

July 10, 2015

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on July 10, 2015 at 9:00 A.M.

Present: Mayor Ades, Commissioner Cohen & Commissioner Wiener  
Also Present: Superintendent Jason Fazio, Special Projects Manager Rogers

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. Notice of the change in date and time of this meeting was published in the Asbury Park Press and the Coaster and posted on the bulletin Board

It was moved by Commissioner Cohen, seconded by Commissioner Wiener and carried that the reading of the minutes of the previous meeting held on June 26, 2015 be dispensed with and the same be approved as recorded.

Ordinance #1117 was introduced on June 12, 2015 and the public hearing is scheduled for today, July 10, 2015. Mayor Ades moved to open the meeting to public comment on Ordinance 1117, seconded by Commissioner Cohen and approved. The Mayor invited public comment and there were none. The public session was closed by the same vote.

#### **ORDINANCE #1117**

#### **AN ORDINANCE AMENDING CHAPTER XIV FIRE PREVENTION OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982"**

Commissioner Cohen moved to adopt Ordinance 1117, seconded by Commissioner Wiener. Roll Call: Ayes 3; Ades, Cohen & Wiener.

The following Resolutions were discussed and enacted:

Commissioner Cohen offers the following resolution.

#### **Resolution 15-105**

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

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

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

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

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

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Commissioner Cohen offers the following resolution.

**Resolution 15-106**

WHEREAS, the Township of Ocean Sewerage Authority owns and operates a sewerage collection and treatment system designed to accommodate the Borough of Deal; and

WHEREAS, the Borough of Deal and Township of Ocean Sewerage Authority have been conducting extensive negotiations on the terms and conditions of a new agreement for several years; and

WHEREAS, the Borough and the Authority have reached a mutual agreement on the terms and conditions.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the agreement between the Borough of Deal and the Township of Ocean Sewerage Authority be approved as outlined in the formal agreement; and

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

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following resolution.

**Resolution 15-107**

WHEREAS, an opening has occurred for an Alternate II member of the Planning Board due to the vacancy of another position.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Ruby Antebi, 10 Roosevelt Avenue, Deal be appointed to the remaining term as an Alternate II member of the Planning Board pursuant to the Municipal Land Use Law, P.L. 1975 to expire December 31, 2016.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following resolution.

**Resolution 15-108**

WHEREAS, International Chimney, 55 South Long Street, Williamsville, NY 14221 was awarded the contract to repair the Poplar Avenue Cell Tower Chimney; and

WHEREAS, International Chimney has completed the work and has requested the payment in the amount of \$97,300.00; and

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WHEREAS, the Borough Engineer has reviewed the request and has certified that the work has been completed and the request for funds is correct.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the payment of \$97,300.00 be made to International Chimney for the repair of the Poplar Avenue Cell Tower.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following Resolution:

**Resolution 15-109**

WHEREAS, Simmen Building Contractors, 2703 Sunset Avenue, Wanamassa, NJ 07712 is supplying new beach houses at the Deal Casino; and

WHEREAS, Simmen Building Contractors, has requested payment #4 in the amount of \$100,000.00; and

WHEREAS, John Anastasia, Beach Superintendent has verified that the work to date has justified for this payment;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that payment #4 of \$100,000.00 be made to Simmen Building Contractors for the supplying of beach houses at the Deal Casino.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

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

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

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

A letter was received from Martin Barger, Borough Attorney, in reference to a draft storm water easement for 55 Lawrence Avenue, Block 2 Lot 10. The Board of Commissioners approved the draft.

A letter was received from the New Jersey Natural Gas advising of a Public Hearing on June 28<sup>th</sup> to construct and operate the southern Reliability Link, a new gas transmission pipeline.

A letter was received from the Deal Fire Company asking for a donation for their Fireman's Ball on August 15, 2015. The Board of Commissioners approved donating Deal Casino passes for their auction.

A letter was received from the Superior Court of New Jersey Monmouth Vicinage about the Judiciary's annual comprehensive review of the Deal Municipal Court. The letter asked if there were any concerns or issues about the Deal Municipal Court. The Board of Commissioners did not have anything to report.

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A letter was received from the New Jersey League of Municipalities looking for nominations to the 18<sup>th</sup> Annual Elected Officials Hall of Fame.

The New Jersey League of Municipalities provided the Legislative Bulletin for June 2015.

A letter was received from the County of Monmouth for a public hearing on the sale of 2 Care Center properties, in Freehold and Allenwood.

The following Resolution was offered by Commissioner Cohen:

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 15-06 of the Warrant Register in the amount of \$773,950.71.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Mayor Ades requested comments from the floor. Alan Lebensfeld, Esq, represents several homeowners on Wallace Road against the installation of a beach access at the south end of the Deal Casino. Mr. Lebensfeld discussed the negative impacts of the beach access. The Board of Commissioners received a map created by the NJ State DEP on where the Borough lacks beach access and where access is required. Mr. Lebensfeld had stated that he spoke with an attorney with the State and he stated the law was repealed back in 2007 requiring beach access every 1/2 mile. The Board of Commissioners stated that this would have to be discussed with the State and Federal Government. Mr. and Mrs. Terzi, 21 Wallace Road, also spoke about not having the beach access next to their property.

Mr. Pineda, 111 Roseld Avenue, addressed the Board of Commissioners about the damaged curbs around his house. He was issued a violation notice to repair the sidewalks and is now looking for the curbs to be repaired. The Board of Commissioners advised that the Borough work on developing a program to start to repair the damaged curbs within the Borough.

It was announced that the next meeting of the Board of Commissioners will be on Friday, July 24, 2015 at 9:00 A.M.

There being no further business or comments, it was moved, seconded and approved that the meeting be adjourned at 9:45 A.M.

MA \_\_\_\_\_

SMC \_\_\_\_\_

VSW \_\_\_\_\_

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Clerk