

June 12, 2019

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on June 12, 2019 at 9:00 A.M.

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.

Present: Mayor Cohen, Commissioner Ades & Commissioner Simhon  
Also Present: Paul Fernicola, Borough Attorney

It was moved by Commissioner Simhon, seconded by Commissioner Ades and carried that the minutes of the previous meeting held on May 10, 2019 be approved as recorded.

Ordinance 1195 to amend Chapter XXX Development Regulation was introduced on May 10, 2019 and the public hearing is scheduled for today, June 12, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1195, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Mary Anne Cronheim, 88 Monmouth Drive, asked what the encroachment of porches in the front yard was, Mayor Cohen stated that it was taken out of the proposed ordinance prior to introduction. Paul Fernicola stated that this was listed in a whereas and can be voted to remove that wording. There were no other comments from the public and the public session was closed by the same vote.

#### **ORDINANCE NO. 1195**

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

Mayor Cohen moved to amend the first whereas in Ordinance 1195, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Mayor Cohen moved to adopt Ordinance 1195 as amended, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

#### **Resolution 19-94**

#### **RESOLUTION AUTHORIZING RENEWAL OF CLUB LIQUOR LICENSES FOR THE 2019 – 2020 LICENSE TERM**

WHEREAS, The Deal Golf and Country Club has applied for a Club License on the premises south of Roseld Avenue. The State assigned license No. is 1310-31-006-001. The application has forwarded their municipal fee of \$150.00 to the Borough of Deal.

WHEREAS, the officers and directors of the Club are qualified according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the Club maintains all records required by N.J.A.C. 13:208.8,

June 12, 2019

NOW THEREFORE BE IT RESOLVED that the application of the Deal Golf and Country Club, state assigned license #1310-31-006-001 located at the south of Roseld Avenue also known as 1 & 2 Golf Lane, for the licensed term 2019-2020 be approved.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-95**

**RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSES FOR THE 2019 – 2020 LICENSE TERM**

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 \$2,000.00; 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, for the license term 2019-2020 be approved.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-96**

**RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL LIQUOR LICENSES FOR THE 2019 – 2020 LICENSE TERM**

WHEREAS, the license application for Deal Food & Liquor Store, Inc. trading as Deal Food & Liquor has applied for a Plenary Retail Liquor License state assigned license number 1310-44-002-004 located at 112 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 \$1,036.00; 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 Deal Food & Liquor Store, trading as Deal Food & Liquor Sore, state assigned license No. 1310-44-002-004, for the license term 2019-2020 be approved.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

June 12, 2019

Commissioner Ades offers the following Resolution:

**Resolution 19-97**

**RESOLUTION AUTHORIZING RENEWAL OF PLENARY RETAIL CONSUMPTION LIQUOR LICENSES FOR THE 2019 – 2020 LICENSE TERM**

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

WHEREAS, the submitted application is complete in all respects, and attached to it is a check to the Borough of Deal for \$2,000.00; 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, for the license term 2019-2020 be approved.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-98**

WHEREAS, there exists a need to coordinate audiometric and respiratory testing within the Borough of Deal; and

WHEREAS, the Monmouth Joint Insurance Fund has produced an RFQ to obtain competitive pricing for these required services; and

WHEREAS, Interstate Mobile Care, P.O. Box 64, Sewell, NJ 08080 was selected as the vendor to provide the services.

NOW, THEREFORE, BE IT RESOLVED that Interstate Mobile Care conduct audiometric and respiratory testing for the required employees for the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-99**

WHEREAS, there exists a need to coordinate alcohol and drug testing within the Borough of Deal; and

WHEREAS, the Monmouth Joint Insurance Fund has produced an RFQ to obtain competitive pricing for these required services; and

WHEREAS, Dynamic Testing Service, 230 Main Street, Toms River, NJ 08753 was selected as the vendor to provide the services.

June 12, 2019

NOW, THEREFORE, BE IT RESOLVED that Dynamic Testing Services conduct alcohol and drug testing for the required employees for the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-100**

WHEREAS, Earle Asphalt Company, Farmingdale, NJ has been awarded a contract for the Parker Avenue and Drummond Road Improvements at a cost of \$177,913.13; and

WHEREAS, Earle Asphalt Company has requested payment #1 in the amount of \$156,140.12; and

WHEREAS, the Superintendent of Public Works has verified that the work to date has justified this payment;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the payment #1 of \$156,140.12 be made to Earle Asphalt Company for the improvements to Parker Avenue and Drummond Road.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-101**

BE IT RESOLVED, that the following persons are hereby appointed for summer positions at the Deal Casino and Conover Pavilion, June 2019 through September 2019 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budget.

**2019 Deal Casino Hourly Staff**

John Foley	\$20.00
Sean Henry	\$20.00
Kurtis Karcich	\$18.00
Timothy Patterson	\$18.00

**2019 Conover Staff hourly salaries**

Alexander Espildora	\$8.50
Jack Giglio	\$8.50
Gianna Gonzalez	\$8.50
William Schwarze	\$9.00
Nancy Sniffen	\$11.00
Allison Tansay	\$8.50
Aaron Tretsky	\$8.50

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

June 12, 2019

Commissioner Ades offers the following Resolution:

**Resolution 19-102**

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

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

WHEREAS, Officer Schou has successfully completed his course of instruction at the Ocean County Police academy in May, 2018.

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Christopher Schou, having completed his course of instruction, will be appointed a special police officer for a term of (1) one year, effective June 15, 2019, unless removed from office by the Chief of Police before the end of the one year term. Special Officer Schou 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 19-103**

WHEREAS, Resolution 19-89 was introduced and approved at the Board of Commissioners meeting on May 10, 2019; and

WHEREAS, Resolution 18-89 appointed Nicolas Tomaio as a Class II Officer for the Deal Police Department; and

WHEREAS, Police Chief Ronen Neuman has advised that Nicolas Tomaio will not be needed as a Class II Officer.

NOW THEREFORE BE IT RESOLVED, that Resolution 19-89 be rescinded for the appointment of Nicolas Tomaio as a Class II Officer for the Deal Police Department.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-104**

WHEREAS, Resolution 19-91 was introduced and approved at the Board of Commissioners meeting on May 10, 2019; and

WHEREAS, Resolution 18-91 appointed Elijah Smith as a Class II Officer for the Deal Police Department; and

WHEREAS, Police Chief Ronen Neuman has advised that Elijah Smith will not be needed as a Class II Officer.

June 12, 2019

NOW THEREFORE BE IT RESOLVED, that Resolution 19-91 be rescinded for the appointment of Elijah Smith as a Class II Officer for the Deal Police Department.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-105**

WHEREAS, the Tax Court of New Jersey has ordered a judgment in the favor of various property owners within the Borough of Deal requiring an adjustment of the 2014, 2015 and 2016 tax year.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the following property owners have their respective tax year reduced, as listed as ordered by the Tax Court of New Jersey.

2017

Block	Lot	Owner	Address	Original Assessme	Judgement	Net Change	Tax Change
27	2	58 Phillips Ave Assoc LLC	58 Phillips Ave	\$ 3,805,300.00	\$ 3,600,000.00	\$ (205,300.00)	\$ (1,430.94)
							\$ (1,430.94)

2018

Block	Lot	Owner	Address	Original Assessme	Judgement	Net Change	Tax Change
27	2	58 Phillips Ave Assoc LLC	58 Phillips Ave	\$ 3,805,300.00	\$ 3,600,000.00	\$ (205,300.00)	\$ (1,430.94)
36	14	Cohen, Joel & Jeanette	22 Queen Ann Dr	\$ 2,940,100.00	\$ 2,750,000.00	\$ (190,100.00)	\$ (1,319.29)
36	15	Cohen, Joel & Jeanette	24 Queen Ann Dr	\$ 946,100.00	\$ 500,000.00	\$ (446,100.00)	\$ (3,095.93)
							\$ (5,903.16)

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-106**

WHEREAS, Robyn Sammel, Brooklyn, NY, has made a payment for their membership at the Deal Casino; and

WHEREAS, a refund of \$57.00 is owed due to overpayment; and

WHEREAS, Alison Prager-Larson, Long Branch, NJ, has made a payment for their membership at the Deal Casino; and

WHEREAS, a refund of \$200.00 is owed due to overpayment; and

WHEREAS, Tiffany Weiner, Ocean, NJ has made a payment for their membership at the Deal Casino; and

WHEREAS, a refund is being requested for their membership due to the removal of a member; and

WHEREAS, Shari Kelly, Ocean, NJ has made a payment for their membership at the Deal Casino; and

June 12, 2019

WHEREAS, a refund is being requested for their membership due to the passing of a member.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$57.00 be issued to Robyn Sammell, \$200.00 refund be issued to Alison Prager-Larson, \$950.00 refund be issued to Tiffany Weiner, and \$200.00 refund to Shari Kelly 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 19-107**

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

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 Oceans Family Success Center advising of programs that they offer.

A letter was received from the NJ Food Council supporting the use of reusable bags and phasing out plastic and paper bags.

A notice of public hearing was received from the Monmouth County Board of Chosen Freeholders for the Senior Citizens and Disabled Residents Assistance Program.

An application was received from the Monmouth County Division of Planning for the FY2020 Community Development Block Grant Funding.

An email was received from Paula Pinedo requesting permission to host multiple lemonade stands at private homes within the Borough with the proceeds being donated to the Special Children's Center. The Board of Commissioners approved the sales.

June 12, 2019

An email was received from Charlene Laskin requesting permission to host a 5k race to raise money and awareness for the SAFE organization. The Board of Commissioners approved the race subject to a safe course designed with the Deal Police Department.

An email was received from Efraim Duchman requesting use of the Conover Pavilion on July 18<sup>th</sup> for a charity event. The Board of Commissioners approved the event.

A letter was received from the United States Department of Commerce inviting the Borough to participate in the 2020 Census New Construction Program.

A letter was received from the NJ Department of Transportation announcing that applications are being received for the FY2020 State Aid programs.

An email was received from Donna Funk, Deep Search Metal Detecting Club, asking permission to use the Conover Pavilion for a metal detecting event. The Board of Commissioners approved the event.

An email was received from Advanced Parking for the use of the Conover grass parking lot for an event on July 3<sup>rd</sup>. The Board of Commissioners approved the use.

A raffle application was received from the Lung Cancer Research Foundation for an event on July 7, 2019 at 1 Jerome Avenue. The Board of Commissioners approved the raffle license.

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 19-06 of the Warrant Register in the amount of \$859,836.59.

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.

Mary Anne Cronheim, 88 Monmouth Drive, asked the Board of Commissioners what the Sutton event was approved in the correspondence. Mayor Cohen stated a private event. Mrs. Cronheim asked who the raffle license was approved for, Mayor Cohen stated Lung Cancer Research Foundation. Mrs. Cronheim asked the status of completing the paving of Richmond Avenue. Mayor Cohen asked that she speak with the Public Works Superintendent who can explain some of the concerns with the paving.

Isadora Chamlin, 5 Poplar Avenue, stated that Washington Avenue is in disrepair. Mayor Cohen stated that Washington Avenue is not in Deal but he had heard the roadway was going to be paved and lights installed. Mrs. Chamlin stated that there was a lock missing from a stall in the woman's bathroom at the Deal Casino, she was advised it has been repaired. Ms. Chamlin stated that the restaurant is not being kept clean. The Superintendent of Beaches will look into the cleanliness.



June 12, 2019

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners if the lease of the Phillips Avenue for \$1,800 was for a religious organization. Commissioner Simhon asked why that would even matter. Ms. Coffey stated that the leasing of Phillips Avenue to CBA was for \$3,500 and the Special Children's was less than that. Commissioner Simhon stated that the Special Children's only used the bathrooms where CBA utilized the entire facility. Ms. Coffey stated that the SBH did not apply for a raffle license last year and that should be monitored. Ms. Coffey also stated that SBH did not clean up after last years carnival and that Carrie was out cleaning the parking lot. Ms. Coffey asked that beach access points be added to the website. Ms. Coffey asked how the beach will be monitored to make sure that everyone pays. Chief Neuman stated there are Class I specials on the beach looking for bracelets. Paul Fernicola, Borough Attorney stated that he sent two letters to DEP inquiring if on whether beach front homeowners are required to pay for beach access and still has received no response.

Vincent Lepore, 33 Ocean Terrace, Long Branch, advised Mayor Cohen that the fence located on Ocean Avenue near Pier Village was installed by the County for traffic reasons and has plans to landscape. Mr. Lepore asked if the court date for the lawsuit was still set for July 8<sup>th</sup>, he was advised it was. Mr. Lepore also asked that the resolutions be posted on the website before the meeting.

Mary Anne Cronheim, 88 Monmouth Drive, asked what the was sanitation schedule. Mrs. Cronheim was advised. Mrs. Cronheim stated that she checked on line but was not showing the schedule.

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, July 10, 2019 at 9:00 A.M.

There being no further business or comments, it was moved by Mayor Cohen and seconded by Commissioner Simhon that the meeting be adjourned at 9:37 A.M.

SC \_\_\_\_\_

MA \_\_\_\_\_

DS \_\_\_\_\_

\_\_\_\_\_  
Clerk