

January 8, 2018

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on January 8, 2018 at 7:30 P.M.

Present: Mayor Cohen & Commissioner Simhon
Absent: Commissioner Ades
Also Present: Paul Fernicola, 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 Simhon, seconded by Mayor Cohen and carried that the reading of the minutes of the previous meeting held on December 4, 2017 be dispensed with and the same be approved as recorded.

At the December 4, 2017 meeting, Resolution 17-130 was adopted appointing Zachariah Bell as a Probationary Patrolman with the Deal Police Department. Mayor Cohen provided the ceremonial oath to Patrolman Bell with his family, friends and Officers of the Deal Police Department in attendance.

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 18-01

WHEREAS, there exists within the salary ordinance of the Borough of Deal pay ranges for certain positions; and

WHEREAS, the Board of Commissioners are desirous of setting the salaries for the person filling these certain positions,

NOW THEREFORE BE IT RESOLVED, that the following persons receive the assigned salary for the year 2017, said salary to be paid according to section two of the salary ordinance:

Samuel Cohen	3,000.00
Morris Ades	2,500.00
David Simhon	2,500.00
Ronen Neuman, Police Chief (LH)	158,223.03
William Hulse (LH)	147,640.78
Matthew Sharin (LH)	144,880.76
James Ammaturo (LH)	137,066.76
Brian Egan (LH)	133,245.70
Nicholas Vaccaro (LH)	133,245.70
Daniel Kobil (H)	128,245.70
Vincent Volek (LH)	130,230.18
Joseph Ammaturo (LH)	126,803.07
Jonathan Losquadro (H)	120,948.85
Brad Kerney (H)	120,948.85
Daniel Liptak (H)	120,948.85
Daniel Lokerson(H)	87,842.35
Nicholas Dowling(H)	87,842.35
Christopher Mirrione (H)	74,190.25
Jeffrey Kless (H)	63,498.10
Miguel Medina (H)	63,498.10

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Zachariah Bell (H)	50,803.60
Dale Wong	16.00/hr
Igor Bogusevich (LH)	52,098.96
Michael Della Regione(H)	49,282.80
Cole Panaccione (H)	36,270.15
Robert Tomaino (H)	36,270.15
Stephen Carasia, Boro Clerk/Administrator	158,600.00
Theresa Davis, Tax Collector (L)	80,159.07
Michael Egan, Secretary, Deputy Clerk (L)	79,172.21
Alison Gavin, Administrative Clerk	56,100.00
Peter Barnett, Tax Assessor	17,318.92
Scott Basen, Judge Municipal Court	32,512.50
Mary Ellen Supon, Court Administrator (L)	72,368.58
Patricia Weaver, Deputy Court Administrator	15,421.85
Jason Shamy, Prosecutor	28,611.00
Christopher Kelly, Fire Fighter (LH)	101,382.05
Robert Simmen, Fire Fighter (LH)	101,382.05
John Hansen, Relief Driver	15.00/hr
Alan Roussell, Relief Driver	15.00/hr
Russ Williams, Relief Driver	15.00/hr
Dean Stoppiello, Relief Driver	15.00/hr
Fred Fritz, Relief Driver	15.00/hr
Steven Hudson, Relief Driver	15.00/hr
John Burmeister, Relief Driver	15.00/hr
Sandra Lynch, Relief Driver	15.00/hr
Joseph Santorelli, Street & Sewer Superintendent	90,000.00
John Anastasia, Beach Superintendent	86,152.05
Robert Roxey, DPW, Mechanic (L)	81,154.00
Joseph Hagerman, DPW (L)	71,855.00
Harold Josefowitz, DPW (L)	69,841.00
Robert Yorg, DPW (L)	57,119.00
Mark Powers, DPW (L)	57,119.00
Chris Beradesco, DPW (L)	57,119.00
Brent Burns,DPW	39,015.00
Davis Mertz,DPW	32,512.00
Anthony Colasi	31,875.00
Michael Herzog	31,875.00
Benjamin Turetzkin	31,875.00
John Palmer,Sub-Code Plumbing	11,906.75
Eric Sudia Sub-Code Electrical	11,964.60
Ron Viglioto Sub-Code Building	21,420.49
Joseph Ciccone Construction & Fire Official	59,118.18
Thomas Seaman, Chief Financial Officer	9,036.18
Robin Diebert, Deputy Court Administrator	120.00/DAY
Jennifer Simmen	120.00/DAY

(H) Includes Holidays
(L) Includes Longevity
(LH) Includes Longevity & Holidays

Seconded by Mayor Cohen

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

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Commissioner Simhon offers the following Resolution:

Resolution 18-02

BE IT RESOLVED, that the regular meetings of the Board of Commissioners of the Borough of Deal, New Jersey will be held in the Borough Hall meeting room, Durant Square, 190 Norwood Avenue, Deal, New Jersey for the ensuing year, 2018, on the following dates and times:

January 8, 2018 – 7:30 pm
February 14, 2018 – 9:00 am
March 9, 2018 – 9:00 am
April 11, 2018 – 5:00 pm
May 9, 2018 – 5:00 pm
June 13, 2018 – 5:00 pm
July 11, 2018 – 5:00 pm
August 8, 2018 – 5:00 pm
September 13, 2018 – 5:00 pm
October 10, 2018 – 9:00 am
November 14, 2018 – 9:00 am
December 12, 2018 – 9:00 am

BE IT FURTHER RESOLVED that the Borough Clerk will publish notice thereof in the Official Newspapers.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-03

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, New Jersey that the Asbury Park Press and The Coaster be designated the official newspapers for the Borough of Deal for legal notices of the year 2018. Legal ads may be published in either or both of the newspapers listed above.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-04

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, Tax / Conflict 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,

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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	Paul V. Fernicola, Esq.
Tax / Conflict Attorney	Martin Barger, Esq.
Public Defender	Eric Casriel, Esq.
Prosecutor	Jason Shamy, Esq.
Bond Counsel	GluckWalrath, LLP

have submitted proposals indicating they will provide the legal services, engineering services and auditing services for the amounts specified in the 2018 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	Paul V. Fernicola, Esq.
Tax / Conflict Attorney	Martin Barger, Esq.
Public Defender	Eric Casriel, Esq.
Prosecutor	Jason Shamy, Esq.
Bond Counsel	GluckWalrath, 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 2018.

Engineer	Peter Avakian, P.E.
Auditor	Allen Shechter, C.P.A.
Borough Attorney	Paul V. Fernicola, Esq.
Tax / Conflict Attorney	Martin Barger, Esq.
Public Defender	Eric Casriel, Esq.
Prosecutor	Jason Shamy, Esq.
Bond Counsel	GluckWalrath, LLP.

2. The amounts charged for these services will be determined in accordance with the contracts dated as of January 1, 2018 and in effect through December 31, 2018.

3. The said contracts were awarded without public bidding as "Professional Services" under the provisions of said Local Public Contract Law.

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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 Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-05

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Investors Bank, Norwood Avenue, Deal branch, shall be the depository for the following Borough of Deal funds: General Capital, Payroll, General Checking, Sewer Capital, Sewer Checking, Engineering Escrow, Street Opening, Dog Account, Law Enforcement Trust Account, Trust Other Interfund, Tax Collectors Escrow Account, General Reserve, the SUI Fund and Accumulated Leave Compensation.

All disbursements from these accounts shall be made by checks signed by three of the following: Mayor Samuel Cohen, Commissioner Morris Ades, Commissioner David Simhon, Stephen Carasia, Borough Clerk and Theresa Davis, Treasurer.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-06

**RESOLUTION OF THE BOROUGH OF DEAL,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY
FIXING THE RATE OF INTEREST TO BE CHARGED
ON DELIQUENT TAXES OR ASSESSMENTS**

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year,

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey as follows:

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1. The Tax collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31st, an additional penalty of 6% shall be charged against the delinquency.
2. There will be ten (10) days grace period of quarterly tax payments made by cash, check or money order.
3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the date set forth in paragraph one of this resolution.
4. This resolution shall be published in its entirety once in an official newspaper of the Borough of Deal.
5. The Borough Clerk shall provide a certified copy of this resolution to the Tax Collector, Borough Attorney and Borough Auditor for the Borough of Deal.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-07

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the New Jersey Cash Management Fund, shall be the depository for funds not needed immediately and shall be maintained in the following accounts: General, Sewer, and the SUI Fund.

All disbursements from these accounts shall be made by checks signed by three of the following: Mayor Samuel Cohen, Commissioner Morris Ades, Commissioner David Simhon, Stephen Carasia, Borough Clerk and Theresa Davis, Treasurer.

BE IT FURTHER RESOLVED, that any wire transfers from the above listed accounts must have the approval of the three government officials listed above and the funds may only be wired to a Borough of Deal bank account maintained at the Investors Bank or New Jersey Cash Management account.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-08

WHEREAS, the Borough of Deal desires to appoint Deputy Emergency Management Coordinators; and

WHEREAS, such appointment is authorized under NJSA Appendix A:9-33, est. seq.

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NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Matthew Sharin and Brian Egan are hereby appointed Deputy Emergency Management Coordinators. The term of office shall be from January 1, 2018 through December 31, 2018.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-09

WHEREAS, The Borough of Deal is a member of the Monmouth County Community Development Program; and

WHEREAS, the Borough of Deal must appoint a representative and alternate;

NOW, THEREFORE BE IT RESOLVED, that Stephen Carasia Borough Clerk / Administrator is hereby appointed the representative of the Borough of Deal to the Monmouth County Community Development Program for the year to include January 1 through December 31, 2018; and

BE IT FURTHER RESOLVED, that Michael Egan, Deputy Clerk, is hereby appointed the alternate of the Borough of Deal to the Monmouth County Community Development Program for the year 2018.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-10

WHEREAS, N.J.A.C 17:27 requires the Borough of Deal to appoint a Public Agency Compliance Officer (PACO) to perform the duties described in the rules and ensure that the Borough and its contractors comply with these rules; and

WHEREAS, the Borough of Deal shall appoint the Public Agency Compliance Officer at the first meeting in January of each year and notify the Department of the Treasury, State Affirmative Action Office by January 10th.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Stephen Carasia, Clerk/Administrator is appointed as the Public Agency Compliance Officer (PACO) for the year ending December 2018.

BE IT FURTHER RESOLVED that the Clerk send a certified copy of this Resolution to the State Affirmative Action Office.

Seconded by Mayor Cohen

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

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Commissioner Simhon offers the following Resolution:

Resolution 18-11

WHEREAS, there exists a need for to coordinate alcohol, drug and audio hearing testing within the Borough of Deal; and

WHEREAS, Dynamic Testing Service, 230 Main Street, Toms River, NJ 08753 offers the service for alcohol and drug testing; and

WHEREAS, Interstate Mobile Care, P.O. Box 64, Sewell, NJ 08080 offers the service for audio testing; and

NOW, THEREFORE, BE IT RESOLVED that Dynamic Testing Services conduct alcohol and drug testing and Interstate Mobile Care conduct audio testing for the required employees for the Borough of Deal.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-12

WHEREAS, the Local Budget Law, (N.J.S.A. 40:1-19) requires every municipality to make temporary appropriations sufficient to cover commitments made during the period January 1st to the date of adoption of the budget; and

WHEREAS, the total of this temporary budget shall not exceed 26 ¼ % of the total appropriations made for all purposes in the budget for the preceding year excluding appropriations made for interest and debt reduction charges, capital improvement fund and public assistance; and

WHEREAS, 26 ¼ % of the total appropriations in the 2018 budget less the exclusions mentioned in the preceding paragraph in the sum of \$2,512,879.52.

NOW THEREFORE BE IT RESOLVED, that the following temporary appropriations be made and a certified copy of the Resolution be transmitted to the Chief Financial Officer for his records.

2018 Temporary Municipal Budget

1. Department of Public Affairs and Public Safety

Directors Office	
20-110-1 Salaries	1,000.00
20-110-2 Other Expense	500.00
Police	
25-240-1 Salaries	532,000.00
25-240-2 Other Expense	77,041.25
First Aid	
25-260-2 Other Expense	1,312.50

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Prosecutor	
25-275-1 Salaries	9,600.00
25-275-2 130-200 Other Expenses	78.75
Legal Services & Costs	
20-155-1 Salaries	-0-
20-155-2 Other Expenses	20,000.00
Fire	
25-265-1 Salaries	85,000.00
25-265-2 Other Expense	7,284.38
25-265-2 Fire Hydrants	26,000.00
Office of Emergency Management	
25-252-2 Other Expenses	656.25
Aid to Health Care Facilities	
27-360-2 Other Expenses	131.25
Board of Health	
27-330-2 Other Expense	6,500.00
Administrative & Executive	
20-100-1 Salaries	70,000.00
20-100-2 Other Expense	14,437.00
Municipal Land Use - Planning Board	
21-180-1 Salaries	11,900.00
21-180-2 170-200 Other Expense	2,415.00
Municipal Land Use – Zoning Board	
21-185-1 Salaries	11,000.00
21-185-2 Other Expense	1,207.50
Dog/Animal Regulation	
27-340-2 Other Expense	2,225.00
Municipal Clerk	
20-120-2 Other Expense	1,312.50
Human Resources	
20-105-2 Other Expense	1,312.50
TOTAL	882,913.88

2. *Department of Revenue and Finance*

Directors Office	
20-111-1 Salaries	1,000.00
20-111-2 Other Expense	131.25
Assessment of Taxes	
20-150-1 Salaries	6,000.00
20-150-2 Other Expense	10,867.50
Collection of Taxes	
20-145-1 Salaries	10,700.00
20-145-2 Other Expense	2,736.57

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Financial Administration	
20-130-1 Salaries	3,100.00
20-130-2 Other Expense	210.00
Elections	
20-121-2 Other Expense	1,102.50
Insurance	
23-210-2 General Liability	64,700.36
23-215-2 Workers Comp.	81,012.68
23-220-2 Group Ins. Retirees	180,000.00
23-220-2 Group Ins. Employees	264,317.08
Audit Service	
20-135-2 Other Expense	24,794.10
TOTAL	650,672.04

3. Department of Public Works and Public Property

Directors Office	
20-112-1 Salaries	1,000.00
20-112-2 Other Expense	131.25
Vehicle Maintenance	
26-315-2 Other Expense	19,687.50
Traffic Signals	
26-300-2 Other Expense	1,312.50
Streets and Roads Maintenance & Repair	
26-290-1 Salaries	110,454.64
26-290-2 Other Expense	19,608.75
Sanitation	
26-305-1 Salaries	65,000.00
26-305-2 Other Expense	3,806.25
Deal Lake Weed Control	
26-320-2 Other Expense	459.38
Deal Casino	
28-380-1 Salaries	80,000.00
28-380-2 Other Expense	31,657.50
Conover Pavilion	
28-381-1 Salaries	-0-
28-381-2 Other Expense	7,691.25
Public Grounds & Buildings	
26-310-200 Other Expense	13,492.50
Engineering	
20-165-2 Other Expense	15,250.00
Recreation	
28-370-1 Salaries	-0-
28-370-2 Other Expense	367.50

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Parks and Playgrounds	
28-375-1 Salaries	-0-
28-375-2 Other Expense	525.00
Accumulated Leave Compensation	
30-415-2 Other Expense	262.50
TOTAL	370,706.52

4. *Construction Code Regulation*

22-195-1 Salaries	56,000.00
22-195-2 Other Expense	2,493.75
Electrical Sub Code Official	
22-198-1 Salaries	4,000.00
22-198-2 Other Expense	52.50
Plumbing Sub Code Official	
22-196-1 Salaries	4,000.00
22-196-2 Other Expense	52.50
Fire Sub Code Official	
22-197-1 Salaries	2,500.00
22-197-2 Other Expense	105.00
TOTAL	69,203.75

5. *Utilities & Bulk Purchases*

31-430-2 Electricity	15,000.00
31-435-2 Street Lighting	22,000.00
31-440-2 Telephone	12,000.00
31-445-2 Water	8,000.00
31-446-2 Gas	10,000.00
31-455-2 Sewerage	14,000.00
31-460-2 Gasoline & Motor Fuel	35,000.00
32-465-2 Solid Waste Land Fill	50,000.00
TOTAL	166,000.00

6. *Contingent*

Contingent	
35-470-2 Other Expense	656.25
TOTAL	656.25

7. *Statutory Expenditures*

36-472-2 Social Security	68,000.00
36-476-2 SDI Contribution	700.00
36-475-2 Police & Fire Retire	-0-
36-471-2 Public Employees Retire.	-0-
TOTAL	68,700.00

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8. *Municipal Court*

43-490-1 Salaries	50,000.00
43-490-2 Other Expense	8,242.50
TOTAL	58,242.50

9. *Public Defender*

43-495-2 Other Expenses	2,050.00
TOTAL	2,050.00

10. *Interlocal Municipal Service Agreements*

42-250-2 Police Mandates 911 SVC.	2,625.00
42-240-2 Ocean Twp. Tactical Team	275.63
45-250-2 Police Services-Interlaken	199,333.00
45-250-2 Police Service-Loch Arbour	39,000.00
45-250-2 Court Services-Loch Arbour	2,500.95
45-251-2 Public Works-Loch Arbour	
TOTAL	243,734.58

11. *Debt Service*

45-925-2 Note Interest	0.00
TOTAL	0.00

GRAND TOTAL **\$2,512,879.52**

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-13

WHEREAS, the Local Budget Law, (N.J.S.A. 40:1-19) requires every municipality to make temporary appropriations sufficient to cover commitments made during the period January 1st to the date of adoption of the budget; and

WHEREAS, the total appropriations made for all purposes in the budget for the preceding year excluding appropriations made for interest and debt reduction charges, capital improvement fund and public assistance; and

WHEREAS, 26 ¼ % of the total appropriations in the 2017 budget less the exclusions mentioned in the preceding paragraph in the sum of \$275,413.71.

NOW THEREFORE BE IT RESOLVED, that the following temporary appropriations be made and a certified copy of the Resolution be transmitted to the Chief Financial Officer for his records.

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2018 Temporary Sewer Budget

1. Sewer Utility Budget	
55-501-1 Salaries & Wages	\$ 58,275.00
55-502-2 Other Expense	207,294.96
Total	265,569.96
2. Statutory Expenditures	
55-530-2 Pub. Employ. Retirement	5,250.00
55-541-2 Social Security	4,593.75
Total	9,843.75
3. Payment of Bans	
55-523-501 – Interest on Bans	0.00
Total	0.00
Grand Total	\$275,413.71

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-14

WHEREAS, N.J.S.A. 40A:4-5 as amended by P.L. 2017, c.183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," as amended, 42 U.S.C. § 2000e *et seq.*, (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history, as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners of the Borough of Deal, hereby states that it has complied with N.J.S.A. 40A:4-5, as amended by P.L. 2017, c.183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

Seconded by Mayor Cohen

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

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Commissioner Simhon offers the following Resolution:

Resolution 18-15

WHEREAS, the Borough of Deal is in need of a Fire Official and Housing Inspector; and

WHEREAS, Joseph Ciccone, is qualified and licensed to serve as the Fire Official and Housing Inspector; and

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Joseph Ciccone be appointed as the Fire Official and Housing Inspector with the salary to be provided for in the annual budget effective January 1, 2018.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-16

WHEREAS, the Tax Court of New Jersey has ordered a judgment in favor of various property owners within the Borough of Deal requiring a credit of their 2016 and 2017 tax year; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize that the credits ordered by the Tax Court of New Jersey have been issued in 2017 for the following property owners be approved as issued:

Year: 2017

<u>Blk/Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Net Change</u>	<u>Taxes</u>
12/3	Franco, Sally & Michael	19 Morgan Avenue	\$186,300	\$1,298.51
81/8	Ades, Albert & Rochelle	20 Monmouth Dr	\$849,700	\$5,922.41

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-17

WHEREAS, the Tax Court of New Jersey has ordered a judgment in favor of various property owners within the Borough of Deal requiring a credit of their 2016 and 2017 tax year; and

WHEREAS, the same property owner is requesting a refund of that same adjusted amount made payable to the property owner in the amount listed.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize a check to be issued to the property owner for the taxes adjusted as ordered by the Tax Court of New Jersey as listed:

Year: 2017

<u>Blk/Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Net Change</u>	<u>Taxes</u>
6.02/2	Oved 2006 Irr Trust	28 Whitehall Ave	\$354,000	\$2,467.38
36.02/3	S Ezon Family LLC	21 Queen Ann Dr	\$212,800	\$1,483.22

Year: 2016

<u>Blk/Lot</u>	<u>Owner</u>	<u>Address</u>	<u>Net Change</u>	<u>Taxes</u>
36.02/3	S Ezon Family LLC	21 Queen Ann Dr	\$57,200	\$399.83

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-18

WHEREAS, Andree Kraim, 82 Almyr Ave, Block 16 Lot 2 has made an overpayment in taxes in the amount of \$15,143.92; and

WHEREAS, this overpayment has been requested to be refunded to Andree Kraim.

NOW, THEREFORE, BE RESOLVED, by the Board of Commissioners of the Borough of Deal hereby authorize the refund of the Tax overpayment for Block 16 Lot 2 in the amount of \$15,143.92 made payable to Andree Kraim.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-19

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 2017 current fund budget appropriation – payment of Bond Anticipation Notes.

January 8, 2018

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 12, 2017:

<u>BAN NO.</u>	<u>Ord.No.</u>	<u>Description</u>	<u>Amount Due</u>
18-01	1090	Construction of Roseld Rec Facility	\$4,618.60
18-02	1107	Construction of Beach Cabanas	\$34,654.35
18-03	1109	Improvements to Beaches	\$15,033.83
18-04	1110	Purchase of Sanitation Equipment	\$12,783.75
18-05	1113	Improvements to Municipal Buildings	\$715.00
18-06	1127	Improvements to Beaches	\$142,500.00
18-07	1133	Improvements to Streets & Drains	\$144,040.62
18-08	1145	Improvements to Beaches	\$35,282.70
18-09	1146	Purchase of DPW Equipment	\$4,858.00
18-10	1148	Improvements to Streets & Drains	\$42,794.52
18-11	1079	Purchase of DPW Equipment	\$10,159.85
18-12	1095	Purchase of DPW Equipment	\$26,500.00
18-13	1114	Improvements to Marine Place Drainage	\$2,364.50

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 Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-20

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 2017 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 12, 2016:

January 8, 2018

<u>BAN NO.</u>	<u>Ord.No.</u>	<u>Description</u>	<u>Amount Due</u>
S18-01	1054	Improvements to Sanitary Sewers	\$947.50
S18-02	1150	Purchase of Sanitary Equipment	\$4,275.00
S18-03	1055	Purchase of Sanitary Equipment	\$3,271.00
S18-04	1064	Improvements to Sanitary Sewers	\$29,602.00
S18-05	1065	Purchase of Sanitary Equipment	\$86,850.00

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 Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-21

WHEREAS, the Municipal Land Use Law allows for refunding of unused escrow deposits, Cash Bonds, and accumulated interest; and

WHEREAS, the Borough of Deal has received deposits for Review, Inspection Fees and Cash Bonds; and

WHEREAS, it has been determined that the various applications and projects listed below have been withdrawn or received approval for release;

<u>Address</u>	<u>Owner</u>	<u>Balance</u>
136 Ocean Ave	Harry Adjmi	\$1,040.00
100 Neptune Ave	Edward Alfaks	\$1,805.00
41 Richmond Ave	Isaac Ashkenazi	\$1,100.00
34-36 Morgan Ave	Avi Ben-Dayan	\$1,310.00
4 Seaview Lane	Abraham Chehebar	\$1,480.00
27 Wallace Rd	Isaac Chehebar	\$160.00
11 Hathaway Ave	AS Builders	\$1,760.00
18 Queen Ann Dr	Daniel Cohen	\$1,015.00
226 Norwood Ave	Stephen Elbaz	\$560.00
47 Neptune Ave	Morris Hanam	\$282.50
47 Poplar Ave	Joseph Franco	\$452.50
27 Roseld Ave	Israel Israel	\$1,800.00
22 Neptune Ave	Alan Jemal	\$2,330.00
82 Almyr Ave	Andree Kraiem	\$1,825.00
17 Queen Ann Dr	David Levy	\$65.00
212 Ocean Ave	Mamiye	\$905.00
74 Lehman Ave	Rich Matthews	\$982.50
76 Hathaway Ave	Richard Mizrahi	\$1,220.00
3 Tiny Lane	Lillian Montaque	\$1,242.50
41 & 45 Poplar Ave	Joe Nakash	\$855.00
12 Almyr Ave	Joel Ezon	\$1,375.00

January 8, 2018

15 Marine Pl

Ezra Shehebar

\$890.00

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey that the above applicants be refunded the remaining escrow balances.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-22

WHEREAS, the Borough of Deal has received funds and placed into the Police Overtime Escrow for off-duty police jobs; and

WHEREAS, those assigned jobs have been completed; and

WHEREAS, it has been determined that there still exists an outstanding balance in the below list:

<u>Owner</u>	<u>Balance</u>
Asphalt Restoration	\$1,440.00
Robyn Chalme, 1 Roseld Ave	\$400.00
Competitor Group	\$260.00
Deal Board of Education	\$960.00
Fletcher & Creamer	\$280.00
Allan Jemal	\$30.00
Kline Construction	\$32.50
Sephardic Community Center	\$80.00
Lucas Construction	\$32.50

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey that the above Police Overtime Escrow balances be refunded to the owner/company.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-23

WHEREAS, the Borough of Deal has received funds and placed into the Police Overtime Escrow for off-duty police jobs; and

WHEREAS, those assigned jobs have been completed; and

WHEREAS, these funds have been placed into the escrow account prior to 2007 and no information exists to reimburse these fund, and

WHEREAS, the Borough will cancel these balances and place into surplus of the General Fund:

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<u>Owner</u>	<u>Balance</u>
Top Gun	\$81.73

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey that the above Police Overtime Escrow balances be cancelled and placed into surplus of the General Fund.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-24

WHEREAS, Visiting Nurse Association of Central Jersey provides the residents of the Borough of Deal with a variety of public health nursing services as prescribed by the NJ State Department of Health and Public Law.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that an agreement be made for the year 2018 with the Visiting Nurse Association of Central Jersey at a cost of \$1,429.00 for services as specified in the Articles of Agreement and that the Mayor and Clerk be authorized to sign the agreement.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-25

WHEREAS, the Borough of Deal is required to appoint a representative to the Deal Lake Commission; and

WHEREAS, Elliot Chera, Jerome Avenue, expressed an interest in becoming the representative for the Borough of Deal on the Deal Lake Commission.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Elliot Chera, Jerome Avenue, Deal be appointed as the representative to the Deal Lake Commission to commence January 1, 2018 and to expire December 31, 2018.

Seconded by Mayor Cohen

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

January 8, 2018

Commissioner Simhon offers the following Resolution:

Resolution 18-26

WHEREAS, James Rogers has retired from the Borough of Deal as of December 31, 2015; and

WHEREAS, James Rogers has been the Chairman for the Monmouth Joint Insurance Fund; and

WHEREAS, the Monmouth JIF has asked James Rogers to continue in the role as Chairman of the Monmouth County JIF.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that James Rogers be the appointed as the liaison with the Monmouth Joint Insurance Fund to serve as the Chairman at a cost of \$1.00.

Seconded by Mayor Cohen

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

Commissioner Simhon offers the following Resolution:

Resolution 18-27

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of January; 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 January 31, 2018 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 \$1,700,000.00 be paid at this time.

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 December was received from Chief Ronen Neuman.

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

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

A letter was received from Assemblyman Eric Houghtaling and Assemblywoman Joann Downey thanking the Board of Commissioners for the use of the Deal Casino for their Mobile Office Hours.

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A letter was received from Kristen Schroeter, Girls Wave Riding LLC, thanking for allowing her to operate her surf camp on the beach in 2016 and 2017 and looking forward to continuing in the future.

A resolution was received from the Monmouth County Board of Chosen Freeholders enacting modifications to the annual collection rate for the Monmouth County Open Space.

A letter was received from NJ American Water advising of their public hearing to increase tariff rates and charges for water service.

A letter was received from the Deal Fire Company #2 advising of their elected officers for 2018.

A letter was received from the Municipal Excess Liability Joint Insurance Fund providing their MEL Annual Report.

A letter was received from NJ State League of Municipalities announcing the Louis Bay 2nd Future Leaders Scholarship Competition for High School juniors and seniors.

An application for a raffle was received from Christian Brothers Academy Alumni Foundation for September 7, 2018 at the W. Stanley Conover Pavilion. The Board of Commissioners approved the raffle.

An application for a raffle was received from Georgian Court University for May 7, 2018 at the Deal Golf & Country Club. The Board of Commissioners approved the raffle.

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 18-01 of the Warrant Register in the amount of \$705,815.88.

Seconded by Mayor Cohen

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

Mayor Cohen requested comments from the floor.

Barbara Coffey, 85 Norwood Avenue, stated that there are houses listed on AirBnB, she was advised that one violation notice has been sent out and the other two are unidentified at this time. Ms. Coffey inquired about the incident with Monmouth College, Chief Neuman stated that 3 people were arrested and 2 were transported to Monmouth Medical Center. Ms. Coffey asked what the outreach plans for 2018 would be for the Commissioners, Mayor Cohen stated that they have not made plans yet. Ms. Coffey stated that the Deal School and other functions were not attended by the Commissioners, Commissioner Simhon stated he will speak to the school to inquire about future events.

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

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It was announced that the next meeting of the Board of Commissioners, which will be the reorganization meeting, will be on Wednesday, February 14, 2018 at 9:00 A.M.

There being no further business or comments, it was moved, seconded and approved that the meeting be adjourned at 7:52 P.M.

SC _____

MA _____ ABSENT _____

DS _____

Clerk