

May 27, 2016

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on May 27, 2016 at 9:00 A.M.

Present: Mayor Cohen, Commissioner Ades and 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. 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 Ades, seconded by Commissioner Cohen and carried that the reading of the minutes of the previous meeting held on May 13, 2016 be dispensed with and the same be approved as recorded.

The purpose of this meeting is for the organization of the Board of Commissioners, appointments and designation of duties for the ensuing four-year period, 2016 to 2020.

The Clerk read the following statement of results from the Municipal Election held on May 10th:

**Borough of Deal
Statement of Results
Municipal Election
May 10, 2016**

The statement of results of the Borough election held in the Borough of Deal, County of Monmouth on the tenth day of May in the year of our Lord, Two Thousand Sixteen is as follows:

Total number of registered voters	522
Total number of ballots cast	242
Total number of absentee ballots	68
Total number of ballots spoiled	5
Total number of provisional ballots	4
Total number of write in ballots	2

Total ballots for Commissioners:

Sam Cohen	123
David Simhon	120
Reuben Anteby	103
Morris Ades	115
Virginia Wiener	94
Barbara Coffey	56

I, Stephen Carasia, Borough Clerk do certify that the foregoing is a true, full and correct statement of the results of the Borough Election therein mentioned and that the same exhibits the whole number of names on the Registry Books and of the ballots rejected, the name of each person for whom any vote or votes are given for any office designated for him/her in such vote or votes, and the number of votes given for each person for the office or offices designated for him.

Stephen Carasia, Clerk
May 27, 2016

May 27, 2016

The Borough Clerk, having determined that Samuel Cohen, David Simhon and Morris Ades were elected Commissioners at the Municipal Election held in the Borough of Deal on the tenth of May and having filed the result of such election in the Office of the Clerk in conformity with the requirements of the Statute in the case made and provided; Samuel Cohen, David Simhon and Morris Ades meet at 9:00 a.m. on the 27th day of May in the Borough Commissioners Chambers at the Borough Hall for the purpose of reorganization, pursuant to the provisions of an act of the Legislature of the State, approved April 11, 1911 and the amendments thereto.

The Clerk then called the roll and the following named persons answered to their names: Samuel Cohen, David Simhon and Morris Ades.

Ayes 3.

Stephen Carasia, Municipal Clerk for the Borough then administered the Oath of Office to the elected Commissioners, Samuel Cohen, David Simhon and Morris Ades, Commissioner and each recited the Oath, in addition thereto, subscribe to the Oath of Office and file the same with the Borough Clerk.

The Borough Clerk then called for a nomination for the office of Mayor and as such, Director of the Department Public Affairs and Public Safety, whereupon Morris Ades nominated Samuel Cohen for such office and designation.

Seconded by David Simhon.

Commissioner Cohen was elected Mayor by the following vote:

Roll Call: Ayes 3; Cohen, Ades & Simhon.

Mayor Cohen then nominated Morris Ades Director of Revenue and Finance, which nomination was seconded by Commissioner Simhon.

Commissioner Ades was elected by the following vote:

Roll Call: Ayes 3; Cohen, Ades & Simhon.

Mayor Cohen then nominated David Simhon as Director of Streets, Public Improvements, Parks and Public Property, which nomination was seconded by Commissioner Ades.

Commissioner Simhon was elected by the following vote:

Roll Call: Ayes 3; Cohen, Ades & Simhon.

The following Resolution was discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 16-65

BE IT RESOLVED, that Sam Cohen is hereby designated as Mayor; and

BE IT FURTHER RESOLVED, that Mayor Cohen is hereby designated as Director of the Department of Public Affairs and Public Safety; that Commissioner Morris Ades is hereby designated as Director of Revenue and Finance; and that Commissioner David Simhon is hereby designated as Director of Streets, Public Improvements, Parks and Public Property; and

May 27, 2016

BE IT FURTHER RESOLVED, that except where otherwise required by law, the powers and duties to be performed by each department are set forth below under the name of such department, and such powers and duties are hereby assigned to such department, to with:

1. Department of Public Affairs and Public Safety:

Director's Office	Health and Welfare
Police	Legal Services and Costs
First Aid Organization	Administrative & Executive
Municipal Court	Planning Board
Fire	Board of Adjustment
State Uniform Construction Code	Dog Regulations

2. Department of Revenue and Finance:

Director' Office	Assessment of Taxes
Collection of Taxes	Financial Administration
Insurance	Elections
Liquidation of Tax Title Liens	Surety Bonds

3. Department of Public Works, Parks and Public Property:

Director's Office	Street and Roads
Sanitation	Recreation
Engineering Services & Costs	Public Grounds & Buildings
Street Lighting	Deal Lake Weed Control
Sewer System	Beach Front Recreational
Parks and Playgrounds	Library

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-66

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of Deal has a need to acquire the services of a Borough Engineer, Borough Auditor, Borough Attorney, Public Defender, Prosecutor and a Planning Board Attorney and Bond Counsel; and their services will be provided as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5* as appropriate; and,

WHEREAS, the Borough Clerk/Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, *the* following business entities

Engineer	Peter Avakian, P.E.
Auditor	Allen Shechter, C.P.A.
Borough Attorney	Martin Barger, Esq.
Public Defender	Eric Casriel, Esq.
Prosecutor	Jason Shamy, Esq.

May 27, 2016

Planning/Zoning Attorney
Bond Counsel

Paul Fernicola, Esq.
Dilworth Paxson, LLP

have submitted proposals indicating they will provide the legal services, engineering services and auditing services for the amounts specified in the 2016 Municipal Budget; and

WHEREAS, each of the following business entities have completed and submitted a Business Entity Disclosure Certification which certifies that they have has not made any reportable contributions to a political or candidate committee serving individually or collectively as the Board of Commissioners in the Borough of Deal in the previous one year, and that the contract will prohibit the following business entities:

Engineer	Peter Avakian, P.E.
Auditor	Allen Shechter, C.P.A.
Borough Attorney	Martin Barger, Esq.
Public Defender	Eric Casriel, Esq.
Prosecutor	Jason Shamy, Esq.
Planning/Zoning Attorney	Paul Fernicola, Esq.
Bond Counsel	Dilworth Paxson, LLP

from making any reportable contributions through the term of the contract, and

WHEREAS, funds have been made available in the Annual Budget of the Borough of Deal to support these services,

NOW, THEREFORE, BE IT RESOLVED that:

1. The following appointments are hereby ratified and confirmed for the year 2016.

Engineer	Peter Avakian, P.E.
Auditor	Allen Shechter, C.P.A.
Borough Attorney	Martin Barger, Esq.
Public Defender	Eric Casriel, Esq.
	May 27, 2016

Prosecutor	Jason Shamy, Esq.
Planning/Zoning Attorney	Paul Fernicola, Esq.
Bond Counsel	Dilworth Paxson, LLP.

2. The amounts charged for these services will be determined in accordance with the contracts dated as of January 1, 2016 and in effect through December 31, 2016.
3. The said contracts were awarded without public bidding as "Professional Services" under the provisions of said Local Public Contract Law.
4. A copy of the Resolution shall be published in The Coaster within 10 days of its passage.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

May 27, 2016

Commissioner Ades offers the following Resolution:

Resolution 16-67

WHEREAS, NJAC 5:70 requires the Borough to appoint a Construction Official at this reorganization meeting.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Joseph Ciccone, 225 Oxford Way, Neptune, NJ 07753 be appointed Construction Official of the Borough of Deal, according to NJAC 5:70, for the period to expire the third Tuesday in May 2020 at a salary to be the amount detailed in the current salary ordinance.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-68

WHEREAS, NJAC 5:70 requires the Borough to appoint a Fire Sub-Code Official at this reorganization meeting.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Joseph Ciccone, 225 Oxford Way, Neptune, NJ 07753 be appointed Fire Sub-Code Official of the Borough of Deal, according to NJAC 5:70, for the period to expire the third Tuesday in May 2020 at a salary to be the amount detailed in the current salary ordinance.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-69

WHEREAS, NJAC 5:70 requires the Borough to appoint a Building Sub-Code Official at this reorganization meeting.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that William Doolittle, 404 Lenape Trail, Brielle, NJ be appointed Building Sub-Code Official of the Borough of Deal, according to NJAC 5:70, for the period to expire the third Tuesday in May 2020 at a salary to be the amount detailed in the current salary ordinance.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-70

WHEREAS, NJAC 5:23 requires the Borough to appoint a Plumbing Sub-Code Official at this reorganization meeting.

May 27, 2016

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that John Palmer, 147 Bretonian Drive, Brick, NJ be appointed Plumbing Sub-Code Official of the Borough of Deal, according to NJAC 5:23, for the period to expire the third Tuesday in May 2020 at a salary to be the amount detailed in the current salary ordinance.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-71

WHEREAS, NJAC 5:23 requires the Borough to appoint an Electric Sub-Code Official at this reorganization meeting.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Eric Sudia, 50 Brittany Drive, Bayville, NJ be appointed Electric Sub-Code Official of the Borough of Deal, according to NJAC 5:23, for the period to expire the third Tuesday in May 2020 at a salary to be the amount detailed in the current salary ordinance.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-72

WHEREAS, NJ State Departement of Environmental Protection requires the Borough to appoint a certified C-2 operator for the Deal Pump Station.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Joseph A. Martone, 2639 Fox Lane, Manasquan, NJ be appointed C-2 operator of the Deal Pump Station, for the period to expire the third Tuesday in May 2020 at a salary to be the amount detailed in the current salary ordinance.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-73

WHEREAS, NJ State Law requires the Borough to appoint an examiner of the Borough's records for unpaid tax liens and certify the results..

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Theresa Davis, Collector of Taxes of the Borough of Deal be and is hereby authorized and designated, until changed by formal resolution of this body, to make all examinations of Borough's records as to unpaid municipal liens and to certify the results thereof, this designation being made by virtue of the provisions R.S. 54:5-11, and to take effect at once.

Seconded by Commissioner Simhon

May 27, 2016

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-74

WHEREAS, NJSA 54:5 requires the Borough to appoint an issuer of Certificates as to Liability for Assessments for Municipal Improvements at this reorganization meeting.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Stephen Carasia, shall be and hereby authorized upon proper application, to issue Certificates as to Liability for Assessments for Municipal Improvements in accordance with the provisions of R.S. 54:5-14 et seq.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-75

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 \$22,432.20; 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 \$22,432.20 be made to Underground Utility Corp. for the improvements to the Marine Place Drainage.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 16-76

WHEREAS, T.R. Weniger, Inc., 1900 New Brunswick Avenue Piscataway, NJ 08854 has been awarded a contract for the Deal Pump Station Shoreline Protection Revetment Wall at a cost of \$392,500.00; and

WHEREAS, T.R. Weniger Inc. has requested final payment in the amount of \$38,426.00; 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 final payment of \$38,426.00 be made to T.R. Weniger Inc. for the Deal Pump Station Shoreline Protection Revetment Wall.

Seconded by Commissioner Simhon

May 27, 2016

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-77

WHEREAS, Joey Levy, 93 Lancaster Avenue, Brooklyn, NY has made payment for their membership at the Deal Casino Beach Club; and

WHEREAS, a refund is being requested due to the inability to attend the Deal Casino for the 2016 season.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$200.00 be issued to Joey Levy for their membership to the Deal Casino.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 16-78

BE IT RESOLVED, that the following persons are hereby appointed for summer positions at the Deal Casino and Conover Pavilion, June 2016 through September 2016 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budget.

2016 Casino Staff hourly salaries:

Grant Arcomano	\$7.50
Dori Barlow	\$5.50
Wyatt Barlow	\$5.50
Luke Borgia	\$5.50
Shannon Damiano	\$5.50
Emily Forgash	\$6.50
Claire Foster	\$5.50
Ava Hiers	\$7.50
Jackson McMann	\$5.50
Arielle Mastando	\$5.50
Kyle O'Scanlon	\$6.50
Daniel Pickeno	\$5.50
Paige Risley	\$5.50
Kim Schmidt	\$7.50
Nicolas Simmons	\$6.50
Emma Sylvia	\$5.50
Carly Weisberg	\$6.50

Ava Hiers	\$7.50
Jackson McMann	\$5.50
Arielle Mastando	\$5.50
Kyle O'Scanlon	\$6.50
Daniel Pickeno	\$5.50
Paige Risley	\$5.50
Kim Schmidt	\$7.50
Nicolas Simmons	\$6.50
Emma Sylvia	\$5.50
Carly Weisberg	\$6.50

2016 Casino Security hourly salaries:

Jordan Bell	\$11.00
Rachel Bendix	\$11.00
Carli Brush-Stoll	\$9.00
Kevin Buell	\$9.00
Mary Cittadino	\$12.50
Harrison Enerson	\$12.50
Mason Gallina	\$11.00
Anna McDonough	\$9.00
Olvia McDonough	\$10.00
Alan Molina	\$10.00
Brittany Pereira	\$11.00
Barbara Ponder	\$14.00
Nick Price	\$10.00
Chris Primavera	\$9.00
Hayley Rienzo	\$9.00
Brook Risley	\$9.00

2016 Casino Staff hourly salaries:

Grant Arcomano	\$7.50
Dori Barlow	\$5.50
Wyatt Barlow	\$5.50
Luke Borgia	\$5.50
Shannon Damiano	\$5.50
Emily Forgash	\$6.50
Claire Foster	\$5.50

Rachel Rubin	\$10.00
Rebecca Rubin	\$9.00
Alec Shamula	\$11.00
Annalisa Simmons	\$9.00
Taylor Sniffen	\$9.00
David Tieto	\$9.00
Michael Tieto	\$12.00
Salvatore Toppi	\$9.00
Thomas Tresante	\$10.00

2016 Conover Staff hourly salaries

Dennis Galvin	\$10.00
Alex Claudio	\$10.00
Gerlando Lotempio	\$10.00
Georges Fiori	\$10.00
Nancy Sniffen	\$9.00
Jonathan Natale	\$7.25
Elaina Natale	\$7.25
Madison Volek	\$5.50
Marissa Hakim	\$5.50
Nicole Huelster	\$5.50
Kristina Chambers	\$5.50

2016 management and supervisor salaries

Carrie Sniffen	\$22,000
Ted Bahlman	\$19,000
Mathew Tomo	\$15,000
Chris Wong	\$11,000
Lifeguard Captain	\$10,000
Aquatics Director	\$9,000
Recreation Supervisor	\$6,000

2016 Lifeguard Staff hourly salaries

Jonah Bass	\$9.00	Neil Martin	\$8.50
Matt Bendik	\$9.00	Tyler Nowak	\$12.00
Hugh Burgdorf	\$8.50	Angelina Palermo	\$10.50
Evan Buzgo	\$ 11.00	Nicholas Price	\$11.00
Tommy Caruso	\$ 10.50	Jillian Sallustio	\$10.50
Bailey Crochet	\$8.50	Cole Smolokoff	\$9.50
Nick Dawe	\$11.00	Jake Smolokoff	\$12.00
Ian Dwyer	\$9.50	Tim Sparrock	\$9.50
Blair Gallina	\$8.50	Ally Steinberg	\$13.00
Dean Golan	\$9.00	Chris Vivian	\$9.50
Bobby Graziano	\$10.50		
Anna Greenberg	\$9.00		
Robbie Greenberg	\$11.00		
Corey Hagerman	\$8.50		
Justin Horbacz	\$10.50		
Nick Iacobucci	\$10.50		
Abby Lewis	\$10.50		
Lexi Lewis	\$14.00		

May 27, 2016

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

A Notice of Public Hearing was received from the New Jersey Natural Gas on their rate changes set for June 1, 2016 at Freehold Municipal Building.

The 2016 Monmouth County Municipal Open Space Grant Program funding package was received.

The following Resolution was offered by Commissioner Ades:

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 \$310,327.25.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen requested comments from the floor.

Barbara Coffey, 85 Norwood Avenue, congratulated the Commissioners on the election. Ms. Coffey asked about the status of Beach Replenishment. Ms. Coffey was advised on the latest schedule for sand placement as well as Poplar Brooke.

Mayor 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, June 10, 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 09:24 A.M.

SC _____

MA _____

DS _____

Clerk