (CH 231, P.L. 1975) became effective on January 19, 1976, and

WHEREAS, in accordance with said act, it is necessary for the Borough of Avon-By-The-Sea, as a public body, to post and maintain a schedule of the regular meetings of the public body to be held during the succeeding year; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners that the following dates are hereby designated as the 2022 Borough of Avon-By-The-Sea Board of Commissioners’ meeting dates:

2022 Board of Commissioners meetings held on the second Monday of the month at 7:00 PM, meeting dates marked with an asterisk will be held on the second Tuesday of the month at 7:00 PM.

January 10	July 11
February 14	August 8
March 14	September 12
April 11	*October 11
May 9	November 14
June 13	December 12

2022 Board of Commissioners meetings held on the fourth Monday of the month at 5:00 PM, meeting dates marked with an asterisk will be held on the fourth Tuesday of the month at 5:00 PM.

January 24	July 25
February 28	August 22
March 28	September 26
April 25	October 24
May 23	November 28
June 27	*December 27

- **Resolution 155 – Volunteer First Aid Squad Stipend**

WHEREAS, the Board of Commissions of the Borough of Avon-by-The-Sea acknowledge that for the health, welfare and safety of Borough residents and visitors it is necessary to encourage and retain volunteers to serve in the Avon-by-the-Sea First Aid & Safety Squad (hereinafter “First Aid Squad”); and

WHEREAS, the Board of Commissions of the Borough of Avon-by-The-Sea has determined that the creation of a Stipend Program will enhance the ability of the First Aid Squad to recruit and retain volunteer First Aid Squad members; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-by-The-Sea that:

- (a) A Stipend Program shall be established to encourage the recruitment, retention, and participation of regular active members of the Volunteer First Aid Squad;
- (b) This program shall provide for a sign-on stipend and an annual stipend for each Volunteer Member that meets the criteria set forth below;
- (c) The annual stipend shall be made in accordance with a plan established by the Borough of Avon-by-The-Sea. Such plan shall be administered in accordance with the laws of the State of New Jersey and United States Internal Revenue Code, and shall be monitored by the Borough Administrator;
- (d) The annual stipend for each eligible Volunteer Member shall be distributed equally to the eligible members from the budget amount of \$10,000 less payments for the sign-on stipend. The annual stipend for each eligible Volunteer Member shall be no more than \$1,000.00 annually. A sign-on stipend of \$500.00 will be paid to each new member upon successful completion of training and probation. Annual stipend payments shall be made directly to the eligible member on or before

January 15<sup>th</sup>. The sign-on stipend shall be paid directly to the eligible member upon completion of probation;

- (e) Volunteer First Aid Squad members on medical leave as a result of an injury related to the services as a volunteer shall be entitled to the full annual stipend. The medical leave must be not less than six (6) consecutive months and medically documented by a licensed physician;
- (f) The Avon-by-The-Sea Volunteer First Aid Squad shall maintain sufficient records suitable to the Borough to provide for the maintenance of this program and to insure accurate and complete reporting of volunteer attendance. The President of the First Aid Squad shall provide the records to the First Aid Squad's Stipend Coordinator on a monthly basis for calculation as to the eligibility of the members to receive the annual stipend. Any dispute of the calculations shall be initially appealed to the Stipend Coordinator. The decision of the Stipend Coordinator may be appealed to the Borough Administrator for resolution. The Stipend Coordinator shall submit quarterly records for calculations to the Borough Administrator. An annual report shall be submitted by the Stipend Coordinator to the Borough Administrator on or before January 7 of the next following year;
- (g) The Stipend Program does not create an employer/employee relationship between the Volunteer Member and the Borough. No person shall be considered an employee of the Borough by virtue of receiving a stipend. Payment and receipt of the stipend does not change the status of the member as a volunteer.
- (h) The Stipend Program does not entitle a volunteer member to health and prescription benefits, pension or any like benefits provided by the Borough to its employees; and
- (i) The Borough can amend and terminate the Stipend Program at any time by way of Resolution.

• **Resolution 156 – Volunteer Fire Department Stipend**

WHEREAS, the Board of Commissions of the Borough of Avon-by-The-Sea acknowledge that for the health, welfare and safety of Borough residents and visitors it is necessary to encourage and retain volunteers to serve in the Borough volunteer Fire Department; and

WHEREAS, the Board of Commissions of the Borough of Avon-by-The-Sea has determined that the creation of a Stipend Program will enhance the ability of the Fire Department to recruit and retain volunteer Fire Department members;

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-by-The-Sea that:

- (a) A Stipend Program shall be established to encourage the recruitment, retention, and participation of regular active members of the Avon-by-The-Sea Volunteer Fire Department;
- (b) This program shall provide for a sign-on stipend and an annual stipend for each Volunteer Member that meets the criteria set forth below;
- (c) The annual stipend shall be made in accordance with a plan established by the Borough of Avon-by-The-Sea. Such plan shall be administered in accordance with the laws of the State of New Jersey and United States Internal Revenue Code, and shall be monitored by the Borough Administrator;
- (d) The annual stipend for each eligible Volunteer Member shall be distributed equally to the eligible members from the budget amount of \$10,000 less payments for the sign-on stipend. The annual stipend for each eligible Volunteer Member shall be no more than \$1,000.00 annually. A sign-on stipend of \$500.00 will be paid to each new member upon successful completion of training and probation. Annual stipend payments shall be made directly to the eligible member on or before January 15<sup>th</sup>. The sign-on stipend shall be paid directly to the eligible member of the next following year upon completion of probation;

- (e) Volunteer Fire Department members on medical leave as a result of an injury related to the services as a volunteer shall be entitled to the full annual stipend. The medical leave must be not less than six (6) consecutive months and medically documented by a licensed physician;
- (f) The Avon-by-The-Sea Volunteer Fire Department shall maintain sufficient records suitable to the Borough to provide for the maintenance of this program and to insure accurate and complete reporting of volunteer attendance. The President of the Fire Department shall provide the records to the Stipend Coordinator on a monthly basis for calculation as to the eligibility of the members to receive the annual stipend. Any dispute of the calculations shall be initially appealed to the Stipend Coordinator. The decision of the Stipend Coordinator may be appealed to the Borough Administrator for resolution. The Stipend Coordinator shall submit quarterly records for calculations to the Borough Administrator. An annual report shall be submitted by the Stipend Coordinator to the Borough Administrator on or before January 7 of the next following year;
- (g) The Stipend Program does not create an employer/employee relationship between the Volunteer Member and the Borough. No person shall be considered an employee of the Borough by virtue of receiving a stipend. Payment and receipt of the stipend does not change the status of the member as a volunteer.
- (h) The Stipend Program does not entitle a volunteer member to health and prescription benefits, pension or any like benefits provided by the Borough to its employees; and
- (i) The Borough can amend and terminate the Stipend Program at any time by way of Resolution.

- **Resolution 157 – Continued Shared Services with the Township of Neptune for Emergency Medical Services**

WHEREAS, the Borough of Avon-By-The-Sea desires to provide the most timely and effective emergency services to its residents, including ambulance services, and:

WHEREAS, the Borough of Avon-By-The-Sea First Aid Squad recommends a shared services agreement to provide emergency medical services; and

WHEREAS, in enacting the “Uniform Shared Services and Consolidation Act,” N.J.S.A. 40A:65-1 et seq., the New Jersey Legislature has permitted municipalities to enter into agreements to provide or receive services to/from one another; and

WHEREAS, accordingly, the Borough of Avon-By-The-Sea and Township of Neptune desire to enter into this Interlocal Shared Services Agreement (“Agreement”).

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the Borough of Avon-By-The-Sea, in the County of Monmouth, and State of New Jersey that the Mayor and Borough Clerk are hereby authorized to continue an Interlocal Shared Services Agreement with the Township of Neptune for CY2022 for emergency medical services; and

BE IT FURTHER RESOLVED that the continuation of the Interlocal Shared Services Agreement for CY2022 shall take effect upon the adoption of appropriate resolutions by all the parties thereto, and execution of agreements authorized thereunder as set forth in the agreement.

- **Resolution 158 – Purchase of SDL Software through the Bergen County Co-Op**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-by-The-Sea that it hereby authorizes the purchase of SDL Construction/Zoning/Code Enforcement Software for up to five (5) users, as follows:

New Jersey Cooperative Purchasing Alliance

Contract #: CK04

Subcontract #: 19-34

Vendor: SHI  
290 Davidson Ave.  
Somerset, NJ 08873

Amount: \$14,350.00

- **Resolution 159 – Planning Board Appointments to be made effective January 1, 2022**

Stephen Mazouat                      Alt. #4                      2 years                      End 12/31/23

- **Resolution 160 – Approving the Restriping of Sylvania Avenue by Monmouth County**

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Avon-by-The-Sea that it approves the restriping of Sylvania Avenue by the County of Monmouth utilizing Option B as presented by the Monmouth County Engineering Department.

- **Approving minutes from the December 13, 2021 Meeting**
- **Approving the payment of bills in the amount of \$528,814.45**

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: \_\_\_\_\_

- **Public Comment**

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