

April 1, 2020

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on April 1, 2020 at 9:00 A.M. This meeting was conducted via Teleconference only due Federal and State Executive Orders not allowing gatherings of more than 10 people from the COVID-19 pandemic.

Mayor Cohen lead the salute to the flag.

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.

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

It was moved by Commissioner Ades, seconded by Commissioner Simhon and carried that the minutes of the previous meeting held on March 4, 2020 be approved as recorded.

MaryAnne Cronheim, 88 Monmouth Drive, objected to the meeting as scheduled stating the Agenda items should only be emergency matters. Paul Fernicola, stated that he read the NJ Department of Community Affairs guidance and stated that he did not believe that was the case. Mr. Fernicola stated the Borough needs to continue operating and advised the Commissioners that they can proceed.

Ordinance 1209 to amend Chapter X Traffic Ordinance was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1202, 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 NO. 1209**

#### **AN ORDINANCE AMENDING CHAPTER X OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" Vehicles and Traffic**

Commissioner Simhon moved to adopt Ordinance 1209, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1218 to amend Chapter XXX Development Regulation was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on May 6, 2020 at 9:00 A.M.

#### **ORDINANCE #1218**

#### **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 change the total impervious coverage of the R3 Zone; and

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WHEREAS, the Borough Planning Board has reviewed the changes on May 6, 2020 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**

#### **30-86.2 Principle Uses**

**30-86.2b** Density, Bulk, Yard & Cubic Content Requirements for Permitted Uses. See Schedule A, Area, Yard and Lot Requirements.

R-3 District

*Maximum Impermeable Surface – 40% of total lot area*

#### **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; a color street view rendering from each roadway frontage showing the proposed improvements; **and color photographs from sky view and street view of current conditions.**

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.

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

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

**Resolution 20-47**

WHEREAS, N.J.S.A. 40A:4-78b has authorized the Local Finance Board to adopt rules that permit municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination; and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997; and

WHEREAS, pursuant to N.J.A.C. 5:30-7.2 through 7.5, the Borough of Deal has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial officer has determined that the local government meets the necessary conditions to participate in the program for the 2020 budget year.

NOW THEREFORE BE IT RESOLVED by the governing body of the Borough of Deal that in accordance with N.J.A.C. 5:30-7.6a & 7.6b and based upon the Chief Financial Officer's certification, the governing body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposes.
2. That the provisions relating to limitation on increases of appropriations pursuant to N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at N.J.S.A. 40A:4-45.3 et seq., are fully met (complies with CAP law).
3. That the budget is in such form, arrangement, and content as required by the Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:
  - a. All estimates of revenue are reasonable, accurate and correctly stated,
  - b. Items of appropriation are properly set forth
  - c. In itemization, form, arrangement and content, the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A. 40A:4-5 shall not prevent such certification.

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6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED that a copy of this resolution will be forwarded to the Director of the Division of Local Government Services upon adoption.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen moved to open the meeting to public comment on the 2020 Municipal Budget, seconded by Commissioner Simhon. The Mayor invited public comment. Barbara Coffey, 85 Norwood Avenue, asked what the percentage in increase was in the budget. Ms. Coffey was advised the tax rate was .301 and is proposed at .308. Ms. Coffey asked what the increase is contributed too. Ms. Coffey was advised due to salary increases and the increase in Capital Budget projects. Ms. Coffey asked how much was in the bank in surplus to reduce the rate. Mayor Cohen stated that our tax rate has not increased in several years. Ms. Coffey asked how much the municipal budget was increased. Ms. Coffey was advised on the figures from the 2019 and 2020 budget.

MaryAnn Cronheim, 88 Monmouth Drive, asked what would happen with the Casino Revenue with COVID-19. Mrs. Cronheim was advised that the budget was created long before the COVID pandemic and the Borough would have to see what transpires.

Isadora Chamlin, 5 Poplar Avenue, stated to the Board of Commissioners that this is the wrong time to be looking for a salary rise. Mayor Cohen stated that the salaries are determined long before the budget is in place and many are contractual increases.

Renee Levine, 28 Richmond Avenue, asked the Board of Commissioners how much the Borough receives from State Funding. Mrs. Levine was advised \$455,000. Mrs. Levine stated that she disagrees with taxes being increased during COVID-19. Mayor Cohen stated that if there is a hardship to contact State Representatives for any funding.

MaryAnn Cronheim, 88 Monmouth Drive, stated that the State has extended the budget process and to see what the State has to offer for help with budgets. Paul Fernicola, stated that he is not aware of any contingency by the State.

Renee Levine, 28 Richmond Avenue, stated that the budget should be postponed.

Raina Grossman, 5 Poplar Avenue, asked the Board of Commissioners how they would know if there is any assistance. Mayor Cohen stated that he would let them know at the next meeting.

MaryAnne Cronheim, 88 Monmouth Drive, asked if any information can be placed on the website. Mayor Cohen stated that he can.

Ordinance 1210 to provide for various improvements to the Deal Casino, Conover Pavilion and Municipal Beach was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1210, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners if the funds were not utilized, what would happen to the funds.

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Ms. Coffey was advised the Ordinance and funds would transfer into the following year. There were no additional comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1210**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO THE DEAL CASINO, CONOVER PAVILION AND MUNICIPAL BEACH AND APPROPRIATING \$50,000 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 1210, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1211 to provide for the purchase of and various improvements to DPW Equipment was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1211, 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. 1211**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO DPW EQUIPMENT AND APPROPRIATING \$50,000 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 1211, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1212 to provide for the various improvements to Municipal Buildings was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1212, 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. 1212**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO MUNICIPAL BUILDINGS 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 1212, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1213 to provide for the various improvements to Streets and Drains was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1213, 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.

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**CAPITAL ORDINANCE NO. 1213**

**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 1213, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1214 to provide for the purchase and various improvements to Sanitation Equipment was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1214, seconded by Commissioner Simhon and approved. The Mayor invited public comment. MaryAnne Cronheim, 88 Monmouth Drive, asked what other towns that share services with sanitation. Mrs. Cronheim was advised that Loch Arbour is the only town for sanitation. Mrs. Cronheim was asked if there was any funding received from Loch Arbour. Mrs. Cronheim was advised what the Borough receives from Loch Arbour for sanitation. There were no further comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1214**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO SANITATION EQUIPMENT AND APPROPRIATING \$30,000 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 1214, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1215 to provide for the purchase of and various improvements to Fire Department Equipment was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1215, 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. 1215**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO FIRE DEPARTMENT EQUIPMENT AND APPROPRIATING \$75,000 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 1215, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1216 to provide for the purchase of and various improvements to Police Department Equipment was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1216, seconded by Commissioner Simhon and approved. The Mayor invited public

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comment. There were no comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1216**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO POLICE DEPARTMENT EQUIPMENT AND APPROPRIATING \$200,000 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 1216, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Ordinance 1217 to provide for various improvements to the Sanitary Sewer System was introduced on March 4, 2020 and the public hearing is scheduled for today, April 1, 2020. Mayor Cohen moved to open the meeting to public comment on Ordinance #1217, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Barbara Coffey, 85 Norwood Avenue, asked if the sewers were scanned. Ms. Coffey was advised that they were and some repairs have been made. Ms. Coffey asked if the storm sewers would be checked. Ms. Coffey was advised that the Borough was looking into doing that also. There were no further comments from the public and the public session was closed by the same vote.

**CAPITAL ORDINANCE NO. 1217**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO THE SANITARY SEWER SYSTEM AND APPROPRIATING \$375,000 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 Ades moved to adopt Ordinance 1217, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

**Resolution 20-48**

WHEREAS, N.J.S.A. 40A:11-6 permits the Borough of Deal to award an emergency contract when the performance required affects the public health, safety or welfare of the public; and

WHEREAS, the Borough Engineer has determined that the collapse of the storm sewer pipe on Roseld Avenue along the railroad tracks is an emergency; and

WHEREAS, the Borough has received three proposals for replacement of the storm sewer line across Roseld Avenue; and

WHEREAS, proposals were received from a high price of \$1,700,000.00 from George Harms Construction Company, Inc, Farmingdale, NJ to a low of \$490,000.00 from Burke Contracting, LLC, Ocean Township, NJ.

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NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the repair of the collapsed storm sewer line from Burke Contracting, LLC, Ocean Township, NJ at a cost of \$490,000.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-49**

WHEREAS, bids were received for the FY 2019 Road Improvements to Phillips Ave, Monmouth Drive, Monmouth Terrace and Neptune Avenue within the Borough of Deal; and

WHEREAS, the Borough solicited proposals and received bids from eight (8) vendors that includes the milling and paving of the listed streets along with some concrete work and ADA ramps; and

WHEREAS, proposals were received ranging in cost from a high of \$629,757.50 from Esposito Construction, Matawan, NJ, and a low bid of \$472,587.32 from Fernandes Construction, Monroe, NJ.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby award the FY 2019 Road Improvements to the mill and paving, concrete and ADA ramps as outlined in the specifications to Fernandes Construction, Monroe, NJ in the amount of \$472,587.32.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-50**

WHEREAS, bids were received for the FY 2020 Various Road Improvements to roadways within the Borough of Deal; and

WHEREAS, the Borough solicited proposals and received bids from three (3) vendors that includes the milling and paving of the listed streets along with some concrete work; and

WHEREAS, proposals were received ranging in cost from a high of \$466,061.88 from Fernandes Construction, Monroe, NJ, and a low bid of \$436,309.50 from Fiore Paving Company, Oceanport, NJ.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby award the FY 2020 Various Road Improvements to the mill and paving, concrete to Fiore Paving Company, Inc., Oceanport, NJ in the amount of \$436,309.50 for the following bid items:

1. Base Bid – Richmond Avenue
2. Alternate 1 – Railroad Avenue
3. Alternate 2 – Sydney Avenue
4. Alternate 3 – Deal Firehouse Parking Lot
5. Alternate 5 – Two Westerly Alleyways (Brighton to Phillips Aves)
6. Alternate 6 – Neptune Avenue

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Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-51**

WHEREAS, the Borough of Deal authorized the receipt of bids for the purchase and installation of a 60x120 metal enclosed building on March 4, 2020 by Resolution 20-38; and

WHEREAS, no bids were submitted to the Borough of Deal on March 26, 2020 for the project; and

WHEREAS, the Borough would like to rebid the project to receive bids on April 26, 2020.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby authorize the receipt of bids for the purchase and construction of a 60x120 metal enclosed building on April 30, 2020 at 10:00 am.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-52**

WHEREAS, there is a need to extend the top stair tread into the Deal Casino Pool on the west side; and

WHEREAS, quotes were received from three (3) vendors to extend the top tread and stairs into the pool; and

WHEREAS, quotes were received ranging in cost from a high of \$8,520.00 from BJC General Contracting, Long Branch, NJ, and a low bid of \$3,450.00 from FP Masonry, Oakhurst, NJ.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby approve the replacement of the steps on the west side of the Deal Casino Pool to FP Masonry, Oakhurst, NJ in the amount of \$3,450.00.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-53**

WHEREAS, due to the lack of production of Chevy Tahoe's previously awarded for purchase to SeaCoast Chevy; and

WHEREAS, quotes were received for the purchase of a 2021 Chevy Tahoe for the administration and the current Administration Chevy Tahoe PPV would be allocated to the Police Fleet; and

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WHEREAS, a single quote was received from SeaCoast Chevrolet, Ocean, NJ for a 2021 Chevy Tahoe LS in the amount of \$39,900.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby approve the purchase of a 2021 Chevy Tahoe from SeaCoast Chevy, Ocean, NJ in the amount of \$39,900.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-54**

WHEREAS, the Borough of Deal wishes to purchase three (3) fixed Automatic License Plate Readers (ALPR) within the Borough to operate on a seven day; twenty-four-hour basis; and

WHEREAS, this equipment utilizes proprietary hardware and software that will be connected to the servers located at the Monmouth County Sheriff's Office; and

WHEREAS, Selex ES Inc., a Leonardo Company, Greensboro, NC is the sole source provider for the proprietary equipment and software for the ALPR system; and

WHEREAS, Selex ES Inc., has provided a quote in the amount of \$144,405.00 for the purchase and installation of the equipment under the GSA Schedule 84 Contract #GS07F0004Y.

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

1. The purchase of the ELSAG Plate Hunter F3 system be purchased from Selex ES, Inc. in the amount of \$144,405.00; and
2. This purchase is made as a sole source proprietary equipment to be connected to the Monmouth County Server; and is awarded without public bidding pursuant to N.J.S.A. 40A:11-5 (1)(dd);
3. This equipment is purchased under GSA Schedule 84 Contract #GS07F0004Y

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-55**

WHEREAS, N.J.S.A. 40A:11-12 provides that a contracting unit may, without advertising for bids, purchase any materials, supplies or equipment under any contract entered into on behalf of the State by the Division of Purchase and Property in the Department of Treasury; and

WHEREAS, the Borough of Deal wishes to purchase two (2) mobile computers for the police department with one mounting bracket and one (1) for the Deal Casino Beach; and

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WHEREAS, Island Tech Services, Somerville, NJ has the Getac A140 Tablet and Havis Docking Station on State contract #17-Fleet-00744; and

WHEREAS, the vendor and amount were authorized to be purchased under the State Contract with funds being available in the adopted 2020 Current Fund, and/or Capital Budget.

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

1. The purchase of three (3) Getac A140 Tablets and one (1) Havis Docking Station be purchased from Island Tech Services in the amount of \$10,366.00; and
2. This equipment is purchased under NJ State Contract #17-Fleet-00744.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-56**

WHEREAS, Fernandes Construction, Inc., Monroe, NJ has been awarded a contract for the Brighton Avenue Drainage Improvements at a cost of \$743,310.75; and

WHEREAS, Fernandes Construction Inc. has requested payment #1 in the amount of \$312,901.06; 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 \$312,901.06 be made to Fernandes Construction Inc. for the Brighton Avenue Drainage Improvements.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-57**

WHEREAS, Ronald Ades, Deal, NJ, has made a down payment for their membership at the Deal Casino; and

WHEREAS, a refund of \$500.00 is requested due to the inability to attend the beach club for the 2020 season.

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

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

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Commissioner Ades offers the following Resolution:

**Resolution 20-58**

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, 2020 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

A report of the monthly activities, time and sick use for the Police Department for the month of 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 the month of March was received from Krystal Reiner.

A report on the 2019 Annual Tax analysis was received from Theresa Davis.

An application was received from the Monmouth County Division of Planning of Community Development for the FY2021 Community Development Block Grant.

A letter was received from Monmouth County Mosquito Commission distributing pertinent information regarding our treatment operations to control adult mosquitos.

A resolution was received from the Monmouth County Board of Chosen Freeholders declaring the County of Monmouth a Second Amendment Lawful Gun Owner County.

A resolution was received from the Monmouth County Office of the County Administrator opposing the Williams / MESE Raritan Bay Pipeline.

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 20-04 of the Warrant Register in the amount of \$3,541,169.21.

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.

Renee Levine, 28 Richmond Avenue, asked the Board of Commissioners to re-address the taxes. Mrs. Levine read a statement from Senator Pelosi about problems of the States and asked that the tax increase be held over until the next meeting. Mayor Cohen stated that he will amend the budget if need be at that time if there are any financial stimulus to the Borough.

Irwin Levine, 28 Richmond Avenue, asked about the bids that are going out and how the Borough would need to control. Mr. Levine was advised on the bid process and the required dates of the bids. Mr. Levine also asked if the Borough could utilize a system like zoom with video. Mayor Cohen stated he will look into it.

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners how many people in Deal has the COVID-19 virus. Ms. Coffey was advised the number from the Health Department. Ms. Coffey asked the Commissioners if they read the letter issued by the Borough of Allenhurst and asked if the Commissioners can issue something similar. Mayor Cohen stated a statement was sent out by the Police Department over social media. Ms. Coffey asked if a letter can be mailed out to the residents.

MaryAnne Cronheim, 88 Monmouth Drive, concurred with Ms. Coffey about the letter and asked if a quarantine for dummies be sent out. Mrs. Cronheim asked if the beach club payments were extended from the April 15<sup>th</sup> deadline. Mayor Cohen stated that if people requested help, the Borough would work with them for their membership payment. Ms. Cronheim asked if the Casino does not open what will happen. Mayor Cohen stated that the rates will be prorated.

Raina Grossman, 5 Poplar Ave, asked the Board of Commissioners about the health of people. Mrs. Grossman stated that people are walking around the streets next to each other. Chief Neuman stated that the police department is monitoring and is concerned with the community and the officers of the police department. Mrs. Grossman stated that people are not following social distancing and clumps of people are walking around together. Chief Neuman stated that gathering of people is 10 or more and does not include family members.

Irwin Levine, 28 Richmond Avenue, recommended that a social distancing approach should be taken at the Deal Casino where lounges are placed 6 feet apart. Commissioner Simhon stated that the Borough will follow all guidelines set by the State.

Isadora Chamlin, 5 Poplar Avenue, stated to the Board of Commissioners that people are racing down Norwood Avenue and making right on red turns at Roseld Avenue. Chief Neuman stated that the Attorney General and New Jersey State Police has placed restrictions on limiting interactions with the public for minor motor vehicle violations. Mrs. Chamlin also stated that the conditions at the Deal Casino bathrooms are disgusting and that people congregate in the bathrooms. Commissioner Simhon stated that he would speak with the Beach Superintendent.

Raina Grossman, 5 Poplar Ave, asked if the residents that are positive for COVID-19 are permanent residents. Chief Neuman stated that that information cannot be released due to HIPPA.

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MaryAnne Cronheim, 5 Poplar Avenue, asked that any information that was discussed or sent from the State not be sent out on Facebook or Nixle but needs to be posted on the website.

Barbara Coffey, 85 Norwood Avenue, thanked the Police Department, Fire Department, Public Works and the First Aid for all their work during this time of the COVID-19 pandemic

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 6, 2020 at 9:00 A.M.

There being no further business or comments, it was moved by Commissioner Simhon and seconded by Commissioner Ades that the meeting be adjourned at 10:46 A.M.

SC \_\_\_\_\_

MA \_\_\_\_\_

DS \_\_\_\_\_

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Clerk