

Borough of Avon-By-The-Sea
Regular Meeting Agenda – September 27, 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

Fulfill Food Collection
Sylvania Avenue traffic lines
Plastic film collection container

Regular Meeting

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

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 111 – Electronic Payments for Tax, Water, Sewer**

WHEREAS, the Government Electronic Payment Acceptance Act (P.L.1955, c.325) ("Act") authorizes a municipality to establish a credit card payment system or electronic funds transfer system upon the passage of a Resolution by the Governing Body; and

WHEREAS, the Division of Local Government Services has adopted rules and regulations implementing the Act; and

WHEREAS, online tax, water, and sewer payments by way of credit card payment will create a greater convenience for the Borough of Avon-By-The-Sea taxpayers; and

WHEREAS, under N.J.A.C. 5:30-9.2 any and all delinquent local unit obligations need to be satisfied thirty (30) days prior to the completion of the tax sale list or electronic payments will not be accepted by the municipality; and

WHEREAS, the Chief Financial Officer would also like to implement the acceptance of tax, water, and sewer payments by way of Direct Withdrawal from the accounts of the taxpayers; and

WHEREAS, the Borough of Avon-By-The-Sea is currently using the Edmunds and Associates Program for the collection of property taxes, water, and sewer; and

WHEREAS, the Chief Financial Officer has recommended the use of FIS Pay Direct Solutions in association with Edmunds and Associates for online for payment of property taxes, water, and sewer for the Borough of Avon-By-The-Sea for a fee of \$1,200.00 per year, paid to Edmunds and Associates; and

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Borough of Avon-By-The-Sea, pursuant to the provisions of the Act and the rules and regulations established by the Division of Local Government Services that the Borough authorizes credit card payment for property taxes, water, and sewer via the online payment system; and

BE IT FURTHER RESOLVED by the Commissioners of the Borough of Avon-By-The-Sea, that the Borough is hereby authorized to contract with and to receive online property tax, water, and sewer payments for the Borough of Avon-By-The-Sea through the FIS Pay Direct Solutions in association with Edmunds and Associates WIPP Program, and to receive tax, water, and sewer payments by way of Direct Withdrawal beginning January 1, 2022.

- **Resolution 112 – Ronald J. Troppoli, Alternate Public Defender, Resignation**

WHEREAS, Ronald J. Troppoli was appointed by the Borough of Avon-By-The-Sea to be the Alternate Public Defender on January 11, 2021; and

WHEREAS, Mr. Troppol will no longer be able to continue to serve as the Borough’s Alternate Public Defender and has submitted his resignation; and

NOW, THEREFORE, BE IT RESOLVED on this 27th day of September, 2021 the Borough of Avon-By-The-Sea Commissioners accept his resignation effective September 22, 2021.

Resolution 113-2021 – Resignation of Scott Sperduto from the Environmental Commission

WHEREAS, Environmental Commission Member Scott Sperduto, has submitted his resignation to the Commission; and

NOW, THEREFORE, BE IT RESOLVED on this 27th day of September, 2021 the Borough of Avon-By-The-Sea Commissioners accept his resignation.

- **Resolution 114-2021 – Resignation of John Reilly from the Environmental Commission**

WHEREAS, Environmental Commission Member John Reilly, has submitted his resignation to the Commission; and

NOW, THEREFORE, BE IT RESOLVED on this 27th day of September, 2021 the Borough of Avon-By-The-Sea Commissioners accept his resignation.

- **Resolution 115 – Appointing Carlie Hanlon to the Environmental Commission**

WHEREAS, Environmental Commission has an opening on their board; and

NOW, THEREFORE, BE IT RESOLVED the Borough of Avon-By-The-Sea Commissioners appoint Carlie Hanlon to the Environmental Commission to fill the unexpired term of John Reilly, expiring 12/31/2022.

- **Resolution 116 – Approval of Special Events Applications**

The following Special Events applications are hereby approved by the Board of Commissioners:

Alzheimer’s Association walk to end Alzheimer’s, Ocean Ave., October 3, 2021 (walk through)
St. Teresa Parish, Municipal Building Lawn, October 10, 2021
St. Teresa Parish, Municipal Building Lawn, October 17, 2021

- **Resolution 117 – Annual Audit Report of Audit for the Year 2020**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts, and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2020 as been filed by a Registered Municipal Accountant with the Municipal Clerk as per the requirements of N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body, and

WHEREAS, the Local Finance Board of the State of New Jersey is authorized to prescribe reports pertaining to the local fiscal affairs, as per R.S. 52:27BB-34, and

WHEREAS, the Local Finance Board has promulgated a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled:

GENERAL COMMENTS
RECOMMENDATIONS

as evidence by the group affidavit form of the governing body, and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, as per the regulations of the Local Finance Board, and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provision of R.S. 52:27BB-52 - to wit: R.S. 52:27BB-52 - "A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director of Local Government Services, under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than on thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office."

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the Borough of Avon-By-The-Sea hereby states that it has complied with the promulgation of the Local Finance Board of the State of New Jersey dated July 30, 1968 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

- **Resolution 118 – Appointing Nicholas Saulys as Patrolman**

WHEREAS, Avon-By-The-Sea Police Department has an opening for a patrolman; and

NOW, THEREFORE, BE IT RESOLVED the Borough of Avon-By-The-Sea Commissioners appoint Nicholas Saulys as a Patrolman to the Avon-By-The-Sea Police Department effective October 1, 2021.

- **Resolution 119 – Awarding the NJDOT FY2021 Contract to Lucas Brothers Inc.**

WHEREAS, the Borough of Avon-By-The-Sea wishes to enter into an agreement with Lucas Brothers Inc., Avon-By-The-Sea, New Jersey; and

WHEREAS, Lucas Brothers Inc., 80 Amboy Rd, Morganville, NJ 07751 desires to provide such services; and

WHEREAS, the price for this service will not exceed \$200,000.00 through the NJDOT FY2021 Municipal Aid Improvements Grant; and

WHEREAS, the award is subject to the review and approval of the New Jersey Department of Transportation and subject to review by the Borough Attorney for post contract documents; and

NOW, THEREFORE, BE IT RESOLVED, by the Commissioners of the Borough of Avon-By-The-Sea authorize the Mayor and Municipal Clerk to sign the agreement between the Borough of Avon-By-The-Sea and Lucas Brothers Inc.

Copies of this Resolution shall be forwarded to the following:

- a. Lucas Brothers Inc., 80 Amboy Rd, Morganville, NJ 07751
- b. T&M Associates, 1144 Hooper Ave., Toms River, NJ 08753
- b. Barry Cooke, Borough Attorney
- c. John Antonides, Borough CFO

- **Approval of minutes from the September 13, 2021, Meeting**
- **Approving the payment of bills in the amount of \$ \$630,903.74**

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: _____

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.