

October 14, 2016

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on October 14, 2016 at 9:00 A.M.

Present: Mayor Cohen, and Commissioner Simhon

Absent: Commissioner Ades

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 Simhon, seconded by Mayor Cohen and carried that the reading of the minutes of the previous meeting held on September 23, 2016 be dispensed with and the same be approved as recorded.

Ordinance 1136 to amend Chapter VI, Beach Regulations was introduced by Commissioner Simhon, seconded by Mayor Cohen.
Roll Call: Ayes 2; Cohen & Simhon. Absent 1; Ades.

Public Hearing for this ordinance will be given on November 9, 2016 at 7:00 P.M.

ORDINANCE No. 1136

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 6-2 Deal Casino Beach Club

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

3. Additional Members

Any family or friend may be added as additional members. The maximum number of members in each bath house may not exceed 10 persons.

Current bath houses with more than 10 persons may continue with the additional persons only with payment in full by March 1. If payment in full is not received by March 1, no additional persons may be added.

4. OTHER FAMILY RELATIONSHIPS

Repealed

5. APPLICATION AND PAYMENT DEADLINE

A \$500 deposit to hold your bath house due on *February 1*. If deposits are NOT received by this date your bath house will be given away to someone on the waitlist. Payment in full is due by

October 14, 2016

March 1.

If payment in full is not received by March 1, 2015 a \$250 late fee will be added to your total. If payment in full is not received by April 1 a \$350 late fee will be added to your total and the bath house must be paid for no later than April 15. If your payment is still not received by April 15, the bath house will be given away to the next person on the wait list and all deposits will be forfeited.

THESE DATES WILL BE STRICTLY FOLLOWED AND THERE WILL BE NO EXCEPTIONS MADE.

7. GUEST PASS PRIVELEGES

Guest passes purchased will not expire and may be used at any time. Upon cancellation of membership, the associated passes will no longer be valid.

11. USE OF EQUIPMENT / FURNITURE

No glass tables will be allowed on Deal Casino property.

16. PARKING

Parking permits are required Friday, Saturday, Sunday and Holidays from 9 am – 5pm.

24. HEALTH AID

One health aid per family may enter the Deal Casino. They must be in a clearly identifiable uniform and must remain in uniform. No bathing suits are to be worn by health aids. Any health aid not in uniform may be added to the bath house for the fee listed or may be admitted with the use of a guest pass.

2017 Membership Fees

(12) GUEST FEES:

Off-Peak Passes: Monday – Thursday and Peak Pass Day after 4pm

Single	\$15.00
Pack of 10 Guest Passes	\$145.00

Peak Passes: Friday, Saturday, Sunday and holidays 9am-4pm
(Limited to 40 passes)

Single	\$30.00
Pack of 10 Guest Passes	\$235.00

(13) Helper / Babysitter not in uniform Repealed

(16) Bathhouse Share Fee Repealed
Upon Deal Casino being Sold Out

(10) Additional Family Members

a. Each additional child member	\$200.00
Each additional child member (After May 1)	\$300.00
b. Each additional adult member	\$375.00
Each additional adult member (After May 1)	\$475.00

October 14, 2016

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 16-121

WHEREAS, the Borough of Deal has arranged financing for the Deal Casino and Conover Pavilion through the sale of external Bond Anticipation Notes in the amount of \$885,302.00, which are due on September 30, 2016; and

WHEREAS, the Borough of Deal has appropriated a payment of \$235,552.32 plus the interest of \$6,639.77 in the 2016 budget toward the original External BAN's which will be paid on September 30, 2016; and

WHEREAS, the Board of Commissioners have determined that the remaining balance of \$649,749.68 in External BAN's should be refinanced for the next 12 months as a BAN.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Deal authorizes the outstanding External BAN's in the amount of \$885,302.00, with a pay down of \$235,552.32 in principal and \$6,639.77 in interest as agreed; and

BE IT FURTHER RESOLVED, that the remaining balance of \$649,749.68 be financed as a Bond Anticipation Note as recommended by the Chief Financial Officer and negotiated by the Bond Counsel.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 16-122

WHEREAS, the Borough of Deal has arranged financing for the improvements to the Roosevelt Pump Station, sanitary sewers and a variety of capital improvements relating to the sanitary sewer through the sale of external Bond Anticipation Notes in the amount of \$174,782.00, which are due on September 30, 2016; and

WHEREAS, the Borough of Deal has appropriated a payment of \$174,782.00 plus the interest of \$980.46 in the 2016 budget toward the original External BAN's which will be paid on September 30, 2016; and

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Deal authorizes the outstanding External BAN's in the amount of \$174,782.00, with a pay down of \$174,782.00 in principal and \$980.46 in interest as agreed be paid in full.

Seconded by Mayor Cohen

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

October 14, 2016

Commissioner Simhon offers the following Resolution:

Resolution 16-123

WHEREAS, due to the expiration of the current lease for the operation of the Snack Bar at the Deal Casino; and

WHEREAS, the Board of Commissioners wish to obtain bids for the 2017 summer season with options for 2018, 2019, 2020 and 2021.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that competitive bidding be obtained for the operation of the Deal Casino Snack Bar with bids due by November 9, 2016.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 16-124

WHEREAS, due to the expiration of the current lease for the operation of the Kosher Snack Hut at the Deal Casino; and

WHEREAS, the Board of Commissioners wish to obtain bids for the 2017 summer season with options for 2018, 2019, 2020 and 2021.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that competitive bidding be obtained for the operation of the Deal Casino Kosher Snack Hut with bids due by November 9, 2016.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 16-125

WHEREAS, due to the expiration of the current lease for the operation of the Snack Bar at the W. Stanley Conover Pavilion; and

WHEREAS, the Board of Commissioners wish to obtain bids for the 2017 summer season with options for 2018, 2019, 2020 and 2021.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that competitive bidding be obtained for the operation of the W. Stanley Conover Snack Bar with bids due by November 9, 2016.

Seconded by Mayor Cohen

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

October 14, 2016

Commissioner Simhon offers the following Resolution:

Resolution 16-126

WHEREAS, the Borough of Deal is in the completing a drainage and paving project on Marine Place; and

WHEREAS, the Board of Commissioners would like to replace the existing curbing along Marine Place; and

WHEREAS, the Borough Engineer has solicited several quotes from various vendors to complete this work.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal hereby authorizes Fernandez Construction, South River, NJ to replace the curbing along Marine Place in the amount of \$40,000.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 16-127

WHEREAS, the State's CY 2016 / SFY 2017 Best Practices Inventory Questionnaire is required to receive the Municipality's final 5% of State funding; and

WHEREAS, the Borough Administrator and Chief Financial Officer have completed the Inventory and have provided the Board of Commissioners with a copy of said document; and

WHEREAS, a review of this Inventory has been discussed at the regular meeting of the Board of Commissioners on October 14, 2016.

NOW, THEREFORE BE IT RESOLVED BY THE Board of Commissioners that the Best Practice Inventory results were discussed and be filed as required with the State of New Jersey.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 16-128

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:

October 14, 2016

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 28 through the morning of November 1, 2015, inclusive, unless such person shall, during said hours, be returning from work, night school, church, social or school meeting, or enroute 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 Mayor Cohen

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

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

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

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

An invitation was received from the Monmouth County Regional Health Commission for a meet and greet of the Commissioners and staff on September 30, 2016.

A letter was received from Eli Greenburg, 2 Lady Bess Drive, requesting the Commissioners to prohibit smoking on the beaches.

A notice of public hearing was received from Jersey Central Power & Light, proposing an increase in the Company's Rider SBC – Societal Benefits Charge set for October 24, 2016.

October 14, 2016

A resolution was received from the Borough of Sea Bright supporting Revenue Sharing between NJ Casinos, Monmouth Park and the NJ Horseracing Industry.

A resolution was received from the Borough of Freehold opposing Revenue Sharing between NJ Casinos, Monmouth Park and the NJ Horseracing Industry.

The second annual report was received from the Advocates for Children of NJ on the State of Chronic Absenteeism in NJ.

A letter was received from the Monmouth County Library that they will be recognizing the athletic accomplishments of five Monmouth County Olympians on October 23, 2016.

A letter was received from the Borough of Interlaken Planning Board thanking the Commissioners for the use of Deal Borough Hall for their meetings during the renovation of their municipal building.

A letter was received from the Ocean Monmouth Health Alliance advising that October is Breast Cancer Awareness Month.

A notice of hearing was received from Ansell Grimm & Aaron for a variance application in the Borough of Allenhurst at 219 Cedar Avenue.

A letter was received from the Monmouth County Board of Chosen Freeholders advising of the Monmouth County Reclamation Center Host Community Fee is to increase \$1.10 per ton as of November 1, 2016.

A letter was received from the NJ League of Municipalities advising of a 2% dues increase for calendar year 2017.

The September 2016 edition of the Legislative Bulletin was received from the NJ League of Municipalities.

Commissioner Simhon 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 16-10 of the Warrant Register in the amount of \$506,826.87.

Seconded by Mayor Cohen

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

Mayor Cohen requested comments from the floor.

Mary Ann Cronheim, 88 Monmouth Drive, advised the Board of Commissioners that the curb in front of her residence is in need of repair.

Barbara Coffey, 85 Norwood Avenue, inquired about the post on the COBRA website about fees being charged at the beaches. Mayor Cohen stated he was considering charging for beach access and provide lifeguards and beach cleaning. Ms. Coffey asked about bathrooms, Mayor Cohen stated there would not be any additional bathrooms. Ms. Coffey asked if the

October 14, 2016

difference in the new ordinance could be explained. Each change in Ordinance 1136 was explained.

Patty Verrochi, 246 Jerome Ave, Ocean Twp., asked the Board of Commissioners about the landscaping and beautification of the land on Roosevelt Avenue next to the Pump Station. Mayor Cohen stated he is working on a plan making it much nicer. Mrs. Verrochi stated on the OEM website there is a new evacuation plan and stated her concerns about flooding. Mayor Cohen stated that we are working on flood prone areas along with impervious coverage.

Renee Levine, 28 Richmond Avenue inquired about an update on the sewer bills. Mayor Cohen stated we are still waiting on information from NJ American Water. Mrs. Levine asked who could play at the basketball courts next to the Deal Casino, Mayor Cohen stated it is for members of the DSN. Mayor Cohen also stated we have courts at Franco Park and the Borough is looking to add courts at the Beach.

Vince Lepore, 33 Ocean Terrace Long Branch, asked the Board of Commissioners if a fee is charged, will there be a beach utility fund. Mayor Cohen stated there is no beach utility fund and parking will not be addressed. Mr. Lepore asked the time frame for the beach fees, Mayor Cohen stated by the summer season. Mr. Lepore asked about the Best Practices questionnaire and how many "no's" the Borough had. Mr. Lepore was advised six. Mr. Lepore asked if elected officials receive benefits, he was advised they do not. Mr. Lepore asked how we purchase electric. Mr. Lepore was advised we purchase through the NJSEM.

Isadora Chamlin, 5 Poplar Avenue, asked the Commissioners if residents during the winter months can leave lights on outside their residents. Mayor Cohen stated that the Borough may send a letter next summer to the residents. Mrs. Chamlin asked the status of the fence at 85 Ocean, Mayor Cohen stated no decision has been made.

Mayor Cohen 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, October 14, 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 9:45 A.M.

SC _____

MA ABSENT _____

DS _____

Clerk