

June 12, 2015

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on June 12, 2015 at 9:00 A.M.

Present: Mayor Ades, Commissioner Cohen & Commissioner Wiener

Also Present: Superintendent Jason Fazio.

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 Mayor Ades, seconded by Commissioner Cohen and carried that the reading of the minutes of the previous meeting held on May 22, 2015 be dispensed with and the same be approved as recorded.

Ordinance #1116 was introduced on May 13, 2015 and the public hearing is scheduled for today, June 12, 2015. Mayor Ades moved to open the meeting to public comment on Ordinance 1116, 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 #1116

AN ORDINANCE AMENDING CHAPTER VII OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982"

Commissioner Cohen moved to adopt Ordinance 1116, seconded by Commissioner Wiener. Roll Call: Ayes 3; Ades, Cohen & Wiener.

Ordinance 1117 Amending the Fire Prevention Ordinance was introduced by Commissioner Cohen, seconded by Commissioner Wiener. The Roll Call: Ayes 3; Ades, Cohen & Wiener.

Public Hearing for this ordinance will be given on July 10, 2015 at 9:00 A.M.

Ordinance 1117

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

Be it ordained by the Board of Commissioners of the Borough of Deal, in the County of Monmouth, as follows:

Section 1

Section 14-3.13 is hereby added to read as follows:

14-3.13 Fire Watch Conditions, Standby Personnel, and Special Events Personnel

- a) Fire Watch Conditions – A fire watch is initiated by the fire department as a temporary measure to ensure continuous and systematic surveillance of a building or property, or portion thereof,

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by one or more qualified individuals for the purpose of identifying and controlling fire hazards, detecting early signs of unwanted fire, raising an alarm of fire. Where conditions exist that are deemed an imminent hazard, or hazardous to life and property by the fire official, fire department standby crews shall be deemed as necessary by the fire official for the following, but not limited to, conditions (exemption – residential use):

- 1) Any building occupied with impaired fire protection systems
 - 2) Buildings, rooms, or public venues exceeding the occupant load
 - 3) Situations where fire load is greater than normal day-to-day operations
 - 4) Events and displays, because of nature of performance, exhibition, display, contest, or activity. Open burn and recreational fires more than 3 ft x 3 ft.
 - 5) As deemed by the fire official
- b) Standby Personnel and Special Events Personnel – A firefighter standby fee shall be paid by the owner of the building or company or individual hosting a public venue. Fire Department standby fees shall be as follows:

- 1) Fire Apparatus: \$135.00 per hour
- 2) Firefighter and/or First Aider (EMT): \$45.00 per hour
- 3) Fire Officer: \$55.00 per hour
- 4) Fire Official or Fire Inspector: \$65.00 per hour

The following Resolutions were discussed and enacted:

Commissioner Wiener offers the following Resolution:

Resolution 15-93

Approval of Change Order #1 for Parking Lot Improvements for the W. Stanley Conover Beach Pavilion

WHEREAS, the Borough of Deal awarded a contract for improvements to the parking lot at the W. Stanley Conover Beach Pavilion to Fernandez Construction, 88 Appleby Avenue, South River, NJ at a cost of \$142,410.00; and

WHEREAS, the Borough Engineer recommended the following change to improvements to the parking lot:

1. 6x8x18" Concrete Vertical Curb - Add \$1,400.00
2. Concrete Driveway Apron, 6' thick – Add \$5,244.78
3. Hot Mix Asphalt Surface Course, Mix I-5, 3" thick – Add \$13,437.22
4. Top Soil and Seed – Subtract \$600.00
5. DGA – Add \$5,000.00
6. Grading – Add \$4,000.00

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the Parking Lot at the W. Stanley Conover Beach Pavilion as specified by the Borough Engineer totaling \$28,482.00.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

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Commissioner Wiener offers the following resolution.

Resolution 15-94

WHEREAS, Fernandez Construction Inc., 88 Appleby Avenue South River, NJ 08882 has been awarded a contract for improvements to the Parking Lot for the W. Stanley Conover Pavilion at a cost of \$170,892.16; and

WHEREAS, Fernandez Construction Inc. has requested a payment in the amount of \$167,474.16; and

WHEREAS, the Borough Engineer 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 payment of \$167,474.16 be made to Fernandez Construction Inc. for the improvements to the Parking Lot for the W. Stanley Conover Pavilion.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following resolution.

Resolution 15-95

WHEREAS, Fernandez Construction Inc., 88 Appleby Avenue South River, NJ 08882 has repaved the alley along the Harry Franco Park from Roseld Avenue to Runyan Avenue at a cost of \$28,560.00; and

WHEREAS, Fernandez Construction Inc. has requested a payment in the amount of \$28,560.00; and

WHEREAS, the Borough Engineer 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 payment of \$28,560.00 be made to Fernandez Construction Inc. for the repaving of the alley along the Harry Franco Park from Roseld Avenue to Runyan Avenue.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following resolution.

Resolution 15-96

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Dale E. Wong, 401 Buttermere Avenue, Interlaken, NJ 07712 as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Officer Wong has successfully completed his course of instruction at the Monmouth County Police academy.

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NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Dale E. Wong, having completed his course of instruction, will be appointed a special police officer for a term of (1) one year, effective June 15, 2015, unless removed from office by the Chief of Police before the end of the one year term. Special Officer Wong is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

Resolution 15-97

WHEREAS, The Deal Golf and Country Club has applied for a Club License on the premises south of Roseld Avenue. The State assigned license No. is 1310-31-006-001. The application has forwarded their municipal fee of \$150.00 to the Borough of Deal.

WHEREAS, the officers and directors of the Club are qualified according to all statutory, regulatory and local governmental ABC laws and regulations; and

WHEREAS, the Club maintains all records required by N.J.A.C. 13:208.8,

NOW THEREFORE BE IT RESOLVED that the application of the Deal Golf and Country Club, state assigned license #1310-31-006-001 located at the south of Roseld Avenue also known as 1 & 2 Golf Lane be approved.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

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

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 cash position for the month of May as well as the Casino and Conover comparison was received from Theresa Davis.

A letter was received from the New Jersey League of Municipalities was received advising of the Conference set for November 17th-19th in Atlantic City.

The 2014 Monmouth County Park System's Annual Report was received.

A letter was received from Edward and Jayne Santoro, Interlaken, thanking the Deal Police Department for the great job they are doing for the residents of Interlaken.

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A raffle license application was received from Uniting Against Lung Cancer set for July 12, 2015 at the Deal Golf & Country Club. The Board of Commissioners approved the raffle.

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 \$796,600.97.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Mayor Ades requested comments from the floor and there were none.

The following Resolution was discussed and enacted:

Commissioner Cohen offers the following Resolution:

Resolution 15-98

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 matters which may lead to pending litigation.

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 Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

The Board of Commissioners entered into closed session to discuss litigation matters at 9:25 A.M.

The Commissioners returned to open session at 9:50 A.M.

It was announced that the next meeting of the Board of Commissioners will be on Friday, June 12, 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 9:25 A.M.

MA _____

SMC _____ ABSENT _____

VSW _____

Clerk