

May 10, 2019

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on May 10, 2019 at 9:00 A.M.

Present: Mayor Cohen, Commissioner Ades & Commissioner Simhon
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 Commissioner Ades and carried that the minutes of the previous meeting held on April 10, 2019 be approved as recorded.

Ordinance 1195 to amend Chapter XXX – Development Regulation was introduced by Commissioner Simhon, seconded by Commissioner Ades.

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

Public Hearing for this ordinance will be given on June 12, 2019 at 9:00 A.M.

ORDINANCE NO. 1195

AN ORDINANCE AMENDING CHAPTER XXX DEVELOPMENT REGULATIONS OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Borough to revise certain portions of its existing Borough Code to require a rendering for all planning board applications, change the setbacks for accessories and remove the encroachment of porches in the front yard; and

WHEREAS, the Borough Planning Board has reviewed the changes on May 2, 2019 and has recommended that such changes to the Development Regulation are consistent with the Master Plan.

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

Section 1. Chapter XXX, of the Ordinances of the Borough of Deal are hereby amended by the following:

CHAPTER XXX

DEVELOPMENT REGULATION

30-86.3 Accessory Uses

30-86.3b Standards for Accessory Uses. See Schedule B, Standards for Accessory Uses.

Minimum Distance from Side and Rear Lot Lines

Greenhouses – 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure. Every 1 foot increase in height of the structure will require 1 foot increase in setback.

Garages - 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure.

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Every 1 foot increase in height of the structure will require 1 foot increase in setback.

All other Accessory Uses - 10 feet minimum setback for an accessory 10 feet in height measured from grade to the highest point on the structure. Every 1 foot increase in height of the structure will require 1 foot increase in setback.

Note (1) - Unnatural and/or structural alterations to the topography of a property to achieve a lower height elevation of an accessory shall not be permitted.

30-20 Submission of Informal Plat for Minor and Major Developments

30-20.2 Filing Procedures

- a. The developer shall submit to the Administrative Officer at least ten (10) days but not more than twenty (20) days prior to the public meeting of the Approving Authority eight (8) black-on-white copies of the preliminary plat; eight (8) completed copies of the application form for preliminary approval; two (2) completed copies of the preliminary checklist; three (3) copies of any protective covenants, deed restrictions and easements applying to the land being developed; three (3) copies of the drainage calculations and soil erosion and sediment control data as required by this chapter; the applicable fee; certification by the Tax Collector that all taxes are paid to date; **and a color street view rendering from each roadway frontage showing the proposed improvements.**

Section 2. The Borough Administrator /Clerk is directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required).

Upon the adoption of this Ordinance after public hearing thereon, the Borough Administrator/Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Commissioner Ades offers the following Resolution:

Resolution 19-71

RESOLUTION TO AUTHORIZE THE SALE OF MUNICIPAL PERSONAL PROPERTY THROUGH ON LINE AUCTION

WHEREAS, the Borough of Deal has determined that certain personal property as described on the below listed "Schedule A" is no longer needed for public purposes; and

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WHEREAS, N.J.S.A. 40A:11-36 requires that all such personal property be sold at public sale to the highest bidder; and

WHEREAS, the Borough of Deal has selected Auction Liquidation Services to conduct an on-line auction.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, as follows:

1. The below listed "Schedule A" of Borough Property is hereby declared surplus, and is no longer needed for public purposes; and
2. The On-Line Auction will commence on June 8, 2019, at 9:00 a.m. and close on June 12, 2019 at 7:00 p.m. on the website www.usgovbid.com; and
3. Preview of items for sale will be on Monday, June 10, 2019 from 9:00 am to 4:00 p.m. This will be the ONLY date and time for preview and it will be held at the Borough of Deal Public Works Building, 80 Runyan Avenue, Deal, NJ; and
4. The Borough Clerk is hereby authorized to advertise a public sale of said property according to N.J.S.A.40A:11-36(3).

SCHEDULE "A"

MAKE	MODEL	YEAR	COLOR	VIN#
John Deere	500g Dozer	1989		4093
Komatsu	D68e Dozer	1987		1326
International	Tandem Dump Truck	1992	Red	22963
Ford	Crown Victoria	2008	Beige	0839
Generator	MEP 806B -60K Diesel			Hx71146
Generator	MEP 002a – 5K Diesel			00970
Air Compressor	14M125 – Diesel			923265
Fisher Plow	8 foot			27617
Henderson	FSHX18/11x30435 Salt Spreader			F8x-25253
Water Trailer	500 Gallon			
Shipping Container	40 foot			

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-72

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 substitute Prosecutor 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 services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, N.J.S.A. 40A:11-1, et seq; and

WHEREAS, the Borough wishes to retain the services of the following business entities to provide substitute Prosecutor for the remainder of 2019:

Prosecutor-Substitute

James Carton, Esq.
Paul Granick, Esq.

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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 remainder of 2019.

Prosecutor-Substitute

James Carton, Esq.
Paul Granick, Esq.

2. This contract is awarded without competitive bidding as "Professional Services" under the provisions of said Local Public Contract Law.
3. The amounts authorized for this contract shall not exceed \$3,000 without the prior written approval of the Board of Commissioners.
4. A copy of the Resolution shall be published in The Coaster within 10 days of its passage.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-73

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 substitute Public Defenders 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 services to be provided are considered to be "Professional Services" pursuant to the Local Public Contracts Law, *N.J.S.A. 40A:11-1, et seq*; and

WHEREAS, the Borough wishes to retain the services of the following business entities to provide substitute Public Defenders for the remainder of 2019:

Public Defender-Substitute

David Gardner, Esq.
Kevin Bransley, Esq.

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:

5. The following appointments are hereby ratified and confirmed for the remainder of 2019.

Public Defender-Substitute

David Gardner, Esq.
Kevin Bransley, Esq.

6. This contract is awarded without competitive bidding as "Professional Services" under the provisions of said Local Public Contract Law.
7. The amounts authorized for this contract shall not exceed \$3,000 without the prior written approval of the Board of Commissioners.

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8. A copy of the Resolution shall be published in The Coaster within 10 days of its passage.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-74

BE IT RESOLVED, that the following persons are hereby appointed for summer positions at the Deal Casino and Conover Pavilion, June 2019 through September 2019 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budget.

2019 management and supervisor salaries

Carrie Sniffen	\$24,000
Ted Bahlman	\$19,000
Lisa Listo	\$16,000
Gerlando Lotempio	\$12,000
Lifeguard Captain	\$15,000
Aquatics Director	\$15,000
Recreation Supervisor	\$7,000

2019 Casino Staff hourly salaries:

Lucas Beltran	\$8.00
Molly Bonett	\$7.00
Rafael Blotner	\$9.00
Kate Braun	\$7.00
Carli Brush-Stoll	\$11.00
Calvin Chambers	\$9.00
Noelle Chant	\$11.00
Catherine Coffenberg	\$10.00
Rosemarie Critelli	\$8.00
Charles Cohen	\$8.00
Anthony DiDario	\$7.00
Jenn Doremus	\$14.00
Leah Duffy	\$7.00
Carlie Ferraro	\$10.00
Avalon Fiori	\$12.50
Garrett Freund	\$10.00
Emily Forgash	\$10.00
Mason Gallina	\$15.00
Harry Greenspan	\$7.00
Jake Hough	\$8.00
Riley Italiano	\$9.00
Corey Karpe	\$10.00
Madison Karpe	\$10.00
Anthony Kean	\$12.00
Kristin Kean	\$12.00
Victor Khdideh	\$7.00
Danielle Kroll	\$10.00
Summer Lampinen	\$11.00
Jack Massry	\$9.00
Emma Masica	\$7.00
Jackson McDonough	\$11.00
Zachariah Miller	\$7.00

Alan Molina	\$13.00
Alexandra Muscillo	\$8.00
Jack Natalino	\$7.00
Sara Phox	\$10.00
Dylan Rizzo	\$10.00
Isabel Romero-Avila	\$7.00
Anthony Sallustio	\$8.00
Victoria Santos	\$10.00
Logan Scherr	\$9.00
Kim Schmidt	\$11.00
Brielle Schneider	\$10.00
Michael Shamula	\$8.00
Annalisa Simons	\$15.00
Nicholas Simons	\$13.00
Kelly Sniffen	\$7.00
Taylor Sniffen	\$14.00
Jeff Timmons	\$15.00
Brandon Tracey	\$10.00
Melanie Vasilew	\$14.00
Kendyl Vivian	\$9.00
Syd Woolley	\$11.00

2019 Conover Staff hourly salaries

Alex Claudio	\$12.00
Leonardo Espildoro	\$8.50
David Hiers	\$8.50
Alex Koenig	\$8.50
Garrett Laffler	\$9.00
Cecilia Listo	\$9.00
Ava McLaren	\$8.50
Alex Segoura	\$8.50
Anthony Serrao	\$8.50
Alana Serrao	\$8.50

2019 Lifeguard Staff hourly salaries

Allessandra Arege	\$8.75
Sydney Bendik	\$9.00
Jonah Bass	\$12.00
Richard Bianchi	\$15.00
Hugh Burgdorf	\$12.50
Carlia Caamano	\$9.00
Conor Carbone	\$9.75
Kayla Carbone	\$12.00

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Michelle Conlon	\$11.00	Madison Mastando	\$9.50
Bailey Crochet	\$15.00	Jake McAvoy	\$8.75
Ian Dwyer	\$13.00	Kenna McGovern	\$8.75
Joey Epstein	\$10.00	Timothy Presley	\$10.00
Elena Fisher	\$8.75	Tyler Rossback	\$15.00
Christian Foley	\$13.50	Jillian Sallustio	\$13.50
Anna Greenberg	\$12.00	Jacob Sedor	\$9.50
Corey Hagerman	\$12.00	AJ Shirley	\$10.50
Cameron Hellmers	\$8.75	Jake Shirley	\$10.00
Meaghan Hellmers	\$8.75	Tim Sparrock	\$13.50
Rachel Hroncic	\$10.00	Michael Suyama	\$9.50
Emma Knight	\$9.50	T.J. Shea	\$8.75
Ryan Lavender	\$14.00	Jake Turner	\$9.75
Abby Lewis	\$13.50	Jason Van Brunt	\$10.50
Lexi Lewis	\$15.00	Chris Vivian	\$15.00
Justin Lubas	\$14.00	Elizabeth Welsh	\$8.75
Neil Martin	\$11.50	Andrew Worthington	\$15.00
Arielle Mastando	\$10.50	Gabrielle Zimmerman	\$12.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-75

WHEREAS, it is necessary to have a change fund available for the operation of the Deal Casino and Conover Pavilion during the summer months that the beaches 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 Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-76

WHEREAS, the apron in front of the Deal Firehouse is in need of repair to to tripping hazards; and

WHEREAS, the Borough has received two (2) quotes to purchase new pavers for the apron which will be installed by the Deal DPW; and

WHEREAS, proposals were received ranging in cost from a high of \$25,304.76.00 from NJ Gravel and Sand, Wall, NJ, and a low bid of \$20,094.13 from John Guire Co., Long Branch, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of new pavers for the apron at the Deal Firehouse to John Guire Co., Long Branch, NJ at a cost of \$20,094.13.

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Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-77

WHEREAS effective July 1, 2015 the Governor has authorized an adjustment to the bid thresholds for contracting units subject to the Local Public Contracts Law which allows local contracting units with an appointed Qualified Purchasing Agent to increase their bid threshold to a maximum of 40,000.00;

WHEREAS N.J.S.A. 40A:11-3-C permits an increase in the bid threshold if a Qualified Purchasing Agent is appointed as well as granted the authorization to negotiate and award such contracts below the bid threshold; and

WHEREAS, Theresa Davis possesses the designation of Qualified Purchasing Agent as issued by the Director of the Division of Local Government Services in accordance with N.J.A.C. 5:34-5 et. seq.; and

WHEREAS Theresa Davis is the official QPA on file with the Director of Division of Local Government Services for the Borough and the Borough desires to take advantage of the increased bid threshold;

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Deal, hereby increases its bid threshold to \$40,000.00; and

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-78

Resolution Expressing Support for Legislation Increasing State Funding to The "Shore Protection Fund" From \$25 Million To \$50 Million (S-1614/A-826)

WHEREAS, the State of New Jersey maintains the Shore Protection Fund, which was established in 1992; and

WHEREAS, the Shore Protection Fund provides important funding that allows the State and municipalities to engage in cost-share partnerships with the U.S. Army Corps of Engineers on shore protection projects including beach restoration and maintenance; and

WHEREAS, the Shore Protection Fund is funded by State realty transfer fee revenue, and is currently capped at \$25 million, an amount that was last adjusted in 1999; and

WHEREAS, following the devastating effects of Superstorm Sandy, it has become evident that the current funding to the Shore Protection Fund is inadequate for allowing the State and municipalities to fund necessary projects; and

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WHEREAS, pending before the Legislature are bills S-1614 and A-826, which would increase the cap on funding to the Shore Protection Fund to \$50 million; and

WHEREAS, the Board of Commissioners believes this proposed increase to the Shore Protection Fund is essential to protecting the shoreline of the Borough of Deal and that of every other shore community comprising the Jersey Shore.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal in the County of Monmouth, State of New Jersey, that it hereby expresses its support for an increase in funding to the Shore Protection Fund from \$25 million to \$50 million, as provided in the bills pending before the Legislature as S-1614 and A-826.

BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to Governor Phil Murphy, Senate President Steve Sweeney, Assembly Speaker Craig Coughlin, Senator Vin Gopal, Assemblywoman Joann Downey, and Assemblyman Eric Houghtaling.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-79

Approval of Change Order #1 for Improvements to Ocean Avenue Phase III

WHEREAS, the Borough of Deal awarded a contract for improvements to Ocean Avenue Phase III to Fernandes Construction, Inc., 25 Stonegate Drive, Monroe, NJ at a cost of \$640,745.00; and

WHEREAS, the Borough Engineer recommended the following change to improvements to the Ocean Avenue Phase III:

1. Wallace Road Sanitary Sewer Repair	Add	\$6,000.00
2. New Manhole Frame and Lid (13)	Add	\$5,200.00
3. Reconstruct Inlet Type "D"	Add	\$7,000.00

Total **\$18,200.00**

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the Improvements to Ocean Avenue Phase III as specified by the Borough Engineer changing the contract amount to \$658,945.75.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Simhon offers the following Resolution:

Resolution 19-80

WHEREAS, Fernandes Construction, Inc., Monroe, NJ has been awarded a contract for the Ocean Avenue Phase III Improvements at a cost of \$658,945.00; and

WHEREAS, Fernandes Construction Inc. has requested payment #1 in the amount of \$567,112.21; 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 #1 of \$567,112.21 be made to Fernandes Construction Inc. for the improvements to Ocean Avenue Phase III.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-81

WHEREAS, Sergio's Pool Service, Inc., Ottsville, PA has been awarded the Improvements to the Baby Pool at the Deal Casino at a cost of \$35,130.00; and

WHEREAS, Sergio's Pool Service, Inc. has requested payment in the amount of \$35,130.00; and

WHEREAS, the Superintendent of Beaches 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 \$35,130.00 be made to Sergio's Pool Service Inc. for the improvements to the Baby Pool at the Deal Casino.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-82

WHEREAS, Pax Construction, Inc., West Long Branch, NJ has been awarded the Improvements to the Main Pool at the Deal Casino at a cost of \$39,800.00; and

WHEREAS, Pax Construction, Inc. has requested payment in the amount of \$39,800.00; and

WHEREAS, the Superintendent of Beaches has verified that the work to date has justified this payment;

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the payment of \$39,800.00 be made to Pax Construction Inc. for the improvements to the Main Pool at the Deal Casino.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-83

WHEREAS, the Borough is in need of purchasing a skid steer for public works; and

WHEREAS, the Borough has obtained a quote from Foley CAT which utilizes the SourceWell / NJPA Cooperative Purchasing number 032515-CAT; and

WHEREAS, the Borough mechanic has examined the skid steer spec and determined it to be suitable for our needs.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a 2019 Caterpillar 259DHF CTL-SSL Loader with attachments be purchased and paid for at a cost of \$83,497.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-84

WHEREAS, an opening has occurred for a laborer within the Department of Public Works; and

WHEREAS, Riley Allan, has been recommended for the position of laborer within the Department of Public Works.

NOW THEREFORE BE IT RESOLVED, that Riley Allan be appointed a Laborer effective May 16, 2019 at an annual base salary of \$34,000, paid bi-monthly.

BE IT FURTHER RESOLVED, that Riley Allan is to be assigned his duties by the Superintendent of Public Works consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-85

WHEREAS, the video conferencing equipment utilized by the Municipal Court to connect with the jail system is in need of replacement due to repairs and age; and

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WHEREAS, the Borough has received three (3) quotes to purchase a new video conferencing system; and

WHEREAS, proposals were received ranging in cost from a high of \$9,833.00 from CDW-G, Eatontown, NJ, and a low bid of \$8,725.00 from Impact Technology Solutions LLC, Mt. Laurel, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of new video conferencing equipment for the Deal Municipal Court to Impact Technology Solutions LLC, Mt. Laurel, NJ at a cost of \$8,725.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-86

WHEREAS, Aurora Environmental, Inc., Union Beach, NJ has been awarded the installation of a new gas pump at the Borough Garage at a cost of \$21,950.00; and

WHEREAS, Aurora Environmental, Inc. has requested payment in the amount of \$21,950.00; and

WHEREAS, the Superintendent of Public Works and the Construction Department 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 \$21,950.00 be made to Aurora Environmental Inc. for the installation of the new gas pump at the Deal Borough Garage.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 19-87

WHEREAS, Boundary Fence Co., West Long Branch, NJ has been awarded the installation of a new fence for the Baby Pool at the Deal Casino at a cost of \$6,350.00; and

WHEREAS, Boundary Fence Co. has requested payment in the amount of \$6,350.00; and

WHEREAS, the Superintendent of Beaches 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 \$6,350.00 be made to Boundary Fence Co. for the installation of the new fence for the baby pool at the Deal Casino.

Seconded by Commissioner Ades

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Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-88

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Dale E. Wong as a Class II Special Police Officer in the Borough of Deal.

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

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Dale E. Wong, having completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 16, 2019, unless removed from office by the Chief of Police before the end of the one year term. Special Officer Wong is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-89

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Nicolas Tomaio as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Officer Tomaio has successfully completed his course of instruction at the Cape May County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Nicolas Tomaio, having completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Tomaio is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-90

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

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WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Derek Ball as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Officer Ball will be completing his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Derek Ball, having completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Ball is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-91

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Elijah Smith as a Class II Special Police Officer in the Borough of Deal.

WHEREAS, Officer Smith will be completing his course of instruction at the Ocean County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class II Special Police Officer, Elijah Smith, having completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 15, 2019, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Smith is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 19-92

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of May; 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 May 31, 2019 be approved in the amount not to exceed \$300,000.00; and

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BE IT FURTHER RESOLVED that the miscellaneous expenses not to exceed the amount of \$300,000.00 be paid at this time.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Proclamation:

Proclamation

**DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL
GUN VIOLENCE AWARENESS DAY**

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in the Borough of Deal to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, every day, 100 Americans are killed by gun violence and on average there are nearly 13,000 gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other high-income countries; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from people with dangerous histories; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just a week later, should be now celebrating her 22nd birthday; and

WHEREAS, to help honor Hadiya - and the 100 Americans whose lives are cut short and the countless survivors who are injured by shootings every day - a national coalition of organizations has designated June 7, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 7th, the first Friday in June in 2019, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 7, 2019, Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands, and encourage responsible gun ownership to help keep our children safe.

May 10, 2019

NOW, THEREFORE BE IT RESOLVED, that Mayor Samuel M. Cohen of the Borough of Deal declares June 7, 2019 to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

Seconded by Mayor Cohen

Roll Call: Ayes 3; Cohen, Ades & Simhon

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

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

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

A resolution was received from the Monmouth County Board of Chosen Freeholders opposing the Williams/NESE Raritan Bay Pipeline.

The Legislative Bulletin for March 2019 was received from the NJ League of Municipalities.

A letter was received from the Monmouth County Park System advising that the Municipal Open Space Grant Program – 2019 Funding was available.

An email was received from the Sephardic Bikur Holim requesting permission for the Young Adults carnival on Saturday July 13th. The Board of Commissioners approved the carnival.

An email was received from the Deal Sephardic Network advising they would be holding a groundbreaking event on Friday, July 12th at the DSN leased property next to the Deal Casino. The Board of Commissioners approved the event.

Commissioner Ades 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 19-05 of the Warrant Register in the amount of \$2,960,567.81.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen moved to open the floor to public comments, seconded by Commissioner Simhon and approved.

Isadora Chamlin, 5 Poplar Avenue, stated to the Board of Commissioners that drivers on Norwood Avenue do not use indicators and the police need to take care of the violations. Mrs. Chamlin also stated that when people want to make a left turn they cut in front to make a turn, which can cause an accident.

May 10, 2019

Barbara Coffey, 85 Norwood Avenue, asked that Mr. Kassin step off of the Deal Lake Commission due to conflict because of the location of his home. Ms. Coffey asked how many meetings he has attended, she replied none. Ms. Coffey stated that the Agenda was not posted on the website until yesterday. Ms. Coffey stated that she did not like the trees on Norwood Avenue and that it needs to be changed back to grass. Mayor Cohen stated that NJ DOT provided funding and designed the islands.

Vincent Lepore, 33 Ocean Ave, Long Branch, stated to the Board of Commissioners that some towns post public comment on the agenda prior to reading the resolutions. Mr. Lepore also suggested each resolution be added to the agenda. Mr. Lepore also asked that a beach utility fund be established to stream line beach operations. Mr. Lepore asked the status of the lawsuit on Neptune Avenue, Paul Fernicola, Borough Attorney, stated it is set for possibly July 10th.

Barbara Coffey, stated that the event for SBH was approved and if any Commissioner is associated with the SBH. Commissioner Simhon asked why does that matter. Ms. Coffey stated it could be a conflict. Ms. Coffey stated that the Borough does not allow portable bathrooms and how they will be handled. She was advised that they will be handled by the construction department.

David Hedaya, Brooklyn NY, asked the Board of Commissioners if they would consider allowing the building of small houses in the rear yard of his parents house. Commissioner Ades stated that the zoning laws do not allow and that the Commissioners hold that strictly.

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

Commissioner Ades offers the following Resolution:

Resolution 19-93

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 a personnel matter and litigation.

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 Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

The Board of Commissioners entered into closed session to discuss a personnel matter and litigation at 9:32 A.M.

May 10, 2019

The Commissioners returned to open session at 9:50 A.M.

It was announced that the next meeting of the Board of Commissioners, which will be on Wednesday, June 12, 2019 at 9:00 A.M.

There being no further business or comments, it was moved by Commissioner Ades and seconded by Commissioner Simhon that the meeting be adjourned at 9:50 A.M.

SC _____

MA _____

DS _____

Clerk