

October 14, 2020

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on October 14, 2020 at 9:00 A.M. This meeting was conducted via Teleconference only due to the COVID-19 pandemic.

Mayor Cohen lead the salute to the flag.

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 Mayor Cohen and carried that the minutes of the previous meeting held on September 2, 2020 be approved as recorded.

It was moved by Commissioner Simhon, seconded by Mayor Cohen and carried that the minutes of the previous special meeting held on September 18, 2020 be approved as recorded.

Ordinance 1222 to amend Chapter XI Beach Regulations was introduced by Commissioner Simhon, seconded by Commissioner Ades.  
Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1222 to amend Chapter VI Beach Regulations was introduced on September 2, 2020 and the public hearing is scheduled for today, October 14, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1222, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Katie Williams, Deal Casino Member, asked about the color of the furniture that is allowed. Mrs. Williams stated that she had purchased royal blue, Mayor Cohen stated that royal blue was ok. Mrs. Williams asked the Board if they would consider waiving the refrigerator fee for cabanas. Mayor Cohen stated that the larger refrigerators use more electricity. Mrs. Williams stated she heard the snack bar vendor is not returning and wanted to know how to become a vendor. Mrs. Williams was advised that bids will be available shortly and to contact Borough Hall. Mrs. Williams also asked if they would know by May if the camp will be running again. Mayor Cohen stated he was not sure but they would be limited to the number of campers and the times. Mayor Cohen also stated due to the pandemic there were other members of the Casino running a style of camp and it was not the DSN. MaryAnne Cronheim, 88 Monmouth Drive, asked about the tents not being allowed on the beach. Mayor Cohen stated that they are the typical tent structures, not an umbrella. Barbara Coffey, 85 Norwood Avenue, asked how much money would the increase raise, Mayor Cohen stated he did not know. Ms. Coffey asked what the money would be used for, Mayor Cohen stated equipment. Ms. Coffey stated there are \$10 million on the books. Ms. Coffey asked if the fees would increase for the DSN, Mayor Cohen stated he was not sure at this time. Ms. Coffey asked if the DSN would have their own pool, Mayor Cohen stated they would not. Ms. Coffey stated many of the DSN members are using the bathrooms at the Conover, Commissioner Simhon stated they will be completing the construction and doesn't believe they will need to utilize the Conover. There were no other comments from the public and the public session was closed by the same vote.

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**ORDINANCE #1222**

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

Commissioner Simhon moved to adopt Ordinance 1222, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

**Resolution 20-139**

WHEREAS, due to the opening of the current lease for the operation of the Snack Bar at the Deal Casino; and

WHEREAS, the Board of Commissioners wish to obtain bids for the 2021 summer season to fulfill the current bid years.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that competitive bidding be obtained for the operation of the Deal Casino Snack Bar for the 2021 season with bids due by November 24, 2020.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-140**

WHEREAS, Fiore Paving Company, Inc., Oceanport, NJ has been awarded a contract for the FY 2020 Road Improvements at a cost of \$436,309.60; and

WHEREAS, Fiore Paving Company Inc. has requested final payment in the amount of \$41,840.59; and

WHEREAS, the DPW Superintendent 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 final payment of \$41,840.59 be made to Fiore Paving Company Inc. for the FY 2020 Road Improvements.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-141**

WHEREAS, the Tax Court of New Jersey has ordered a judgment in favor of 11 Morgan Ave LLC owner of 11 Morgan Ave within the Borough of Deal requiring a credit for taxes due for their 2015, 2016 and 2017 tax years.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize that the credits ordered by the Tax Court of New Jersey have been issued in 2020 for the following property owners be approved as issued:

**Year: 2018**

<u>Blk/Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Original Assessment</u>	<u>Judgement</u>	<u>Net Change</u>
34/1.01	6 Runyan LLC	6 Runyan Ave	3,405,000	3,300,000	-105,000

**Year: 2019**

2/10	Haddad, Jack & Michele	55 Lawrence Ave	2,171,300	2,061,900	-109,400
4/2	Betesh, Michael & Julie	93 Jerome Ave	5,108,000	4,600,000	-507,400
15/3.01	50 Polar MEH LLC	50 Poplar Ave	4,499,000	4,160,000	-339,000
36.02/3	S Ezon Family, LLC	21 Queen Ann Dr	2,783,500	2,500,000	-283,500
81/4	Aronow, Marshall & Vict.	307 Ocean Ave	4,859,900	4,600,000	-259,900

**Year: 2020**

2/10	Haddad, Jack & Michele	55 Lawrence Ave	4,920,400	2,185,700	-2,734,700
11/2.01	Sutton, Jimmy	120 Roosevelt Ave	4,913,400	683,000	-4,230,400

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-142**

WHEREAS, a request has been made for a refund for 2020 membership to the Deal Casino; and

WHEREAS, this refund is being requested due to making a payment for their membership believing it was for the 2021 season.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the following be refunded for their membership to the Deal Casino:

Deal Casino

1. Robert Siliato, Ocean, NJ \$2,350.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-143**

WHEREAS, Borough Ordinance allows the Borough to utilize a third party vendor to apply for titles with NJ MVC; and

WHEREAS, the police department has requested to cease using EZ Car Titles for this service and will apply themselves for titles.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the use of EZ Car Titles as the third party vendor for motor vehicle titles be terminated.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-144**

WHEREAS, the Deal Police Department has received a request for a donation of a K-9 dog to the police department for patrol use; and

WHEREAS, the police department has utilized a K-9 dog in the past and has proven beneficial to the department and the communities it serves; and

WHEREAS, Vincent Martin and Gina Cambareri, would like to donate Odin, a 14 month old German Shepard, to the Deal Police Department.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that:

1. Approves the donation of Odin to the Police Department for patrol use to serve the communities the Borough serves.
2. Personally, would like to thank Vincent Martin and Gina Cambareri for their generous offer in helping to serve our communities.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-145**

WHEREAS, the State's CY 2020 / SFY 2021 Best Practices Inventory Questionnaire is required to receive the Municipality's final 5% of State funding; and

WHEREAS, the Borough Administrator and Chief Financial Officer have completed the Inventory and have provided the Board of Commissioners with a copy of said document; and

WHEREAS, a review of this Inventory has been discussed at the regular meeting of the Board of Commissioners on October 2, 2020.

NOW, THEREFORE BE IT RESOLVED BY THE Board of Commissioners that the Best Practice Inventory results were discussed and be filed as required with the State of New Jersey.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Simhon offers the following Resolution:

**Resolution 20-146**

WHEREAS, an opening has occurred for a laborer within the Department of Public Works; and

WHEREAS, Justin Holmes, has been recommended for the position of laborer within the Department of Public Works.

NOW THEREFORE BE IT RESOLVED, that Justin Holmes be appointed a Laborer effective October 16, 2020 at an annual base salary of \$34,683, paid bi-monthly.

BE IT FURTHER RESOLVED, that Justin Holmes is to be assigned his duties by the Superintendent of Public Works consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-147**

WHEREAS, Section 7a, of the Open Public Meetings Act, N.J.S.A. 10:4-12 et seq., permits the length of the portion of the public/written comment, can be determined by the municipal governing body; and,

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

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, Monmouth County, New Jersey, as follows:

1. The public comment or written comments, during the Commissioners Meeting shall be limited to three minutes for each member of the public.
2. The public will only be allowed to address the Board once during the meeting.
3. Transferring of time to other members of the public will not be permitted.
4. Limit may be waived for good cause at the discretion of the Mayor and Commissioners of the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-148**

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

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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 October 31, 2020 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 for the month of September was received from Chief Ronen Neuman.

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

A report of the disbursement checks for the Municipal Court for the month of September was received from Krystal Reiner.

A letter was received from Senator Gopal, Assemblyman Houghtaling and Assemblywoman Downey on the legislative updates.

A notice of public hearing was received from NJ Transit for the Senior Citizen & Disabled Residents Transportation Assistance Program.

A notice of public hearing was received from Verizon New Jersey for their renewal of a system-wide Cable Television Franchise.

A letter was received from NJ DOT advised they are accepting applications for their Fiscal Year 2021 Local Freight Impact Fund.

A Resolution was received from the Monmouth County Board of Chosen Freeholders urging the Legislature to prevent funds from being diverted from the Clean Communities Fund and State Recycling Fund.

A resolution was received from the Borough of Beach Haven supporting high speed internet accessibility.

An ordinance was received from the Township of Ocean amending their Article IV, parking spaces at their churches and synagogues.

An email was received from National MS Society requesting use of the Deal Casino for the Bike MS: Coast to Coast event on May 8 and May 9, 2021. The Board of Commissioner approved the event subject to safety plan being in place.

A letter was received from the Monmouth County Planning Board providing a copy of the Monmouth County Open Space Plan 2019.

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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 20-10 of the Warrant Register in the amount of \$2,664,021.92

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.

An email was received from Angie Swaroop providing items that would need to be addressed at the Deal Casino for next year, including employees, maintenance, hours, activities and appliances. Mayor Cohen stated that they would look into it for next year.

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners what they were doing about the high covid count in the Borough. Chief Neuman stated that guidelines are still being enforced, many residents have returned to their primary residence, the holidays have ended and there are no more parties. Ms. Coffey also asked if the website could be updated.

Jack Albert Kassin, 29 Morgan Ave, thanked the Police Department for their amazing work with an incident at his beach club in Loch Arbour where there was no physical harm to anyone.

MaryAnne Cronheim, 88 Monmouth Drive, asked the Board of Commissioners about a comment prior to the meeting about someone breaking into a house for a key fob. Chief Neuman stated that the matter is still be investigated but a vehicle was stolen and the homeowner stated the key fob was not in the vehicle.

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 Friday, November 4, 2020 at 9:00 A.M.

There being no further business or comments, it was moved by Mayor Cohen and seconded by Commissioner Ades that the meeting be adjourned at 9:36 A.M.

SC \_\_\_\_\_

MA \_\_\_\_\_

DS \_\_\_\_\_

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Clerk