

December 14, 2016

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on December 14, 2016 at 7:00 P.M.

Present: Mayor Cohen, Commissioner Ades, Commissioner Simhon

Also Present: Martin Barger, Borough Attorney

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 Ades, seconded by Commissioner Simhon and carried that the reading of the minutes of the previous meeting held on November 9, 2016 be dispensed with and the same be approved as recorded.

Ordinance #1137 to amend Chapter X, Traffic Ordinance, was introduced on October 14, 2016 and the public hearing is scheduled for today, December 14, 2016. Mayor Cohen moved to open the meeting to public comment on Ordinance 1137, seconded by Commissioner Ades 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 #1137

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

Commissioner Ades moved to adopt Ordinance 1137, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance #1138 to amend Chapter VII, General Licensing, was introduced on November 9, 2016 and the public hearing is scheduled for today, December 14, 2016. Mayor Cohen moved to open the meeting to public comment on Ordinance 1138, seconded by Commissioner Ades 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 #1138

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

Commissioner Ades moved to adopt Ordinance 1138, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

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The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

Resolution 16-143

WHEREAS, the Borough of Deal has arranged financing for the improvements to Borough Hall, the Deal Casino and Conover Pavilion and a variety of capital improvements within the Borough through Internal Bond Anticipation Notes in the amount of \$1,104,447.68, which are due on December 30, 2016; and

WHEREAS, the Borough of Deal has appropriated a payment of \$954,447.68 in the 2016 budget toward the Internal BAN's which will be paid on December 30, 2016; and

WHEREAS, the Board of Commissioners have determined that the remaining balance of \$150,000.00 of the Internal BAN's be rolled over on December 30, 2016.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Deal authorizes the payment of outstanding Internal BAN's in the amount of \$954,447.68 as agreed; and

BE IT FURTHER RESOLVED, that the remaining balance of \$150,000.00 Internal BAN's be financed as a Bond Anticipation Note as recommended by the Chief Financial Officer.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-144

WHEREAS, the Borough of Deal has found it necessary to complete a variety of expenditures to maintain the safety, welfare and services of the residents of the Borough; and

WHEREAS, the Board of Commissioners have found it to be in the best financial interests of the taxpayers to fund these improvements by borrowing the funds from the financial reserve of the Borough, without interest, in the form of Bond Anticipation Notes, and, whereas, such Bond Anticipation Notes have been raised in full in the 2016 current fund budget appropriation – payment of Bond Anticipation Notes.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the following Bond Anticipation Notes, totaling \$1,247,736.30 be created in accordance with the terms and dates specified as of December 14, 2016:

<u>BAN NO.</u>	<u>Ord.No.</u>	<u>Description</u>	<u>Amount Due</u>
16-01	1076	Improvements to Atlantic Avenue	\$134,052.50
16-02	1077	Improvements to Roosevelt Sea Wall	\$309,622.25

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16-03	1112	Various Improvements to Streets & Drains	\$152,890.06
16-04	1114	Improvements to Marine Place	\$651,171.49

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Deal that the Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough of Deal and said Note issued hereunder shall be an interest-free internal notes of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-145

WHEREAS, the Borough of Deal has found it necessary to complete a variety of expenditures to maintain the safety, welfare and services of the residents of the Borough; and

WHEREAS, the Board of Commissioners have found it to be in the best financial interests of the taxpayers to fund these improvements by borrowing the funds from the financial reserve of the Borough, without interest, in the form of Bond Anticipation Notes, and, whereas, such Bond Anticipation Notes have been raised in full in the 2014 sewer utility fund budget appropriation – Payment of Bond Anticipation Notes.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the following Bond Anticipation Notes, totaling \$40,000.00, be created in accordance with the terms and dates specified as of December 14, 2016:

<u>BAN NO.</u>	<u>Ord.No.</u>	<u>Description</u>	<u>Amount Due</u>
S16-01	1054	Various Improvements to Sanitary Sewers	\$35,725.00
S16-02	1096	Various Improvements to Pump Station	\$4,275.00

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Deal that the Notes issued hereunder shall mature at such times as may be determined by the Chief Financial Officer of the Borough of Deal and said Note issued hereunder shall be an interest-free internal notes of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Simhon offers the following Resolution:

Resolution 16-146

WHEREAS, the Borough of Deal received funding from the NJ DOT Transportation Trust Fund to repave Atlantic Avenue; and

WHEREAS, one of the requirements of the funding is to have five (5) bituminous pavement cores be taken upon paving of Atlantic Avenue.

WHEREAS, the Borough Engineer has requested the core testing to be conducted by KeyTech, Keyport, NJ.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that payment be made to KeyTech for the core testing of the pavement on Atlantic Avenue at a cost of \$1,300.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-147

WHEREAS, the Tax Court of New Jersey has ordered a judgment in the favor of various property owners within the Borough of Deal requiring an adjustment of the 2014, 2015 and 2016 tax year.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the following property owners have their respective tax year reduced, as listed as ordered by the Tax Court of New Jersey.

2014

Block	Lot	Owner	Address	Original Assessme	Judgement	Net Change	Tax Change
31	1	Synagogue of Deal	120 Norwood Ave	\$ 1,244,400.00	\$ 1,075,000.00	\$ (169,400.00)	\$ (1,209.52)
				\$ 163,100.00	\$ 25,000.00	\$ (138,100.00)	\$ (986.03)
							\$ (2,195.55)

2015

Block	Lot	Owner	Address	Original Assessme	Judgement	Net Change	Tax Change
26	2	Natkin, Arlene & Jerry	102 Phillips Ave	\$ 3,138,100.00	\$ 3,138,100.00	\$ -	\$ (715.00)
				\$ 728,400.00	\$ 628,400.00	\$ (100,000.00)	\$ (715.00)
33	5.02	Sutton, Ralph QPRT	60 Parker Ave	\$ 2,191,200.00	\$ 2,191,200.00	\$ -	\$ (1,442.16)
				\$ 1,510,500.00	\$ 1,308,800.00	\$ (201,700.00)	\$ (1,442.16)
59	1	Sitt, Isaac & Sharon	18 Milan	\$ 1,126,200.00	\$ 1,126,200.00	\$ -	\$ (910.91)
				\$ 876,200.00	\$ 748,800.00	\$ (127,400.00)	\$ (910.91)
							\$ (3,068.07)

2016

Block	Lot	Owner	Address	Original Assessme	Judgement	Net Change	Tax Change
6	3	Cohen, Richard & Jami	7 Jerome Ave	\$ 6,972,600.00	\$ 6,972,600.00	\$ -	\$ (5,664.70)
				\$ 3,087,800.00	\$ 2,277,400.00	\$ (810,400.00)	\$ (5,664.70)
13	6	Harari, Joy	57 Almyr Ave	\$ 3,636,300.00	\$ 3,636,300.00	\$ -	\$ (6,439.89)
				\$ 2,785,000.00	\$ 1,863,700.00	\$ (921,300.00)	\$ (6,439.89)
26	2	Natkin, Arlene & Jerry	102 Phillips Ave	\$ 3,138,100.00	\$ 3,138,100.00	\$ -	

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			\$ 762,900.00	\$ 461,900.00	\$ (301,000.00)	\$ (2,103.99)
27	6 Mishan, Al QPR Trust	74 Phillips Ave	\$ 2,735,900.00	\$ 2,735,900.00	\$ -	
			\$ 1,648,000.00	\$ 1,064,100.00	\$ (583,900.00)	\$ (4,081.46)
33	5.02 Sutton, Ralph QPRT	60 Parker Ave	\$ 2,191,200.00	\$ 2,191,200.00	\$ -	
			\$ 1,581,900.00	\$ 1,308,800.00	\$ (273,100.00)	\$ (1,908.97)
34	10.01 Wiener, Virginia	69 Roseld Ave	\$ 3,120,100.00	\$ 3,120,100.00	\$ -	
			\$ 514,800.00	\$ 279,900.00	\$ (234,900.00)	\$ (1,641.95)
36	11 Escava, Sara Jacqueli	16 Queen Ann Dr	\$ 956,700.00	\$ 956,700.00	\$ -	
			\$ 1,056,900.00	\$ 943,300.00	\$ (113,600.00)	\$ (794.06)
42	5 Dabah, Kim	61 Darlington Rd	\$ 1,149,500.00	\$ 1,149,500.00	\$ -	
			\$ 1,642,600.00	\$ 1,350,500.00	\$ (292,100.00)	\$ (2,041.78)
						\$ (24,676.80)
						Total \$ (29,940.42)

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-148

WHEREAS, the Tax Court of New Jersey has ordered a judgment in the favor of various property owners within the Borough of Deal requiring an adjustment of the taxes; and

WHEREAS, property owners requests a refund for each of these properties,

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the following property owners have their respective tax year reduced, and a check prepared as a refund to each owner as listed as ordered by the Tax Court of New Jersey:

Appeals

<u>Block</u>	<u>Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Assessment Reduction</u>	<u>Tax Refund</u>
34	10.01	Wiener, Virginia	69 Roseld	\$234,900	\$1,641.95
33	5.02	Sutton, Ralph	60 Parker	\$474,800	\$3,290.89
6	3	Cohen, Richard	7 Jerome	\$810,400	\$5,664.70
13	6	Harari, Joy	57 Almyr	\$921,300	\$6,439.89
				<u>\$2,168,300</u>	<u>\$17,037.43</u>

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Ades offers the following Resolution:

Resolution 16-149

WHEREAS, Samuel Cohen, 12 Morgan Ave, Block 13.01 Lot 8.01 has made an overpayment in taxes in the amount of \$5,605.83; and

WHEREAS, this overpayment has been requested to be refunded to Samuel Cohen.

NOW, THEREFORE, BE RESOLVED, by the Board of Commissioners of the Borough of Deal hereby authorize the refund of the Tax overpayment for Block 13.01 Lot 8.01 in the amount of \$5,605.83 made payable to Samuel Cohen.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-150

WHEREAS, an opening has occurred for a Class III member of the Planning Board due to the expiring of the term.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Commissioner Morris Ades, 74 Almyr Avenue, Deal be appointed to a one (1) year term as a Class III member of the Planning Board pursuant to the Municipal Land Use Law, P.L. 1975 to commence January 1, 2017 and to expire December 31, 2017.

Seconded by Mayor Cohen

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-151

WHEREAS, the Borough of Deal is required to provide animal control for stray animals within the Borough; and

WHEREAS, there is no one qualified neither in the Borough's employment nor is there any way to handle these animals.

WHEREAS, animal control services are available from the City of Long Branch Animal Control Department, 344 Broadway, Long Branch, NJ 07740 at a cost of \$6,630.00 per year.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that an agreement be signed with the City of Long Branch Animal Control Department for animal control services for the 2017 year at a cost of \$6,630.00 per year.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Simhon offers the following Resolution:

Resolution 16-152

WHEREAS, the Borough of Deal has to secure a supplier of gasoline and diesel fuel for the vehicles that service the Borough; and

WHEREAS, the Borough of Deal has purchased this fuel through the Monmouth County Cooperative Pricing System; and

WHEREAS, the Monmouth County Department of Purchasing has awarded a bid for gasoline and diesel fuel but did not extend that pricing to the Cooperative Pricing System for Municipalities to purchase.

WHEREAS, the New Jersey State Contract has gasoline and diesel fuel available through state contract from Allied Oil Company, 25 Old Camplain Road #2, Hillsborough Township, NJ 08844 for the year 2017 at prices specified in their bid.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal agrees to purchase the fuel required for the year 2017 from Allied Oil Company of Hillsborough Township, New Jersey at the terms and prices specified in their contract under New Jersey State Contract.

BE IT FURTHER RESOLVED, that the service provided must meet the delivery requirements of the Borough and that it reserves the right to obtain another supplier should the requirements not be met by Allied Oil Company.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-153

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

WHEREAS, the Borough of Deal as a member of the Monmouth County Cooperative Pricing System can participate in group purchasing for these products; and

WHEREAS, the Monmouth County Department of Purchasing has awarded a bid for rock salt to Morton Salt Inc., 123 North Upper Wacker Drive #24, Chicago, IL 60606 for the year of 2017 at prices specified in the County Bid Proposal #F-41-2016.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal, as a member of the Monmouth County Cooperative Pricing System, agrees to purchase the rock salt or approved equivalent required for the year 2017 from Morton Salt Inc. the terms and prices specified in their contract with Monmouth County, #F-41-2016.

BE IT FURTHER RESOLVED, that the service provided must meet the delivery requirements of the Borough and that it reserves the right to obtain another supplier should the requirements not be met by Morton Salt Inc.

Seconded by Commissioner Ades

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Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-154

WHEREAS, the Borough of Deal, as a participating member of the State Health Benefits Program, can offer an incentive to a full time employee to waive the health benefits coverage offered by the Borough of Deal, if the employee is eligible for any other health care coverage, and;

WHEREAS, the Borough of Deal can offer an employee who waives coverage 25 percent of the amount saved by the employer or \$5,000, whichever is less. The amount saved by the employer would be the premium due minus the contribution the employee would have made if the employee did not waive coverage.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Borough agrees to provide payment in lieu of benefits to qualified employees in the amount of 25 percent of the cost of the employees appropriate State Health Benefits Program presently enrolled in, minus the contribution the employee would have made if the employee did not waive coverage, or \$5,000.00 whichever is less. Payment to be made upon the completion of the required forms, payable on an annual basis on December 15, 2016.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-155

WHEREAS, the Borough of Deal has entered into a shared service agreement with the Borough of Interlaken; and

WHEREAS, the Borough of Deal would like to appoint Patricia Weaver as Deputy Court Administrator; and

WHEREAS, the NJ Office of the Courts approved and recommended to assign Patricia Weaver as Deputy Court Administrator.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Patricia Weaver be appointed Deputy Court Administrator to commence on January 1, 2017 at a salary of \$15,120.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-156

WHEREAS, the existing collective negotiations agreements between the Borough of Deal and Deal Police PBA Local No. 101 (hereinafter referred to as the "Union") will expire on December 31, 2016; and

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WHEREAS, the Borough of Deal and representatives of the Union have been negotiating the terms and conditions of new agreements; and

WHEREAS, subject to the approval of the Board of Commissioners and membership of the Union, the parties have agreed upon the terms and conditions of a new collective negotiation agreement for the term commencing January 1, 2017 through December 31, 2021.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL as follows:

1. The Agreement between the Borough of Deal and the Deal Police PBA Local No. 101 be approved.
2. The Mayor is hereby authorized and directed to execute and the Borough Clerk to attest an Agreement between the Borough of Deal and Deal Police PBA Local No. 101 for the years 2017 through 2021, a copy of which is on file in the Office of the Borough Clerk and is available for public inspection during the regular business hours of the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-157

WHEREAS, due to a vacancy for the position of Superintendent of Public Works; and

WHEREAS, several potential candidates have applied to fill the position; and

WHEREAS, Joseph Santorelli, 165 Forge Road, West Creek, NJ, has been interviewed and is found to be the best qualified candidate to fill the position of Superintendent of Public Works.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, that Joseph Santorelli is appointed Superintendent of Public Works effective December 1, 2016.

BE IT FURTHER RESOLVED, that Joseph Santorelli will perform the duties as the Superintendent of Public Works consistent with the laws of the State of New Jersey and the Ordinances of the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-158

Whereas, impaired drivers on our nation's roads kill more than 10,000 people each year and cost our society more than \$37 billion annually; and

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Whereas, 29% of motor vehicle fatalities in New Jersey in 2014 were alcohol-related; and

Whereas, an enforcement crackdown is planned to combat impaired driving; and

Whereas, the season at the end of the year is traditionally a time of social gatherings which often include alcohol; and

Whereas, the State of New Jersey, Division of Highway Traffic Safety, has asked law enforcement agencies throughout the state to participate in the *Drive Sober or Get Pulled Over Year End Holiday Crackdown*; and

Whereas, the project will involve increased impaired driving enforcement from December 9, 2016 through January 1, 2017; and

Whereas, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadways;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal declares its support for the *Drive Sober or Get Pulled Over 2016 Year End Holiday Crackdown* from December 9, 2016 through January 1, 2017 and pledges to increase awareness of the dangers of drinking and driving.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-159

WHEREAS, Underground Utility Corp., 711 Commerce Road Linden, NJ 07036 has been awarded a contract for the improvements to the Marine Place Drainage at a cost of \$673,298.00; and

WHEREAS, Underground Utility Corp. has requested a payment in the amount of \$110,200.02; 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 a payment of \$110,200.02 be made to Underground Utility Corp. for the improvements to the Marine Place Drainage.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-160

WHEREAS, 3G Construction, Inc., 31 Pettit Avenue South River, NJ 08882 has been awarded a contract for the improvements to Atlantic Avenue at a cost of \$447,233.00; and

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WHEREAS, 3G Construction Inc. has requested a payment in the amount of \$168,490.16; 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 \$168,490.16 be made to 3G Construction Inc. for the improvements to Atlantic Avenue.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-161

WHEREAS, the front apron at the Deal Fire House has become hazardous and is in need of repair; and

WHEREAS, three quotes were received for the removal and placement of new 12" concrete; and

WHEREAS, proposals were received ranging in cost from a high of \$46,000.00 from L&L Paving Company, Tinton Falls, NJ, and a low bid of \$32,200.00 from Burke Contracting, Ocean, NJ;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that repair of the Deal Fire House apron be awarded to Burke Contracting at a cost of \$32,200.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-162

WHEREAS, diesel fuel and gasoline are held in storage tanks at the Public Works Garage; and

WHEREAS, the diesel tank has begun to crack and take on water within the tank; and

WHEREAS, the current tanks have a fuel management system that is not operational;

WHEREAS, a diesel tank and fuel management system is currently under State Contract from Aurora Environmental Inc., Union Beach NJ at a total cost of \$34,210.00 for a 1,000 gallon diesel tank and fuel management system for the diesel and gasoline fuel.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the diesel tank and fuel management system be purchased from Aurora Environmental Inc. at a cost of \$34,210.00.

Seconded by Commissioner Ades

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Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-163

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Zachariah K. Bell, 180 Whalepond Road, Ocean, NJ 07755 as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Zachariah Bell will be attending his course of instruction at the Camden County Police Academy.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Zachariah Bell be and is hereby appointed to take the January 2017 Course at the Camden County Police Academy for Class II Special Police Officers.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-164

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Eric C. Bumbera, 29C Mulberry Court, Brielle, NJ 08730 as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Eric Bumbera will be attending his course of instruction at the Camden County Police Academy.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Eric Bumbera be and is hereby appointed to take the January 2017 Course at the Camden County Police Academy for Class II Special Police Officers.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-165

WHEREAS, due to the fact it may not be possible to hold the scheduled regular meeting on Friday, December 23, 2016; and

WHEREAS, payroll and miscellaneous expenses must be approved for payment.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that payroll and associated deductions for the period ending December 31, 2016 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 \$200,000.00 be paid at this time.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen made the following appointments to the Deal Planning / Zoning Board: Richard Cummings, Class IV to expire 12/31/2020. Margaret Jones, Class IV to expire 12/31/2020. Ruby Antebi, Alternate II to expire 12/31/18.

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

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

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

The Legislative Bulletin was received from the NJ League of Municipalities for October 2016.

A letter was received from the Monmouth Excess Liability Joint Insurance Fund advising of the renewal that includes modified land use liability coverage of \$150,000 per claim.

A letter was received from the Monmouth County Board of Taxation requesting the Borough's Tax Assessor to attend the Annual Assessment Uniformity Review on December 15th.

A letter was received from the Ocean Monmouth Health Alliance advising of a health update and tips for the holiday season.

A letter was received from the Children & Family Health Institute, stating they are preparing reports for each municipality regarding delivery of community based services.

An email was received from the Monmouth County Regional Health Commission advising of their proposed 2017 Health Services Budget.

A notice of public hearing was received from Jersey Central Power & Light for its annual filing with respect to the Storm Recovery Charge Rider.

A letter was received from the Deal Fire Company #2 advising of their executive and line officers for 2017.

A letter was received from the NJ Department of Transportation advising of the FY 2017 State Aid programs.

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A resolution was received from the Monmouth County Board of Chosen Freeholders authorizing the NJ Association of Counties to file a complaint with the NJ Council on Local Mandates that the Criminal Justice Reform Act constitutes an unfunded State Mandate.

A resolution was received from the NJ Conference of Mayors supporting S-2254 and A-3821 which affirms the Language and Legislative intent of the Fair Housing Act.

A letter was received from Senator Jennifer Beck looking for donations for Project Little Soldiers.

An email was received from Joy Jackson who was looking to do a beach ceremony on August 26, 2017. The Commissioners discussed and more information would need to be obtained.

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 16-11 of the Warrant Register in the amount of \$821,771.97.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen requested comments from the floor.

Irwin Levine, 28 Richmond Avenue, asked the Board of Commissioners what a Class III member was, Martin Barger, Borough Attorney, stated that it was a Commissioner assigned to the Planning Board. Mr. Levine asked how many members on the planning board, he was advised 9 members with 2 alternates. Mr. Levine asked if the planning board was autonomous from the Board of Commissioners, and he was advised they were. Mr. Levine asked how the building height was measured, he was advised from the top of curb.

Isadora Chamlin, 5 Poplar Avenue, stated that the house across from her on Poplar Avenue was ugly and the house was built on a berm. Mrs. Chamlin stated that Opdyke's house is planting trees that are 50 feet tall. Mrs. Chamlin stated that she wanted new basketball courts and not use DSN courts. Mayor Cohen stated the courts were rarely used and will not be rebuilt.

Renee Levine, 28 Richmond Avenue, stated that she thought that the DSN was going to open up the courts to Casino members. Mayor Cohen stated he is working on the availability of the courts.

Barbara Coffey, 85 Norwood Avenue, stated that Robert Zeller passed away. Mr. Zeller was a member of the Deal Fire Department and Deal First Aid Squad. Ms. Coffey asked how two members of the Board of Commissioners be on the planning board. Martin Barger stated that they are planning board members and do not act in the Commissioner role. Ms. Coffey asked how it was policed that they do not discuss Borough business, Mr. Barger stated that they are aware that business cannot be discussed. Ms. Coffey stated that Mr. Levine should be added to the planning board due to his architectural background, and whereas Mr. Cummings, Ms. Jones and Ruby Antebi do not have any qualifications.

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Isadora Chamlin, 5 Poplar Avenue, stated that there has been architectural ugliness occurring.

Maralies Beveridge, asked the Commissioners about having a meeting about beach public access. Mayor Cohen stated he would look to have something after January 1st.

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

Commissioner Ades offers the following Resolution:

Resolution 16-166

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 Employment 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 Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

The Board of Commissioners entered into closed session to discuss contractual matters at 7:53 P.M.

The Commissioners returned to open session at 8:21 P.M.

It was announced that the next meeting of the Board of Commissioners will be on Friday, January 6, 2017 at 9:00 A.M.

There being no further business or comments, it was moved, seconded and approved that the meeting be adjourned at 8:21 P.M.

SC _____

MA _____

DS _____

Clerk