

September 9, 2016

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on September 9, 2016 at 9:00 A.M.

Present: Mayor Cohen, Commissioner Ades and Commissioner Simhon
Also Present: Martin Barger, 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. 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 Ades, seconded by Commissioner Simhon and carried that the reading of the minutes of the previous meeting held on August 26, 2016 be dispensed with and the same be approved as recorded.

Ordinance 1135 to amend Chapter IV, Police Department 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 September 23, 2016 at 9:00 A.M.

ORDINANCE 1135

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

BE IT ORDAINED BY THE Board of Commissioners of the Borough of Deal in the County of Monmouth, State of New Jersey, as follows:

SECTION 1. Chapter 4, Police Department, of the Revised General Ordinances of the Borough of Deal, County of Monmouth, State of New Jersey, is hereby amended as follows:

CHAPTER IV

POLICE DEPARTMENT

SECTION 2.

4.7.2 Sergeant of Police

1. Experience: Five years as a Police Officer with the Borough of Deal Police Department.
2. Once the promotional exam is announced all eligible candidate(s) must indicate their intention to take or decline the test by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
3. Education: Candidate will meet all standards of the Deal Police Department. An Associate's Degree shall be required, but a Bachelor's Degree shall be preferred. Candidate(s) shall be issued points for their

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level of education. Candidate(s) with no educational degrees shall receive 1 point, candidate(s) with an Associate's Degree shall receive 2 points, candidate(s) with a Bachelor's Degree shall receive 3 points, candidate(s) with a Master's Degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.

4. **Years of Service:** Candidate(s) shall be issued points for years of Service as a Deal Police Officer. Each candidate shall receive one-quarter (.25) point for each year completed as a Deal Police Officer at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years of service shall account for 5% of the overall score in the evaluation.
5. **Written and Oral Exam:** Obtain a cumulative passing score of 70% on the written and oral exams. Both the written and the oral examinations will be approved and administered by the New Jersey State Association of Chiefs of Police or an outside consultant. The successful completion of these two tests will constitute 60% of the overall score in the evaluation. If the New Jersey Association of Chiefs of Police is not utilized for the testing, the total percentage distribution for each phase of the promotional process will be determined prior to the testing procedure. An examination information/reading list shall be provided to each candidate.
6. **The Promotional Review Board** shall be chaired by the Mayor or his designee. The Board shall consist of the Borough Commissioners (if available), the Borough Administrator and the Chief of Police. The interview, evaluation and appointment will be based upon the totality of the candidate(s) past performance of his duties by the Promotional Review Board. This phase shall be valued at 30% of the overall score. Each candidate will be provided a list of dimensions where questions will be derived to evaluate a candidate's competencies.
7. The candidate(s) chosen for the position will be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command. Background investigation will include but not be limited to CCH and MVC checks.
8. Final appointments will be made by the Mayor and confirmed by the Board of Commissioners to the rank of Probationary Sergeant and will serve a probationary period of six months before the permanent appointment to Sergeant.
9. The final list shall be deemed valid for a period of one year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.

4.7.3 Lieutenant of Police

1. **Experience:** Eight years as a Police Officer with the Borough of Deal Police Department and at least two years in Sergeant Grade.

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2. Once the promotional exam is announced all eligible candidate(s) must indicate their intention to take or decline the test by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
3. Education: Candidate will meet all standards of the Deal Police Department. An Associate's Degree shall be required, but a Bachelor's Degree shall be preferred. Candidate(s) shall be issued points for their level of education. Candidate(s) with no degrees shall receive 1 point, candidate(s) with an Associate's Degree will receive 2 points, candidate(s) with a Bachelor's Degree shall receive 3 points, candidate(s) with a Master's Degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.
4. Years in Grade as a Supervisor: Candidate(s) shall be issued points for Years in Grade as a Deal Police Supervisor. Each candidate shall receive one-half (.5) point for each year completed as a Deal Police Supervisor at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years in Grade as a Supervisor shall account for 5% of the overall score in the evaluation.
5. Written and Oral Exam: A written and oral examination will be prepared and conducted by an outside consultant. The outside consultant will be responsible for the evaluation and scoring of this phase of the promotional process. This phase shall be valued at 30% of the overall score in the evaluation. An examination information/reading list shall be provided to each candidate.
6. Written Proposal: Each candidate shall complete a written proposal, which will be scored by the Board of Commissioners, Borough Administrator and the Chief of Police. This phase will be conducted at a designated location and the candidate will have two (2) hour time limit to complete the written proposal. This phase shall be valued at 10% of the overall score in the evaluation.
7. The Promotional Review Board shall be chaired by the Mayor or his designee. The Board shall consist of the Borough Commissioners (if available), the Borough Administrator and the Chief of Police. The interview, evaluation and appointment will be based upon the totality of the candidate(s) past performance of his duties by the Promotional Review Board. This phase shall be valued at 50% of the overall score. Each candidate will be provided a list of dimensions where questions will be derived to evaluate a candidate's competencies.
8. The candidate(s) chosen for the position will be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command. Background investigation will include but not be limited to CCH and MVC checks.
9. Final appointments will be made by the Mayor and confirmed by the Board of Commissioners to the rank of Probationary Lieutenant and will serve a probationary period of six months before the permanent appointment to Lieutenant.

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10. The final list shall be deemed valid for a period of one year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.

4.7.4 Captain of Police

1. Experience: Eight years as a Police Officer with the Borough of Deal Police Department and at least two years in Sergeant Grade.
2. Once the promotional exam is announced all eligible candidate(s) must indicate their intention to take or decline the test by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
3. Education: Candidate will meet all standards of the Deal Police Department. An Associate's Degree shall be required, but a Bachelor's Degree shall be preferred. Candidate(s) shall be issued points for their level of education. Candidate(s) with no degrees shall receive 1 point, candidate(s) with an Associate's Degree will receive 2 points, candidate(s) with a Bachelor's Degree shall receive 3 points, candidate(s) with a Master's Degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.
4. Years in Grade as a Supervisor: Candidate(s) shall be issued points for Years in Grade as a Deal Police Supervisor. Each candidate shall receive one half (.5) point for each year completed as a Deal Police Supervisor at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years in Grade as a Supervisor shall account for 5% of the overall score in the evaluation.
5. Written and Oral Exam: A written and oral examination will be prepared and conducted by an outside consultant. The outside consultant will be responsible for the evaluation and scoring of this phase of the promotional process. This phase shall be valued at 30% of the overall score in the evaluation. An examination information/reading list shall be provided to each candidate.
6. Written Proposal: Each candidate shall complete a written proposal, which will be scored by the Board of Commissioners, Borough Administrator and the Chief of Police. This phase will be conducted at a designated location and the candidate will have (2) hour time limit to complete the written proposal. This phase shall be valued at 10% of the overall score in the evaluation.
7. The Promotional Review Board shall be chaired by the Mayor or his designee. The Board shall consist of the Borough Commissioners (if available), the Borough Administrator and the Chief of Police. The interview, evaluation and appointment will be based upon the totality of the candidate(s) past performance of his duties by the Promotional Review Board. This phase shall be valued at 50% of the overall score. Each candidate will be provided a list of dimensions where questions will be derived to evaluate a candidate's competencies.

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8. The candidate(s) chosen for the position will be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command. Background investigation will include but not be limited to CCH and MVC checks.
9. Final appointments will be made by the Mayor and confirmed by the Board of Commissioners to the rank of Probationary Captain and will serve a probationary period of six months before the permanent appointment to Captain.
10. The final list shall be deemed valid for a period of one year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.

4.7.5 Chief of Police

1. Experience: Ten years with the Borough of Deal, total of Three (3) Years in Grade as a Supervisor with the Borough of Deal Police Department.
2. Once the promotional exam is announced all eligible candidate(s) must indicate their intention to take or decline the test by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
3. Education: Candidate will meet all standards of the Deal Police Department. A Bachelor's Degree shall be required, but a Master's Degree shall be preferred. Candidate(s) shall be issued points for their level of education. Candidate(s) with no degrees shall receive 1 point, candidate(s) with an Associate's Degree will receive 2 points, candidate(s) with a Bachelor's Degree shall receive 3 points, candidate(s) with a Master's Degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.
4. Years in Grade as a Supervisor: Candidate(s) shall be issued points for Years in Grade as a Deal Police Supervisor. Each candidate shall receive one half (.5) point for each year completed as a Deal Police Supervisor at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years in Grade as a Supervisor shall account for 5% of the overall score in the evaluation.
5. Written and Oral Exam: A written and oral examination will be prepared and conducted by an outside consultant. The outside consultant will be responsible for the evaluation and scoring of this phase of the promotional process. This phase shall be valued at 30% of the overall score in the evaluation. An examination information/reading list shall be provided to each candidate.
6. Written Proposal: Each candidate shall complete a written proposal, which will be scored by the Board of Commissioners, Borough Administrator and the Chief of Police. This phase will be conducted at a designated location and the candidate will have (2) hour time limit to complete the written proposal. This phase shall be valued at 10% of the overall score in the evaluation.

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7. The Promotional Review Board shall be chaired by the Mayor or his designee. The Board shall consist of the Borough Commissioners (if available), the Borough Administrator and the Chief of Police. The interview, evaluation and appointment will be based upon the totality of the candidate(s) past performance of his duties by the Promotional Review Board. This phase shall be valued at 50% of the overall score. Each candidate will be provided a list of dimensions where questions will be derived to evaluate a candidate's competencies.
8. The candidate(s) chosen for the position will be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command. Background investigation will include but not be limited to CCH and MVC checks.
9. Final appointments will be made by the Mayor and confirmed by the Board of Commissioners to the rank of Chief of Police.
10. The final list shall be deemed valid for a period of one year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

Resolution 16-109

**AMEND SHARED SERVICE AGREEMENT
REGARDING LAW ENFORCEMENT AND MUNICIPAL COURT SERVICES**

WHEREAS, N.J.S.A. 49:8A-1 authorizes a municipality to enter into a contract with another municipality for the joint provision of services; and

WHEREAS, the Borough of Deal and the Borough of Interlaken have negotiated to amend the current Shared Service Agreement for police services and municipal court services with recommendations from the Administrative Office of the Courts; and

WHEREAS, the Borough of Deal and the Borough of Interlaken wish to enter into an agreement whereby the Borough of Deal will provide municipal court services to the Borough of Interlaken through December 31, 2030; and

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The Borough of Deal hereby agrees to the attached shared service agreement and all contractual provisions held within.
2. The Mayor and Municipal Clerk are hereby authorized to execute said agreement.

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 August was received from Chief Ronen Neuman.

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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 report of the revenues for the Deal Casino and Conover Pavilion was received from Theresa Davis.

A letter was received from the Monmouth County Board of Chosen Freeholders advising of their "Grown in Monmouth" update meeting to be held on October 5, 2016.

A resolution was received from the Monmouth County Board of Chose Freeholders supporting Monmouth Park as a viable location for the operation of a casino.

A letter was received from K.J.G.C, LLC asking permission to demolish a single family dwelling at 91 Ocean Avenue. The Board of Commissioners approved the demolition.

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 16-09 of the Warrant Register in the amount of \$547,671.13.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen requested comments from the floor.

Barbara Coffey, 85 Norwood Avenue, asked about the weekly meetings with the Army Corp of Engineers about opening up the Phillips Avenue access point. Ms. Coffey was advised that there is a man gate in the parking lot of the Conover Pavilion, and that could be opened for beach access.

Mayor Cohen asked Mary Ann Cronheim, 88 Monmouth Drive, that the Commissioners are considering changes to the parking around Hathaway Avenue, and asked for her input. Barbara Coffey stated to the Mayor that none of the residents have come to a meeting to complain. Mayor Cohen stated that he has received complaints from residents. Mrs. Cronheim stated that she has visited the area and when a meeting occurs she has suggestions.

Renee Grossman, 5 Poplar Avenue, asked the Board of Commissioners about the basketball court that was removed at the Deal Casino. Mrs. Grossman stated that it was unfair that it was removed and should be replaced. Mrs. Grossman stated that meetings should be held at night when things come up. Commissioner Ades stated that when people have a concern, they do show up. Mrs. Grossman suggested a survey be conducted on whether to have a night time meeting. Martin Barger, Borough Attorney, stated that the Board of Commissioners have made a decision to not change the meeting, and Mrs. Grossman stated that it doesn't make sense. Mrs. Grossman asked if the pier would be rebuilt at Phillips Avenue. Mrs. Grossman was advised that the pier was not covered under insurance or FEMA funding after it was destroyed by Hurricane Sandy. Mrs. Grossman asked if any of the Commissioners attended the Fireman's Ball or the PBA

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function at the Deal Casino. The Commissioners stated that they did attend. Mrs. Grossman stated that this would be the perfect venue to meet with people. Mayor Cohen stated that he has received a lot of praise about the police department. Commissioner Ades also stated that he walks the entire Casino 7-8 times per season, but does not hear any complaints about the facility.

Mary Ann Cronheim, 88 Monmouth Drive, asked the Board of Commissioners how people would know when something comes up at public comment. Mrs. Cronheim stated that the Commissioners are here for the residents. Mrs. Cronheim asked about the post card that was sent out for the Deal Casino. Mrs. Cronheim was advised that the cards were sent out to all residents looking for any resident that was not a member to join the Deal Casino. Mrs. Cronheim asked when this was discussed. Mayor Cohen stated that was something he sent out to all the residents to increase resident membership. Commissioner Simhon stated that he discussed it. Mrs. Cronheim asked when that meeting was, which Mayor Cohen stated there was no meeting. Mrs. Cronheim stated that changes must be discussed in a public meeting.

Isadora Chamlin, 5 Poplar Avenue, stated to the Commissioners that people stated people won't go to the meetings because it doesn't mean a thing to come. Mrs. Chamlin stated that she hopes the prices for the beaches do not go up. Mrs. Chamlin also asked that rows in the main parking area of the Deal Casino next to the front entrance be designated for Deal residents. Mrs. Chamlin also stated that more carts are needed at the Deal Casino for a way to take belongings out of the Casino.

Barbara Coffey, 85 Norwood Avenue, stated to the Commissioners that the Belmar Rule requires fees from the beaches go back to pay for the beaches.

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

Commissioner Ades offers the following Resolution:

Resolution 16-110

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss Contractual Matters.

WHEREAS, Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Deal hereby exclude the public from this meeting.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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The Board of Commissioners entered into closed session to discuss contractual matters at 9:50 A.M.

The Commissioners returned to open session at 10:55 A.M.

It was announced that the next meeting of the Board of Commissioners will be on Friday, September 23, 2016 at 9:00 A.M.

There being no further business or comments, it was moved, seconded and approved that the meeting be adjourned at 10:55 A.M.

SC _____

MA _____

DS _____

Clerk