

June 9, 2017

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on June 9, 2017 at 9:00 A.M.

Present: Mayor Cohen, Commissioner Ades & Commissioner Simhon  
Also Present: Martin Barger, Borough Attorney, Paul Fernicola, Esq.

It was stated that in conjunction with the "Open Public Meeting Law", p.l. 1975 ch. 231, a notice required by this statute has been satisfied as per a resolution passed on December 9, 1997 at 5:05 P.M. at Borough Hall at a regular meeting of the Board of Commissioners, Borough of Deal, and Monmouth County, New Jersey.

It was moved by Commissioner Simhon, seconded by Commissioner Ades and carried that the reading of the minutes of the previous meeting held on May 24, 2017 be dispensed with and the same be approved as recorded.

Ordinance #1151 to amend Chapter X, Traffic Ordinance, was introduced on May 10, 2017 and the public hearing is scheduled for today, June 9, 2017. Mayor Cohen moved to open the meeting to public comment on Ordinance #1151, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

#### **ORDINANCE #1151**

AN ORDINANCE AMENDING CHAPTER X OF  
"REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF DEAL, 1982"  
Traffic Ordinance

Commissioner Ades moved to adopt Ordinance 1151, seconded by Commissioner Simhon Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance #1152 to amend Chapter X, Traffic Ordinance, was introduced on May 24, 2017 and the public hearing is scheduled for today, June 9, 2017. Mayor Cohen moved to open the meeting to public comment on Ordinance #1152, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Sam Fallack, 10 Hathaway Avenue, asked if this ordinance would be for a paid beach at Hathaway, Mayor Cohen stated yes. Mr. Fallack objected to the ordinance stating there is too much inundation, too much coming to a residential area, too much debris, people changing clothes and becoming naked in the street. Mr. Fallack stated that there is a lack of respect and there should be restrictions on the parking, he stated he does not want to live like that and does not want to become a commercial destination by attracting people to come to the area and creating too much of an impact on Deal. Commissioner Simhon stated that beach replenishment has created the influx. Mayor Cohen stated that the Commissioners tried to restrict parking but had much resistance. Isadora Chamlin, 5 Poplar Avenue, stated she wanted to go and park. Mayor Cohen stated there is no restriction on parking. Barbara Coffey, 85 Norwood, asked if residents will be paying the beach fee, Mayor Cohen stated yes. Ms. Coffey asked about placing of portable bathrooms, Mayor Cohen stated there will be portable bathrooms as required by state law. David Assoulin, 24 Hathaway Avenue, stated that there are hundreds of cigarette butts and rubbish and people undressing. Mr. Assoulin stated that we have the Deal Casino as a public beach. Commissioner Ades stated that why would anyone pay when they can go to the beach for free. Mr. Assoulin stated that he does not want portable bathrooms, Mayor Cohen stated they would be tucked away near Neptune Avenue. Mr. Assoulin stated that he will go to the town and have a

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signed petition opposing the ordinance. Commissioner Ades stated that we have been going through this for 2 years and no one showed up. Mr. Assoulin asked about the garbage on weekends, Mayor Cohen stated that we will be placing garbage receptacles on the beach. John Webber, Surfrider Association, stated that it was good to now have a lifeguard on the beach. Mr. Webber asked that swimming will be on the north side of Hathaway and surfing and fishing on the south side of Hathaway, he was advised that was the locations. Mr. Webber stated that this was a fair way. Don Greenberg, Bradley Beach, stated that this was a good compromise and to utilize the revenues to hire more cops to enforce violations. Isadora Chamlin stated that there is no need for more trash cans and stated to ticket anyone who leaves trash. Vince Lepore, Long Branch, stated that this was he appreciated the compromise. Mr. Lepore stated that the Borough should do a study and go in the direction of creating a beach utility fund. Sonny Fallack, asked if the parking was free, Mayor Cohen stated yes. Mr. Fallack asked where can you go to park for free why give free parking, Mayor Cohen stated that he will re-evaluate at the end of the season. Mr. Fallack stated that parking was the problem for him, and asked the Commissioners what they were going to do for him and they are not resolving the issues for him. John Webber stated there are several other towns with free parking, including Spring Lake. There were no additional comments and the public session was closed by the same vote.

#### **ORDINANCE #1152**

AN ORDINANCE AMENDING CHAPTER VI OF  
"REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF DEAL, 1982"  
Beach Regulations

Commissioner Ades moved to adopt Ordinance 1152, seconded by Commissioner Simhon Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance #1153 to amend Chapter X, Traffic Ordinance, was introduced on May 24, 2017 and the public hearing is scheduled for today, June 9, 2017. Mayor Cohen moved to open the meeting to public comment on Ordinance #1153, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Andrew Chambarry, Asbury Park, asked what this ordinance was related to, he was advised that this was part of the Municipal Public Access Plan that the Borough is working on with the NJ Department of Environmental Protection. Mr. Chambarry asked if the access points would be listed, he was advised that there is a list of locations in the MPAP. There were no additional comments from the public and the public session was closed by the same vote.

#### **ORDINANCE #1153**

AN ORDINANCE AMENDING CHAPTER XVI OF  
"REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF DEAL, 1982"  
Signs

Commissioner Ades moved to adopt Ordinance 1153, seconded by Commissioner Simhon Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1154 to amend Chapter IV, Police Department was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

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Public Hearing for this ordinance will be given on July 14, 2017 at 9:00 A.M.

**ORDINANCE 1154**

AN ORDINANCE AMENDING CHAPTER IV OF  
"REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF DEAL, 1982",  
POLICE DEPARTMENT

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL  
HEREBY ORDAIN:

Section 1. That Chapter IV, Police Department, of the "Revised General Ordinance of the Borough of Deal, 1982 be and it hereby is amended in the following particulars:

Section 2. Subsection 4-12 **Outside Employment** is amended to add as follows:

1. The Borough may choose to utilize a secondary service to administrate and perform the above actions related to the off-duty employment process. These actions include but are not limited to: Communicating with said person or company to schedule off-duty "jobs", Scheduling the Officers for the said jobs, Invoicing person or company and receiving escrow and or payments from person or company in a manner set forth by the secondary service provider. The secondary service provider may charge an additional fee for services that is above and in addition to the fee structure stated above and utilize business type collection rules as set forth in the contract/agreement between the Borough and the secondary service provider.
- m. The secondary service provider will reimburse the Borough via ACH or other funds transfer methods, according to the fees set forth in this ordinance, due to the Borough and Officer, in a timely manner, usually coinciding with payroll periods for "jobs" that the officers have performed or were scheduled for in that period, in accordance with the above listed rules of employment between the Borough and person(s) or company seeking services.

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

**Resolution 17-82**

BE IT RESOLVED, that the following persons are hereby appointed for summer positions at the Deal Casino and Conover Pavilion, June 2016 through September 2016 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budget.

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**2017 management and supervisor salaries**

Carrie Sniffen	\$22,000
Ted Bahlman	\$19,000
Mathew Tomo	\$15,000
Chris Wong	\$11,000
Lifeguard Captain	\$10,000
Aquatics Director	\$9,000
Recreation Supervisor	\$6,000

**2017 Casino Staff hourly salaries:**

Max Cameron	\$7.00
Sam Carew	\$5.50
Christina Chambers	\$7.00
Jared Crystal	\$8.00
Abby Deo	\$5.50
Julia Erhard	\$5.50
Kayla Eustace	\$5.50
Emily Forgash	\$8.00
Madison Karpe	\$5.50
Jack McDonough	\$8.00
Sara Phox	\$7.00
Sofia Sarbello	\$5.50
Brielle Schneider	\$5.50
Logan Sherr	\$5.50
Aaron Tabis	\$5.50
Alexandro Tabis	\$5.50
Juliete Tawil	\$5.50
Kayla Terzi	\$5.50
Tate Westerlind	\$5.50

**2017 Casino Security hourly salaries:**

Carli Brush-Stoll	\$10.00
Emily Binford	\$10.00
Natalie Chant	\$9.00
Noelle Chant	\$9.00
Dominick Ciconne	\$12.00
Avalon Fiore	\$11.00
Mason Gallina	\$12.00
Summer Lampiney	\$9.00
Taylor Oxley	\$9.00
Anna McDonough	\$10.00
Olvia McDonough	\$12.50
Brittany Pereira	\$12.00
Kim Schmidt	\$9.00
Alec Shamula	\$11.00

Annalisa Simons	\$11.00
Nick Simons	\$10.00
Taylor Sniffen	\$11.00
Madison Vitrano	\$12.00
Jeanine Wagner	\$10.00
Lindamarie Whitehead	\$10.00

**2017 Conover Staff hourly salaries**

Daniel Anthony	\$7.50
Olivia Hiers	\$7.50
Elaina Natale	\$8.50
Katie Peter	\$10.00
Nancy Sniffen	\$10.00
Madison Volek	\$7.50

**2017 Lifeguard Staff hourly salaries**

Jonah Bass	\$9.50
Hugh Burgdorf	\$9.50
Tommy Caruso	\$11.00
Bailey Crochet	\$9.50
Alexandra Dwyer	\$11.00
Ian Dwyer	\$10.50
Dean Golan	\$9.50
Bobby Graziano	\$14.00
Anna Greenberg	\$9.50
Corey Hagerman	\$9.50
Justin Horbacz	\$11.00
Nick Iacobucci	\$11.00
Abby Lewis	\$11.00
Lexi Lewis	\$14.00
Neil Martin	\$9.00
Arielle Mastando	\$9.00
Matthew McKinley	\$9.00
Alexis Morgan	\$9.50
Tyler Rossback	\$9.00
Jillian Sallustio	\$11.00
Cole Smolokoff	\$10.50
Jake Smolokoff	\$14.00
Tim Sparrock	\$11.00
Michael Suyama	\$8.50
Chris Vivian	\$13.00
Andrew Worthington	\$9.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Ades offers the following Resolution:

**Resolution 17-83**

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Dale E. Wong as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Officer Wong has successfully completed his course of instruction at the Monmouth County Police academy.

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Dale E. Wong, having completed his course of instruction, will be appointed a special police officer for a term of (1) one year, effective June 15, 2017, unless removed from office by the Chief of Police before the end of the one year term. Special Officer Wong is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 17-84**

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Zachariah Bell as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Officer Bell has successfully completed his course of instruction at the Monmouth County Police academy.

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Zachariah Bell, having completed his course of instruction, will be appointed a special police officer for a term of (1) one year, effective May 26, 2017, unless removed from office by the Chief of Police before the end of the one year term. Special Officer Bell is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 17-85**

WHEREAS, Smilen, Inc. has applied for a Plenary Retail Consumption license which the state has assigned license No. 1310-33-008-011 on the premises located at 118 Norwood Avenue including the building at 105 Brighton Ave.; and

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WHEREAS, the submitted application is complete in all respects, and attached to it is a check to the Borough of Deal for \$2000.00; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and governmental ABC laws and regulations;

NOW, THEREFORE, BE IT RESOLVED, that the application of Smilen, Inc. state assigned license #1310-33-007-011 be approved.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 17-86**

WHEREAS, the license application for The Bar Room, L.L.C. has applied for a Plenary Retail Consumption License state assigned license number 1310-33-004-007 located at 100 ½ Norwood Avenue; and

WHEREAS, the submitted application is complete in all respects, and attached to it is a check to the Borough of Deal for \$2000.00; and

WHEREAS, the applicant has qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations.

NOW, THEREFORE BE IT RESOLVED, that the application of The Bar Room, L.L.C. trading as The Bar Room state assigned license No. 1310-33-004-007 be approved.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 17-87**

WHEREAS, due to the previous repairs causing potholes to the roadway on Phillips Avenue between Norwood Avenue and Ocean Avenue; and

WHEREAS, the Board of Commissioners has agreed that the repairs would require Phillips Avenue to be repaved.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that a cost to repave Phillips Avenue between Norwood Avenue and Ocean Avenue be obtained through competitive biddings with bids due by June 28, 2017.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Simhon offers the following Resolution:

**Resolution 17-88**

WHEREAS, Anne Cirlincione, 714 Talmadge Ave, Oakhurst, NJ has made payment for their membership at the Deal Casino; and

WHEREAS, a refund is being requested for their locker for the 2017 season due to medical reasons.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$1,800.00 be issued to Anne Cirlincione for their membership to the Deal Casino.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 17-89**

WHEREAS, the Borough of Deal is in need of an additional Kubota RTV-X1100 vehicle to be utilized for sanitation; and

WHEREAS, these vehicles are offered by the National Joint Powers Alliance Co-Op; and

WHEREAS, the Borough of Deal wishes to purchase one (1) Kubota RTV-X1100 vehicles.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the purchase of one (1) Kubota RTV-X1100 4wd Utility Vehicle from the National Joint Powers Alliance Co-Op at a cost of \$17,321.16.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 17-90**

**RESOLUTION TO URGE REPRESENTATIVES  
FROM THE STATE OF NEW JERSEY TO  
SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND  
THE NATIONAL FLOOD INSURANCE PROGRAM ("NFIP")**

WHEREAS, floods are the most common and most destructive natural disasters in the United States; and

WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program ("NFIP"); and

WHEREAS, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and to provide access to affordable, federally backed flood insurance protection for property owners; and

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WHEREAS, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods; and

WHEREAS, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value of claims paid; and

WHEREAS, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which amounts to over 230,000 policies enforced throughout the State of New Jersey; and

WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New Jersey residents; and

WHEREAS, the NFIP is set to expire on September 30, 2017; and

WHEREAS, the expiration of this program could cause catastrophic loss of insurance coverage against flooding which is the number one cause of loss of property throughout the United States; and

WHEREAS, in the event the program were to expire, the consequences in the form of disruption of coverage and the potential financial burdens to residents throughout the State of New Jersey will be of great economic significance; and

WHEREAS, the purpose of this Resolution is to urge the Borough of Deal's Federal Representatives to support the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public and private losses due to flooding events in the State of New Jersey

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Deal hereby urges its Federal Legislators and Representatives to take any and all necessary action to insure that the National Flood Insurance Program is extended beyond the September 30, 2017 expiration date.

BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to the Borough of Deal's Federal Legislators and Representatives.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

A report of the monthly activities, time and sick use for the Police Department in May was received from Chief Ronen Neuman.

A report of the Building Department for the month of May was received from Allison Gavin.

A report of the disbursement checks for the Municipal Court for May was received from Mary Ellen Supon.

A letter was received from an anonymous person stating that the summer people are in need of a courtesy class along with traffic violations relating to walking and biking.

An email was received from Dan Mason, thanking the Deal DPW for preparing the beach for their summer season.

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A letter was received from the NJ Department of Transportation advising that the Borough will not be receiving a Municipal Aid grant for Phase III Ocean Avenue.

A notice was received from the Ocean Monmouth Health Alliance advising that June is Men's health month.

A letter was received from the Monmouth County Park System advising of the 2017 Municipal Open Space Grant program informational meeting to be held on June 22, 2017.

The 2016 annual report was received from the Monmouth County Parks System.

The May 2017 Legislative Bulletin was received from the NJ League of Municipalities.

Commissioner Ades offers the following Resolution:

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, New Jersey that the following bills reported by the finance committee be ordered paid and vouchers drawn for same as listed on page 17-05 of the Warrant Register in the amount of \$456,434.75.

Seconded by Commissioner Simhon

Roll Call: Ayes 2; Cohen, Ades & Simhon

Mayor Cohen requested comments from the floor.

David Assoulin, 24 Hathaway Avenue, stated that the Deal Police Department is the best department.

Barbara Coffey, 85 Norwood Avenue, asked for an update on the AirBNB rentals, Ms. Coffey was advised that the only regulations we have is that a residence would need to receive a CO prior to each rental. Ms. Coffey asked about the college rentals, Ms. Coffey was advised that the construction official and fire official were researching the laws. Ms. Coffey requested an update on the visual access point on Roosevelt Avenue, Mayor Cohen stated that the Army Corp is still working on the Poplar Brooke outfall, Mayor Cohen also commented that he is interested in selling the land south of the Roosevelt Avenue Pump Station. Ms. Coffey asked if the DSN was licensed to sell food, Ms. Coffey was advised that the Monmouth County Health Department has been notified.

Vincent Lepore, Long Branch, stated to the Board of Commissioners to always try and provide beach access.

Mayor Cohen asked for any additional comments from the public, which there was none and closed the floor to public comments.

It was announced that the next meeting of the Board of Commissioners will be on Friday, June 23, 2017 at 9:00 A.M.

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There being no further business or comments, it was moved, seconded and approved that the meeting be adjourned at 9:46 A.M.

SC \_\_\_\_\_

MA \_\_\_\_\_

DS \_\_\_\_\_

\_\_\_\_\_  
Clerk