

June 26, 2015

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on June 26, 2015 at 9:00 A.M.

Present: Mayor Ades, Commissioner Cohen & Commissioner Wiener
Also Present: Superintendent Jason Fazio, Special Projects Manager Rogers,
DPW Employees and several Police Officers.

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 Cohen, seconded by Commissioner Wiener and carried that the reading of the minutes of the previous meeting held on June 12, 2015 be dispensed with and the same be approved as recorded.

Ordinance 1118 Amending the Real Property Transfer Permit 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 24, 2015 at 9:00 A.M.

ORDINANCE NO. 1118

**AN ORDINANCE REQUIRING THE ISSUANCE OF A REAL
PROPERTY TRANSFER PERMIT UPON THE SALE OR PURCHASE
OF REAL PROPERTY WITH A RESIDENTIAL,
BUSINESS OR COMMERCIAL STRUCTURE OR
IMPROVEMENT THEREON IN AND BY THE BOROUGH OF
DEAL AND SPECIFICALLY AMENDING IN PART
BOROUGH ORDINANCE #848, OF THE BOROUGH OF DEAL,
MONMOUTH COUNTY, NEW JERSEY**

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

Section 1. Fees

The fee to apply for a Real Property Transfer Permit shall be one hundred twenty five dollars (\$125). This fee shall be paid at the time the application is filed and shall not be refundable.

Ordinance 1119 Amending the Real Property Rental Permit 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 24, 2015 at 9:00 A.M.

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ORDINANCE NO. 1119

AN ORDINANCE ESTABLISHING RULES AND REGULATIONS FOR THE ISSUANCE OF A RENTAL PERMIT FOR ANY RESIDENTIAL, BUSINESS OR COMMERCIAL RENTAL STRUCTURE OR MULTIFAMILY UNITS IN AND SPECIFICALLY AMENDING IN PART BOROUGH ORDINANCE #849 BY THE BOROUGH OF DEAL, MONMOUTH COUNTY NEW JERSEY

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

Section 1. There is hereby established a new chapter of the code of the Borough of Deal, in the County of Monmouth and State of New Jersey, as follows:

The application fee for each residential unit shall be one hundred twenty five dollars (\$125).

The application fee for each commercial unit shall be one hundred twenty five dollars (\$125).

The application fee for multiple dwellings (3 or more inspections) shall be fifty dollars (\$50).

The application fee for multiple dwellings (less than 3 inspections) shall be seventy five dollars (\$75).

The following Resolutions were discussed and enacted:

Commissioner Cohen offers the following Resolution:

Resolution 15-99

WHEREAS, the license application for Deal Food & Liquor Store, Inc. trading as Deal Food & Liquor has applied for a Plenary Retail Liquor License state assigned license number 1310-44-002-004 located at 112 Norwood Avenue; and

WHEREAS, the submitted application is complete in all respects, and attached to it is a check to the Borough of Deal for \$1,036.00 and a check in the amount of \$200.00 made payable to the State Alcoholic Beverage Control; and

WHEREAS, the applicant has qualified to be licensed according to all statutory, regulatory and local government ABC laws and regulations.

NOW, THEREFORE BE IT RESOLVED, that the application of Deal Food & Liquor Store, trading as Deal Food & Liquor Sore, state assigned license No. 1310-44-002-004 be approved.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

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Commissioner Cohen offers the following Resolution:

Resolution 15-100

WHEREAS, Smilen, Inc. has applied for a Plenary Retail Consumption license which the state has assigned license No. 1310-33-008-011 on the premises located at 118 Norwood Avenue including the building at 105 Brighton Ave.; and

WHEREAS, the submitted application is complete in all respects. Attached to the application is a check for \$2000.00 made out to the Borough of Deal, and a check for \$200.00 made payable to the State Alcoholic Beverage Control; and

WHEREAS, the applicant is qualified to be licensed according to all statutory, regulatory and governmental ABC laws and regulations;

NOW, THEREFORE, BE IT RESOLVED, that the application of Smilen, Inc. state assigned license #1310-33-007-011 be approved.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following resolution.

Resolution 15-101

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Frank Angello, 1007 Anchor Way, Lacey, NJ 08731 as a Class II Special Police Officer in the Borough of Deal.

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

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Frank Angello, having completed his course of instruction, will be appointed a special police officer for a term of (1) one year, effective June 26, 2015, unless removed from office by the Chief of Police before the end of the one year term. Special Officer Angello 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 Wiener offers the following resolution.

Resolution 15-102

WHEREAS, the Borough of Deal has to secure an alternate supplier of rock salt for snow and ice removal within the Borough; and

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WHEREAS, the Borough of Deal would like to be a part of the Long Branch Commodity Resale System; and

WHEREAS, the City of Long Branch has applied to the NJ State Department of Community Affairs, Division of Local Government Services to renew their commodity resale system.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal, join the Long Branch Commodity Resale System for bulk treated rock salt; and

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Deal that the Mayor and Borough Clerk / Administrator of the Borough of Deal be the same are hereby authorized to execute and deliver an agreement for the provision of purchasing rock salt from the Long Branch Commodity Resale System, which agreement is on file in the office of the Borough Clerk / Administrator at the Borough of Deal Municipal Building and available for public inspection during regular business hours.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following resolution.

Resolution 15-103

WHEREAS, Mr. Joseph Cayre, the property owner at 18 Deal Esplanade, Block 56, lot 1.03 has improved the revetment at the eastern end of his property at 18 Deal Esplanade to prevent erosion and protect his property from the ocean; and

WHEREAS, the east end of Deal Esplanade is to the immediate north side of his property, requiring a connection to Mr. Cayre's bulkhead; and

WHEREAS, Mr. Cayre, being a generous and concerned citizen, realizes that a sound connection to his bulkhead will save his property from further damage from erosion and the effect of a storm tide and has offered to continuously extend the bulkhead across a portion of the east end of Deal Esplanade at no cost to the Borough; and

WHEREAS, a permit requires to be filed with the NJ Department of Environmental Protection for permission to make the improvements at no cost to the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the Borough accept Mr. Cayre's generous offer to provide a bulkhead for the protection of the east end of Deal Esplanade.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Deal that the Borough Clerk / Administrator of the Borough of Deal is hereby authorized to execute and deliver the NJ DEP Permit, which permit is on file in the office of the Borough Clerk / Administrator at the Borough of Deal Municipal Building and available for public inspection during regular business hours.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

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A report on the comparison for 2014 with 2015 membership fees was received from Alison Gavin.

A letter was received from Split Second Racing asking for permission to run the War at the Shore Triathlon on July 12 and Jersey Girl Triathlon on August 2. The Board of Commissioners approved this upon approval from the Deal Police Department.

A letter was received from the Monmouth County Board of Chosen Freeholders advising of a Public Hearing by the Monmouth County Division of Transportation for the NJ Transit Senior Citizens and Disable Residents Assistance Program on June 18th.

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 \$290,118.93.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

The following proclamation was offered by Commissioner Wiener:

BOROUGH OF DEAL

PROCLAMATION

WHEREAS, *Ernesto Caraballo* began his career in the Borough of Deal in June, 1990 working in the Department of Public Works for the Borough of Deal, and

WHEREAS, *Ernesto Caraballo* over the past twenty five years has exhibited a willingness to take on a wide range of responsibilities, never refusing to provide help when needed to all who needed his assistance; and

WHEREAS, *Ernesto Caraballo* has completed many job tasks within the Department of Public Works with skill, diligence and adaptability; and

WHEREAS, *Ernesto Caraballo* has exhibited the best qualities of an employee by his tireless demonstration of commitment to the Department of Public Works and the Borough of Deal.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, that ***Ernesto Caraballo*** be remembered and honored for his distinguished career and his contributions to the Borough of Deal; and

BE IT FURTHER PROCLAIMED, that these accomplishments of Ernesto Caraballo be spread upon the minutes and records of the Borough of Deal.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

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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 15-104

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 Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

The Board of Commissioners entered into closed session to discuss contractual matters at 9:30 A.M.

The Commissioners returned to open session at 9:58 A.M.

It was announced that the next meeting of the Board of Commissioners will be on Friday, July 10, 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 9:59 A.M.

MA _____

SMC _____

VSW _____

Clerk