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May 11, 2018

ASK NJ Media Co.
Opra+request-1639-00a5fff7@requests.opramachine.com

**Re: OPRA Request
No. 129-2018**

To Whom It May Concern:

I serve as the municipal attorney for the Borough of Avon-by-the-Sea, Monmouth County, New Jersey (hereinafter "Borough"). Receipt is acknowledged of your OPRA request dated May 4, 2018.

You have made the following OPRA request:

- 1) documents or statements sufficient to show the current annual salary of the Mayor and each member of the governing body.
- 2) documents or statements sufficient to show the salary paid to the Mayor and each member of the governing body during the year 2017.
- 3) documents or statements sufficient to show all benefits bestowed upon each elected official during the year 2017, including but not limited to health insurance, pension benefits, government vehicles, EZPass/parking permits, stipends/allowances, bonuses, cell phone bill reimbursement or other perks.
- 4) documents of statements sufficient to show all benefits bestowed upon each elected official during the year 2018, including but not limited to health insurance, pension benefits, government vehicles, EZPass/parking permits, stipends/allowances, bonuses, cell phone bill reimbursement or other perks.
- 5) documents, statements, or invoices sufficient to show all reimbursement payments made to each elected official during the year 2017.
- 6) documents, statements, or invoices sufficient to show all reimbursement payments made to each elected official during the year 2018.

The Borough responds as follows:

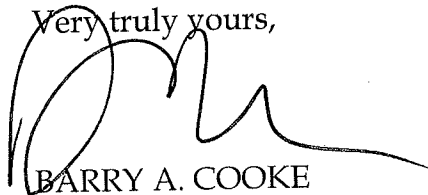
1. attached salary ordinances, Ordinance No. 2-2017 and Ordinance No. 5-2018
2. attached Ordinance 2-2017
3. attached Ordinance 5-2018
4. none
5. none
6. none

If your request for access to a government record has been denied or unfilled within the seven (7) business days required by law, you have a right to challenge the decision by the Borough to deny access. At your option, you may either institute a proceeding in the Superior Court of New Jersey or file a complaint with the Government Records Council ("GRC") by completing the Denial of Access Complaint Form. You may contact the GRC by toll-free telephone at 866-850-0511, by mail at P.O. Box 819, Trenton, NJ 08625, by e-mail at grc@dca.state.nj.us, or at their web site at www.state.nj.us/grc.

The Council can also answer other questions about the law. All questions regarding complaints filed in Superior Court should be directed to the Court Clerk in your County.

Thank you for your attention to this matter.

Very truly yours,



BARRY A. COOKE

| BAC:jp

cc: Marc Freda, Municipal Clerk, mfreda@avonbytheseanj.com

ORDINANCE NO. 2-2017

**"AN ORDINANCE OF THE BOROUGH OF AVON-
BY-THE-SEA ESTABLISHING SALARIES AND
WAGES FOR 2017."**

BE IT HEREBY ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, 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 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 2017 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 Local 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.

SECTION 1.

Governing Body:

Mayor	\$ 4,500.00
Commissioner	3,000.00
Commissioner	3,000.00

Police Department:

Police Chief	\$128,893.00
Captain	118,610.00
Lieutenant	111,433.00
Sargent	107,828.00

Police Officer hired after 01/01/00	
Police Officer (after 8 years)	104,328.00
Police Officer (after 12 years)	104,328.00
Police Officer (after 11 years)	97,838.00
Police Officer (after 10 years)	90,838.00
Police Officer (after 9 years)	85,374.00
Police Officer (after 8 years)	80,395.00
Police Officer (after 7 years)	75,415.00
Police Officer (after 6 years)	70,433.00
Police Officer (after 5 years)	65,454.00
Police Officer (after 4 years)	60,475.00
Police Officer (after 3 years)	56,205.00
Police Officer (after 2 years)	51,936.00
Police Officer (after 1 years)	47,667.00
Police Officer (Probationary)	44,111.00
Police Officer (Academy)	41,264.00

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	13.00
Second Year	13.50
Third Year	14.00
Class I Supervisor	14.00 – 16.00

Class II Special Officers (hourly)	
First Year	15.50
Second Year	16.00
Third Year	16.50

School Crossing Guards (Daily)	30.00
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Fire Department

Fire Chief	675.00
Deputy Chief	560.00
Captain	445.00
First Lieutenant	390.00
Second Lieutenant	340.00
Chief Engineer	295.00
Assistant Engineer	225.00

Borough Office

Borough Clerk	124,346.00
Tax Collector	52,538.00
Deputy Clerk	57,997.00
Administrative Assistant	36,528.00

Water/Sewer Department

Superintendent	113,386.00
Part-Time/Seasonal (Hourly)	11.00 – 15.00
Part-Time Assistant Superintendent	3,000.00

Library

Librarian	57,163.00
Library Aides	9.50 – 18.00

Street / Sanitation Departments

Superintendent	98,000.00
Employees hired prior to 1/1/05	
Step 9 (after 13 years)	77,397.00
Employees hired after 1/1/05	
Step 16 (after 15 years)	58,986.00
Step 15 (after 14 years)	57,608.00
Step 14 (after 13 years)	56,229.00
Step 13 (after 12 years)	54,885.00
Step 12 (after 11 years)	53,507.00
Step 11 (after 10 years)	52,129.00
Step 10 (after 9 years)	50,751.00
Step 9 (after 8 years)	49,372.00
Step 8 (after 7 years)	47,995.00
Step 7 (after 6 years)	46,371.00
Step 6 (after 5 years)	44,803.00
Step 5 (after 4 years)	41,872.00
Step 4 (after 3 years)	39,132.00
Step 3 (after 2 years)	36,573.00
Step 2 (after 1 year)	34,179.00
Step 1 (probationary-1 st year)	31,944.00
Sanitation/Street Helpers (year round, at will)	12.00 – 14.00
Summer Sanitation Helpers (hourly)	11.00 – 12.00
Summer Street Helpers (hourly)	7.50 – 8.50
Recycle Person	10.50

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	19,000.00
Welfare Director	3,650.00
Fire Inspector	3,600.00
Plumbing Inspector	8,600.00
Electrical Inspector	9,500.00
Recreation Director	18,750.00
Chief Financial Director	30,000.00
Emergency Management Coordinator	2,000.00
Assistant Emergency Management Coordinator	2,000.00
Code Enforcement Official	6,500.00
Construction Code Official	38,800.00
Zoning Official	12,000.00
Construction Code Secretary	3,700.00
Recycling Secretary	2,700.00
Property Maintenance	16,000.00
Building Inspector	12,000.00
Fire Code Official	15,700.00
Marina Coordinator	2,500.00
Emergency Management Administrator	10,000.00
FEMA Coordinator	23,000.00
Flood Plain Manager	20,000.00

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

Planning Board Secretary	8,000.00
Municipal Attorney	130.00
Municipal Prosecutor	2,100.00 retainer plus 575.00 per session
Assistant Fire Bureau	13.00
Grant Coordinator	25.00 – 30.00
Public Defender	225.00 per session
Skilled Laborer	20.00 – 70.00
Occasional Employees	6.00 – 25.00

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

Recreation Director	4,000.00
Beachfront Supervisor	16,000.00
Chief Lifeguard	11,000.00 – 13,500.00
Beach Lifeguards (Daily)	
Captain	115.00
Step 6	104.00
Step 5	100.00
Step 4	94.00
Step 3	89.00
Step 2	85.00
Step 1	82.00
Beach Public Buildings Custodians	11.00 – 12.50
Beach Cleaners	7.00
Beach Cashiers (Daily)	
1-3 years	80.00
4 years and over	85.00
Gate Tenders (Daily)	58.00
Sales Manager (Hourly)	14.75
Pool Clean-Up Person	6.75 – 7.00
Pool Manager	7,500.00
Assistant Pool Manager (Hourly)	15.00
Pool Lifeguards (Daily)	
Step 4	77.00
Step 3	73.00
Step 2	68.00
Step 1	65.00
Pool Cashiers (Daily)	
1-3 years	67.00
4 years and over	72.00

SECTION 5 – OVERTIME. The annual salaries heretofore fixed and determined are based on a forty (40) hour work week for all full time employees. In the even 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 forty (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 the first year and up to the tenth year	2 weeks
After the tenth year and up to the twentieth year	3 weeks
After the twentieth year	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 the:</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

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.

Does not apply to employees hired after January 1, 2016.

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 or any other deductions as required by Chapter 78, P.L. 2011 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.

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, 2017.

John B. Magrini, Mayor

ORDINANCE NO. 5-2018

**"AN ORDINANCE OF THE BOROUGH OF AVON-
BY-THE-SEA ESTABLISHING SALARIES AND
WAGES FOR 2018."**

BE IT HEREBY ORDAINED by the Board of Commissioners of the Borough of Avon-By-The-Sea, 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 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 2018 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 Local 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 Tax Collector/Administrator is subject to the current contract which is on file in the office of the Clerk.
10. The regular full-time Borough Clerk, Acting Borough Clerk, Deputy Borough Clerk and Administrative Assistant are subject to the current contracts which are on file in the office of the Clerk.

SECTION 1.

Governing Body:

Mayor	\$ 4,500.00
Commissioner	3,000.00
Commissioner	3,000.00

Police Department:

Police Chief	\$131,471.00
Captain	120,982.00
Lieutenant	113,662.00
Sargent	109,985.00

Police Officer hired after 01/01/00

Police Officer (after 8 years)	106,415.00
Police Officer (after 12 years)	106,415.00
Police Officer (after 11 years)	98,816.00
Police Officer (after 10 years)	91,746.00
Police Officer (after 9 years)	86,228.00
Police Officer (after 8 years)	81,199.00

Police Officer (after 7 years)	76,169.00
Police Officer (after 6 years)	71,137.00
Police Officer (after 5 years)	66,109.00
Police Officer (after 4 years)	61,080.00
Police Officer (after 3 years)	56,767.00
Police Officer (after 2 years)	52,455.00
Police Officer (after 1 years)	48,144.00
Police Officer (Probationary)	44,552.00
Police Officer (Academy)	41,677.00

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	13.00
Second Year	13.50
Third Year	14.00
Class I Supervisor	14.00 – 16.00

Class II Special Officers (hourly)	
First Year	15.50
Second Year	16.00
Third Year	16.50

School Crossing Guards (Daily)	30.00
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Fire Department

Fire Chief	675.00
Deputy Chief	560.00
Captain	445.00
First Lieutenant	390.00
Second Lieutenant	340.00
Chief Engineer	295.00
Assistant Engineer	225.00

Borough Office

Borough Clerk	61,200.00
Acting Borough Clerk	60,000.00
Tax Collector	61,200.00
Deputy Clerk	59,157.00
Administrative Assistant	37,259.00

Water/Sewer Department

Superintendent	115,654.00
Part-Time/Seasonal (Hourly)	11.00 – 15.00
Part-Time Assistant Superintendent	3,000.00

Library

Librarian	58,306.26
Library Aides	9.50 – 18.00

Street / Sanitation Departments

Superintendent	99,960.00
Employees hired prior to 1/1/05	
Step 9 (after 13 years)	78,945.00
Employees hired after 1/1/05	
Step 16 (after 15 years)	60,166.00
Step 15 (after 14 years)	58,760.00
Step 14 (after 13 years)	57,354.00
Step 13 (after 12 years)	55,982.00
Step 12 (after 11 years)	54,578.00
Step 11 (after 10 years)	53,172.00

Step 10 (after 9 years)	51,766.00
Step 9 (after 8 years)	50,360.00
Step 8 (after 7 years)	48,955.00
Step 7 (after 6 years)	47,299.00
Step 6 (after 5 years)	45,699.00
Step 5 (after 4 years)	42,710.00
Step 4 (after 3 years)	39,915.00
Step 3 (after 2 years)	37,304.00
Step 2 (after 1 year)	34,863.00
Step 1 (probationary-1 st year)	32,583.00
Sanitation/Street Helpers (year round, at will)	11.00 – 14.00
Summer Sanitation Helpers (hourly)	11.00 – 12.00
Summer Street Helpers (hourly)	8.60 – 10.00
Recycle Person	10.50

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

Borough Administrator	30,600.00
Tax Assessor	8,400.00
Hotel/Rooming House Inspector	575.00
Municipal Judge	19,000.00
Welfare Director	3,650.00
Fire Inspector	3,600.00
Plumbing Inspector	8,800.00
Electrical Inspector	9,700.00
Recreation Director	19,125.00
Chief Financial Director	30,000.00
Emergency Management Coordinator	2,000.00
Assistant Emergency Management Coordinator	2,000.00
Code Enforcement Official	6,500.00
Construction Code Official	39,576.00
Zoning Official	12,240.00
Construction Code Secretary	4,000.00
Recycling Secretary	2,900.00
Property Maintenance	16,320.00
Building Inspector	12,240.00
Fire Code Official	15,700.00
Marina Coordinator	2,550.00
Emergency Management Administrator	10,500.00
FEMA Coordinator	23,500.00
Flood Plain Manager	20,000.00

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

Planning Board Secretary	8,200.00
Municipal Attorney	130.00
Municipal Prosecutor	2,100.00 retainer plus 575.00 per session
Assistant Fire Bureau	13.00
Grant Coordinator	25.00 – 31.00
Public Defender/Alternate Public Defender	225.00 per session
Skilled Laborer	20.00 – 70.00
Occasional Employees	6.00 – 25.00

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

Recreation Director	4,100.00
Beachfront Supervisor	16,000.00
Chief Lifeguard	11,000.00 – 14,500.00

Assistant Chief Lifeguard	5,000 – 9,000.00
Beach Lifeguards (Daily)	
Captain	117.00
Step 6	106.00
Step 5	102.00
Step 4	96.00
Step 3	91.00
Step 2	87.00
Step 1	84.00
Beach Public Buildings Custodians	11.00 – 12.50
Beach Cleaners	8.60
Beach Cashiers (Daily)	
1-3 years	82.00
4 years and over	87.00
Gate Tenders (Hourly)	8.60
Sales Manager (Hourly)	15.00
Pool Clean-Up Person	8.60
Pool Manager	7,500.00
Assistant Pool Manager (Hourly)	15.00
Pool Lifeguards (Daily)	
Step 4	77.00
Step 3	73.00
Step 2	71.00
Step 1	69.00
Pool Cashiers (Daily)	
1-3 years	69.00
4 years and over	72.00
Beach Flowers	250.00/week

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

SECTION 8 – LONGEVITY. All full time non-contractual employees shall receive as additional compensation the following:

<u>Beginning with the:</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

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.

Does not apply to employees hired after January 1, 2016.

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 as per the conditions of their contract.

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.

SECTION 13. All other terms and conditions of the contracts of the Police Department, Public Works Department, Borough Supervisors, Borough Clerk, Acting Borough Clerk, Deputy Clerk, Tax Collector/Borough Administrator 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, 2018.

John B. Magrini, Mayor