

August 3, 2022

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on August 3, 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 July 6, 2022 be approved as recorded.

Assemblywoman Piperno attended the Board of Commissioners meeting to introduce herself and spoke to the Board of Commissioners about what Assemblywoman Eulner and herself can provide to the Borough and our constituents from the 11th District. The Assemblywoman and Board of Commissioners discussed several topics including the deer population and health care costs.

The following Resolution was discussed and enacted:

Commissioner Ades offers the following Resolution:

Resolution 22-109

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

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

WHEREAS, said renewed membership terminates as of December 31, 2022 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Borough of Deal desires to renew said membership for a three (3) year period beginning January 1, 2023 and ending December 31, 2025.

NOW THEREFORE, be it resolved by the Board of Commissioners of the Borough of Deal as follows:

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

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Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-110

**Approval of Change Order #1 for
Improvements to Lawrence Avenue**

WHEREAS, the Borough of Deal awarded a contract for improvements to Lawrence Avenue to Fernandes Construction Company, Monroe, NJ at a cost of \$280,911.89; and

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

8	Asphalt Price Adjustment	Add	6,723.86
9	Fuel Price Adjustment	Add	6,339.61
10	HMA Milling, 3" or less	Add	1,021.23
11	Hot Mix Asphalt, 9.5M64 Surface Course	Add	10,533.54
12	Tack Coat	Add	2,062.50
13	Reset Manhole Using New Casting & Frm	Add	1,800.00
17	Concrete Sidewalk, 4" Thick	Subtract	6,836.70
18	Concrete Driveway Reinforced 6"	Subtract	1,931.80
19	Concrete Dished Gutter, 8" Reinforced	Subtract	960.00
20	Detectable Warning Surfaces	Add	830.00
21	Hot Mix Asphalt Driveway, Variable	Add	.17
23	6x8x18 Concrete Vertical Curb	Add	15,906.00
SA1-1	Jacob Lane – Const. HMA Speed Table	Add	9,000.00
SA1-2	Jacob Lane – Speed Hump Signs	Add	1,800.00
Total (ADD)			\$46,288.41

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the Improvements to Lawrence Avenue as specified by the Borough Engineer changing the contract amount to \$327,200.30.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-111

WHEREAS, Fernandes Construction, Inc, Farmingdale, NJ has been awarded a contract for the Lawrence Avenue Road Improvements at a cost of \$327,200.30; and

WHEREAS, Fernandes Construction Inc. has requested first payment in the amount of \$258,243.63; 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 first payment of \$258,243.63 be made to Fernandes Construction Inc. for the Lawrence Avenue Road Improvements.

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Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-112

BE IT RESOLVED, that the following persons are hereby appointed for summer positions at the Deal Casino, Conover Pavilion and Municipal Beaches, May 2022 through September 2022 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budget.

2022 Beach Staff and Lifeguard hourly salaries

Isaac Greenspan	\$15.00
Sarah Koskoff-Peters	\$9.00
Jack Massry	\$15.00
Nolan Otoole	\$9.00
Charles Safdiah	\$15.00
Bailey Crochet	\$19.50

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-113

AUTHORIZING THE BOROUGH OF DEAL TO CANCEL OLD OUTSTANDING CHECKS AND RECONCILING ITEMS

WHEREAS, certain checks have been identified in the General Fund as outstanding; and

WHEREAS, it is a normal financial practice to review the bank accounts for old outstanding items for cancellation with the balances to be returned to the Current Fund Balance; and

WHEREAS, it is necessary to formally cancel said checks so that the unnecessary balances may be returned to the Surplus Balance in the Current Fund;

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey that the following old outstanding checks, be cancelled;

Current Fund Account	Outstanding Date (prior to)	Check #	Amount
General Fund	2/26/2021	44085	\$5.31
General Fund	3/31/2021	44155	\$10.00
General Fund	3/31/2021	44179	\$240.00
General Fund	7/30/2021	44631	\$60.00
General Fund	11/15/2021	44948	\$100.00
General Fund	12/15/2021	45029	\$125.00
Total to Cancel			\$540.31

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-114

A RESOLUTION WITH REGARD TO CANCELING CAPITAL ORDINANCES

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

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

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

ORD No.	DATE AUTH.	PROJECT DESCRIPTION	AMOUNT CANCELLED FUNDED	AMOUNT CANCELLED UNFUNDED
1115	5/08/15	Various Improvements to Brighton Avenue Drainage		\$1,500.00

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-115

WHEREAS, to improve the operation of the pump station, the installation of a comminutor to reduce wastewater solids; and

WHEREAS, a manhole with a channel and bilco hatch would be needed to accept a GR1000 comminutor; and

WHEREAS, the Borough Engineer has designed and will provide the specifications for this project; and

WHEREAS, the Board of Commissioners have agreed to authorize bids for the manhole and hatch.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that competitive bids be received on September 1, 2022 for the manhole with channel to fit a GR1000 comminutor frame and bilco hatch.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-116

WHEREAS, the access control system into the Police Department is in need of repair; and

WHEREAS, Integrated Systems & Services, Eatontown, NJ, the vendor that services this access control system, has advised the software and computer is in need of an upgrade; and

WHEREAS, the existing hardware can be used with the new software upgrade; and

WHEREAS, the vendor has provided a price for this upgrade which includes the server, software, access control panel and expansion board at a cost of \$12,000.00.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that a new server, software, access control panel and expansion board for the access control system be purchased from Integrated Systems & Services, Eatontown, NJ at cost of \$12,000.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 22-117

WHEREAS, the Board of Commissioners previously approved Colel Chabad, A.K.A. Pantry Packers, permission to use the W. Stanley Conover Pavilion for an event on August 18, 2022; and

WHEREAS, Colel Chabad is requesting permission to have a fireworks display at their event; and

WHEREAS, N.J.S.A 21:3-3 requires the Governing Body to authorize the display of fireworks subject to the review and approval of the Municipal Fire and Police Officials.

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

1. Permission is granted to Colel Chabad, A.K.A Pantry Packers, to hold the fireworks display at the W. Stanley Conover Pavilion on August 18, 2022 in accordance with the application submitted to the Borough's Fire Official.
2. Approval is subject to receipt of the Certificate of Liability Insurance which provides extensive coverage for liability for damages and injuries as a result of the event.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-118

**Resolution Opposing the Proposed Increases
to the State Health Benefits Program**

WHEREAS, the State Health Benefits Program (SHBP), governed by N.J.S.A. 52:14-17.25 et seq., offers medical, prescription drug, and dental coverage to qualified State and participating local government public employees, retirees, and eligible dependents; and

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WHEREAS, all SHBP plans are self-funded meaning that the money paid out for benefits comes directly from a SHBP fund supplied by the State, participating local employers, and member premiums; and

WHEREAS, the Division of Pensions and Benefits is responsible for the daily administrative activities of the SHBP, the State Health Benefits Commission is the executive organization responsible for overseeing the SHBP; and

WHEREAS, the State Health Benefits Commission, comprised of state officials and union representatives, annually consider the calendar year premium levels for the Local Government Employer Group of the SHBP based on recommendations found in the Rate Setting Recommendation Analysis of the Local Government Employee Group; and

WHEREAS, the preliminary rate increase for the 2023 Local Government Employer Group is 22.8%, which includes a 21.6% increase for Active, a 13% increase in Early Retiree, and a 0.7% increase for Medicare Retiree; and

WHEREAS, subsequent news accounts has Department of Treasury noting “rates for active members and early retirees would likely be increase between 12-20% across the various plans for the upcoming year”; and

WHEREAS, such proposed exorbitant rate increases will fall upon the local property taxpayer along with the local public employees at a time where there is record inflation, and

WHEREAS, the proposed premium increase for most active employees will take thousands more out of their paychecks annually and lead to huge costs for local governments that will translate into higher property tax bills for struggling families; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal in the county of Monmouth call up the State Health Benefit Commission to reconsider the rate increase and strike a rate increase that is appropriate in the current economic conditions; and

BE IT FURTHER RESOVLED, that the Board of Commissioners of the Borough of Deal in the county of Monmouth urge the legislature to adopt legislation expanding the composition of the State Health Benefits Commission to include representatives from both municipal and county government management; and

BE IT FURTHER RESOLVED that a copy of this resolution be forwarded to Governor Murphy, State Treasurer Muoio, Senate President Scutari, Assembly Speaker Coughlin, Senator Vin Gopal, Assemblywoman Piperno and Eulner, and New Jersey State League of Municipalities.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 22-119

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of August; and

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WHEREAS, payroll and miscellaneous expenses must be approved for payment.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that payroll and associated deductions for the period ending August 31, 2022 be approved in the amount not to exceed \$400,000.00; 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 July was received from Chief Ronen Neuman.

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

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

A notice of public hearing was received from NJ Natural Gas for the annual review and revision of its Basic Gas Supply Service.

A notice of public hearing was received from the Monmouth County Planning Board to consider the adoption of the Monmouth County Farmland Preservation Plan 2022.

A letter was received from the League of Municipalities supplying the League's Annual Audit Statement.

A notice of bid was provided by the NJ SEM for new Natural Gas supply contracts for its membership.

An email was received from Brian Fuorry asking permission for the Cycling for The Center bike ride on September 24, 2022 on Ocean Avenue. The Board of Commissioners approved the event.

Two raffle applications were received from Interfaith Neighbors, Inc for an event at the Deal Golf & Country Club on September 19, 2022. The Board of Commissioners approved the raffle.

Two raffle applications were received from Deep Search Metal Detecting Club for an event at the Conover Pavilion on September 24, 2022 and September 25, 2022. 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 22-08 of the Warrant Register in the amount of \$3,157,317.77.

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.

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

David Hillel, Light up the Night Concert Coordinator, addressed the Board of Commissioners about the upcoming concert at the Deal Casino. Mr. Hillel stated that he is concerned with the weather forecast and is looking to move the date to Aug 31. Chief Neuman stated that this change is making a big impact on the Police Department and within Monmouth County. Chief Neuman stated there have been a lot of resources provided for this event and this change will cause additional work. The Board of Commissioners approved the change of date as long as the resources can be provided of the show.

Barbara Coffey, 85 Norwood, asked the Board of Commissioners asked the Board of Commissioners about paying property taxes without incurring any fees. Ms. Coffey was advised property taxes may still be paid with a personal check. Ms. Coffey stated that there was a landscaper that started at 7:30 am, how do they get notified about the rules. Ms. Coffey was advised when the landscapers apply for their mercantile license they are advised of the rules. Ms. Coffey asked that no lawn signs be installed for the upcoming concert at the Deal Casino. Chief Neuman stated that no advertising signs are permitted but they would put up temporary no parking signs on the day of the event and would clean up immediately after. Ms. Coffey stated that there are trailers at the Norwood Avenue Synagogue, Mayor Cohen stated that they ask for permission and it is needed.

Mary Anne Cronheim, 88 Monmouth Drive, asked the Board of Commissioners about the stop sign with lights at Roseld and Monmouth Dr, Mrs. Cronheim was advised this was to create more visibility to a bad corner. Mrs. Cronheim stated that Richmond Ave is becoming a promenade, walking in streets and bicycles on wrong side, Mrs. Cronheim stated Allenhurst has signs, Mayor Cohen stated that we can look at installing some signs. Mrs. Cronheim stated that one of the lights at the Hathaway Synagogue has been shielded but there is still one other light and the walkway is still there. Chief Neuman stated he would speak to the Synagogue about the light.

Lt. William Hulse, Deal PD, stated to the Board of Commissioners that the concert at the Deal Casino is a great event but is a heavy lift and takes a lot of resources. Lt. Hulse also advised that there are good things going on with National Night Out, stop sign replacement, painting of fire hydrants and the working together with the Police Department, Fire Department and Public Works.

There were no other 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 Wednesday, September 7, 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 9:55 A.M.

SC _____

MA _____

DS _____

Clerk