

August 14, 2019

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on August 14, 2019 at 9:00 A.M.

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.

Mary Anne Cronheim, 88 Monmouth Drive, objected to the meeting that proper notice was not given. Mrs. Cronheim stated that an agenda was not published 48 hours prior to the meeting. Paul Fernicola, Borough Attorney, stated that this was a regular scheduled meeting set at the beginning of the year at the reorganization meeting. Mr. Fernicola stated that the meeting was properly noticed and advised the Board of Commissioners that they can proceed with the meeting.

Present: Mayor Cohen, Commissioner Ades & Commissioner Simhon  
Also Present: Paul Fernicola, Borough Attorney

It was moved by Commissioner Simhon, seconded by Commissioner Ades and carried that the minutes of the previous meeting held on July 9, 2019 be approved as recorded.

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

**Resolution 19-118**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2018 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A:5-6, and a copy has been received by each member of the governing body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations, and,

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and,

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the

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Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, That the Board of Commissioners of the Borough of Deal, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-119**

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to cause an annual audit of its books, accounts and financial transactions to be made and completed within six months after the close of its fiscal year; and

WHEREAS, the audit for transition year ending December 31, 2018 was presented to the governing body on August 14, 2019; and

WHEREAS, all government units must prepare and submit a Corrective Action Plan as part of the annual audit process; and

WHEREAS, the Corrective Action Plan shall cover all findings and recommendations, including state, federal, and general or financial statement findings in the audit report; and

WHEREAS, the Chief Financial Officer shall prepare said Corrective Action Plan with the assistance from other officials affected by the audit recommendations; and

WHEREAS, the Corrective Action Plan must be approved by the governing body of the local unit and is to be submitted to the Division of Local Government Services no later than sixty days from the receipt of the audit report.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Corrective Action Plan for transition year ended December 31, 2018 is hereby approved; and

BE IT FURTHERRESOLVED, that a copy of the Corrective Action Plan will be placed on file in the Office of the Borough Clerk.

Seconded by Commissioner Simhon

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Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-120**

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2020; and

WHEREAS, the Borough of Deal is desirous of submitting an application under this program for the following purpose:

- Improvements to Roosevelt Avenue

NOW, THEREFORE, BE IT RESOLVED by the Board Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2020 Roosevelt Avenue - 00573 to the New Jersey Department of Transportation on behalf of the Borough of Deal; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Deal and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-121**

WHEREAS, Earle Asphalt Company, Farmingdale, NJ has been awarded a contract for the Parker Avenue and Drummond Road Improvements at a cost of \$177,913.13; and

WHEREAS, Earle Asphalt Company has requested payment #2 in the amount of \$3,186.53; and

WHEREAS, the Superintendent of Public Works 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 #2 of \$3,186.53 be made to Earle Asphalt Company for the improvements to Parker Avenue and Drummond Road.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades motioned to table the following Resolution:

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**Resolution 19-122**

WHEREAS, the NJ Department of Environmental Protection has requested a Deed of Dedication and Perpetual Public Access Easements from the Borough of Deal associated with public access to tidal waterways at certain street ends; and

WHEREAS, the proposed Deed of Easement would be used to complete the Borough's Municipal Public Access Plan; and

WHEREAS, the NJ Department of Environmental Protection requires these easements so the Borough may maintain the Coastal General Permit authorizing beach maintenance.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that it hereby accepts the proposed form of Deed of Dedication and Perpetual Public Access Easement and attached hereto and made part hereof and authorizes and directs the Mayor to execute the same upon final attorney review.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-123**

**RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE  
MONMOUTH MUNICIPAL JOINT INSURANCE FUND**

WHEREAS, Deal Borough is a member of the Monmouth Municipal Joint Insurance Fund; and

WHEREAS, said renewed membership terminates as of December 31, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Deal Borough agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

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**Resolution 19-124**

**AMEND SHARED SERVICE AGREEMENT  
REGARDING LAW ENFORCEMENT AND MUNICIPAL COURT SERVICES**

WHEREAS, N.J.S.A. 49:8A-1 authorizes a municipality to enter into a contract with another municipality for the joint provision of services; and

WHEREAS, the Borough of Deal and the Village of Loch Arbour have negotiated to amend the current Shared Service Agreement for public works; and

WHEREAS, the Borough of Deal and the Village of Loch Arbour wish to enter into an agreement whereby the Borough of Deal will provide additional recycling material pickup.

NOW, THEREFORE BE IT RESOLVED, as follows:

1. The Borough of Deal hereby agrees to the attached shared service amended agreement and all contractual provisions held within.
2. The Mayor and Municipal Clerk are hereby authorized to execute said agreement.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-125**

WHEREAS, Deep Search Metal Detecting Club, NJ has requested the rental of the W. Stanley Conover Pavilion for an event on November 16, 2019 and November 17, 2019; and

WHEREAS, the Board of Commissioners approved the use of the W. Stanley Conover Pavilion at a Commissioners meeting; and

WHEREAS, an agreement has been created outlining the conditions for the use.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the Mayor and Borough Administrator are authorized to execute the agreement with Deep Search Metal Detecting Club for the use of the W. Stanley Conover Pavilion.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-126**

WHEREAS, the Borough of Deal has a need to acquire the services of a title expert for property within the Borough; and

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WHEREAS, Joseph Grabas, 1340A Campus Parkway, Wall, NJ has been recommended to be the title expert at a cost not to exceed \$10,000.00.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Joseph Grabas be appointed as the title expert for property interests located at Neptune Avenue at a cost not to exceed \$10,000.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-127**

**A RESOLUTION WITH REGARD TO CANCELING  
CAPITAL ORDINANCES**

WHEREAS, certain General Capital Improvement appropriation balances remain dedicated to projects now completed: and

WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Capital Fund Balance, and unused debt authorizations may be canceled:

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the following unexpended and dedicated balances of General Capital Appropriations be cancelled:

ORD No.	DATE AUTH.	PROJECT DESCRIPTION	AMOUNT CANCELLED FUNDED	AMOUNT CANCELLED UNFUNDED
1066	8/15/12	Purchase of Fire Engine & Associated Equipment	\$ 7,932.10	
1077	5/10/13	Construction of a Sea Wall at Roosevelt Avenue		\$ 22,877.75
1091	4/29/14	Construction of a Sea Wall at Roosevelt Avenue		\$ 13,612.25
1094	4/29/14	Purchase of Scott Air Packs for the Fire Department	\$ 11,905.00	
1108	5/08/15	Repaving of the Conover Pavilion Parking Lot		\$ 42,005.50
1110	5/08/15	Purchase of and Improvements to Sanitation Equipment		\$ 58,511.25
1114	5/08/15	Improvements to the Marine Place Drainage		\$ 391,464.01
1128	5/13/16	Purchase of and Improvements to Sanitation Equipment	\$ 3,750.00	\$ 71,250.00
1145	5/10/17	Various Improvements to Deal Casino & Conover Pavilion		\$ 82,347.35
1146	5/10/17	Purchase of & Improvements to DPW Equipment		\$ 90,142.00
1148	5/10/17	Various Improvements to Streets & Drains		\$ 147,205.48
1159	11/8/17	Purchase of and Improvements to Sanitation Equipment	\$ 9,500.00	\$ 180,500.00

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-128**

**A RESOLUTION WITH REGARD TO CANCELING  
CAPITAL ORDINANCES**

WHEREAS, certain Sewer Capital Improvement appropriation balances remain dedicated to projects now completed: and

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WHEREAS, it is necessary to formally cancel said balances so that the unexpended balances may be credited to Sewer Capital Fund Balance, and unused debt authorizations may be canceled:

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the following unexpended and dedicated balances of Sewer Capital Appropriations be cancelled:

ORD No.	DATE AUTH.	PROJECT DESCRIPTION	AMOUNT CANCELLED FUNDED	AMOUNT CANCELLED UNFUNDED
992	3/28/07	Various Improvements to Roosevelt Ave Pump Station		\$ 10,568.91
1010	4/22/08	Various Improvements to Roosevelt Ave Pump Station		\$ 23,821.81
1054	11/30/11	Various Improvements to Sanitary Sewers		\$ 112,652.94
1064	5/08/12	Various Improvements to Sanitary Sewers		\$ 26,762.31
1096	4/29/14	Various Improvements to Roosevelt Ave Pump Station		\$ 120,283.51
1149	5/10/17	Various Improvements to Sanitary Sewers	\$ 7,500.00	\$ 142,500.00
1150	5/10/17	Purchase of & Improvements to Sanitary Sewer Equipment		\$ 81,367.00

Seconded by Commissioner Simhon

Roll Call: Ayes 2; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-129**

WHEREAS, the Borough of Deal would like to create a rental rate for the Deal Casino and W. Stanley Conover Pavilion; and

WHEREAS, these rates shall be utilized when renting a facility or portion thereof.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the attached rates be utilized when renting the Deal Casino or W. Stanley Conover Pavilion.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-130**

WHEREAS, due to a retirement, a vacancy has been created for the position of Sergeant of Police; and

WHEREAS, the Deal Police Department wishes to promote one member of the force to the position of Sergeant of Police; and

WHEREAS, the policy of the Deal Police Department authorizes the N.J. State Association of Chiefs of Police, Inc. to conduct an oral and written evaluation of the candidates in preparation of the final interview and selection; and

WHEREAS, the cost for the oral examination will be \$1,625.00 and the written test will be \$2,100.00 payable to the N.J. State Association of Chiefs of Police, Inc.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that an agreement be entered into with the N.J. State Association of Chiefs of Police, Inc. for testing of candidates for the position of Police Sergeant at the cost of \$3,725.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-131**

WHEREAS, Daniel Maguire, has applied for the position of Probationary Patrolman with the Deal Police Department; and

WHEREAS, Daniel Maguire has successfully completed training as a Special Class II Police Officer graduating from the Ocean County Police Academy in May, 2019; and

WHEREAS, Daniel Maguire has successfully completed his Bachelor's Degree from Keystone College.

NOW THEREFORE BE IT RESOLVED, that Daniel Maguire be hereby appointed as a Probationary Patrolman in the Police Department of the Borough of Deal, New Jersey, effective August 16, 2019 at an annual base salary of \$48,381.00 paid semi-monthly be approved; and

BE IT FURTHER RESOLVED, that this approval is granted subject to the provisions of the statutes of New Jersey and the Ordinance establishing the police department in the Borough of Deal and the rules and regulations governing the Police Department.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-132**

WHEREAS, the Deal Police Department is in need of software for internal affairs investigations; and

WHEREAS, the Borough has received three (3) quotes to purchase internal affairs software; and

WHEREAS, proposals were received ranging in cost from a high of \$4,900.00 from IAPro, Townsend, MA, and a low bid of \$3,800.00 from ProPhoenix Corporation, Moorestown, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of internal affairs software from ProPhoenix Corporation, Moorestown, NJ at a cost of \$3,800.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:



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**Resolution 19-133**

WHEREAS, the Deal Fire Department is in need of a new kitchen grease exhaust hood and fan to meet current fire codes; and

WHEREAS, the Borough has received three (3) quotes to purchase and installation of the kitchen hood and fan; and

WHEREAS, proposals were received ranging in cost from a high of \$15,375.00 from Franklen Sheet Metal Company, Inc., Ocean Grove, NJ, and a low bid of \$10,300.00 from Atlantic Fire Protection, Middletown, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase and installation of a kitchen grease exhaust hood and fan from Atlantic Fire Protection, Middletown, NJ at a cost of \$10,300.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-134**

WHEREAS, due to the flooding in the area of the Brighton Avenue Brooke drainage, the Borough would like to reduce the flooding in the area; and

WHEREAS, the Borough Engineer has evaluated the storm water drainage system located at the Brighton Avenue Brooke and has recommended the upsize of the current pipe

WHEREAS, the cost to install new stormwater drainage in the area would be above the bid threshold set by State Statute.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that authorization is given to receive bids for the installation of a new stormwater drainage from the current headwall to the Ocean Avenue culvert as outlined in the Borough Engineer's plan.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-135**

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 Deal Casino Hourly Staff**

Lucas Beltran	\$9.00
Harry Greenspan	\$9.00
Anthony Sallustio	\$9.00

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Rose Critelli (7/1/19) \$9.00  
Alex Muscillo (7/1/19) \$9.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-136**

WHEREAS, the Board of Commissioners are interested in developing an architectural vision for the Deal Casino; and

WHEREAS, the Borough has received three (2) quotes to provide a survey of the property, develop the vision of the property as well as develop an animation; and

WHEREAS, proposals were received ranging in cost from a high of \$4,900.00 from IAPro, Townsend, MA, and a low bid of \$25,000.00 from Massa Multimedia Architecture, Neptune, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the development of an architectural vision for the Deal Casino from Massa Multimedia Architecture, Neptune, NJ at a cost of \$25,000.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-137**

WHEREAS, the Borough has recently purchased a skid steer for the Department of Public Works; and

WHEREAS, there is a need to move the equipment throughout the town and reduce wear and tear; and

WHEREAS, the Borough has received two (2) quotes to purchase a trailer to transport the skid steer; and

WHEREAS, proposals were received ranging in cost from a high of \$6,499.00 from Cherry Valley Tractor Sales, Marlton, NJ, and a low bid of \$6,200.00 from Stephan L. Green Trailers, Farmingdale, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of a trailer for the skid steer from Stephan L. Green Trailers, Farmingdale, NJ at a cost of \$6,200.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-138**

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

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 Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen presented the Oath of Office to Probationary Patrolman Daniel Maguire.

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

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

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

A letter was received from the Township of Woodbridge who is hosting the NJ Senior Olympic games.

A notice of public hearing was received from NJ Natural Gas for approval of cost recovery associated with the Energy Efficiency Program, annual review and revision of the Basic Gas Supply Service, approval of Base Rate Adjustment, and establishment of Universal Service Fund.

A notice of public hearing was received from JCP&L for approval of Cost Incurred for Environmental Remediation.

A notice of public hearing was received from NJ Transit for the Senior Citizen & Disabled Residents Transportation Assistance Program.

A letter was received from the NJ League of Municipalities for the invitation for the Innovation in Governance Awards.

A letter was received from the Monmouth County Regional Health Commission advising the pending ordinance for Contract Towns vs. Member Towns would not be adopted.

The NJ League of Municipalities provided the June 2019 edition of the Legislative Bulletin.

A letter was received from the Association of NJ Environmental Commission to educate on the importance of reducing single-use bags and polystyrene.

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A letter was received from the Monmouth County Historical Commission about the Historic Grant Preservation Grant Applications are being accepted.

The NJ League of Municipalities provided the League's Annual Audit Statement.

A notice of public hearing was received from the Monmouth County Board of Chosen Freeholders for the sale of property in the Borough of Englishtown.

A letter was received from Wildwood Crest inviting the Board of Commissioners to their upcoming running event.

A letter was received from NJ Department of Transportation advising they are accepting applications for the FY2020 Local Freight Impact Fund.

A letter was received from the NJ League of Municipalities advising of their annual conference in Atlantic City on November 19-21.

An email was received from the Clean Ocean Action requesting permission for the beach sweep on October 26<sup>th</sup>. The Board of Commissioners approved the event.

A letter was received from the Center in Asbury Park requesting permission for their fundraising bike ride on September 14<sup>th</sup>. The Board of Commissioners approved the event.

A letter was received from Blue Creek Construction for the demolition of the home at 62 Parker Ave. The Board of Commissioners approved the demolition.

A letter was received from the Sephardic Bikur Holim requesting permission for a 5k race on August 18<sup>th</sup>. The Board of Commissioners approved the race with approval from the Police Department for traffic.

An email was received from Tom Rogers, Deal Fire Chief, requesting permission to hold their Annual Fire Company Old Timer's Day Picnic at the Deal Casino on September 8<sup>th</sup>. The Board of Commissioners approved the event.

A raffle application was received from Deep Search Metal Detecting Club for an event on November 17, 2019 at the W. Stanley Conover Pavilion. The Board of Commissioners approved the raffle license.

A raffle application was received from the Township of Ocean Historical Museum, Inc. for an event on October 26, 2019 at the Deal Golf & Country Club. The Board of Commissioners approved the raffle license.

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 19-08 of the Warrant Register in the amount of \$701,183.56.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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

Milton Bouhoutsos, Attorney for Neil Greenstein, spoke to the Board of Commissioners about re-instating the membership to Mr. Greenstein. Mr. Bouhoutsos stated their was furniture in the way and things got heated. Mr. Bouhoutsos, also stated the ordinance is not be applied equally and read about the health and safety report to management and stated section 9 that walkways should be clear and the Sutton's constantly block the walkways. Mrs., Greenstein, Richmond Avenue, stated that she has to walk around and she has to complain. Mayor Cohen stated that he saw the pictures. Paul Fernicola, Borough Attorney explained about the suspension. Mr. Bouhoutsos stated that his client was just tapping the arm of the Beach Manager. Mr. Greenstein stated that he is no way condoning his behavior. Mr. Greenstein stated he never spoke to the Cohen's or Sutton's. Mr. Greenstein stated Mr. Sutton confronted him and he stated that he had enough. Mr. Greenstein stated his mother has medical issues and cannot walk around. Mayor Cohen stated that this behavior is not acceptable. Mr. Greenstein stated he left a voicemail for the Mayor, called the Borough Attorney and then called Mrs. Sniffen. Mr. Greenstein stated if she perceived him from grabbing her that is why he apologized. He stated he was sorry.

Commissioner Ades offers the following Resolution:

**Resolution 19-139**

WHEREAS, due to an incident at the Deal Casino with member Neil Greenstein and Beach Manager Carrie Sniffen; and

WHEREAS, the Board of Commissioners suspended the membership to Neil Greenstein for the remaining 2019 season due to the incident; and

WHEREAS, Mr. Greenstein along with his attorney attended the Board of Commissioners meeting to appeal the suspension; and

WHEREAS, the Board of Commissioners listened to the statements and comments by Mr. Greenstein's Attorney, Neil Greenstein and Neil Greenstein's mother.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the suspension of Neil Greenstein's membership to the Deal Casino for the 2019 season remain in effect.

Seconded by Mayor Cohen

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mary Anne Cronheim, 88 Monmouth Drive, asked the Board of Commissioners about Resolution 19-136. Mayor Cohen stated that it was not a design but looking for a vision for the Deal Casino.

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners what they did to honor the Fire Department members that passed away several months ago. Mayor Cohen stated that flowers could possibly be sent. Commissioner Simhon asked Ms. Coffey why she left after the business portion of last meeting and did not attend the awards ceremony. Ms. Coffey stated she had another commitment. Ms. Coffey stated that Ocean Lane should be a beach access point. Ms. Coffey asked who upkeeps the land at the foot of Roosevelt Avenue. Ms. Coffey was advised that the homeowner maintains the property by mowing the lawn. Ms. Coffey asked who was

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paying for the expert in Resolution 19-126, Mayor Cohen stated the Borough is paying for the expert.

Vincent Lepore, Ocean Avenue Long Branch, asked about Resolution 19-122, Paul Fericola stated the ordinance was tabled and explained about the relation to the Municipal Public Access Plan. Mr. Lepore asked when the next court date was for the Littoral Society lawsuit, Paul Fericola stated he believes it was December 2<sup>nd</sup>. Mayor Cohen stated the no parking signs were taken down in Long Branch east of Ocean Avenue except for Garfield Terrace.

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, which will be on Wednesday, September 11, 2019 at 9:00 A.M.

There being no further business or comments, it was moved by Mayor Cohen and seconded by Commissioner Simhon that the meeting be adjourned at 9:48 A.M.

SC \_\_\_\_\_

MA \_\_\_\_\_

DS \_\_\_\_\_

\_\_\_\_\_  
Clerk