

June 23, 2017

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on June 23, 2017 at 9:00 A.M.

Present: Mayor Cohen, Commissioner Ades & 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.

It was moved by Commissioner Ades, seconded by Commissioner Simhon and carried that the reading of the minutes of the previous meeting held on June 9, 2017 be dispensed with and the same be approved as recorded.

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

Resolution 17-91

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2016 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

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R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners of the Borough of Deal, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 17-92

WHEREAS, Morris Cohen, 1939 E 5th Street, Brooklyn, NY has made payment for their membership at the Deal Casino; and

WHEREAS, a refund is being requested due to moving into a smaller locker after payment had been received.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$1,500.00 be issued to Morris Cohen for their membership to the Deal Casino.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

The 2017 Final and 2018 Preliminary County Tax Levies report was received from the Monmouth County Department of Finance.

A letter was received from the Monmouth County Department of Human Services bringing awareness to the issue of food insecurity in our senior population.

A publication was received from the Monmouth County Board of Chosen Freeholders on the Division of Aging, Disabilities and Veterans Services available.

A health update on skin cancer was received from the Ocean Monmouth Health Alliance.

A letter was received from the NJ League of Municipalities advising of the 102nd Annual Conference to be held in Atlantic City on November 14, 15 and 16, 2017.

A letter was received from the Monmouth County Regional Health Commission who is reviewing an ordinance that would require registration or permit fees for E-cigarette establishments.

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A raffle application was received from Monmouth University for June 26, 2017 at the Deal Golf and Country Club. The Board of Commissioners approved this application.

A letter was received from Split Second Racing requesting permission to hold their War at the Shore Triathlon on July 9th and the Jersey Girl Triathlon on August 6th. The Board of Commissioners approved both races subject to proper traffic control.

A letter was received from the Monouth County Park System advising of the Open Space Grant Program 2017 funding is available.

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 17-06 of the Warrant Register in the amount of \$428,733.10.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen requested comments from the floor.

Fred Raffetto, Esq., stated that he represents Mr. Eli Gindi, 8 Neptune Avenue. Mr. Raffetto stated that there were no regulations in Ordinance 1152 about portable bathrooms. Mr. Raffetto stated that a CAFRA permit is required if there will be a temporary structure placed on the beach. Mr. Raffetto strongly objected to the bathrooms and stated that he does not believe it is an appropriate area and asked the Borough to reconsider. Mr. Raffetto stated that any development requires a CAFRA permit from NJDEP. Martin Barger, Borough Attorney, stated that he did not agree that a CAFRA permit is required for a temporary structure and that the Borough is looking into a court decision in Avalon that does not require bathrooms to be added. Mr. Barger asked for any information that Mr. Raffetto had to review if a CAFRA permit was required.

Eli Gindi, 8 Neptune Avenue, addressed the Board of Commissioners stating that he is not being antagonistic, but stated that the bathrooms would smell and hinder the sale of his property. Mr. Gindi asked for the Commissioners to get rid of the bathrooms.

MaryAnn Cronheim, 88 Monmouth Drive, stated that the meeting started prior to 9 a.m. that was advertised. Martin Barger, stated the meeting did begin at 9 a.m. Mrs. Cronheim stated that she walked into the meeting at 9 a.m. and correspondence was being read. Mrs. Cronheim stated that she had requested curbing to be repaired at 88 Monmouth Drive and asked when it will be completed. Mayor Cohen stated that we have a new Superintendent at Public Works and curbing repair will begin after the summer, Mayor Cohen stated that we will add 88 Monmouth Drive to the top of the list.

Isadora Chamlin, 5 Poplar Avenue, asked the Board of Commissioners when the construction will stop. Mayor Cohen stated that the moratorium has been extended until next Friday for homeowners that are looking to get a C.O. / T.C.O. to move into their residence. Mr. Chamlin stated that she does not want illegals working near her house, they through debris all over and last year one tried to break into her home. Mrs. Chamlin stated that in regard to the bathrooms, you opened up a can of worms. Mrs. Chamlin stated that the

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intersection of Poplar and Almyr Avenue is dangerous, that a motorist cannot see with the hedges. Mrs. Chamlin was advised that the police department was looking into the view obstruction.

Barbara Coffey, 85 Norwood Avenue, asked the status of portable bathrooms post moratorium. Ms. Coffey was advised that they must be removed from the property. Ms. Coffey asked if there were any special permits for use at parties, Ms. Coffey was advised that there was no special permit required.

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 will be on Friday, July 14, 2017 at 9:00 A.M.

There being no further business or comments, it was moved, seconded and approved that the meeting be adjourned at 9:18 A.M.

SC _____

MA _____

DS _____

Clerk