

October 16, 2015

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on October 16, 2015 at 9:00 A.M.

Present: Mayor Ades, Commissioner Cohen and Commissioner Wiener

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 October 9, 2015 be dispensed with and the same be approved as recorded.

Ordinance 1125 Amending Chapter VI Beach Regulations 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 November 13, 2015 at 9:00 A.M.

ORDINANCE No. 1125

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

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL
HEREBY ORDAIN:

Section 1

Chapter 6-1 W. Stanley Conover Pavilion

6-1.4 Rates; Charges; Qualifications for Use.

a. Bathhouse – Season Rate

1. Two members of an immediate family \$600

Chapter 6-2 Deal Casino Beach Club

6-2.2, Club Rules and Regulations at the Deal Casino are amended to read as follows:

3. OTHER FAMILY RELATIONSHIPS

Upon the Deal Casino being sold out, members may share a bathhouse with other non family members. Only one additional family may share a bathhouse. The share bathhouse fee of \$300 will be added to the new member.

4. HOURS CHANGE

The beach club will open at 10:00 am Monday – Thursday. The beach club will open at 9:00 am on Fridays, Saturdays, Sundays and Holidays. The beach club will close every night at 8:00 pm.

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7. GUESTS

All guest passes must be purchased by a member of the club and can be done so ahead of time at the casino office. Peak passes will ONLY be sold in books of 10 for \$225.00. Each bathhouse is limited to 4 books for the season. Off-peak passes are unlimited and can be bought individually for \$15.00 each or in a book of 10 for \$135.00. Peak times are Fridays, Saturdays, Sundays and Holidays between the hours of 9am – 4pm. Off-peak times will be Monday – Thursday between the hours of 10am-8pm and Fridays, Saturdays, Sundays and Holidays after 4pm.

Any member found bringing a guest into the Beach Club without paying the guest fee will be subject to revocation of membership.

10. FURNITURE

The furniture that comes with the Cabanas and Beach houses will be the only furniture supplied. If additional furniture is needed it shall be provided by the member.

25. SMOKING

Smoking is prohibited inside the Deal Casino. Smoking will continue to be permitted on the Beach.

2016 Membership Fees

(1) SMALL BATHHOUSE	
a. Husband & Wife	\$1,500.00
(2) DELUXE BATHHOUSE	
a. Husband & Wife	\$1,750.00
(3) DELUXE BATHHOUSE w/electricity	
a. Husband & Wife	\$1,950.00
(4) CABANAS SOUTH TERRACE	
a. Husband & Wife	\$3,000.00
(5) CABANAS NORTH POOL	
a. Husband & Wife	\$3,000.00
(6) CABANAS SOUTH POOL	
a. Husband & Wife	\$2,800.00
(7) CABANAS NORTH AISLE A	
a. Husband & Wife	\$2,800.00
(8) BEACH CABANAS	
a. Husband & Wife	\$3,000.00
(16) Bathhouse Share Fee	
Upon Deal Casino being Sold Out	\$300

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The following Resolutions were discussed and enacted:

Commissioner Cohen offers the following Resolution:

Resolution 15-136

WHEREAS, The Commissioners are of the opinion that it is necessary for the protection of property and the citizens of the Borough of Deal that regulations and restrictions be imposed during the Halloween period, in order to prevent vandalism and to preserve law and order in the Borough of Deal during said period of time.

NOW, THEREFORE, BE IT RESOLVED, AND PROCLAIMED By the Board of Commissioners of the Borough of Deal as follows:

1) That no persons under the age of 18 years shall be permitted in any public place, public street, or public property in the Borough of Deal between the hours of 8:00 P.M. and 6:00 A.M., prevailing time, on each and every day during the period from October 29 through the morning of November 2, 2015, inclusive, unless such person shall, during said hours, be returning from work, night school, church, social or school meeting, or en route to and returning from a physician's office or dentist's office where treatment is to be rendered or has been rendered by such physician or dentist, or is accompanied by his or her guardian or parent over the age of 18 years.

That during said hours and days, no person shall wear any appliance for the purpose of covering any portion of his or her face, or partial mask, in any public place, public street or public property in the Borough of Deal.

2) That all persons, regardless of age, excepting those who are attending minor children, who shall participate in the traditional Halloween activity of "Trick or Treat", within the Borough of Deal on October 31, 2015, shall be in costume, and, shall curtail all "Trick or Treat" activities by 8:00 P.M. on this date.

That any person who is a parent or guardian or standing in loco parentis of any person under the age of 18 years who permits, consents or allows any person under the age of 18 years to violate the provisions of this resolution of any part thereof, shall likewise be guilty of a violation of this resolution.

That any person who shall violate this resolution shall be subject upon conviction to a fine not exceeding \$200.00 or imprisonment of not more than 30 days, or both, in the discretion of the Municipal Court of the Borough of Deal.

This resolution shall take effect immediately upon adoption and approval according to law.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following Resolution:

Resolution 15-137

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2016; and

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WHEREAS, the Borough of Deal is desirous of submitting an application under this program for the following purpose:

- Improvements to Ocean Avenue Phase III from Runyan Avenue to Roosevelt Avenue

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2016-Ocean Avenue- Phase III-00410 to the New Jersey Department of Transportation on behalf of the Borough of Deal; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Deal and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

Resolution 15-138

ITEMS OF REVENUE AND APPROPRIATION NJS 40A:4-87

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Borough of Deal in the County of Monmouth, New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2015 in the sum of \$60,376.00, which is now available from the Federal Emergency Management Agency, in the amount of \$60,376.00.

BE IT FURTHER RESOLVED, that the like sum of \$60,376.00 is hereby appropriated under the caption Assistance to Firefighters Grant; and

BE IT FURTHER RESOLVED that the above is the result of funds from the Federal Emergency Management Agency in the amount of \$60,376.00.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

A report of the monthly cash position as of September 2015 was received from Theresa Davis.

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A letter was received from the Village of Loch Arbour advising of the adopted Ordinance dealing with our Inter-Local Agreement for the Administration and Enforcement of the Uniform Construction Code.

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 15-10 of the Warrant Register in the amount of \$2,111,090.93.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Mayor Ades requested comments from the floor.

Daniel Cronheim, 88 Monmouth Drive, addressed the Board of Commissioners about the Borough's violation of the Open Public Meeting Act and how the Borough has changed the Commissioner meetings 41%. Mr. Cronheim discussed how the Borough does not comply with the OPMA by not sending agendas to the newspapers as well as public notices. Mr. Cronheim also discussed the reassessment program that the Borough. He stated that this should be re-visited due to the recent articles about the program. Mr. Cronheim discussed the assessment laws, who was asked by Mayor Ades to provide a brief on how he felt the Borough should assess the properties, which Mr. Cronheim stated he would prepare the brief.

Irwin Leventer, 28 Richmond Avenue, asked if the Borough has copies of the minutes that he observed online, and he was informed that official minutes are held in the Clerk's Office.

Renee Levine, 28 Richmond Avenue, asked the Commissioners how the sewer tax is determined if a property owner has one bathroom or 30 bathrooms. Mayor Ades stated that Ocean Township handles our sewerage treatment and we bill the residents on a flat fee.

Isadora Chamlin, 5 Poplar Avenue, addressed the Board of Commissioners about the lights that are out on Poplar Avenue. Mayor Ades stated that we will keep pushing JCP&L to repair all the lights.

Laura McDonough, West Long Branch, asked if any information has been obtained from the Borough Attorney on the legality of surf camps. Ms. McDonough was advised we were waiting on a response from Marty Barger, Borough Attorney.

It was announced that the next meeting of the Board of Commissioners will be on Friday, November 13, 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 9:45 A.M.

MA _____

SMC _____

VSW _____

Clerk