

May 9, 2018

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on May 9, 2018 at 9:00 A.M.

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

After the salute to the Flag, the Commissioners observed a moment of silence for the passing of John Anastasia, Beach Superintendent.

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 Mayor Cohen and carried that the minutes of the previous meeting held on April 11, 2018 be approved as recorded.

Ordinance #1171 to amend Chapter VI, Beach Regulations, was introduced on April 11, 2018 and the public hearing is scheduled for today, May 9, 2018. Mayor Cohen moved to open the meeting to public comment on Ordinance #1171, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

ORDINANCE #1171

AN ORDINANCE AMENDING CHAPTER VI OF
"REVISED GENERAL ORDINANCES OF
THE BOROUGH OF DEAL, 1982"
Beach Regulations

Commissioner Simhon moved to adopt Ordinance 1171, seconded by Mayor Cohen. Roll Call: Ayes 2; Cohen & Simhon. Absent 1; Ades

The following resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 18-75

WHEREAS, the Borough has obtained public assistance from FEMA for Superstorm Sandy; and

WHEREAS, one of the project worksheets, PW #4088 Temporary Bathroom Facilities, was overpaid to the Borough; and

WHEREAS, the State of New Jersey, Department of the Treasury, is looking for a reimbursement of \$10,475.24.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal hereby authorizes the reimbursement of \$10,475.24 to the State of New Jersey for overpayment on PW #4088 for Superstorm Sandy.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

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Commissioner Simhon offers the following Resolution:

Resolution 18-76

WHEREAS, Underground Utilities Corp, 711 Commerce Road Linden, NJ 07036 has been awarded a contract for the Marine Place Drainage Improvements at a cost of \$598,369.75; and

WHEREAS, Underground Utilities Corp. has requested final payment in the amount of \$24,230.33; and

WHEREAS, the Borough Engineer has verified that the work to date has justified this payment;

NOW, THERFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the final payment of \$24,230.33 be made to Underground Utilities Corp. for the improvements to the Marine Place Drainage.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-77

Approval of Change Order #3 for Improvements to Marine Place Drainage

WHEREAS, the Borough of Deal awarded a contract for improvements to Marine Place Drainage to Underground Utilities Corp, 711 Commerce Road, Linden, NJ at a cost of \$673,298.00; and

WHEREAS, the Borough Engineer recommended the following change to improvements to the Marine Place Drainage:

1. Traffic Directors	Subtract	\$28,000.00
2. Test Pits	Add	\$5,500.00
3. Test Trench	Subtract	\$3,000.00
4. Utility Relocation	Subtract	\$60,025.25
5. Select Fill	Subtract	\$23.00
6. Hot Mix Asphalt 9.5M64 Surface Course	Add	\$18,349.00
7. 15" Reinforced Concrete Pipe	Subtract	\$3,780.00
8. 48" Reinforced Concrete Pipe	Subtract	\$1,760.00
9. Drainage Inlet Type "B"	Subtract	\$5,000.00
10. Remove Type "B" Inlet	Add	\$1,000.00
11. Concrete Sidewalk, 8 ft wide 6" Thick	Add	\$3,920.00
12. Cast in Place Detectable Warning Surfaces	Subtract	\$55.00
13. Concrete Curb 6x8x16"	Subtract	\$399.00
14. Concrete Gutter Curb	Add	\$6,320.00
15. Concrete Driveway Apron 6" Thick	Subtract	\$3,189.20
16. Reset Existing Manhole Frames	Subtract	\$1,500.00
17. Traffic Markings, Thermoplastic – Stop Bar	Subtract	\$1,171.80
18. Traffic Markings, (Thermoplastic Cross Walk & Bike Lane)	Subtract	\$360.00
19. 3-3.5" Golden Rain Tree	Subtract	\$2,500.00
20. Topsoil and Sod	Add	\$966.00
21. 48" RCP	Subtract	\$220.00

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NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the Improvements to Atlantic Avenue as specified by the Borough Engineer changing the contract amount to \$598,369.75.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-78

WHEREAS, the Borough would like to place new privet hedge in front of the Deal Casino; and

WHEREAS, two (2) quotes were received for the purchase of 1174 pieces of privet hedge; and

WHEREAS, proposals were received ranging in cost from a high of \$53,080.00 from Sacco's Landscape Inc., Long Branch, NJ, and a low bid of \$35,220.00 from Bibi Antique and Lighting, Brooklyn NY;

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the privet hedge be purchased from Bibi Antique and Lighting in the amount of \$35,220.00.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-79

WHEREAS, Robert Miller, Rotonda West Florida, has made a payment for their membership at the W. Stanley Conover Pavilion; and

WHEREAS, a refund is being requested for their membership due to circumstances beyond their control; and

WHEREAS, Michele Shaftel, West Long Branch, NJ has made a payment for their membership at the W. Stanley Conover Pavilion; and

WHEREAS, a refund is being requested for their membership due to personal reasons; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$600.00 be issued to Robert Miller and \$650.00 refund be issued to Michele Shaftel for their membership to the W. Stanley Conover Pavilion.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

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Commissioner Simhon offers the following Resolution:

Resolution 18-80

WHEREAS, the Borough of Deal is in need of an electric utility vehicle for the Deal Casino; and

WHEREAS, these vehicles are offered by the U.S. Communities Government Purchasing Alliance; and

WHEREAS, the Borough of Deal wishes to purchase one (1) 2018 Club Car Carryall 700 Electric Utility Vehicle.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the purchase of one (1) 2018 Club Car Carryall 700 Utility Vehicle from the U.S. Communities Government Purchasing Alliance Co-Op at a cost of \$10,682.80.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-81

WHEREAS, the Deal Police Department is in need of a portable light tower for safety purposes; and

WHEREAS, three (3) quotes were received for the purchase of an Allmand Nite Lite Pro; and

WHEREAS, proposals were received ranging in cost from a high of \$11,570.65 from Glenco Supply Inc., Oakhurst, NJ, and a low bid of \$10,645.00 from TSS Traffic Safety Services, South Plainfield, NJ;

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Allmand Nite Lite Pro be purchased from TSS Traffic Safety Services in the amount of \$10,645.00.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-82

WHEREAS, the Deal Police Department is in need of a police bicycle for the Class I Special Officers; and

WHEREAS, three (3) quotes were received for the purchase of police bicycle for patrol; and

WHEREAS, proposals were received ranging in cost from a high of \$1,888.82 from IForce Patrol Bicycles., Butler, PA, and a low bid of \$1,089.98 from Police Bike Store, Rockaway, NJ;

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NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Force Pursuit Police bike be purchased from Police Bike Store in the amount of \$1,089.98.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-83

WHEREAS, the Borough is replacing the phone system throughout the Municipal Complex; and

WHEREAS, the Police Department is in need of replacing the phone and recording system due to the upgrade; and

WHEREAS, the Borough of Deal wishes to purchase one (1) Record MCT Voice Recorder under State Contract #T-0109-83896.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the purchase of one (1) Record MCT Voice Recorder from NJ State Contract at a cost of \$11,139.00.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-84

WHEREAS, the term for Municipal Court Judge is expiring that requires an appointment for a Municipal Court Judge for a 3-year period.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Scott J. Basen be appointed Municipal Judge of the Borough of Deal, for a term of three years at a salary as per the 2018 and succeeding year's budgets, said term to expire is on May15, 2021.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-85

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,

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WHEREAS, the Borough Clerk/Administrator has determined and certified in writing that the value of the acquisition may exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, *the* following business entities

Prosecutor-Substitute	James Carton, Esq. Paul Granick, Esq.
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have submitted proposals indicating they will provide the legal services for the amounts specified in the 2018 Municipal Budget; and

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WHEREAS, each of the following business entities have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee serving individually or collectively as the Board of Commissioners in the Borough of Deal in the previous one year, and that the contract will prohibit the following business entities:

Prosecutor-Substitute	James Carton, Esq. Paul Granick, Esq.
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from making any reportable contributions through the term of the contract, and

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 year 2018.

Prosecutor-Substitute	James Carton, Esq. Paul Granick, Esq.
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2. The amounts charged for these services will be determined in accordance with the contracts dated as of May 9, 2018 and in effect through December 31, 2018.
3. The said contracts were awarded without public bidding as "Professional Services" under the provisions of said Local Public Contract Law.
4. A copy of the Resolution shall be published in The Coaster within 10 days of its passage.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

May 9, 2018

Commissioner Simhon offers the following Resolution:

Resolution 18-86

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 Borough Clerk/Administrator has determined and certified in writing that the value of the acquisition may exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, *the following business entities*

Public Defender-Substitute	David Gardner, Esq. Michael Celli, Esq. Kevin Bransley, Esq.
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have submitted proposals indicating they will provide the legal services for the amounts specified in the 2018 Municipal Budget; and

WHEREAS, each of the following business entities have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee serving individually or collectively as the Board of Commissioners in the Borough of Deal in the previous one year, and that the contract will prohibit the following business entities:

Public Defender-Substitute	David Gardner, Esq. Michael Celli, Esq. Kevin Bransley, Esq.
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from making any reportable contributions through the term of the contract, and

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 year 2018.

Public Defender-Substitute	David Gardner, Esq. Michael Celli, Esq. Kevin Bransley, Esq.
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2. The amounts charged for these services will be determined in accordance with the contracts dated as of May 9, 2018 and in effect through December 31, 2018.
3. The said contracts were awarded without public bidding as "Professional Services" under the provisions of said Local Public Contract Law.
4. A copy of the Resolution shall be published in *The Coaster* within 10 days of its passage.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-87

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	Alexandra Delia	\$9.00
	Carlie Ferraro	\$9.00
	Ryan Lampinen	\$7.00
	Patrick Ferraro	\$7.00
Carrie Sniffen	Emma Appio	\$7.00
Ted Bahlman	Rosemarie Critelli	\$7.00
Lisa Listo	Victoria Lee	\$7.00
Gerlando Lotempio	Rebecca Raike	\$7.00
Lifeguard Captain	Michael Shamula	\$7.00
Aquatics Director	Alexandra Muscillo	\$7.00
Recreation Supervisor	Lucas Beltran	\$7.00
	Chris LaMarca	\$9.00
	Zachary Alt	\$9.00
2018 Casino Staff hourly salaries:	Frederick Becker	\$10.00
	Kendyl Vivian	\$7.00
Maria Tabis		
Mason Galina		
Taylor Sniffen		
Annalisa Simons		
Jennifer Doremus		
Elaine Cistaro		
Nicholas Simons		
Avalon Fiore		
Carli Brush Stoll		
Anna McDonough		
Anthony Kean		
Jackson McDonough		
Kim Schmidt		
Katie Kean		
Sal Toppi		
Natalie Chant		
Noelle Chant		
Jeanine Wagner		
Summer Lampinen		
Sarah Phox		
Emily Forgash		
Brielle Schneider		
Brandon Tracey		
Madison Karpe		
Logan Scherr		
Kristina Chambers		
Sophia Sarbello		
Tracy Whitt		
Emily Bryson		
Rose Sweetwood		
	2018 Conover Staff hourly salaries	
	Rafael Blotner	\$8.50
	Alex Claudio	\$11.00
	Charles Cohen	\$8.50
	Olivia Hiers	\$8.50
	Erin Horbacz	\$8.50
	Garrett Laffler	\$8.50
	Cecilia Listo	\$8.50
	Madison Martin	\$8.50
	Elaina Natale	\$9.00
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	William Scharze	\$8.50
	Nancy Sniffen	\$10.00
	2018 Lifeguard Staff hourly salaries	
	Jonah Bass	\$11.50
	Christopher Bonin	\$9.75
	Hugh Burgdorf	\$12.00
	Kayla Carbone	\$11.50
	Tommy Caruso	\$13.00
	Michelle Conlon	\$10.50
	Bailey Crochet	\$12.50
	Nick Dawe	\$13.00
	Ian Dwyer	\$12.00
	Joey Epstein	\$9.75
	Dean Golan	\$11.50

Anna Greenberg	\$11.50	May 9, 2018	
Corey Hagerman	\$11.50		
Justin Horbacz	\$13.00	Jake Shirley	\$9.75
Rachel Hroncic	\$9.75	Tim Sparrock	\$13.00
Emma Knight	\$9.00	Allyson Steinberg	\$14.00
Ryan Lavender	\$14.00	Andrew Sullivan	\$9.00
Abby Lewis	\$13.00	Michael Suyama	\$9.00
Lexi Lewis	\$13.00	Gregory Tongring	\$14.00
Neil Martin	\$10.50	Jake Turner	\$9.75
Arielle Mastando	\$9.50	Jason Van Brunt	\$10.00
Madison Mastando	\$9.00	Chris Vivian	\$12.00
Ryan Matthews	\$15.00	Andrew Worthington	\$10.50
Matthew McKinley	\$9.75	Gabrielle Zimmerman	\$11.50
Timothy Presley	\$9.75	Steve Swenson	\$14.00
Tyler Rossback	\$10.50		
Jillian Sallustio	\$13.00		
Jacob Sedor	\$9.00		
AJ Shirley	\$10.00		

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-88

WHEREAS, the State of New Jersey Department of Environmental Protection has provided a State Aid Agreement for execution; and

WHEREAS, the State Aid Agreement is for Project No. 6072-D-I Sandy Hook to Barnegat Inlet, Section I – Sea Bright to Ocean Township, New Jersey; and

WHEREAS, the Borough Attorney has reviewed the supplied State Aid Agreements and finds them acceptable; and

NOW, THEREFORE, BE IT RESOLVED that:

5. The Board of Commissioners approves the execution of the State Aid Agreement with the NJ Department of Environmental Protection; and
6. The Board of Commissioners authorizes the Mayor and Borough Administrator to execute said agreements.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-89

WHEREAS, it is necessary to have a change fund available for the operation of the Deal Casino and Conover Pavilion during the summer months that the beaches are open.

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NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the Borough Administrator to draw \$1,800.00 total from the general account for the beach clubs to use to make change at the Deal Casino and Conover Pavilion beach clubs, returning this fund after the close of the season in September.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-90

WHEREAS, the Borough of Deal is in need of a Toro Workman vehicle to be utilized for sanitation; and

WHEREAS, these vehicles are offered by the Middlesex Regional Education Services Commission Co-Op; and

WHEREAS, the Borough of Deal wishes to purchase one (1) Toro Workman vehicle.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the purchase of one (1) Toro Workman Utility Vehicle from the Middlesex Regional Education Services Commission Co-Op at a cost of \$25,176.68.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-91

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of May; 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 May 31, 2018 be approved in the amount not to exceed \$200,000.00; and

BE IT FURTHER RESOLVED that the miscellaneous expenses not to exceed the amount of \$650,000.00 be paid at this time.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

May 9, 2018

The following proclamation was discussed and enacted:

Proclamation

**DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL
GUN VIOLENCE AWARENESS DAY**

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in the Borough of Deal to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, every day, 96 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other developed countries; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should have been now celebrating her 21st birthday; and

WHEREAS, to help honor Hadiya - and the 96 Americans whose lives are cut short and the countless survivors who are injured by shootings every day - a national coalition of organizations has designated June 1st, 2018, the first Friday in June, as the 4th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 1st, the first Friday in June in 2018, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 1, 2018 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED, I, Mayor Sam Cohen of the Borough of Deal declares the first Friday in June, June 1, 2018, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

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Offered by Commissioner Simhon
Seconded by Mayor Cohen
Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

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

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

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

A resolution was received from the Monmouth County Board of Chosen Freeholders requesting support from the NJ Transit regarding Judge Gail Cookson's decision on the JCP&L Reliability Project.

A letter was received from Senator Gopal, Assembly Houghtaling and Downey, with their legislative updates.

A letter was received from the Borough of Allenhurst advising of an amendment to their Development Ordinance.

A letter was received from NJ Natural Gas advising of a public hearing for the annual review and revisions of Societal Benefits Charge.

A letter was received from Andrew Robins, Sills Cummis & Gross, Attorney representing Cohen, 5 Monmouth Terrace, advising of the deficiencies with the ACOE's storm water system.

A notice of public hearing was received from Ansell Grimm & Aaron for an application in the matter of 266 Norwood Avenue for construction.

A letter was received from Margaret Jones advising that she will be resigning her position on the Deal Zoning / Planning Board.

An email was received from Christian Valeriani looking to provide a yoga program to the members of the Deal Casino.

An email was received from Gail Gnesin requesting that smoking be banned on the beach.

A letter was received from Dan and Nancy Chen requesting a handicap wheel chair be purchased to safely access the beach at the Deal Casino.

A raffle application was received from the Arc of Monmouth at the Deal Golf & Country Club on June 25th. The Board of Commissioners approved the raffle.

A raffle application was received from the Marine Corp Scholarship Foundation at the Deal Golf & Country Club on October 4th. The Board of Commissioners approved the raffle.

A raffle application was received from the Rotary Club of Asbury Park at the Deal Golf & Country Club on May 18th. The Board of Commissioners approved the raffle.

Commissioner Simhon 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

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be ordered paid and vouchers drawn for same as listed on page 18-04 of the Warrant Register in the amount of \$592,204.27.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

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

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners about the appointment of Commissioner Ades to the Zoning / Planning Board. Mr. Fernicola stated that he had looked at it and under NJSA 40A:55D, Commissioner Ades can be on the board. Ms. Coffey stated the ordinance does not allow it. Ms. Coffey stated that Mr. Fernicola was looking into the material on the beach and was looking for an update. Mr. Fernicola stated that he spoke with NJ DEP and that it was their jurisdiction. Ms. Coffey asked that the Board of Commissioners not allow the secondary market for share of lockers at the Deal Casino. Commissioner Simhon stated that there was no way to stop that. Mayor Cohen stated that it was not a problem, the Borough is making money from the new members in the Casino. Ms. Coffey also asked to not allow new members during the summer season.

Isadora Chamlin, 5 Poplar Avenue, stated that she attended the wake of John Anastasia and wanted to know who was taking his place. Mayor Cohen stated someone will fill the position in the future. Mrs. Chamlin also stated that we do not have the facilities to share lockers, Mrs. Chamlin stated it is like Coney Island. Mrs. Chamlin also stated that the club is not a money maker.

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

Commissioner Simhon offers the following Resolution:

Resolution 18-92

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 personnel matters and contract negotiations.

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 Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

The Board of Commissioners entered into closed session to discuss personnel and contractual matters at 9:31 P.M.

May 9, 2018

The Commissioners returned to open session at 10:51 A.M.

The following resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 18-93

WHEREAS, an employee for the Borough of Deal has been disciplined for matters outlined with the Borough Administrator; and

WHEREAS, due to the discipline it has been determined that this employee should be terminated from employment within the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that the employee outlined with the Borough Administrator be terminated from the current position within the Borough of Deal effective immediately.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 18-94

WHEREAS, an employee for the Borough of Deal has been disciplined for matters outlined with the Borough Administrator; and

WHEREAS, due to the discipline it has been determined that this employee shall be able to return to work upon signing of a return to work agreement.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that the employee outlined with the Borough Administrator be re-instated upon signing the return to work agreement with the Borough of Deal and shall take effect upon execution of the agreement.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

It was announced that the next meeting of the Board of Commissioners, which will be on Wednesday, June 13, 2018 at 5:00 P.M.

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

SC _____

MA _____

DS _____

Clerk