

March 11, 2016

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on March 11, 2016 at 9:00 A.M.

Present: Mayor Ades, Commissioner Cohen and Commissioner Wiener
Also Present: Martin Barger, Borough Attorney and Vince Alvino, Borough Auditor

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 Wiener, seconded by Commissioner Cohen and carried that the reading of the minutes of the previous meeting held on February 26, 2016 be dispensed with and the same be approved as recorded.

Ordinance #1126 to exceed the Municipal Budget Appropriation Limits and to establish a Cap Bank was introduced on February 12, 2016 and the public hearing is scheduled for today, March 11, 2016. Mayor Ades moved to open the meeting to public comment on Ordinance 1126, seconded by Commissioner Cohen and approved. The Mayor invited public comment. Barbara Coffey, 85 Norwood Avenue, asked what the Cap Bank is utilized for. Vince Alvino explained the purpose of the Cap Bank in relation to the budget.

Vincent Lepore, 38 Ocean Terrace Long Branch, asked the Commissioners if the Borough had a Finance Committee. Mr. Lepore was advised that one of the Commissioners is the Finance Director.

There were no further comments from the public and the public session was closed by the same vote.

ORDINANCE 1126

CALENDAR YEAR 2016

ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)

Commissioner Cohen moved to adopt Ordinance 1126, seconded by Commissioner Wiener. Roll Call: Ayes 3; Ades, Cohen & Wiener.

The following Resolutions were discussed and enacted:

Commissioner Cohen offers the following Resolution:

Resolution 16-31

WHEREAS, the 2016 budget of the Borough of Deal has been reviewed by the Board of Commissioners and is scheduled to be introduced at this meeting; and

WHEREAS, a copy of same will be made available to each person requesting it during said week and during the public hearing scheduled for April 8, 2016.

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NOW, THEREFORE BE IT RESOLVED, that having conformed with the conditions set forth in N.J.S.A. 40A:4-8, the 2016 Budget be read by its title.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following Resolution:

Resolution 16-32

WHEREAS, Kerry and George Destafney, 27 Columbus Drive, Tinton Falls has made a \$500 deposit for their membership at the Deal Casino Beach Club; and

WHEREAS, Mr and Mrs. Destafney have an unexpected family matter and cannot attend the Deal Casino for the 2016 season; and

WHEREAS, Brenda Hidary, 1051 East 9th Street, Brooklyn has made payment for their membership at the Deal Casino Beach Club; and

WHEREAS, due to the untimely passing of Mr. Hidary, they are looking for a refund for Mr. Hidary's membership of \$375.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$500.00 be issued to Kerry and George Destafney and a refund of \$375 be issued to Brenda Hidary.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

Resolution 16-33

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Jeffrey Kless, 283 Spring Street Apt. C, Red Bank, NJ 07701 as a Class II Special Police Officer in the Borough of Deal.

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

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer Jeffrey Kless, having completed his course of instruction, will be appointed a special police officer for a term of (1) one year, effective March 15, 2016, unless removed from office by the Chief of Police before the end of the one year term. Special Officer Kless 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

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Commissioner Cohen offers the following Resolution:

Resolution 16-34

WHEREAS, the Deal Police Department is in need of a part time Police Dispatcher; and

WHEREAS, John Berbilis, 1801 Logan Road, Ocean, NJ 07712 has applied for this position, has been interviewed and has been determined to be qualified for this position.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that John Berbilis be offered a position as a part time Police Dispatcher, serving under the direction of the Chief of Police at the pay scale set for this position.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

Resolution 16-35

WHEREAS, an employee for the Borough of Deal has been disciplined for matters outlined with the Borough Administrator; and

WHEREAS, due to the discipline it has been determined that PK should be terminated from employment within the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that PK is terminated from the current position within the Borough of Deal effective immediately.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

Resolution 16-36

WHEREAS, the Borough of Deal has received beach replenishment under a project coordinated by the Army Corp of Engineers; and

WHEREAS, the Army Corp is requiring an additional beach access between Clem Conover and Phillips Avenue; and

WHEREAS, the Board of Commissioners have decided to add the beach access on the southerly portion of the Deal Casino;

WHEREAS, this beach access will be a paid beach access the same as the daily W. Stanley Conover rate.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby create a paid beach access at the southerly portion of the Deal Casino charging the same daily rate as the W. Stanley Conover Pavilion.

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Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following Resolution:

Resolution 16-37

WHEREAS, the Borough of Deal due to age and repair costs is in the need to purchase jitney vehicles for trash and recycling pickup; and

WHEREAS, the Borough has researched and found the Kubota RTV-X1100 4wd vehicle to fit the needs of the Borough of Deal; and

WHEREAS, these vehicles are offered by the Middlesex Regional Educational Services Commission Co-Op; and

WHEREAS, the Borough of Deal wishes to purchase two (2) Kubota RTV-X1100 vehicles.

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the purchase of two (2) Kubota RTV-X1100 4wd Utility Vehicle from the Middlesex Regional Educational Services Commission Co-Op.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following Resolution:

Resolution 16-38

WHEREAS, due to the fact it is not be possible to hold the scheduled regular meeting on Friday, March 25, 2016 because of a holiday; and

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 March 31, 2016 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 \$200,000.00 be paid at this time.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

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

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

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

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A letter was received from the Deal Lake Commission asking for the Borough to send a letter of support for the SFY2016 Section 319(h) NPS Grant. The Board of Commissioners approved the letter of support to be sent.

An email was received from Jen Thalhauser, Army Corp of Engineers, providing a summary of the events during which Agate placed materials into the surf zone and the plan moving forward.

A proposal was received from Tilson Tech on behalf of Verizon Wireless to place small cell nodes on the Borough owned light poles at 4 locations on Ocean Avenue. The Board of Commissioners stated that they did not like the way the poles looked for the amount of return from leasing the equipment.

A notice of public hearing was received from the NJSEM reporting that they will be going out to bid for natural gas supply on April 4th.

An email was received from Lauren Myers, MOL-IT America Inc., asking permission to hold their company picnic on the beach on Saturday, July 19th from 12-5 pm. The Board of Commissioners could not accommodate this picnic.

An email was received from Nelson Cunha, Sonya Grill Real Estate, requesting permission for an art expo at a residence in town. The expo would be by appointment only and the art would not be for sale. The Board of Commissioners requested to find out the reason for the expo.

A notice of public hearing on proposed private sale of surplus property in the Township of Middletown was received from the Monmouth County Board of Chosen Freeholders.

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 16-03 of the Warrant Register in the amount of \$457,981.54.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Mayor Ades requested comments from the floor.

Vincent Lepore, 38 Ocean Terrace Long Branch, asked about the current debt for the Borough of Deal and was advised by Vincent Alvino. Mr. Lepore also asked if the Borough had considered having the police dispatching being handled by the Monmouth County Sheriff's Office, Mr. Lepore was advised that the Borough did look into it but would not proceed at this time. Mr. Lepore asked if the debris that was placed at the shoreline by the contractor for the Army Corp was tested. He was advised that there was some testing done, but the Borough did not receive any results. Mr. Lepore asked if the Borough would submit an OPRA request for the test results, he was advised that the Borough would not submit an OPRA request but we would ask for the results. Mr. Lepore stated that the Police Department should have someone on site to monitor the work being performed, Mr. Lepore was advised that the Army Corp has personnel on site to monitor the work being performed and that the police department does not have the manpower or expertise to monitor the work being performed.

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Barbara Coffey, 85 Norwood Avenue, requested again if the Army Corp of Engineers could hold a public meeting to take all of the questions related to the illegal dumping. Ms. Coffey was advised that we would make the request through the Army Corp of Engineers. Ms. Coffey asked how many bathrooms and the Conover Pavilion. John Anastasia, Beach Superintendent, stated that after Superstorm Sandy, more bathrooms were added including ADA compliant bathrooms. Ms. Coffey asked the Board of Commissioners to consider waiving the Deal Casino membership fee to Captain Earl Alexander's fiancé. The Board of Commissioners could not waive any membership fees at this time.

Patty Verrochi, 246 Jerome Ave, Ocean Twp., stated that there are a few areas to see what is going on with beach replenishment in between Roosevelt and Phillips Avenues and they are blocked off now. Mrs. Verrochi was advised that the sub-contractor has temporarily closed beach access in the area due to safety concerns and the large amount of trucks and machinery. Mrs. Verrochi also stated that green sand has been spread out to Phillips Avenue and is could be causing water quality issues. John Anastasia, Beach Superintendent stated that the Monmouth County Regional Health Department conducts ocean water testing throughout the summer months and would notify the Borough if there were any water quality issues.

Mayor Ades 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 will be on Friday, April 8, 2016 at 9:00 A.M.

There being no further business or comments, it was moved, seconded and approved that the meeting be adjourned at 10:27 A.M.

MA _____

SMC _____

VSW _____

Clerk