

May 10, 2019

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on May 10, 2019 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 Simhon, seconded by Commissioner Ades and carried that the minutes of the previous meeting held on April 10, 2019 be approved as recorded.

Ordinance 1195 to amend Chapter XXX – Development Regulation was introduced by Commissioner Simhon, seconded by Commissioner Ades.

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

Public Hearing for this ordinance will be given on March 13, 2019 at 9:00 A.M.

ORDINANCE NO. 1195

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 require a rendering for all planning board applications, change the setbacks for accessories and remove the encroachment of porches in the front yard; and

WHEREAS, the Borough Planning Board has reviewed the changes on May 2, 2019 and has recommended that such changes to the Development Regulation are consistent with the Master Plan.

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

30-86.3 Accessory Uses

30-86.3b Standards for Accessory Uses. See Schedule B, Standards for Accessory Uses.

Minimum Distance from Side and Rear Lot Lines

Greenhouses – 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure. Every 1 foot increase in height of the structure will require 1 foot increase in setback.

Garages - 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure.

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Every 1 foot increase in height of the structure will require 1 foot increase in setback.

All other Accessory Uses - 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure. Every 1 foot increase in height of the structure will require 1 foot increase in setback.

Note (1) - Unnatural and/or structural alterations to the topography of a property to achieve a lower height elevation of an accessory shall not be permitted.

30-20 Submission of Informal Plat for Minor and Major Developments

30-20.2 Filing Procedures

- a. The developer shall submit to the Administrative Officer at least ten (10) days but not more than twenty (20) days prior to the public meeting of the Approving Authority eight (8) black-on-white copies of the preliminary plat; eight (8) completed copies of the application form for preliminary approval; two (2) completed copies of the preliminary checklist; three (3) copies of any protective covenants, deed restrictions and easements applying to the land being developed; three (3) copies of the drainage calculations and soil erosion and sediment control data as required by this chapter; the applicable fee; certification by the Tax Collector that all taxes are paid to date; **and a color street view rendering from each roadway frontage showing the proposed improvements.**

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.

Commissioner Ades offers the following Resolution:

Resolution 19-71

RESOLUTION TO AUTHORIZE THE SALE OF MUNICIPAL PERSONAL PROPERTY THROUGH ON LINE AUCTION

WHEREAS, the Borough of Deal has determined that certain personal property as described on the below listed "Schedule A" is no longer needed for public purposes; and

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WHEREAS, N.J.S.A. 40A:11-36 requires that all such personal property be sold at public sale to the highest bidder; and

WHEREAS, the Borough of Deal has selected Auction Liquidation Services to conduct an on-line auction.

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

1. The below listed "Schedule A" of Borough Property is hereby declared surplus, and is no longer needed for public purposes; and
2. The On-Line Auction will commence on June 8, 2019, at 9:00 a.m. and close on June 12, 2019 at 7:00 p.m. on the website www.usgovbid.com; and
3. Preview of items for sale will be on Monday, June 10, 2019 from 9:00 am to 4:00 p.m. This will be the ONLY date and time for preview and it will be held at the Borough of Deal Public Works Building, 80 Runyan Avenue, Deal, NJ; and
4. The Borough Clerk is hereby authorized to advertise a public sale of said property according to N.J.S.A.40A:11-36(3).

SCHEDULE "A"

MAKE	MODEL	YEAR	COLOR	VIN#
John Deere	500g Dozer	1989		4093
Komatsu	D68e Dozer	1987		1326
International	Tandem Dump Truck	1992	Red	22963
Ford	Crown Victoria	2008	Beige	0839
Generator	MEP 806B -60K Diesel			Hx71146
Generator	MEP 002a – 5K Diesel			00970
Air Compressor	14M125 – Diesel			923265
Fisher Plow	8 foot			27617
Henderson	FSHX18/11x30435 Salt Spreader			F8x-25253
Water Trailer	500 Gallon			
Shipping Container	40 foot			

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-72

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of Deal has a need to acquire the services of a substitute Prosecutor and their services will be provided as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5* as appropriate; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq; and

WHEREAS, the Borough wishes to retain the services of the following business entities to provide substitute Prosecutor for the remainder of 2019:

Prosecutor-Substitute

James Carton, Esq.
Paul Granick, Esq.

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WHEREAS, funds have been made available in the Annual Budget of the Borough of Deal to support these services,

NOW, THEREFORE, BE IT RESOLVED that:

1. The following appointments are hereby ratified and confirmed for the remainder of 2019.

Prosecutor-Substitute

James Carton, Esq.
Paul Granick, Esq.

2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of said Local Public Contract Law.
3. The amounts authorized for this contract shall not exceed \$3,000 without the prior written approval of the Board of Commissioners.
4. A copy of the Resolution shall be published in The Coaster within 10 days of its passage.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-73

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of Deal has a need to acquire the services of a substitute Public Defenders and their services will be provided as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5* as appropriate; and

WHEREAS, the services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq*; and

WHEREAS, the Borough wishes to retain the services of the following business entities to provide substitute Public Defenders for the remainder of 2019:

Public Defender-Substitute

David Gardner, Esq.
Kevin Bransley, Esq.

WHEREAS, funds have been made available in the Annual Budget of the Borough of Deal to support these services,

NOW, THEREFORE, BE IT RESOLVED that:

5. The following appointments are hereby ratified and confirmed for the remainder of 2019.

Public Defender-Substitute

David Gardner, Esq.
Kevin Bransley, Esq.

6. This contract is awarded without competitive bidding as "Professional Services" under the provisions of said Local Public Contract Law.
7. The amounts authorized for this contract shall not exceed \$3,000 without the prior written approval of the Board of Commissioners.

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8. A copy of the Resolution shall be published in The Coaster within 10 days of its passage.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-74

BE IT RESOLVED, that the following persons are hereby appointed for summer positions at the Deal Casino and Conover Pavilion, June 2018 through September 2018 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budget.

2018 management and supervisor salaries

Carrie Sniffen	\$24,000
Ted Bahlman	\$19,000
Lisa Listo	\$16,000
Gerlando Lotempio	\$12,000
Lifeguard Captain	\$15,000
Aquatics Director	\$15,000
Recreation Supervisor	\$7,000

2018 Casino Staff hourly salaries:

Lucas Beltran	\$8.00
Molly Bonett	\$7.00
Rafael Blotner	\$9.00
Kate Braun	\$7.00
Carli Brush-Stoll	\$11.00
Calvin Chambers	\$9.00
Noelle Chant	\$11.00
Catherine Coffenberg	\$10.00
Rosemarie Critelli	\$8.00
Charles Cohen	\$8.00
Anthony DiDario	\$7.00
Jenn Doremus	\$14.00
Leah Duffy	\$7.00
Carlie Ferraro	\$10.00
Avalon Fiori	\$12.50
Garrett Freund	\$10.00
Emily Forgash	\$10.00
Mason Gallina	\$15.00
Harry Greenspan	\$7.00
Jake Hough	\$8.00
Riley Italiano	\$9.00
Corey Karpe	\$10.00
Madison Karpe	\$10.00
Anthony Kean	\$12.00
Kristin Kean	\$12.00
Victor Khdideh	\$7.00
Danielle Kroll	\$10.00
Summer Lampinen	\$11.00
Jack Massry	\$9.00
Emma Masica	\$7.00
Jackson McDonough	\$11.00
Zachariah Miller	\$7.00

Alan Molina	\$13.00
Alexandra Muscillo	\$8.00
Jack Natalino	\$7.00
Sara Phox	\$10.00
Dylan Rizzo	\$10.00
Isabel Romero-Avila	\$7.00
Anthony Sallustio	\$8.00
Victoria Santos	\$10.00
Logan Scherr	\$9.00
Kim Schmidt	\$11.00
Brielle Schneider	\$10.00
Michael Shamula	\$8.00
Annalisa Simons	\$15.00
Nicholas Simons	\$13.00
Kelly Sniffen	\$7.00
Taylor Sniffen	\$14.00
Jeff Timmons	\$15.00
Brandon Tracey	\$10.00
Melanie Vasilew	\$14.00
Kendyl Vivian	\$9.00
Syd Woolley	\$11.00

2018 Conover Staff hourly salaries

Alex Claudio	\$12.00
Leonardo Espildoro	\$8.50
David Hiers	\$8.50
Alex Koenig	\$8.50
Garrett Laffler	\$9.00
Cecilia Listo	\$9.00
Ava McLaren	\$8.50
Alex Segoura	\$8.50
Anthony Serrao	\$8.50
Alana Serrao	\$8.50

2018 Lifeguard Staff hourly salaries

Allessandra Arege	\$8.75
Sydney Bendik	\$9.00
Jonah Bass	\$12.00
Richard Bianchi	\$15.00
Hugh Burgdorf	\$12.50
Carlia Caamano	\$9.00
Conor Carbone	\$9.75
Kayla Carbone	\$12.00

Michelle Conlon	\$11.00
Bailey Crochet	\$15.00
Ian Dwyer	\$13.00
Joey Epstein	\$10.00
Elena Fisher	\$8.75
Christian Foley	\$13.50
Anna Greenberg	\$12.00
Corey Hagerman	\$12.00
Cameron Hellmers	\$8.75
Meaghan Hellmers	\$8.75
Rachel Hroncic	\$10.00
Emma Knight	\$9.50
Ryan Lavender	\$14.00
Abby Lewis	\$13.50
Lexi Lewis	\$15.00
Justin Lubas	\$14.00
Neil Martin	\$11.50
Arielle Mastando	\$10.50
Madison Mastando	\$9.50
Jake McAvoy	\$8.75
Kenna McGovern	\$8.75
Timothy Presley	\$10.00
Tyler Rossback	\$15.00
Jillian Sallustio	\$13.50
Jacob Sedor	\$9.50
AJ Shirley	\$10.50
Jake Shirley	\$10.00
Tim Sparrock	\$13.50
Michael Suyama	\$9.50
T.J. Shea	\$8.75
Jake Turner	\$9.75
Jason Van Brunt	\$10.50
Chris Vivian	\$15.00
Elizabeth Welsh	\$8.75
Andrew Worthington	\$15.00
Gabrielle Zimmerman	\$12.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-51

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Taylor Hardy as a Class I Special Police Officer in the Borough of Deal.

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WHEREAS, Taylor Hardy will be attending his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Taylor Hardy, after having successfully completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Taylor Hardy 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 19-52

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Tyler Schick as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Tyler Schick will be attending his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Tyler Schick, after having successfully completed his course of instruction,

will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Tyler Schick 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 19-53

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Michael Zak as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Michael Zak will be attending his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Michael Zak, after having successfully completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Michael Zak is to be assigned his duties by
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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 19-54

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Jenifer Velasquez as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Jenifer Velasquez has attended her course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Jenifer Velasquez, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Jenifer Velasquez 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 19-55

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Emily Walsh as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Emily Walsh has attended her course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Emily Walsh, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Emily Walsh 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:

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Resolution 19-56

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Charles Zhao as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Charles Zhao has attended his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Charles Zhao, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Charles Zhao 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 19-57

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Matthew Zweighaft as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Matthew Zweighaft has attended his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Matthew Zweighaft, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Matthew Zweighaft 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 Simhon offers the following Resolution:

Resolution 19-58

WHEREAS, Stephanie Cahill, Howell, NJ has made a down payment for their membership at the Deal Casino; and

WHEREAS, a refund is being requested for their membership due to the inability to be member.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$500.00 be issued to Stephanie Cahill for their membership to the Deal Casino.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-59

**Resolution Supporting the 2019 UDrive. UText. UPay.
Distracted Driving Crackdown
April 1 - 21, 2019**

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2015 alone distracted driving-related crashes resulted in 3,477 deaths and 391,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in nearly 750,000 crashes between 2011-2015; and

WHEREAS, the State of New Jersey will participate in the nationwide Distracted Driving 2019 Crackdown from April 1 - 21, 2019 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is UDrive. UText. UPay; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

NOW THEREFORE BE IT RESOLVED, that the Borough of Deal declares its support for the Distracted Driving 2019 Crackdown both locally and nationally from April 1 - 21, 2019 and pledges to increase awareness of the dangers of distracted driving.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-60

WHEREAS, the Borough of Deal and the American Red Cross would like to define a working relationship; and

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WHEREAS, the Borough of Deal and the American Red Cross would like to enter into a Memorandum of Understanding to prepare for responding and recovering from emergencies and disasters; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal authorize the Borough of Deal and American Red Cross to enter into a Memorandum of Understanding.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

WHEREAS, the pool filter system at the Deal Casino is in need of replacing the filter sand; and

WHEREAS, the Borough has researched and found that the sand should be replaced with activated glass; and

WHEREAS, the Borough had requested two (2) quotes to purchase and have installed activated glass into the pool filter system; and

WHEREAS, proposals were received ranging in cost from a high of \$16,088.00 from It's Water, Inc, Downingtown, PA, and a low bid of \$5,088.90 from Central Jersey Pools, Freehold, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase and installation of activated glass for the pool filter system to Central Jersey Pools, Freehold, NJ at a cost of \$5,088.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-61

WHEREAS, the pool filter system at the Deal Casino is in need of replacing the filter sand; and

WHEREAS, the Borough has researched and found that the sand should be replaced with activated glass; and

WHEREAS, the Borough had requested two (2) quotes to purchase and have installed activated glass into the pool filter system; and

WHEREAS, proposals were received ranging in cost from a high of \$16,088.00 from It's Water, Inc, Downingtown, PA, and a low bid of \$5,088.90 from Central Jersey Pools, Freehold, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase and installation of activated glass for the pool filter system to Central Jersey Pools, Freehold, NJ at a cost of \$5,088.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Simhon offers the following Resolution:

Resolution 19-62

WHEREAS, the Borough of Deal received grant funding from the Monmouth County Park System to add playground equipment to Harry Franco Park; and

WHEREAS, the Borough would like to purchase the Wills Valley set manufactured by Gametime from MRC, Sea Girt, NJ; and

WHEREAS, the playground set is available under the NJ State Contract at a cost of \$139,000; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase and installation of the Wills Valley playground set from MRC, Sea Girt, NJ at a cost of \$139,000.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-63

WHEREAS, bids were received for the repair to a portion of Parker Avenue and Drummond Road within the Borough of Deal; and

WHEREAS, the Borough solicited proposals and received bids from six (6) vendors that includes the milling, repaving and minor curb work; and

WHEREAS, proposals were received ranging in cost from a high of \$288,850.00 from L&L Paving Co., Farmingdale, NJ, and a low bid of \$177,913.00 from Earle Asphalt Company, Farmingdale, NJ.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby award the mill, paving and curb work for Parker Avenue, and Drummond Road as outlined in the specifications to Earle Asphalt Company, Farmingdale, NJ in the amount of \$177,913.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-64

WHEREAS, Resolution 19-33 authorized renovations to the baby pool at the Deal Casino; and

WHEREAS, the Borough will rescind Resolution 19-33 due to the inability of the company to meet the needs of the Borough; and

WHEREAS, the Borough authorizes the second quote received to complete the work to Sergio's Pool Service, Inc, Ottsville, PA at a cost of \$35,130.00.

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NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby award the renovations to the Deal Casino baby pool to Sergio's Pool Service, Inc., Ottsville, PA in the amount of \$35,130.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-65

WHEREAS, pursuant to N.J.S.A. 40:55D-26, the Board of Commissioners would like to refer several changes to the Development Regulation.

WHEREAS, the Board of Commissioners are looking to amend the regulation to require a rendering showing the work to be completed for the Planning Board, remove the front porch encroachment and require accessories to match the height with the setbacks up to 18' high.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal request the following:

- 1) The Deal Planning Board within 35 days after this referral, identify whether the changes in the development regulation is consistent with the Borough's Master Plan; and
- 2) If there are any inconsistencies, the Planning Board may make recommendations concerning these inconsistencies and any other

matters related to the regulations the Planning Board deems appropriate.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-66

WHEREAS, the decking around the Deal Casino Snack Bar is in need of repair; and

WHEREAS, the Borough had requested four (4) quotes to purchase new decking and handrails; and

WHEREAS, proposals were received ranging in cost from a high of \$18,164.48 from Allied Building Products, Wall Township, NJ, and a low bid of \$16,214.07 from Jaeger Lumber, Belmar, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase decking and handrail for the Deal Casino Snack Bar to Jaeger Lumber, Belmar, NJ at a cost of \$16,214.07.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

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Resolution 19-67

WHEREAS, due to the renovation to the coping on the main pool at the Deal Casino requiring new ladder holders; and

WHEREAS, the Borough had requested three (3) quotes to purchase new stainless steel anchor wedges for the Deal Casino Main Pool; and

WHEREAS, proposals were received ranging in cost from a high of \$1,930.72 from Inter-Fab, Tucson, Az, and a low bid of \$925.65 from Central Jersey Pools, Freehold, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of stainless steel anchor wedges for the Deal Casino Main Pool to Central Jersey Pools, Freehold, NJ at a cost of \$925.65.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-68

WHEREAS, the Borough is in need of furniture for the Deal Casino due to items being in disrepair; and

WHEREAS, the Borough had requested three (3) quotes to purchase new furniture and umbrellas for the Deal Casino; and

WHEREAS, proposals were received ranging in cost from a high of \$32,470.00 from Restaurant Equipment, Birmingham, Al, and a low bid of \$22,554.00 from Resort Contract Furnishings, Wyckoff, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of furniture and umbrellas for the Deal Casino to Resort Contract Furnishings, Wyckoff, NJ at a cost of \$22,554.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-69

WHEREAS, the Borough is in need of a hearing officer to handle an employment disciplinary matter; and

WHEREAS, Richard Lynch has performed the duties as a hearing officer in other municipalities.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize Richard Lynch to act as a hearing officer for the employment disciplinary matter not to exceed the amount of \$3,000.

Seconded by Commissioner Simhon

April 10, 2019

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-70

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of April; 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 April 30, 2019 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

Commissioner Ades offers the following Proclamation:

Proclamation

HONORING VIRGINIA WIENER ON HER NINETIETH BIRTHDAY

WHEREAS, Virginia Wiener has lived on Roseld Avenue in the Borough of Deal for over 68 years; and

WHEREAS, Virginia Wiener has served as planning Board member from September 1979 to December 2007; and

WHEREAS, Virginia Wiener has served as a Commissioner for the Borough of Deal from February 2013 to May 2016; and

WHEREAS, Virginia Wiener has always demonstrated compassion and concern for all members of the community during her 28 years of service; and

WHEREAS Virginia Wiener was born on March 22, 1929 and is Ninety years young today.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Deal that we hereby thank Virginia Wiener for all her services to the Borough of Deal and wish a Happy Ninetieth Birthday.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Proclamation:

Proclamation

April 10, 2019

DECLARING APRIL AS CHILD ABUSE PREVENTION
AND AWARENESS MONTH

WHEREAS, there are about 750,000 youth aged 17 and under, living in New Jersey; and

WHEREAS, it is estimated that one in 100 children experiences abuse; and

WHEREAS, childhood maltreatment and abuse are part of adverse childhood experiences (ACEs) and create long-term trauma that has life-long impacts; and

WHEREAS, child abuse is a significant social problem that creates significant effects for entire families, communities and society as a whole; and

WHEREAS, all children deserve to be nurtured, protected and free from physical or emotional harm; and

WHEREAS, the State of New Jersey and the New Jersey Department of Children and Families believe that healthy families raise healthy children; and

WHEREAS, the State of New Jersey is committed to offering a continuum of community-based child abuse prevention and intervention programs that are culturally competent, strength-based and family centered; and

WHEREAS, the New Jersey Department of Children and Families embraces the Standards for Prevention Programs developed by the New Jersey Task Force on Child Abuse and Neglect; and

WHEREAS, all sectors of the community, including law enforcement, medical professionals, schools, courts and media outlets, as well as numerous public and private agencies, have joined forces to promote public awareness and community involvement in keeping children and their families safe, healthy and connected during the month of April and continuing throughout the year;

NOW, THEREFORE, I, Samuel Cohen, Mayor of the Borough of Deal, do hereby proclaim April 2019 as Child Abuse Prevention and Awareness Month in New Jersey and urge our residents to become involved in efforts aimed at strengthening families and communities and preventing our children from being abused and neglected.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen made an announcement that he would be appointing Nicole Cohen as an Alternate I Planning Board Member.

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

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

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

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A letter was received from the Monmouth County Mosquito Control Division with a packet of information regarding their treatment operations.

A letter was received from the Visiting Nurse Association providing the Borough's statistical report for 2018.

A letter was received from the NJ Department of Transportation advising the Borough was awarded \$315,000 for the 2019 Municipal Aid Program.

A letter was received from the NJ Department of Environment Protection advising of a public hearing for the 2019 FY2019 Annual Report and Assessment of Fees.

A letter was received from Pacers Events, LLC and the Novo Nordisk NJ Marathon and Half Marathon to be run on April 28. The Commissioners approved the race subject to a traffic plan.

A raffle application was received from the Arc of Monmouth at the Deal Golf & Country Club on June 24, 2019. The Board of Commissioners approved the 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 19-04 of the Warrant Register in the amount of \$1,287,009.87.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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

MaryAnne Cronheim, 88 Monmouth Drive, stated to the Board of Commissioners that there were 2 sets of agendas for the meeting, Paul Fernicola, Borough Attorney, stated that the agenda is posted and does not bar the municipality from making changes to the agenda, Mrs. Cronheim disagreed. Mrs. Cronheim asked Mayor Cohen the relation of the new planning board member with the same last name. Mayor Cohen stated that it was his nephew's wife. Mrs. Cronheim asked about the Monmouth Barracudas utilizing the Deal Casino Pool during the summer months and what is being charged. Mrs. Cronheim was advised that they pay \$2,000 a year for the use of the pool and have been utilizing for the past 20 years. Mrs. Cronheim asked if it was open for bidding, and Mayor Cohen stated that it has not. Mrs. Cronheim stated that the Borough adopted an ordinance restricting parking on Roseld Avenue, Chief Neuman stated that he will work with DPW to have the signs installed. Mrs. Cronheim stated to the Commissioners that the information needs to be relayed to the public.

Barbara Coffey, 85 Norwood Avenue, stated that there is still an AirBnB in town, Ms. Coffey was advised that the Construction/Code Enforcement officer will be notified. Ms. Coffey asked how the residents would know, Mayor Cohen stated that it is up to the residents to know the laws. Ms. Coffey stated that a summary of the laws should be posted online, Mayor Cohen asked Ms. Coffey to put something together and he will review. Ms. Coffey stated that the property lines south of Roseld Avenue on the beach end at the
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sea walls except for the house on Neptune Avenue. Ms. Coffey asked how the Borough would make sure that they will be paying the beach fee. Mayor Cohen stated that he is not charging the homeowners on the beach front from the Army Corp's faq sheet. Ms. Coffey asked how many students are residents at Deal School. The information was not known. Ms. Coffey asked how much money was spent on Harry Franco Park and adult recreation such as the pier. Ms. Coffey stated it was zero and asked if money could be spent on adult recreation. Ms. Coffey asked about the discrepancy of the beach revenue in the budget on the anticipation of \$1,600,000 when the actual receiving was \$2,100,000. Mr. Fernicola explained the budget process and that due to weather and other factors a municipality would anticipate a lower amount. Ms. Coffey asked if the sidewalk on the east side of Norwood Avenue can be repaired from the water company fixing a water main break. Ms. Coffey asked for a rate card for rental of municipal property. Mayor Cohen stated that he will consider.

Vincent Lepore, 33 Ocean Ave, Long Branch, asked the Board of Commissioners that when you list the agenda can they be elaborated with hyperdata with the full editions of ordinances and resolutions. Mayor Cohen asked what other towns have that, Mr. Lepore mentioned Monmouth Beach and Long Branch. Mr. Lepore also stated that an email list should be placed on the website to create a list to send out an email blast. Mr. Lepore asked if the Borough started paying the legal fees to the Attorney for the litigation with the Littoral Society. Mayor Cohen stated yes. Mr. Lepore stated that seeing how there are procedural issues, the Borough should consider another attorney to handle the litigation. Mr. Lepore also stated that there is no benefit

to the Borough if the buyer is not paying for the legal fees of the Borough. Mayor Cohen stated the Borough is receiving a lot of money and is very happy with the sale.

Barbara Coffey, asked if there was a cap on what the Borough will spend, Mayor Cohen stated no.

Dan Cronheim, 88 Monmouth Drive, stated to the Board of Commissioners that the DSN had made a presentation to the Planning Board as a capital improvement to the project. Mr. Cronheim stated that he believes an attorney should have been present.

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, May 8, 2019 at 9:00 A.M.

There being no further business or comments, it was moved by Commissioner Ades and seconded by Commissioner Simhon that the meeting be adjourned at 10:03 A.M.

SC _____

MA _____

DS _____

Clerk