

November 9, 2018

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on November 9, 2018 at 9:00 A.M.

Present: Mayor Cohen, Commissioner Ades & Commissioner Simhon

Also Present: Paul Fernicola, Borough Attorney

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 Ades, seconded by Commissioner Simhon and carried that the minutes of the previous meeting held on October 10, 2018 be approved as recorded.

Ordinance #1176 to amend Chapter XXX, Development Regulations, was introduced on October 10, 2018 and the public hearing is scheduled for today, November 9, 2018. Mayor Cohen moved to open the meeting to public comment on Ordinance #1176, 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 NO. 1176

AN ORDINANCE AMENDING CHAPTER XXX DEVELOPMENT REGULATIONS OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY

Commissioner Ades moved to adopt Ordinance 1176, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance #1177 to amend Chapter XXX, Development Regulations, was introduced on October 10, 2018 and the public hearing is scheduled for today, November 9, 2018. Mayor Cohen moved to open the meeting to public comment on Ordinance #1177, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Mr. Levine, 28 Richmond Avenue asked if this deals with any other types of drugs. Mayor Cohen stated no. Vincent Lepore, 33 Ocean Terrace, Long Branch, stated that he fully supports this ordinance and has also spoken to other municipalities to have them adopt the same ordinance. Mr. Lepore stated that Governor Murphy also has an Assembly Bill to finance recreational marijuana. There were no other comments from the public and the public session was closed by the same vote.

ORDINANCE NO. 1177

AN ORDINANCE AMENDING CHAPTER XXX DEVELOPMENT REGULATIONS OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY TO PROHIBIT SALE OF MARIJUANA AND MARIJUANA PARAPHERNALIA FOR RECREATIONAL PURPOSES ANYWHERE IN THE BOROUGH

Commissioner Ades moved to adopt Ordinance 1177, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1178 to amend Chapter VII, General Licensing was introduced by Commissioner Simhon, seconded by Mayor Cohen.

Roll Call: Ayes 3; Cohen, Ades & Simhon.

November 9, 2018

Public Hearing for this ordinance will be given on December 12, 2018
at 9:00 A.M.

ORDINANCE #1178

AN ORDINANCE AMENDING CHAPTER VII OF
"REVISED GENERAL ORDINANCES OF
THE BOROUGH OF DEAL, 1982"
General Licensing

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

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

Section 2. Subsection 7-7 **Towing** is amended to read as follows:

7-7.4 Application

- A. All towing and storage contractors desiring to be included on the tow list shall file, on an annual basis, an application with the Police Department on a form approved by the Chief of Police or his designee. The annual application fee shall be \$200.00. By filing such application, the applicant agrees to the terms and conditions outlined in the application, including compliance with this chapter. Application for the initial tow list shall be submitted to the Chief of Police within 20 days of the date upon which this chapter is finally adopted. The revised tow list shall remain effective until December 31st, 2019. Thereafter, all applications must be completed and submitted to the Chief of Police by October 15th of each calendar year preceding the year the towing and storage operator desires to be included on the tow list. The tow shall be effective for a period of one year, commencing January 1st of each successive year. All towing and Storage operators desiring to be included on the basic tow list shall comply with all terms and conditions listed in this chapter. Failure to comply with this chapter shall result in immediate removal from the tow list.
- B. The application shall include the following information:
1. The full name and address of the operator and, if a corporation, the names and addresses of all officers and shareholders thereof. Only one corporation shall apply for any one given address
 2. The description, by make, model, license number, year, gross vehicle weight, vehicle identification number and color, of each tow/wrecker
 3. The address of the authorized storage facility to which the towed vehicles will be taken and at which they will be stored
 4. The names, addresses and copy of the drivers' licenses of all drivers of tow truck/wrecker
 5. The address at which each tow truck/wrecker will be principally kept

November 9, 2018

6. The telephone numbers at which the Police Department may summon a tow truck/wrecker at any time, day or night
7. Copies of required insurance policies or certificates of insurance

7-7.9 Duty list

The Police Department shall establish and publish a call list for all eligible licensees for the purpose of towing services within the Borough of Deal. Each licensee deserving to be placed on the list shall agree to the terms and conditions as may be set and approved by the Chief of Police. The list shall be chosen at random and rotated on a as per call bases in order to be equal to all applicants. Any licensee shall be removed from the list upon:

- A. Written request from the licensee.
- B. Failure to comply with the terms and conditions as prescribed by the Chief of Police.
- C. Revocation of towing license.

7-7.14 Towing, Storage Charges and Conduct

Towing and storage contractors shall not charge fees for towing or storage more than those authorized by this chapter. Unless specified, the fee including waiting time, clean up, and mileage.

- A. Light-duty towing (vehicles up to and including 10,000 pounds)
 1. Basic towing service includes motor vehicle crashes, impounds, and disabled vehicles. Unless specified, the fee includes waiting time, clean up, and mileage.
 - a. Business hours: service 8:00am until 5:00 pm Monday through Friday: \$90.00
 - b. Non-Business Hours: 5:01 pm through 7:59am Monday through Friday: \$100
 - c. Weekend service: 5:01pm Friday through 7:59am Monday: \$110
 - d. Any federal or New Jersey State holiday 8:00am-7:59am the following morning: \$110
 - e. Recovery Charge (does not include tow charge): \$100 per hour
 - f. Storage Fee:
 1. Outdoor storage: \$30 per day
 2. Indoor storage: \$45 per day
 - g. Hazardous fluid clean-up fee: \$25
 2. If a vehicle is towed from the scene of a call to a place other than the towing contractor's storage area at the request of the owner or authorized representative, a fee not exceeding \$4.00 per mile may be charged

November 9, 2018

B. Heavy-Duty Towing

1. Basic towing service includes motor vehicle crashes, impounds, and disabled vehicles. Unless specified, the fee includes waiting time, clean up, and mileage.
2. Remove axle; \$25 per
3. Remove drive shaft: \$35
4. Remove air scoop: \$45
5. Remove exhaust pipe: \$30
6. Cage brake chambers: \$25 per
7. Extra man, per hour, per man: \$50 (to be charged in thirty-minute increments.)
8. Hazardous fluid clean-up fee: \$25
9. If a vehicle is towed from the scene of a call to a place other than the towing contractor's storage area at the request of the owner or authorized representative, a fee not exceeding \$8.00 per mile may be charged

C. Storage: Storage includes vehicles taken to the contractor's yard as a result of a motor vehicle crash, impound, or disabled vehicle.

1. The Storage period starts at 12:01am on the day following the day the vehicle is placed into storage and ends at 12:00 midnight each day.
2. Vehicles released on the same day that the vehicle is placed into storage will not incur any storage fees

D. Receipt: The towing and storage contractor shall issue a receipt itemizing all charges as set forth in 7-7.14 of this chapter

E. Violations and penalties: Liability for operators who engage in a pattern and practices of knowingly violating fee limits. Operators who engage in removal of motor vehicles, or any employee, officer or agent thereof, who engage in a pattern or practice of knowing violation of the fee limits set herein may be liable to the municipality for civil penalty of not less than \$100 nor more than \$500 for each motor vehicle stored with the operator. Such penalties will be collected in a summary manner in the Borough of Deal Municipal Court in accordance with the Penalty Enforcement Law of 1999. Editor's Note: See N.J.S.A 2A:58-10 Et Seq

F. Monthly Report: Will be completed on a form approved by the Police Department, must be filed by the 15th of each subsequent month with the Police Department, containing the following information:

1. Description of each vehicle towed pursuant to request by Police Department during the month for which the report was given.
2. Name and address of title owner of vehicle
3. Date vehicle was towed
4. Amount charged for tow
5. Amount charged for storage to date of report

November 9, 2018

6. Date vehicle was released
7. List of all vehicles towed pursuant to Police Department request which are unclaimed for over 30 days

G. Conduct of towing and storage operators:

1. The operator agrees that the owner(s) or officers of the company shall be responsible, except as otherwise provided by law, for the negligent acts of their employees while acting pursuant to this chapter.
2. Operator will ensure adequate available personnel to provide necessary Borough wreckers services on a twenty-four-hour basis seven days a week.
3. Employees of operator shall not claim to represent or employed by the Borough of Deal.
4. No operator or his operators shall pay any gratuity or tip to any third person not involved in the towing or removal of any vehicle for any information as to the location of any crash or soliciting the employment of the operator/operator's service.
5. No operator shall solicit, demand or receive from any person any commission or fee except the fees for transporting or servicing the vehicle to be towed, as established by this chapter.
6. No operator shall engage in the conduct of cruising for tows or service calls within the Borough.
7. Subcontracting of towing services is not permitted. Only Licensed operators employing approved operators and utilizing inspected and approved operator equipment will be permitted.
8. Switching or trading of rotation assignments by licensed operators shall not generally be permitted unless some exigent circumstances exist which necessitate same. Such circumstances shall be submitted in writing to the Chief of Police for approval prior to any such activity taking place.

Section 2. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 3. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Ordinance 1179 to amend Chapter X, Vehicles & Traffic was introduced by Commissioner Ades, seconded by Commissioner Simhon.

Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on December 12, 2018 at 9:00 A.M.

November 9, 2018

ORDINANCE #1179

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

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

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

Section 2. Subsection 10-14 **Parking Prohibited at All Times on Certain Streets** is amended to read as follows:

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Roseld Avenue	South	From the Southeast curb line of Monmouth Drive Avenue to a point 230 feet westerly therefrom.
Roseld Avenue	North	From the west curb line of the Alleyway to a point 100 feet westerly therefrom.
Roseld Avenue	North	From the east curb line of the Alleyway to a point 30 feet easterly therefrom.

Section 3. This Ordinance shall take effect upon passage and publication according to law.

Ordinance 1180 to amend Chapter XXX, Development Regulation was introduced by Commissioner Ades, seconded by Commissioner Simhon.

Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on December 12, 2018 at 9:00 A.M.

ORDINANCE NO. 1180

AN ORDINANCE AMENDING CHAPTER XXX DEVELOPMENT REGULATIONS OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Borough to revise certain portions of its existing Borough Code to allow the construction of conforming structures on non-conforming lots; and

WHEREAS, the Board of Commissioners of the Borough feels that this change will save time and money for the residents of the Borough;

November 9, 2018

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter XXX, of the Ordinances of the Borough of Deal are hereby amended by the following:

CHAPTER XXX

DEVELOPMENT REGULATION

30-48 Non-Conforming Uses, Structures or Lots

- f. Any development proposed on a non-conforming lot that has no ability to expand, and that is in accordance with all zoning standards shall be able to obtain a zoning permit so long as all the improvements on the property, existing and/or proposed are in accordance to the zoning standards established for said property.
- g. Should the non-conforming lot maintain any existing or proposed improvements that are not in conformance to zoning standard, the development application would require approval from the Planning Board.

Section 2. The Borough Administrator /Clerk is directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required).

Upon the adoption of this Ordinance after public hearing thereon, the Borough Administrator/Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Ordinance 1181 to amend Chapter X, Vehicles & Traffic was introduced by Commissioner Simhon, seconded by Mayor Cohen.

Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on December 12, 2018 at 9:00 A.M.

ORDINANCE #1181

AN ORDINANCE VACATING A PORTION
OF NEPTUNE AVENUE, IN THE BOROUGH OF DEAL
PURSUANT TO N.J.S.A. 40:67-1 et seq.

November 9, 2018

WHEREAS, *N.J.S.A. 40:67-1, et seq.* (the “**Act**”) authorizes a the Board of Commissioners of the Borough of Deal (the “Borough”), by ordinance, to vacate, release and extinguish the public’s rights in any portion of a public street, highway, lane or alley, and any portion of a property dedicated as a public street, where the public interest will be better served by releasing those lands or any part thereof from such dedication; and

WHEREAS, the Borough has determined that vacation of a portion of Neptune Avenue, including, but not limited to, an undeveloped portion of the Neptune Avenue Right of Way would be in the best interests of the community; and

WHEREAS, the Borough has determined that a portion of said Neptune Avenue, including, but not limited to, an undeveloped portion of the Neptune Avenue Right of Way is no longer needed for public use as the Borough has no plans or interest in developing the undeveloped portion of the Neptune Avenue Right of Way.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as follows:

1. The rights of the public and the Borough of Deal, whatever they may be, in and to an Neptune Avenue, including, but not limited to, an undeveloped portion of the Neptune Avenue Right of Way except the Borough shall retain easement rights to maintain the existing storm water infrastructure located with the Neptune Avenue Right of Way as described herein below are hereby vacated, released and extinguished.

Description of the portion of Neptune Avenue being vacated:

Beginning at a point, said point being the intersection of the Easterly right-of-way line of Monmouth Terrace (100' R.O.W.) extended, and the Southerly right-of-way line of Neptune Avenue (70' RO. W.) and running thence;

1. Northeasterly along the Easterly right-of-way line of Monmouth Terrace (100' R.O.W.) extended, on a course of N24 °04 'E a distance of 5 8' to a point, and running thence;
2. Southeasterly on a course of S67°30'E a distance of 125' to a point, and running thence;
3. Southwesterly on a course of S24°04'W a distance of 58' to a point in the Southerly right-of-way line of Neptune Avenue (70' R.O.W.), and running thence;
4. Northwesterly on a course of N67°30'W along the Southerly right-of-way line of Neptune Avenue (70' R.O.W.) a distance of 125' to a point, said point being the POINT AND PLACE OF BEGINNING.

Containing 7,250 S.F.± or 0.17 Acres.±

2. The Borough Clerk shall publish, this ordinance, after being introduced and having passed a first reading, at least once not less than ten (10) days instead of one (1) week prior to the time fixed for further consideration for final passage, pursuant to N.J.S.A. 40:49-6.

November 9, 2018

3. The Borough Clerk shall, at least one (1) week prior to the time fixed for final passage of such ordinance, mail a copy thereof, together with a notice of the introduction thereof, and the time and place when and where the ordinance will be further considered for final passage, to every person whose lands may be affected by the ordinance or any assessment which may be made in pursuance thereof, pursuant to N.J.S.A. 40:49-6.
4. The Borough Clerk shall within sixty (60) days after such ordinance becomes effective file a certified copy of the ordinance vacating the street with the office of the County Clerk in a special book set aside for dedications and vacations, pursuant to N.J.S.A. 40:67-21.
5. All ordinances or parts of ordinances inconsistent herewith are hereby repealed to the extent of such inconsistency.
6. If any section, subsection, paragraph, sentence or any part of this ordinance is adjudged unconstitutional or invalid, such judgment shall not affect, impair or invalidate the remainder of this ordinance not directly involved in the controversy in which such judgment shall have been rendered.
7. This Ordinance shall take effect upon final passage and publication in accordance with law.

The following resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 18-143

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2019; and

WHEREAS, the Borough of Deal is desirous of submitting an application under this program for the following purpose:

- Improvements to Neptune Avenue, Monmouth Terrace, Monmouth Drive and Philips Avenue

NOW, THEREFORE, BE IT RESOLVED by the Board Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2019-FY 2019 Roadway Improvement Program-00584 to the New Jersey Department of Transportation on behalf of the Borough of Deal; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Deal and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

November 9, 2018

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 18-144

WHEREAS, the Municipal Land Use Law allows for refunding of unused escrow deposits, Cash Bonds, and accumulated interest; and

WHEREAS, the Borough of Deal has received deposits for Review, Inspection Fees and Cash Bonds; and

WHEREAS, it has been determined that the various applications and projects listed below have been withdrawn or received approval for release;

<u>Address</u>	<u>Owner</u>	<u>Balance</u>
133 Norwood Ave	Jimi Alfaks	\$1,740.00
307 Ocean Ave	Victoria Aronow	\$1,040.00
4 Seaview Lane	Abraham Chehebar	\$2,000.00
104 Brighton Ave	Gabriel Chehebar	\$1,340.00
88 Brighton Ave	Morris Cohen	\$ 100.00
226 Norwood Ave	Stephen Elbaz	\$2,000.00
65 Jerome Ave	Interglobal Construction	\$1,805.00
15 Neptune Ave	Irwin Gindi	\$ 282.50
72 Brighton Ave	Zachary Gindi	\$1,980.00
2 Runyan Ave	Joseph Harary	\$1,380.00
52 Neptune Ave	Joseph Jemal	\$ 162.50
17 Monmouth Terr	Saul Kassin	\$1,355.00
13 Wyckoff St	Charles Levy	\$1,100.00
44 Darlington Rd	Morris Massry	\$1,562.50
38 Lawrence Ave	Kiernan Contracting	\$1,760.00
38 Lawrence Ave	David Mizrachi	\$1,480.00
76 Roseld Ave	Arleen Morano	\$1,395.00
61 Poplar Ave	Jacob Orfali	\$1,090.00
27 Runyan	Ronnie Oved	\$ 950.00
81 Runyan	Jersey Shore Lawn Care	\$1,250.00
81 Runyan	Joseph Shrem	\$2,000.00
39 Roosevelt Ave	Neil Tobias	\$1,850.00

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey that the above applicants be refunded the remaining escrow balances.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 18-145

A RESOLUTION AUTHORIZING THE BOROUGH OF DEAL TO ENTER INTO A JOINT PURCHASING AGREEMENT

WHEREAS *N.J.S.A. 40A:11-11(10)* authorizes contracting units to establish a Joint Purchasing System and to enter into a Joint Purchasing Agreement for its administration; and

November 9, 2018

WHEREAS the City of Long Branch, hereinafter referred to as the “Lead Agency” has offered voluntary participation in a Joint Purchasing System for the provision and performance of goods and services; and

WHEREAS, the governing body of the City of Long Branch, County of Monmouth, State of New Jersey duly considered participation in a Joint Purchasing System for the provision and performance of goods for Police Department Equipment for Training Purposes, including but not limited to Simunitions Equipment.

WHEREAS, the following towns are acceptable to participate: the City of Long Branch and the Borough of Allenhurst, Borough of Deal, Borough of Eatontown, Borough of Fair Haven, Borough of Little Silver, Borough of Monmouth Beach, Township of Ocean, Borough of Oceanport, Borough of Rumson, Borough of Sea Bright, Borough of Shrewsbury, Borough of West Long Branch, and the Monmouth University Police Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal as follows:

1. This Resolution shall be known and may be cited as the Joint Purchasing Resolution of the Borough of Deal pursuant to the provisions of *N.J.S.A. 40A:11-10*
2. The Borough Administrator is hereby authorized to enter into a Joint Purchasing 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.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 18-146

WHEREAS, the State’s CY 2018 / SFY 2019 Best Practices Inventory Questionnaire is required to receive the Municipality’s final 5% of State funding; and

WHEREAS, the Borough Administrator and Chief Financial Officer have completed the Inventory and have provided the Board of Commissioners with a copy of said document; and

WHEREAS, a review of this Inventory has been discussed at the regular meeting of the Board of Commissioners on November 9, 2018.

NOW, THEREFORE BE IT RESOLVED BY THE Board of Commissioners that the Best Practice Inventory results were discussed and be filed as required with the State of New Jersey.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

November 9, 2018

Commissioner Ades offers the following Resolution:

Resolution 18-147

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of November; and

WHEREAS, payroll and miscellaneous expenses must be approved for payment.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that payroll and associated deductions for the period ending November 30, 2018 be approved in the amount not to exceed \$300,000.00; and

BE IT FURTHER RESOLVED that the miscellaneous expenses not to exceed the amount of \$300,000.00 be paid at this time.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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

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

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

A letter was received from the Township of Ocean Sewerage Authority advising of a Notice of Public Hearing for the Authority's Connection Fee.

A letter was received from the Mayors Committee on Life Sciences which is looking to help preserve its ability to discover new life-saving treatments and cures.

A notice of public hearing was received from the Monmouth Municipal Joint Insurance Fund for the 2019 Proposed Budget.

A notice of public hearing was received from JCP&L for approval of an infrastructure Investment Program.

A letter was received from NJ Department of Transportation advising that applications will now be accepted for the FY 2019 Local Freight Impact Fund.

A letter was received from SLM Builders on behalf of the homeowner at 170 Norwood Avenue requesting permission to demolish the house on the property and construct a new single family residence. The Board of Commissioners approved the demolition.

A letter was received from Winne Banta, PC, soliciting for the 2019 bond counsel services to the Borough.

A notice of public hearing was received from Ansell, Grimm and Aaron for a planning board application in the Township of Ocean for Norwood Avenue Holdings at 232 Norwood Avenue, Ocean Twp.

November 9, 2018

The October 2018 Legislative Bulletin was received from the NJ State League of Municipalities.

An application for a raffle license was received from the Mya Lin Terry Foundation to be held at the Deal Golf & Country Club on May 4, 2019. The Board of Commissioners approved the raffle application.

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 18-11 of the Warrant Register in the amount of \$491,625.57.

Seconded by Commissioner Simhon

Roll Call: Ayes 2; Cohen, Ades & Simhon

Under unfinished business, Commissioner Ades stated that residents with new construction should have their power wires placed underground to help with the storms. Commissioner Ades also stated that we should look at alleviating the flooding by the Brighton Avenue Brook.

Mayor Cohen moved to open the floor to public comments, seconded by Commissioner Simhon and approved.

Vincent Lepore, 33 Ocean Terrace, Long Branch, asked about Resolution 18-145 if Long Branch would be the lead agency making the purchases. He was advised that Long Branch is the lead agency. Mr. Lepore asked about the Best Practices, if any part-time town officials receive benefits, he was advised they do not. Mr. Lepore asked the reasoning for the appraisal for the land at the end of Roosevelt Avenue. Mayor Cohen stated he is looking to sell property for additional funding for other projects. Mr. Lepore stated that state money was used to replace the land. Mayor Cohen stated the Borough researched it and that was not the case.

Isadora Chamlin, 5 Poplar Avenue, thanked the Board of Commissioners for having branches removed her street. Mrs. Chamlin stated that people are working on the other side of her street and are parking near her driveway making it difficult to see. Mrs. Chamlin stated that the island on Norwood Avenue is a death trap. Mayor Cohen stated that he is aware and is working on a new landscape plan. Mrs. Chamlin also stated that there are potholes that a sports car can pull into.

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners to have the Deal Casino parking lot redone and add additional handicap spots to the north end. Ms. Coffey stated that all access points have signs but there is no sign at the Deal Casino south entrance. Ms. Coffey stated that all public access points should be safe and benches should be placed at the access points.

Irwin Levine, 28 Richmond Avenue, asked the Commissioners to explain Ordinance 1178. Mayor Cohen stated that it fixes fees for towing of vehicles within the Borough. Mr. Levine asked if there was any update on the pier. Mayor Cohen stated that he spoke with Senator Gopal but has not heard back from him.

November 9, 2018

Mary Ann Cronheim, 88 Monmouth Drive, asked about any investigations on Monmouth University rentals. Chief Neuman stated that an officer from the Department went with a representative from Monmouth University to each house to speak about living in a residential neighborhood. Chief Neuman also stated that there has not been any incidents reported.

Barbara Coffey asked the Board of Commissioners if there is a zoning issue on nights or weekends who should be contacted. Ms. Coffey was advised to contact the Police Department. Ms. Coffey also stated that hedges were purchased at the Deal Casino for \$35,000 when another quote was received for \$23,000. Ms. Coffey was advised that the cost per hedge was a lot less for the higher quote and more hedges were purchased.

Isadora Chamlin, 5 Poplar Avenue, stated that there should be more benches on top of the boulders at Roosevelt Avenue. Mayor Cohen stated that he feels it would be dangerous to sit on top of the boulders.

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, which will be on Wednesday, December 12, 2018 at 9:00 A.M.

There being no further business or comments, it was moved by Mayor Cohen and seconded by Commissioner Ades that the meeting be adjourned at 9:27 A.M.

SC _____

MA _____

DS _____

Clerk