

May 13, 2016

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on May 13, 2016 at 9:00 A.M.

Present: Mayor Ades, Commissioner Cohen and Commissioner Wiener  
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. 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 April 22, 2016 be dispensed with and the same be approved as recorded.

Ordinance #1127 was introduced on April 8, 2016 and the public hearing is scheduled for today, May 13, 2016. Mayor Ades moved to open the meeting to public comment on Ordinance 1127, seconded by Commissioner Cohen and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

#### **BOND ORDINANCE NO. 1127**

**BOND ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO THE DEAL CASINO AND CONOVER PAVILION BEACH CLUBS APPROPRIATING \$150,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$142,500 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Wiener moved to adopt Ordinance 1127, seconded by Commissioner Cohen. Roll Call: Ayes 3; Ades, Cohen & Wiener.

Ordinance #1128 was introduced on April 8, 2016 and the public hearing is scheduled for today, May 13, 2016. Mayor Ades moved to open the meeting to public comment on Ordinance 1128, seconded by Commissioner Cohen and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

#### **BOND ORDINANCE NO. 1128**

**BOND ORDINANCE PROVIDING FOR THE PURCHASE OF AND IMPROVEMENTS TO SANITATION EQUIPMENT, AND APPROPRIATING \$75,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$71,250 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Wiener moved to adopt Ordinance 1128, seconded by Commissioner Cohen. Roll Call: Ayes 3; Ades, Cohen & Wiener.

Ordinance #1129 was introduced on April 8, 2016 and the public hearing is scheduled for today, May 13, 2016. Mayor Ades moved to open the

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meeting to public comment on Ordinance 1129, seconded by Commissioner Cohen and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1129**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO MUNICIPAL BUILDINGS, AND APPROPRIATING \$100,000 THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Wiener moved to adopt Ordinance 1129, seconded by Commissioner Cohen. Roll Call: Ayes 3; Ades, Cohen & Wiener.

Ordinance #1130 was introduced on April 8, 2016 and the public hearing is scheduled for today, May 13, 2016. Mayor Ades moved to open the meeting to public comment on Ordinance 1130, seconded by Commissioner Cohen 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 1130**

**AN ORDINANCE AMENDING CHAPTER X TRAFFIC ORDINANCE, CONCERNING HANDICAP PARKING IN MUNICIPAL PARKING LOTS AND REGULATION FOR THE MOVEMENT AND THE PARKING OF TRAFFIC ON MUNICIPAL PROPERTY OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Wiener moved to adopt Ordinance 1130, seconded by Commissioner Cohen. Roll Call: Ayes 3; Ades, Cohen & Wiener.

The following Resolution was discussed and enacted:

Commissioner Cohen offers the following Resolution:

**Resolution 16-55**

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

WHEREAS, 3G Construction Inc. has requested a payment in the amount of \$77,008.40; 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 \$77,008.40 be made to 3G Construction Inc. for the improvements to Atlantic Avenue.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

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Commissioner Cohen offers the following Resolution:

**Resolution 16-56**

WHEREAS, Resolution 16-42 was introduced and adopted on April 8, 2016; and

WHEREAS, Teamsters Local Union 701 questioned the reimbursement for Christopher Beradesco who attended a course; and

WHEREAS, the Borough feels that the reimbursement for attending the course is not beneficial;

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Resolution 16-42 be rescinded and reimbursement not be made to Christopher Beradesco.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following Resolution:

**Resolution 16-57**

WHEREAS, it is necessary to have a change fund available for the operation of the Deal Casino and Conover Pavilion during the summer months the Clubs are open.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the Borough Administrator to draw \$1,800.00 total from the general account for the beach clubs to use to make change at the Deal Casino and Conover Pavilion beach clubs, returning this fund after the close of the season in September.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Wiener offers the following Resolution:

**Resolution 16-58**

WHEREAS, the drain pipe for the Deal Casino pool was found to be in need of replacement; and

WHEREAS, it was determined that this work was in an emergent nature due to the beach club opening; and

WHEREAS, five emergency proposals were solicited and received two written proposals from Burke Contracting, Ocean NJ at a cost of \$29,950.00 and Fernandez Construction, South River NJ at a cost of \$32,380.00.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal award the project of replacing the Deal Casino Pool Drain to Burke Contracting, Ocean, NJ at a cost of \$29,950.00.

Seconded by Commissioner Cohen

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Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

**Resolution 16-59**

WHEREAS, due to the age and mileage of one police vehicle, there is a need to replace this vehicle; and

WHEREAS, the Board of Commissioners had approved bids to be received on purchasing one (1) 2016 Chevy Tahoe;

WHEREAS, the Borough has received two proposal for one (1) 2016 Chevy Tahoe at a cost of \$37,916.00 from SeaCoast Chevrolet, Ocean, NJ and \$40,327.00 from Day Chevrolet, Monroeville, PA.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of one (1) 2016 Chevy Tahoe from SeaCoast Chevrolet, Ocean, NJ at a cost of \$37,916.00.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

**Resolution 16-60**

WHEREAS, the Governing Body of the Borough of Deal, Monmouth County has applied for a Post-Sandy Planning Assistance Grant from the New Jersey Department of Community Affairs (DCA); and

WHEREAS, the Borough of Deal, is requesting proposals for an AICP/PP Licensed Professional Planner or Professional Consultancy Firm with Duly Licensed Professionals on Staff for Reexamination of the Master Plan and Geographic Information System (GIS); and

WHEREAS, the Borough of Deal, will have the project completed by May 2017 or the grant funds will be refunded back to the State of New Jersey:

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, Monmouth County does hereby authorize the issuance of the Request for Proposals.

Seconded by Commissioner Wiener

Roll Call: Ayes 3; Ades, Cohen & Wiener

Commissioner Cohen offers the following Resolution:

**Resolution 16-61**

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

WHEREAS, Ian Rivera, 2412 Highway 71, Apartment 11C, Spring Lake Heights, NJ 07762 has applied for this position, has been interviewed and has been determined to be qualified for this position.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that Ian Rivera 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 16-62**

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

WHEREAS, John Barney, 100 Harrison Avenue, Red Bank, NJ 07701 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 Barney 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 Wiener offers the following Resolution:

**Resolution 16-63**

WHEREAS, Brittny Gallagher has requested a student for internship with the Deal Police Department; and

WHEREAS, the purpose of the internship is to provide the student with the opportunity to explore and practice academia and occupationally related skills; and

WHEREAS, the Deal Police Department has utilized interns from the in the past;

WHEREAS, Brittny Gallagher has been selected for the internship to begin June 1, 2016 and end on or before September 1, 2016.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Brittny Gallagher be provided the internship opportunity with the Deal Police Department beginning June 1, 2016 through September 1, 2016.

Seconded by Commissioner Cohen

Roll Call: Ayes 3; Ades, Cohen & Wiener

A Loss Control Report was received from the Monmouth County Municipal Joint Insurance Fund advising of a survey conducted within the Borough of Deal. Two minor deficiencies were found, which have already been rectified.

The MEL Annual Report for 2015 was received from the Municipal Excess Liability Joint Insurance Fund.

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A notice of contract award was received from the NJSEM for natural gas service. The new contract was about 15% lower than the previous contract.

The Legislative Bulletin was received from the New Jersey State League of Municipalities for the month of April.

A letter was received from the NJ Department of Transportation advising that the Borough would not be receiving funding under the Municipal Aid Program for Ocean Avenue Phase III.

A resolution was received from the Borough of Manasquan opposing the 24% rate increase proposed by NJ Natural Gas.

A letter was received from Martin Barger clarifying the use of the Draft Opt-Out resolution from the Monmouth County Tax Board.

A letter was received from Assemblyman Houghtaling and Assemblywoman Downey, thanking the Administrator for attending their Round Table meeting with General Assembly Speaker Prieto at Monmouth University.

A letter was received from the Congregation Torat El asking for use of the Conover Pavilion on July 22, 2016 for their Summer Service. The Board of Commissioners approved the use of the Conover Pavilion.

A Raffle license application has been received from Red Bank Rotary Foundation on October 17, 2016 at the Deal Golf and Country Club. The Board of Commissioners approved this application.

A letter has been received from the Borough of Deal PBA Local #101 requesting the Deal Casino on July 23 2016, for its annual Steak Bake. The Board of Commissioners approved their request.

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 16-05 of the Warrant Register in the amount of \$630,660.27.

Seconded by Commissioner Wiener

Roll Call: Ayes 2; Cohen & Wiener  
Absent 1; Ades

Mayor Ades requested comments from the floor.

Mary Ann Cronheim, 88 Monmouth Drive, asked the Commissioners about changing of the meeting times from 9 am. Mayor Ades stated that the meetings were previously held on Tuesday's at 5pm and there were no attendance.

Isadora Chamlin, 5 Poplar Ave, stated that there is a lot of construction noise prior to 8 am as per Borough Ordinance. Mayor Ades stated that he calls the police and notifies them. Mrs. Chamlin stated that she has called several times, the police department will investigate the noise complaints. Mrs. Chamlin also mentioned about garbage cans in front of a house on Poplar Avenue, Mayor Ades stated the homeowners will be notified.

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

Commissioner Cohen offers the following Resolution:

**Resolution 16-64**

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 Personnel 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 9:17 A.M.

The Commissioners returned to open session at 9:44 A.M.

It was announced that the next meeting of the Board of Commissioners will be on Friday, May 27, 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 09:44 A.M.

MA \_\_\_\_\_

SMC \_\_\_\_\_

VSW \_\_\_\_\_

\_\_\_\_\_  
Clerk