

March 11, 2022

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on March 11, 2022 at 9:00 A.M. This meeting was conducted via Teleconference with the Board of Commissioners only meeting in person.

Mayor Cohen led 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: Robert Moore, Borough Attorney Representative

It was moved by Commissioner Simhon, seconded by Commissioner Ades and carried that the minutes of the previous meeting held on February 11, 2022 be approved as recorded.

Ordinance 1248 to amend Chapter VI Beach Regulations was introduced on February 11, 2022 and the public hearing is scheduled for today, March 11, 2022. Mayor Cohen moved to open the meeting to public comment on Ordinance #1248, seconded by Commissioner Simhon and approved. The Mayor invited public comment. Mary Anne Cronheim, 88 Monmouth Drive, asked for the changes to the Ordinance. Mrs. Cronheim was advised the rule changes printed were the only changes made to the Ordinance. Barbara Coffey, 85 Norwood Avenue, stated the prices were raised to \$45 for weekday passes. Ms. Coffey was advised that would be for guest passes for the Conover Pavilion and would include a book of 5. Ms. Coffey stated that surf boards can only be used after 6:30 pm and surf clubs cannot operate until 6:30. Ms. Coffey was advised that surf boards can be used outside of the swim areas any time of day. Ms. Coffey stated that only members and guests are allowed in the Deal Casino. Ms. Coffey was advised that is for trespassers. There were no other comments from the public and the public session was closed by the same vote.

ORDINANCE 1248

AN ORDINANCE AMENDING CHAPTER VI OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" Beach Regulations

Commissioner Simhon moved to adopt Ordinance 1248, 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 22-38

RESOLUTION TO INTRODUCE THE 2022 MUNICIPAL BUDGET

WHEREAS, the 2022 budget of the Borough of Deal has been reviewed by the Board of Commissioners and is scheduled to be introduced at this meeting; and

March 11, 2022

WHEREAS, a copy of same will be made available to each person requesting it during said week and during the public hearing scheduled for April 8, 2022.

NOW, THEREFORE BE IT RESOLVED, that the following statements of revenues and appropriations shall constitute the Municipal Budget for the year 2022:

General Appropriations for:	
Appropriations within "CAPS"	
Municipal Purposes	\$ 9,834,602.00
Appropriations excluded from "CAPS":	
Municipal Purposes	\$ 5,716,796.36
Capital Improvement	\$ 4,575,056.00
Deferred Charges	\$ 0.00
Reserve for Uncollected Taxes	\$ 654,930.40
Total General Appropriations	\$ 16,206,328.76
Less: Anticipated Revenues other than current property tax	\$ 8,168,761.36
Difference: Amount to be raised by Taxes for Support of Municipal Budget as follows:	
Local tax for Municipal Purposes including Reserve for Uncollected Taxes	\$ 8,037,567.40
Sewer Utility:	
Total Appropriations	\$1,665,450.00

BE IT ALSO RESOLVED, that said Budget be published in the Asbury Park Press and the Coaster in the issue of March 17, 2022; and

BE IT FURTHER RESOLVED, that the Board of Commissioners of the Borough of Deal does hereby approve the following as the Budget for the year 2022.

BE IT FINALLY RESOLVED that a Hearing on the Budget will be held at Deal Borough Hall on April 8, 2022 at 9:00 a.m. at which time and place comments or objections to said Budget for the year 2022 may be presented by taxpayers or other interested persons.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Capital Ordinance 1249 to provide for various improvements to the Deal Beaches was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

March 11, 2022

CAPITAL ORDINANCE NO. 1249

CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO THE DEAL BEACHES AND APPROPRIATING \$125,000 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

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the various improvements to the Deal Casino, Conover Pavilion and Municipal Beach, and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$125,000, said sum being inclusive of \$125,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the various improvements to the Deal Casino, Conover Pavilion and Municipal Beach necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$25,000.00 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

March 11, 2022

Capital Ordinance 1250 to provide for purchase and improvements to the DPW Equipment was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

CAPITAL ORDINANCE NO. 1250

CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO DPW 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

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to DPW equipment; and

WHEREAS, the Borough has available \$25,000 in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$25,000, said sum being inclusive of \$25,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the purchase of and various improvements to DPW Equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

March 11, 2022

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Capital Ordinance 1251 to provide for various improvements to Municipal Buildings was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

CAPITAL ORDINANCE NO. 1251

CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO MUNICIPAL BUILDINGS AND APPROPRIATING \$300,000 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

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to DPW equipment; and

WHEREAS, the Borough has available \$300,000 in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$300,000, said sum being inclusive of \$300,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the various improvements to Municipal Buildings necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements

March 11, 2022

within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Capital Ordinance 1252 to provide for various improvements to Streets & Drains was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

CAPITAL ORDINANCE NO. 1252

CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO STREETS AND DRAINS AND APPROPRIATING \$275,256.69 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND AND GRANTS IN AID IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the various improvements to streets and drains; and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$275,256.69, said sum being inclusive of \$200,000 from the Borough's Capital Improvement Fund and \$75,256.69 from other funds, the American Rescue Plan Act.

Section 2. The improvements hereby authorized to be undertaken consist of the various improvements to Streets and Drains necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$55,051 for interest on said obligations, costs of issuing said obligations, engineering costs, legal

March 11, 2022

fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Capital Ordinance 1253 to provide for purchase & improvements to Sanitation Equipment was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

CAPITAL ORDINANCE NO. 1253

CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO SANITATION EQUIPMENT AND APPROPRIATING \$250,000 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

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to Sanitation equipment; and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$250,000, said sum being inclusive of \$250,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the purchase of and various improvements to Sanitation equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full

March 11, 2022

detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Capital Ordinance 1254 to provide for purchase & improvements to Fire Department Equipment was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

CAPITAL ORDINANCE NO. 1254

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

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to Fire Department equipment; and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$75,000, said sum being inclusive of \$75,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the purchase of and various improvements to Fire Department equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary,

March 11, 2022

incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Capital Ordinance 1255 to provide for purchase & improvements to Police Department Equipment was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

CAPITAL ORDINANCE NO. 1255

CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO POLICE 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

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to Police Department equipment; and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in

March 11, 2022

Section 2, there is hereby appropriated \$25,000, said sum being inclusive of \$25,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the purchase of and various improvements to Police Department equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Capital Ordinance 1256 to provide for purchase & improvements to Sanitary Sewer System was introduced by Commissioner Simhon, seconded by Commissioner Ades. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on April 8, 2022 at 9:00 A.M.

CAPITAL ORDINANCE NO. 1256

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

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the various improvements to the Sanitary Sewer System; and

WHEREAS, the Borough has available \$375,000 in the Borough's Sewer Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

March 11, 2022

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as sewer capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$375,000, said sum being inclusive of \$375,000 from the Borough's Sewer Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of various improvements to the Sanitary Sewers System necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2022 sewer capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$75,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 22-39

RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES

WHEREAS, the Borough of Deal has a need to obtain the following Professional Services, and their services will be provided as a non-fair and open contract pursuant to the provisions of *N.J.S.A. 19:44A-20.4 or 20.5* as appropriate; and,

WHEREAS, the Borough Clerk/Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

March 11, 2022

WHEREAS, each of the following business entities have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee serving individually or collectively as the Board of Commissioners in the Borough of Deal in the previous one year, and that the contract will prohibit each from making any reportable contributions through the term of the contract, and

WHEREAS, funds have been made available in the Annual Budget of the Borough of Deal to support these services,

NOW, THEREFORE, BE IT RESOLVED that:

1. The following appointments are hereby ratified and confirmed for the year 2022 with the amounts charged for these services in accordance with any contracts.

Real Estate Appraiser	The Meers Group, LTD	Not to exceed
\$20,000.00		

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

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this resolution.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-40

WHEREAS, the Borough is in need of purchasing an extra pump for the Roosevelt Avenue Pump Station to have on hand in the event a pump is out of service; and

WHEREAS, a quote was received for the exact duplicate of the existing pumps from Envirolutions, LLC, Bridgewater NJ at a cost \$28,313.00.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that a new Flowserve sewer pump be purchased from Envirolutions, LLC in the amount of \$28,313.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-41

WHEREAS, a request has been made for a refund for the 2022 membership to the W. Stanley Conover Pavilion; and

WHEREAS, this refund is being requested due to other unexpected financial obligations.

March 11, 2022

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the following be refunded for their membership to the W. Stanley Conover Pavilion:

1. Colin Powers, West Long Branch, NJ \$850.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-42

WHEREAS, due to the age and mileage of a police car 6103 Chevy Caprice and car 6105 Chevy Caprice, which has made it necessary to purchase a replacement for these vehicles; and

WHEREAS, the Board of Commissioners have agreed to replace this police vehicle with one (2) 2022 Chevy Tahoes.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that two (2) 2022 Chevrolet Tahoe 4WD SSV Police Vehicle be purchased through competitive biddings with bids due by April 6, 2022.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-43

Approval of Change Order #2 for Improvements to Roosevelt Avenue

WHEREAS, the Borough of Deal awarded a contract for improvements to Roosevelt Avenue to Earle Asphalt Company, Farmingdale, NJ at a cost of \$237,713.13; and

WHEREAS, the Borough Engineer recommended the following change to improvements to Roosevelt Avenue:

1 INLET FILTER,TYPE 1	Subtract	\$.72
2 BREAKAWAY BARRICADES	Subtract	\$.60
3 DRUMS	Subtract	\$.36
4 TRAFFIC CONES	Subtract	\$ 1.80
5 CONSTRUCTION SIGN 30 x 12"	Subtract	\$.12
6 CONSTRUCTION SIGN 48 x 48"	Subtract	\$.06
7 UNIFORM POLICE TRAFFIC DIRECTOR	Subtract	\$ 7,650.00
8 ASPHALT PRICE ADJUSTMENT	Add	\$ 3,325.38
9 FUEL PRICE ADJUSTMENT	Add	\$ 172.85
10 HMA MILLING, 3" OR LESS	Subtract	\$ 915.75
11 HMA MILLING,MORE THAN 3" to 6"	Subtract	\$ 346.50
12 HOT MIX ASPHALT 9.5M64 LEVELING COURSE	Subtract	\$ 4,250.00
13 HOT MIX ASPHALT 9.5M64 SURFACE COURSE	Add	\$ 5,501.50
14 HOT MIX ASPHALT 19M64 BASE COURSE	Subtract	472.50
15 TACK COAT	Add	3,675.00
16 PRIME COAT	Subtract	2.00
17 RESET MANHOLE USING NEW CASTING	Subtract	861.67
18 RESET MANHOLE USING EXISTING CASTING	Subtract	.19

March 11, 2022

21 LOW PROFILE CURB PIECE, TYPE "N" ECCO	Subtract	750.00
22 BICYCLE SAFE GRATE	Subtract	1,400.00
23 CONCRETE SIDEWALK, 4" THICK	Subtract	3,732.96
24 CONCRETE DRIVEWAY REINFORCED 6" THICK	Subtract	8,064.00
25 DETECTABLE WARNING SURFACES	Add	280.00
26 HOT MIX ASPHALT DRIVEWAY, VARIABLE	Subtract	200.00
27 RESET PAVER WALKS AND APRONS	Subtract	400.00
28 6 x 8 x 18" CONCRETE VERTICAL CURB	Subtract	2,550.00
29 TRAFFIC STRIPING EPOXY RESINS.4"	Add	75.00
30 TRAFFIC MARKINGS, STOP BAR	Subtract	528.00
31 TRAFFIC MARKINGS, CROSSWALK	Subtract	430.00
32 RESET WATER VALVE BOX	Subtract	.06
33 RESET MH. SANITARY SEWER EXISTING CAST	Subtract	2,450.00
34 SODDING	Add	200.00

Total (SUBTRACT)

\$21,777.56

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the Improvements to Roosevelt Avenue as specified by the Borough Engineer changing the contract amount to \$242,636.77.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-44

WHEREAS, Earle Asphalt Company, Farmingdale, NJ has been awarded a contract for the Roosevelt Avenue Road Improvements at a cost of \$242,636.77; and

WHEREAS, Earle Asphalt Company Inc. has requested final payment in the amount of \$44,268.82; 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 final payment of \$44,268.82 be made to Earle Asphalt Company for the Roosevelt Avenue Road Improvements.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-45

WHEREAS, the Basketball Court located at the Harry Franco Park is in need of repair and re-painting; and

WHEREAS, quotes have been obtained for the repair of the existing cracks and repaint the basketball court; and

WHEREAS, one quote obtained was to repair the cracks and repaint and two quotes were for the resurface and repaint of the courts without just repairing the cracks; and

March 11, 2022

WHEREAS, the one quote was received from All Star Tennis Court Company in the amount of \$19,750 for the repair and repainting of the basketball court.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the repair of the Harry Franco Park Basketball Court be completed by All Star Tennis Court Company at a cost of \$19,750.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-46

WHEREAS, the Municipal Parking lot is in need of repair due to cracks and lines needed repaint; and

WHEREAS, three quotes were requested to repair the crack, reseal the parking lot and repaint the parking lines; and

WHEREAS, only one quote was obtained from Fiore Paving Co., Oceanport NJ at a cost of \$7,000.00.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the repair, re-seal and repaint of the lines at the Municipal building be awarded to Fiore Paving Co. at a cost of \$7,000.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-47

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of March; 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 March 31, 2022 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 February was received from Chief Ronen Neuman.

March 11, 2022

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

A report of the disbursement checks for the Municipal Court for the month of February was received from Krystal Reiner.

A notice of public hearing was received from NJ American Natural Gas for the annual review and revisions of Societal Benefit Charge Factors for Remediation Year 2021.

A letter was received from Ocean Wind II advising of their application to NJDEP for geotechnical surveys in the Atlantic Ocean.

A notice to bidders was received from NJ SEM for the bulk purchase of electricity.

A letter was received from the Monmouth County Board of County Commissioners wishing the Deal Board of Commissioners luck in 2022 and is available for any assistance.

A resolution was received from the Monmouth County Board of County Commissioners authorizing the annual allocation from the Monmouth County Open Space, Recreation, Floodplain and Farmland and Historic Trust Funds.

A letter was received from the Monmouth County Historical Commission advising applications are being received for the Historic Preservation Awards.

An email was received from the Congregation Torat El requesting use of the Conover Pavilion for their Friday Night Services on June 17 and August 12. The Board of Commissioners approved the services.

A letter was received from Camp Veritans advising their campers will be attending the Conover Pavilion on August 3rd.

An email was received from Jersey Shore Surfrider advising of a Beach Sweep on April 2nd. The Board of Commissioners approved the beach sweep.

An Email was received from the Jewish Federation in the Heart of New Jersey requesting use of the Conover Pavilion for a function on May 19, 21 or 22. The Board of Commissioners approved the function.

A raffle application was received from the Family Children's Service of Monmouth County at the Deal Golf & Country Club on May 12th. The Board of Commissioners approved the raffle.

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 22-01 of the Warrant Register in the amount of \$565,194.16.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

The following Proclamation was introduced by Commissioner Ades

March 11, 2022

Proclamation

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

WHEREAS, in Federal fiscal year 2019, 4.4 million reports were made to child protective services; and

WHEREAS, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, our children are our most valuable resources and will shape the future of the State of New Jersey; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, protective factors are conditions that reduce or eliminate risk and promote the social, emotional, and developmental well-being of children; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, prevention remains the best defense for our children and families.

NOW, THEREFORE, I, Samuel Cohen, Mayor of the Borough of Deal, do hereby proclaim April 2022 as NATIONAL CHILD ABUSE PREVENTION MONTH in the Borough of Deal and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

New Business: Commissioner Ades stated the intersection at Norwood and Poplar needs to be addressed, it is very difficult to see vehicles in the oncoming lane. Mayor Cohen stated we need to get permission from the State DOT to lower the mounds. Commissioner Ades asked about the status of the flooding at Poplar Brook, Commissioner Ades was advised that Peter Avakian, Borough Engineer is working on some costs.

Commissioner Simhon stated that he could not walk down by the Conover Pavilion Beach, Commissioner Simhon was advised the Army Corp contractor is demobilizing and should be cleared up shortly.

March 11, 2022

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

No communications were received 24 hours prior to the meeting to be read during the public comment.

Barbara Coffey, 85 Norwood, asked the Board of Commissioners about the DSN providing services at their leased property for beach basketball, football, kayaking. Commissioner Simhon stated he doesn't believe they would be having kayaking and will follow up with the DSN. Ms. Coffey asked if a tennis wall could be placed on the fence at the Franco Park for tennis players to hit against. Mayor Cohen stated that we will look into it.

There were no comments, and the floor was closed to public comments.

It was announced that the next meeting of the Board of Commissioners, which will be on Friday, April 8, 2022 at 9:00 A.M.

There being no further business or comments, it was moved by Commissioner Ades and seconded by Commissioner Simhon that the meeting be adjourned at 9:27 A.M.

SC _____

MA _____

DS _____

Clerk