

April 10, 2019

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on April 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 March 13, 2019 be approved as recorded.

Ordinance 1183 to exceed the Municipal Budget Appropriation Limits and establish a CAP Bank was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1183, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

#### **ORDINANCE 1183**

##### **CALENDAR YEAR 2019**

#### **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Commissioner Simhon moved to adopt Ordinance 1183, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1184 to provide for various improvements to the Deal Casino, Conover Pavilion and Municipal Beach was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1184, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Barbara Coffey, 85 Norwood Avenue, asked if there was a list of projects. Mayor Cohen stated that there was no list. MaryAnne Cronheim, asked for a comparative list of the projects. Mrs. Cronheim was advised that the funds would be used for the baby and main pool renovation, snack bar deck, furniture and pool filter activated glass. There were no additional comments from the public and the public session was closed by the same vote.

#### **CAPITAL ORDINANCE NO. 1184**

#### **CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO THE DEAL CASINO, CONOVER PAVILION AND MUNICIPAL BEACH AND APPROPRIATING \$150,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1184, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

April 10, 2019

Ordinance 1185 to provide for the purchase of and various improvements to DPW equipment was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1185, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

#### **CAPITAL ORDINANCE NO. 1185**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO DPW EQUIPMENT AND APPROPRIATING \$100,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1185, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1186 to provide for various improvements to Municipal Buildings was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1186, seconded by Commissioner Simhon and approved. The Mayor invited public comment. MaryAnne Cronheim, 88 Monmouth Drive, asked what Municipal Buildings, Mrs. Cronheim was advised of all municipal buildings in town that this could be used for. There were no additional comments from the public and the public session was closed by the same vote.

#### **CAPITAL ORDINANCE NO. 1186**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO MUNICIPAL BUILDINGS AND APPROPRIATING \$25,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1186, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1187 to provide for various improvements to streets and drains was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1187, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Barbara Coffey, 85 Norwood Avenue, asked what projects would be for this ordinance, Ms. Coffey was advised paving and storm water drainage. Ms. Coffey asked about sanitary lines, she was advised that is under the sanitary sewer line ordinance, this would only be for storm water. MaryAnne Cronheim, 88 Monmouth Drive, asked if this will be used to finish Richmond Avenue, Mayor Cohen stated that Joseph Santorelli, DPW Superintendent has some concerns about the sub surface of Richmond Avenue and this does not cover Richmond Avenue. There were no additional comments from the public and the public session was closed by the same vote.

April 10, 2019

**CAPITAL ORDINANCE NO. 1187**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO STREETS AND DRAINS AND APPROPRIATING \$750,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1187, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1188 to provide for the purchase and various improvements to sanitation equipment was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1188, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1188**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO SANITATION EQUIPMENT AND APPROPRIATING \$25,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1188, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1189 to provide for the purchase and various improvements to Fire Department equipment was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1189, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1189**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO FIRE DEPARTMENT EQUIPMENT AND APPROPRIATING \$25,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1189, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1190 to provide for the purchase and various improvements to Police Department equipment was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1190, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

April 10, 2019

**CAPITAL ORDINANCE NO. 1190**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO POLICE DEPARTMENT EQUIPMENT AND APPROPRIATING \$40,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1190, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1191 to provide for the various improvements to sanitary sewers was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1191, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1191**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO SANITARY SEWERS AND APPROPRIATING \$250,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM SEWER CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1191, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1192 to provide for the purchase of and various improvements to sanitary sewer equipment was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1192, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1192**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO SANITARY SEWER EQUIPMENT AND APPROPRIATING \$25,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM SEWER CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1192, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1193 to provide for the improvements to the Roosevelt Avenue Pump Station was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1193, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

April 10, 2019

**CAPITAL ORDINANCE NO. 1193**

**CAPITAL ORDINANCE PROVIDING FOR THE IMPROVEMENTS TO THE ROOSEVELT AVENUE PUMP STATION AND APPROPRIATING \$100,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM SEWER CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

Commissioner Simhon moved to adopt Ordinance 1193, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1194 to exceed the Municipal Budget Appropriation Limits and establish a CAP Bank was introduced on March 13, 2019 and the public hearing is scheduled for today, April 10, 2019. Mayor Cohen moved to open the meeting to public comment on Ordinance #1194, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Tim Dillingham, Littoral Society, objected to the ordinance of transferring to private owners not for public use. Mr. Dillingham stated that there are no deed restrictions. Paul Fernicola, Borough Attorney, stated that this is under litigation now and that no comment would be made and the lack of comments would not constitute the Borough agrees with any portion of the comments. Barbara Coffey, 85 Norwood Avenue, stated there were people out on the property making test pits, Paul Fernicola asked that the comments be restricted to this ordinance. Ms. Coffey also asked if there was a height restriction on the bulkhead, Mayor Cohen stated there was not. MaryAnne Cronheim, 88 Monmouth Drive, asked if this means the sale is going through even though there is litigation. Paul Fernicola explained that certain procedural matters were brought up during the litigation and Mr. Fernicola was going to recommend this ordinance be adopted even though he did not feel this was needed. Dan Cronheim, 88 Monmouth Drive, stated that an appraisal was completed and should not be utilized due to discrepancy of the appraisal amount and sale amount. Vincent Lepore, 33 Ocean Ave Long Branch, asked if the same attorney would be used for this litigation as the Borough Attorney, Mayor Cohen stated he was. Mr. Lepore stated that NJ.com reported the appraisal of the property of \$160,000 and the sale of \$1,00,000 does not rise to level of best for public interest. Mr. Lepore again objected to the attorney representing the Borough and that another attorney should be selected. There were no additional comments from the public and the public session was closed by the same vote.

**ORDINANCE #1194**

**AN ORDINANCE TO APPROVE A SALE AGREEMENT  
FOR A PORTION OF NEPTUNE AVENUE  
IN THE BOROUGH OF DEAL  
PURSUANT TO N.J.S.A. 40A:12-13(b)(5) et seq.**

Commissioner Simhon moved to adopt Ordinance 1194, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

The following resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

**Resolution 19-46**

WHEREAS, the 2019 budget of the Borough of Deal has been reviewed by the Board of Commissioners and is scheduled to be adopted at this meeting after an appropriate public hearing; and

April 10, 2019

WHEREAS, a copy of same has been made available to each person requesting it during said week and during the public hearing scheduled for April 10, 2019. A summary posted in the official newspapers and a copy posted on the official website of the Borough.

NOW, THEREFORE BE IT RESOLVED, that having conformed with the conditions set forth in N.J.S.A. 40A:4-8, the 2019 Budget be read by its title.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-47**

WHEREAS, due to a vacancy for the position of Superintendent of Beaches; and

WHEREAS, several potential candidates have applied to fill the vacant position; and

WHEREAS, James Foley, has been interviewed and is found to be the best qualified candidate to fill the position of Superintendent of Beaches.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, that James Foley be appointed Superintendent of Beaches effective March 4, 2019.

BE IT FURTHER RESOLVED, that James Foley will perform the duties as the Superintendent of Beaches consistent with the laws of the State of New Jersey and the Ordinances of the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-48**

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

WHEREAS, James Valente, has been recommended for the position of laborer within the Department of Public Works.

NOW THEREFORE BE IT RESOLVED, that James Valente be appointed a Laborer effective April 1, 2019 at an annual base salary of \$34,000, paid bi-monthly.

BE IT FURTHER RESOLVED, that James Valente 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

April 10, 2019

Commissioner Simhon offers the following Resolution:

**Resolution 19-49**

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

WHEREAS, Albert Reuter, has been recommended for the position of laborer within the Department of Public Works.

NOW THEREFORE BE IT RESOLVED, that Albert Reuter be appointed a Laborer effective May 1, 2019 at an annual base salary of \$34,000, paid bi-monthly.

BE IT FURTHER RESOLVED, that Albert Reuter 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 19-50**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Blake Demeter as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Blake Demeter will be attending his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Blake Demeter, after having successfully 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 Blake Demeter 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 19-51**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Taylor Hardy as a Class I Special Police Officer in the Borough of Deal.

April 10, 2019

WHEREAS, Taylor Hardy will be attending his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Taylor Hardy, after having successfully 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 Taylor Hardy 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 19-52**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Tyler Schick as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Tyler Schick will be attending his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Tyler Schick, after having successfully 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 Tyler Schick 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 19-53**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Michael Zak as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Michael Zak will be attending his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Michael Zak, after having successfully 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 Michael Zak is to be assigned his duties by



April 10, 2019

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 19-54**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Jenifer Velasquez as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Jenifer Velasquez has attended her course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Jenifer Velasquez, 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 Jenifer Velasquez 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 19-55**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Emily Walsh as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Emily Walsh has attended her course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Emily Walsh, 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 Emily Walsh 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:

April 10, 2019

**Resolution 19-56**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Charles Zhao as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Charles Zhao has attended his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Charles Zhao, 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 Charles Zhao 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 19-57**

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

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Matthew Zweighaft as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Matthew Zweighaft has attended his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Matthew Zweighaft, 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 Matthew Zweighaft 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 Simhon offers the following Resolution:

**Resolution 19-58**

WHEREAS, Stephanie Cahill, Howell, NJ has made a down payment for their membership at the Deal Casino; and

WHEREAS, a refund is being requested for their membership due to the inability to be member.

April 10, 2019

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that a refund of \$500.00 be issued to Stephanie Cahill for their membership to the Deal Casino.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-59**

**Resolution Supporting the 2019 UDrive. UText. UPay.  
Distracted Driving Crackdown  
April 1 - 21, 2019**

WHEREAS, distracted driving is a serious, life-threatening practice that is preventable; and

WHEREAS, distracted driving can result in injuries and deaths to all road users (motorists, pedestrians and bicyclists); and

WHEREAS, distracted driving occurs when drivers divert their attention away from the task of driving to focus on another activity instead; and

WHEREAS, in 2015 alone distracted driving-related crashes resulted in 3,477 deaths and 391,000 injuries on our nation's roads; and

WHEREAS, in New Jersey distracted driving was listed as a contributing circumstance in nearly 750,000 crashes between 2011-2015; and

WHEREAS, the State of New Jersey will participate in the nationwide Distracted Driving 2019 Crackdown from April 1 - 21, 2019 in an effort to raise awareness and decrease driver distraction through a combination of enforcement and education; and

WHEREAS, the national slogan for the campaign is UDrive. UText. UPay; and

WHEREAS, a reduction in distracted driving in New Jersey will save lives on our roadways;

NOW THEREFORE BE IT RESOLVED, that the Borough of Deal declares it's support for the Distracted Driving 2019 Crackdown both locally and nationally from April 1 - 21, 2019 and pledges to increase awareness of the dangers of distracted driving.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-60**

WHEREAS, the Borough of Deal and the American Red Cross would like to define a working relationship; and

April 10, 2019

WHEREAS, the Borough of Deal and the American Red Cross would like to enter into a Memorandum of Understanding to prepare for responding and recovering from emergencies and disasters; and

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal authorize the Borough of Deal and American Red Cross to enter into a Memorandum of Understanding.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

WHEREAS, the pool filter system at the Deal Casino is in need of replacing the filter sand; and

WHEREAS, the Borough has researched and found that the sand should be replaced with activated glass; and

WHEREAS, the Borough had requested two (2) quotes to purchase and have installed activated glass into the pool filter system; and

WHEREAS, proposals were received ranging in cost from a high of \$16,088.00 from It's Water, Inc, Downingtown, PA, and a low bid of \$5,088.90 from Central Jersey Pools, Freehold, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase and installation of activated glass for the pool filter system to Central Jersey Pools, Freehold, NJ at a cost of \$5,088.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-61**

WHEREAS, the pool filter system at the Deal Casino is in need of replacing the filter sand; and

WHEREAS, the Borough has researched and found that the sand should be replaced with activated glass; and

WHEREAS, the Borough had requested two (2) quotes to purchase and have installed activated glass into the pool filter system; and

WHEREAS, proposals were received ranging in cost from a high of \$16,088.00 from It's Water, Inc, Downingtown, PA, and a low bid of \$5,088.90 from Central Jersey Pools, Freehold, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase and installation of activated glass for the pool filter system to Central Jersey Pools, Freehold, NJ at a cost of \$5,088.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

April 10, 2019

Commissioner Simhon offers the following Resolution:

**Resolution 19-62**

WHEREAS, the Borough of Deal received grant funding from the Monmouth County Park System to add playground equipment to Harry Franco Park; and

WHEREAS, the Borough would like to purchase the Wills Valley set manufactured by Gametime from MRC, Sea Girt, NJ; and

WHEREAS, the playground set is available under the NJ State Contract at a cost of \$139,000; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase and installation of the Wills Valley playground set from MRC, Sea Girt, NJ at a cost of \$139,000.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-63**

WHEREAS, bids were received for the repair to a portion of Parker Avenue and Drummond Road within the Borough of Deal; and

WHEREAS, the Borough solicited proposals and received bids from six (6) vendors that includes the milling, repaving and minor curb work; and

WHEREAS, proposals were received ranging in cost from a high of \$288,850.00 from L&L Paving Co., Farmingdale, NJ, and a low bid of \$177,913.00 from Earle Asphalt Company, Farmingdale, NJ.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby award the mill, paving and curb work for Parker Avenue, and Drummond Road as outlined in the specifications to Earle Asphalt Company, Farmingdale, NJ in the amount of \$177,913.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-64**

WHEREAS, Resolution 19-33 authorized renovations to the baby pool at the Deal Casino; and

WHEREAS, the Borough will rescind Resolution 19-33 due to the inability of the company to meet the needs of the Borough; and

WHEREAS, the Borough authorizes the second quote received to complete the work to Sergio's Pool Service, Inc, Ottsville, PA at a cost of \$35,130.00.

April 10, 2019

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby award the renovations to the Deal Casino baby pool to Sergio's Pool Service, Inc., Ottsville, PA in the amount of \$35,130.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-65**

WHEREAS, pursuant to N.J.S.A. 40:55D-26, the Board of Commissioners would like to refer several changes to the Development Regulation.

WHEREAS, the Board of Commissioners are looking to amend the regulation to require a rendering showing the work to be completed for the Planning Board, remove the front porch encroachment and require accessories to match the height with the setbacks up to 18' high.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal request the following:

- 1) The Deal Planning Board within 35 days after this referral, identify whether the changes in the development regulation is consistent with the Borough's Master Plan; and
- 2) If there are any inconsistencies, the Planning Board may make recommendations concerning these inconsistencies and any other matters related to the regulations the Planning Board deems appropriate.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-66**

WHEREAS, the decking around the Deal Casino Snack Bar is in need of repair; and

WHEREAS, the Borough had requested four (4) quotes to purchase new decking and handrails; and

WHEREAS, proposals were received ranging in cost from a high of \$18,164.48 from Allied Building Products, Wall Township, NJ, and a low bid of \$16,214.07 from Jaeger Lumber, Belmar, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase decking and handrail for the Deal Casino Snack Bar to Jaeger Lumber, Belmar, NJ at a cost of \$16,214.07.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

April 10, 2019

**Resolution 19-67**

WHEREAS, due to the renovation to the coping on the main pool at the Deal Casino requiring new ladder holders; and

WHEREAS, the Borough had requested three (3) quotes to purchase new stainless steel anchor wedges for the Deal Casino Main Pool; and

WHEREAS, proposals were received ranging in cost from a high of \$1,930.72 from Inter-Fab, Tucson, Az, and a low bid of \$925.65 from Central Jersey Pools, Freehold, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of stainless steel anchor wedges for the Deal Casino Main Pool to Central Jersey Pools, Freehold, NJ at a cost of \$925.65.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 19-68**

WHEREAS, the Borough is in need of furniture for the Deal Casino due to items being in disrepair; and

WHEREAS, the Borough had requested three (3) quotes to purchase new furniture and umbrellas for the Deal Casino; and

WHEREAS, proposals were received ranging in cost from a high of \$32,470.00 from Restaurant Equipment, Birmingham, Al, and a low bid of \$22,554.00 from Resort Contract Furnishings, Wyckoff, NJ.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the purchase of furniture and umbrellas for the Deal Casino to Resort Contract Furnishings, Wyckoff, NJ at a cost of \$22,554.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-69**

WHEREAS, the Borough is in need of a hearing officer to handle an employment disciplinary matter; and

WHEREAS, Richard Lynch has performed the duties as a hearing officer in other municipalities.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize Richard Lynch to act as a hearing officer for the employment disciplinary matter not to exceed the amount of \$3,000.

Seconded by Commissioner Simhon

April 10, 2019

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 19-70**

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of April; 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 April 30, 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 Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Proclamation:

**Proclamation**

**HONORING VIRGINIA WIENER ON HER NINETIETH BIRTHDAY**

WHEREAS, Virginia Wiener has lived on Roseld Avenue in the Borough of Deal for over 68 years; and

WHEREAS, Virginia Wiener has served as planning Board member from September 1979 to December 2007; and

WHEREAS, Virginia Wiener has served as a Commissioner for the Borough of Deal from February 2013 to May 2016; and

WHEREAS, Virginia Wiener has always demonstrated compassion and concern for all members of the community during her 28 years of service; and

WHEREAS Virginia Wiener was born on March 22, 1929 and is Ninety years young today.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Deal that we hereby thank Virginia Wiener for all her services to the Borough of Deal and wish a Happy Ninetieth Birthday.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Proclamation:

**Proclamation**



April 10, 2019

**DECLARING APRIL AS CHILD ABUSE PREVENTION  
AND AWARENESS MONTH**

**WHEREAS, there are about 750,000 youth aged 17 and under, living in New Jersey; and**

**WHEREAS, it is estimated that one in 100 children experiences abuse; and**

**WHEREAS, childhood maltreatment and abuse are part of adverse childhood experiences (ACEs) and create long-term trauma that has life-long impacts; and**

**WHEREAS, child abuse is a significant social problem that creates significant effects for entire families, communities and society as a whole; and**

**WHEREAS, all children deserve to be nurtured, protected and free from physical or emotional harm; and**

**WHEREAS, the State of New Jersey and the New Jersey Department of Children and Families believe that healthy families raise healthy children; and**

**WHEREAS, the State of New Jersey is committed to offering a continuum of community-based child abuse prevention and intervention programs that are culturally competent, strength-based and family centered; and**

**WHEREAS, the New Jersey Department of Children and Families embraces the Standards for Prevention Programs developed by the New Jersey Task Force on Child Abuse and Neglect; and**

**WHEREAS, all sectors of the community, including law enforcement, medical professionals, schools, courts and media outlets, as well as numerous public and private agencies, have joined forces to promote public awareness and community involvement in keeping children and their families safe, healthy and connected during the month of April and continuing throughout the year;**

**NOW, THEREFORE, I, Samuel Cohen, Mayor of the Borough of Deal, do hereby proclaim April 2019 as Child Abuse Prevention and Awareness Month in New Jersey and urge our residents to become involved in efforts aimed at strengthening families and communities and preventing our children from being abused and neglected.**

**Seconded by Commissioner Simhon**

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

**Mayor Cohen made an announcement that he would be appointing Nicole Cohen as an Alternate I Planning Board Member.**

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

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

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

April 10, 2019

A letter was received from the Monmouth County Mosquito Control Division with a packet of information regarding their treatment operations.

A letter was received from the Visiting Nurse Association providing the Borough's statistical report for 2018.

A letter was received from the NJ Department of Transportation advising the Borough was awarded \$315,000 for the 2019 Municipal Aid Program.

A letter was received from the NJ Department of Environment Protection advising of a public hearing for the 2019 FY2019 Annual Report and Assessment of Fees.

A letter was received from Pacers Events, LLC and the Novo Nordisk NJ Marathon and Half Marathon to be run on April 28. The Commissioners approved the race subject to a traffic plan.

A raffle application was received from the Arc of Monmouth at the Deal Golf & Country Club on June 24, 2019. The Board of Commissioners approved the application.

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 19-04 of the Warrant Register in the amount of \$1,287,009.87.

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.

MaryAnne Cronheim, 88 Monmouth Drive, stated to the Board of Commissioners that there were 2 sets of agendas for the meeting, Paul Fernicola, Borough Attorney, stated that the agenda is posted and does not bar the municipality from making changes to the agenda, Mrs. Cronheim disagreed. Mrs. Cronheim asked Mayor Cohen the relation of the new planning board member with the same last name. Mayor Cohen stated that it was his nephew's wife. Mrs. Cronheim asked about the Monmouth Barracudas utilizing the Deal Casino Pool during the summer months and what is being charged. Mrs. Cronheim was advised that they pay \$2,000 a year for the use of the pool and have been utilizing for the past 20 years. Mrs. Cronheim asked if it was open for bidding, and Mayor Cohen stated that it has not. Mrs. Cronheim stated that the Borough adopted an ordinance restricting parking on Roseld Avenue, Chief Neuman stated that he will work with DPW to have the signs installed. Mrs. Cronheim stated to the Commissioners that the information needs to be relayed to the public.

Barbara Coffey, 85 Norwood Avenue, stated that there is still an AirBnB in town, Ms. Coffey was advised that the Construction/Code Enforcement officer will be notified. Ms. Coffey asked how the residents would know, Mayor Cohen stated that it is up to the residents to know the laws. Ms. Coffey stated that a summary of the laws should be posted online, Mayor Cohen asked Ms. Coffey to put something together and he will review. Ms. Coffey stated that the property lines south of Roseld Avenue on the beach end at the

April 10, 2019

sea walls except for the house on Neptune Avenue. Ms. Coffey asked how the Borough would make sure that they will be paying the beach fee. Mayor Cohen stated that he is not charging the homeowners on the beach front from the Army Corp's faq sheet. Ms. Coffey asked how many students are residents at Deal School. The information was not known. Ms. Coffey asked how much money was spent on Harry Franco Park and adult recreation such as the pier. Ms. Coffey stated it was zero and asked if money could be spent on adult recreation. Ms. Coffey asked about the discrepancy of the beach revenue in the budget on the anticipation of \$1,600,000 when the actual receiving was \$2,100,000. Mr. Fernicola explained the budget process and that due to weather and other factors a municipality would anticipate a lower amount. Ms. Coffey asked if the sidewalk on the east side of Norwood Avenue can be repaired from the water company fixing a water main break. Ms. Coffey asked for a rate card for rental of municipal property. Mayor Cohen stated that he will consider.

Vincent Lepore, 33 Ocean Ave, Long Branch, asked the Board of Commissioners that when you list the agenda can they be elaborated with hyperdata with the full editions of ordinances and resolutions. Mayor Cohen asked what other towns have that, Mr. Lepore mentioned Monmouth Beach and Long Branch. Mr. Lepore also stated that an email list should be placed on the website to create a list to send out an email blast. Mr. Lepore asked if the Borough started paying the legal fees to the Attorney for the litigation with the Littoral Society. Mayor Cohen stated yes. Mr. Lepore stated that seeing how there are procedural issues, the Borough should consider another attorney to handle the litigation. Mr. Lepore also stated that there is no benefit to the Borough if the buyer is not paying for the legal fees of the Borough. Mayor Cohen stated the Borough is receiving a lot of money and is very happy with the sale.

Barbara Coffey, asked if there was a cap on what the Borough will spend, Mayor Cohen stated no.

Dan Cronheim, 88 Monmouth Drive, stated to the Board of Commissioners that the DSN had made a presentation to the Planning Board as a capital improvement to the project. Mr. Cronheim stated that he believes an attorney should have been present.

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, May 8, 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 10:03 A.M.

SC \_\_\_\_\_  
MA \_\_\_\_\_  
DS \_\_\_\_\_

\_\_\_\_\_  
Clerk