

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on May 2, 2023 at 9:00 A.M. This meeting was conducted via Teleconference.

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: Paul Fernicola, Borough Attorney & Police Chief Ronen Neuman

It was moved by Commissioner Simhon, seconded by Commissioner Ades, and carried unanimously that the minutes of the previous meeting held on April 3, 2023 be approved as recorded.

### **ORDINANCE PUBLIC HEARING**

Ordinance 1269 Chapter X Traffic Regulations was introduced on April 3, 2023 and the public hearing is scheduled for today, May 2, 2023. Mayor Cohen moved to open the meeting for public comment on Ordinance #1269, seconded by Commissioner Simhon and approved. Mayor Cohen invited public comment.

Barbara Coffey, 85 Norwood Avenue, stated she is concerned about adding parking meters to Conover, and asked if they will be throughout the town or just Conover.

Mayor Cohen advised her the metered parking system will just be at Conover. As well, he explained this is a parking system through a phone app with only one or two machines at the location for those who do not utilize the technology.

Barbara Coffey asked if the town will be adding a traffic light on Ocean Avenue due to increased traffic.

Barbara Coffey was advised no, but police will be there to monitor the traffic and pedestrian crossings.

Police Chief Ronen Neuman advised there will be portable signs in place during the summer due to high traffic as usual procedure.

Barbara Coffey asked if the residents of Marine Terrace were alerted regarding the new parking ordinance.

Barbara Coffey was advised the pending ordinance to be updated will only be on weekends and holidays, and the residents on Marine Terrace already experience high overflow during the summer.

Mary Anne Cronheim, 88 Monmouth Drive, asked for clarification if this area will be paved and if meters will be there.

Mayor Cohen responded there will be heavy duty grass at Conover parking as the DEP does not allow it to be paved. As well, he stated only one or two meters will be there, as well as an app will be provided to pay for parking.

Mary Ann Cronheim asked if the enforcement will only be through our police.

Mayor Cohen responded yes.

Mary Anne Cronheim stated she is concerned about the loss of revenue because people will go to other beaches with more amenities, and asked what the price will be for the metered parking.

Mayor Cohen responded the prices will be \$2/hour or \$10/day.

No other comments were made and the public hearing was closed.

Commissioner Simhon moved to adopt Ordinance 1269, second by Mayor Cohen. Roll Call: Ayes 2: Cohen & Simhon  
Nays 1: Ades

**ORDINANCE 1269**

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

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL HEREBY ORDAIN:

Section 1. That Chapter X, Vehicles and Traffic, of the "Revised General Ordinance of the Borough of Deal, 1982 be and it hereby is amended in the following particulars:

Section 2.

Subsection 10-36 A **Regulation for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property** is amended to read as follows:

Property

Conover Pavilion Parking Lot  
125 Ocean Avenue  
Block 28, Lot 1

Subsection 10-36 A 3(h) **Parking Meter Zones, Fees & Enforcement** is created to read as follows:

1. No person shall park a vehicle other than as hereinafter shown upon any of the following areas, unless otherwise indicated.

<u>Name of Street</u>	<u>Date</u>	<u>Time Limit</u>	<u>Limits</u>
Grass Lot	May 20 - September 15 (Daily)	9AM-5PM	(Between Paved Lot and Ocean Avenue)

2. **ESTABLISHMENT OF PARKING RATE.** A rate may be charged for parking in the above-mentioned metered area, which rate shall be set by Resolution by the Board of Commissioners from time to time.
3. **DEFACING, TAMPERING OR DAMAGING OF METERS PROHIBITED.** It shall be unlawful to deface or tamper with, damage, open or willfully break, destroy or impair the usefulness of any parking meter terminal installed under this ordinance.
4. **VIOLATIONS AND PENALTIES.** Any person who shall violate any of the provisions of this ordinance shall, upon conviction thereof before a judge of the municipal court, be fined as outlined in Section 10-4 of this ordinance

Section 4. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 5. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 6. This Ordinance shall take effect upon passage and publication according to law.

**ORDINANCE INTRODUCTION**

Ordinance 1270 to amend Chapter X Vehicles and Traffic was introduced by Commissioner Ades, and seconded by Commissioner Simhon.

Roll Call: Ayes 3; Cohen, Ades & Simhon

Public Hearing for this ordinance will be given on June 15, 2023 at 9:00 A.M.

**ORDINANCE 1270**

AN ORDINANCE AMENDING CHAPTER X OF  
“REVISED GENERAL ORDINANCES OF  
THE BOROUGH OF DEAL, 1982”  
Vehicles and Traffic

THE BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL HEREBY ORDAIN:

Section 1. That Chapter X, Vehicles and Traffic, of the “Revised General Ordinance of the Borough of Deal, 1982 be and it hereby is amended in the following particulars:

Section 2.

Subsection 10-36 A **Regulation for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property** is amended to read as follows:

Property

Deal Casino  
125 Ocean Avenue  
Block 28, Lot 1

Subsection 10-36 A 2(a)4 **Permit Parking** is amended to read as follows:

No person shall park a vehicle at the below described location unless said vehicle shall have a valid permit displayed during the open season. In order to be properly displayed, a parking permit must be hung from the rearview mirror facing forward or should be placed face-up on the dashboard to the left of the steering wheel. Make sure no other paper or garbage is covering up the placard. A parking permit shall only be valid if the bathhouse lessee to whom it has been issued has paid all charges made in connection with the lessee’s bathhouse. Each bathhouse shall only receive one parking permit and that permit shall not be duplicated or reproduced in any way.

<u>Name of Street or Lot</u>	<u>Time Limit</u>	<u>Days</u>
Entire Paved Lot	All	Fri, Sat, Sun and Holidays

Property

Conover Pavilion Parking Lot  
125 Ocean Avenue  
Block 28, Lot 1

Subsection 10-36 A 3(h) **Parking Meter Zones, Fees & Enforcement** is created to read as follows:

1. No person shall park a vehicle other than as hereinafter shown upon any of the following areas, unless otherwise indicated.

<u>Location</u>	<u>Date</u>	<u>Days</u>	<u>Hours</u>	<u>Limits</u>
Grass Lot and	May 20 - September 15	Fri, Sat, Sun & Holidays	9AM-5PM	(Between Paved Lot Ocean Avenue)

Section 3. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 4. All ordinances or parts of ordinances inconsistent with or in conflict with the Ordinance are hereby repealed to the extent of such inconsistency.

Section 5. This Ordinance shall take effect upon passage and publication according to law.

**RESOLUTIONS**

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

**Resolution 23-68**

**Resolution to Approve OMNIA Partners, Public Sector as Purchasing Cooperative**

WHEREAS, N.J.S.A. 52:34-6.2(b)(3) authorizes local contracting units to utilize national cooperative contracts as a method of procurement and to enter into national cooperative pricing agreements for its administration; and

WHEREAS, the OMNIA Partners, Public Sector (hereinafter the "Lead Agency") has offered voluntary participation in a Cooperative Purchasing System for the purchase of goods and services; and

WHEREAS, the Borough of Deal desires to become a member of the OMNIA Partners, Public Sector Cooperative Purchasing program, in order to be eligible to take advantage of contracting, when advantageous through such entity; and

WHEREAS, the Borough of Deal on April 19, 2023 applied for and were awarded membership (No. 4021328) as a participating agency in the OMNIA Partners, Public Sector; and

WHEREAS, such membership shall renew every five (5) years unless the Borough of Deal elects to formally withdraw from the system.

NOW THEREFORE BE IT RESOLVED, the Board of Commissioners of the Borough of Deal authorizes the Borough of Deal to participate in the OMNIA Partners, Public Sector Cooperative Purchasing program and authorizes the execution of a Cooperative Pricing Agreement with the Lead Agency; and

BE IT FURTHER RESOLVED, that OMNIA Partners, Public Sector Cooperative as Lead Agency is expected to comply with the provisions of the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq and all of the provisions of the revised statutes of the State of New Jersey). The Board of Commissioners further authorizes the Mayor and Borough Administrator to execute any documentation that may, from time to time, be necessary to facilitate the Borough's participation in OMNIA Partners, Public Sector's cooperative purchasing program.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-69**

**Resolution to Approve Locker Unit Refunds for Deal Casino & Conover Pavilion**

WHEREAS, requests has been made for a refund for the 2023 membership to the Deal Casino and 2023 membership to Conover Pavilion; and

WHEREAS, these refunds are being requested due to not being able to attend for the 2023 season or family member started a new and separate membership.

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 Deal Casino or Conover Pavilion:

1. Patricia Bliss, Deal, NJ \$375.00
  2. Carol Arcomano, Long Branch, NJ \$200.00
  3. Steven Maurer, Wayside, NJ \$180.00
- Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-70**

**Resolution Authorizing Renewal for Participation in the CDBG Program for the FY2024-FY2026**

WHEREAS, certain Federal funds are potentially available to Monmouth County under Title I of the Housing and Community Development Act of 1974, as amended, commonly known as the Community Development Block Grant Program; and

WHEREAS, it is necessary to establish a legal basis for the County and its residents to benefit from this program; and

WHEREAS, a Revised Amendment Cooperation Agreement has been adopted under which the Borough of Deal and the County of Monmouth in cooperation with other municipalities will establish an Interlocal Services Program pursuant to N.J.S.A. 40:8B-1; and

WHEREAS, it is in the best interest of the Borough of Deal to enter into such revised amendment cooperation agreement.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, that the Revised Amendment Agreement between the County of Monmouth and Certain Municipalities located herein for the establishment of a Cooperative Means of Conducting certain Community Development Activities, a copy of which is attached, thereto, be and same is hereby approved.

BE IT FURTHER RESOLVED that the Mayor and the Municipal Clerk be and same are hereby authorized to execute said agreement in accordance with the provisions of the law; and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately upon its enactment.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-71**

**Resolution to Approve Purchase Agreement with Stewart, A Xerox Company**

WHEREAS, N.J.S.A. 40A:11-12 (a) permits the Borough of Deal to purchase items without the necessity of competitive bidding under the State of New Jersey Cooperative Purchasing Programs; and

WHEREAS, the Borough of Deal has reviewed and verified New Jersey State Contract No. G-2075 40469 for Copiers, Maintenance and Supplies awarded to Stewart, a Xerox Company, 4365 Route 1 South, Princeton, New Jersey 08540 from May 1, 2023 to April 30, 2028 per the requirements of the Borough of Deal; and

WHEREAS, copier and printers shall be leased for a period of 60 months and shall include all parts, labor, drums and supplies, excluding paper and staples for the Borough of Deal from Stewart, A Xerox Company, 4365 Route 1 South, Princeton, New Jersey 08540 through New Jersey State Contract #G-2075 40469 in an amount not to exceed \$ 691.73 a month.

WHEREAS, funds in an amount not to exceed \$41,503.80 at a rate per month (\$691.73) for all copier and printers for a period of five (5) years has been certified to be available pending the adoption of FY'2024, FY'2025, FY'2026, FY' 2027, and FY'2028 temporary/final budget.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the Mayor and Borough Administrator are authorized to execute the agreement with Stewart, A Xerox Company.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-72**

**Approval of Change Order #1 for FY2023 Road Improvement Project**

WHEREAS, the Borough of Deal awarded a contract for FY2023 Road Improvement Project to Earle Asphalt Company, Wall, NJ at a cost of \$753,013.13; and

WHEREAS, the Borough Engineer recommended the following change to improvements to FY2023 Road Improvement Project:

03	Asphalt Price Adjustment- Runyan Ave.	Subtract	\$3,136.12
04	Fuel Price Adjustment- Runyan Ave.	Subtract	\$6,615.91
06	DGA Base Course- Runyan Ave.	Subtract	\$2.00
07	HMA Base Course 19M64 4" Th- Runyan Ave.	Subtract	\$0.40
08	HMA Surface Course 9.5M 64 2" Th- Runyan Ave.	Add	\$2,466.20
09	Concrete Curb 8X18" – Runyan Ave.	Subtract	\$11,940.00
10	Concrete Sidewalk 4' Th-Runyan Ave.	Subtract	\$20,625.00
11	Bike Safe Grate & Eco Head- Runyan Ave	Subtract	\$1,800.00
12	Install New Manhole Casting & Lid- Runyan Ave.	Subtract	\$1,400.00
A05	HM Milling 2" Th- Roseld Court	Subtract	\$10,600
A07	Concrete Curb 8x18"- Roseld Court	Subtract	\$1,020.00
A08	Paver Curb- Roseld Court	Subtract	\$5,880.00
A09	Concrete Sidewalk- Roseld Court	Subtract	\$37,500.00
B03	Asphalt Price Adjustment- Queen Ann Dr.	Subtract	\$3,188.27
B04	Fuel Price Adjustment – Queen Ann Dr.	Subtract	\$6,638.13
B06	DGA Base Course- Queen Ann Drive	Subtract	\$2.00
B07	HMA Base Course 19M64 4" Th- Queen Ann Dr.	Subtract	\$0.40

B08	HMA Surface Course 9.5M64 2" Th- Queen Ann Dr.	Subtract	\$5,908.50
B09	Install New Manhole Casting & Lid – Queen Ann Dr.	Subtract	\$2,100.00
E02	Recon Inlet with New Casting	Add	\$7,350.00
E03	Recon Inlet with Existing Frame	Add	\$2,500.00
E04	Milling 2" Th- Seaview Lane	Add	\$15,500.00
E05	HMA Surface Course 9.5M64 2" Th- Seaview Lane	Add	\$41,250.00
E06	Asphalt Price Adjustment – Seaview Lane	Add	\$1,000.00
E07	Fuel Price Adjustment – Seaview Lane	Add	\$1,000.00
E08	Milling 5" Th- Roseld Court	Add	\$26,500.00
E09	HMA Base Course 19M64 3" Th- Roseld Court	Add	\$52,250.00

**Total (ADD)**

**\$31,459.47**

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the FY 2023 Road Improvements Project as specified by the Borough Engineer changing the contract amount to \$784,472.60.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-73**

**Resolution Authorizing Payment #1 FY 2023 Road Improvement Project Bid**

WHEREAS, bids were received for the FY 2023 Road Improvement Project within the Borough of Deal which was awarded to Earle Asphalt Company, Wall, NJ; and

WHEREAS, Earle Asphalt Company has requested first payment in the amount of \$415,232.80; 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 \$415,232.80 be made to Earle Asphalt Company for the FY 2023 Road Improvement Project.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-74**

**Resolution Approving UGI Energy as New Gas Supplier under NJSEM**

WHEREAS, local units of the State of New Jersey are authorized to enter into a joint contract to provide for the formation of a joint meeting for the joint procurement of natural gas, electricity, and other forms of energy as permitted by N.J.S.A. 40A:65-14 et seq.; and

WHEREAS, the Borough of Deal is a member of the New Jersey Sustainable Energy Joint Meeting (NJSEM); and

WHEREAS, the NJSEM is a joint operation of any public services, public improvements, works, facilities, or other undertaking by contracting local units pursuant to a joint contract under section 14 of P.L. 2007, c. 63 (C.40A:65-14); and

WHEREAS, NJSEM handles the entire procurement process for its members to achieve substantial savings in energy costs for its members; and

WHEREAS, the NJSEM gas supplier contract expired in December 2022; and

WHEREAS, the NJSEM issued a request for bids in August of 2022 for a new gas supply contract that would begin in December 2022; and

WHEREAS, the bids received by NJSEM were substantially higher than the pre-established Strike Price; therefore, no contracts were awarded, and the utility Basic Gas Supply Service pricing had been deemed more favorable than alternate supplier prices for December 2022 through March 2023; and

WHEREAS, NJSEM re-bid for a gas supply contract on December 7, 2022; and

WHEREAS, NJSEM awarded a new gas supply contract for a 33-month contract commencing March 2023 through December 2025 to UGI Energy Services, the low bidder for natural gas supply services with a fixed price of \$0.2557/therm.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the Borough of Deal is duly authorized to purchase natural gas supply services with UGI Energy Services under the NJSEM.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon  
Commissioner Ades offers the following Resolution:

**Resolution 23-75**

**Resolution Appoint DPW Laborer**

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

WHEREAS, Riley Allan, has been recommended for the position of laborer within the Department of Public Works.

NOW THEREFORE BE IT RESOLVED, that Riley Allan will be appointed a Laborer effective April 16, 2023 at an annual base salary of \$40,000, paid bi-monthly.

BE IT FURTHER RESOLVED, that Riley Allan is to be assigned his duties by the Superintendent of Public Works consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-76**

**Resolution to Approve Summer Salaries**

BE IT RESOLVED, that the following persons are hereby appointed for summer positions at the Deal Casino, Conover Pavilion and Municipal Beaches, May 2023 through September 2023 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budgets.



**2023 Administrative, Management and Supervisor salaries:**

Carrie Sniffen	\$32,500
Guy Eckert	\$14,000
Molly Bonett	\$12,000
Rose Critelli	\$12,000
Kelly Sniffen	\$12,000
Amy Brenner	\$20,000
Denise Blair	\$20,000

Brandon Loughlin	\$18.00
Waylon Malles	\$10.00
Jason Melone	\$11.00
Jameson MacAllister	\$13.00
John McLaren	\$16.00
Vincent Muscillo	\$15.00
Jack Natalino	\$15.00
Lily Natalino	\$16.00
Brandon Newman	\$11.00
Nolan O'Toole	\$13.00
Walter Perski	\$18.00
William Perski	\$13.00
Zoe Rokeach	\$13.00
Julia Roussell	\$18.00
Caitlyn Savare	\$10.00
Devin Schultz	\$13.00
Richie Studer	\$18.00
Maria Tabis	\$20.00
Caleb Thompson	\$18.00
Elijah Tulloch	\$13.00
Matthew Turnbull	\$15.00
Ian Vacchiano	\$10.00
Aidan Waple	\$10.00
Kyle Watson	\$18.00

**2023 Casino Staff hourly salaries:**

Khateeb Ahmed	\$13.00
Tanzeer Ahmed	\$11.00
Kaylin Armbrust	\$10.00
Danny Austin	\$18.00
Christian Benincasa	\$18.00
Malcolm Beale	\$13.00
Mary Kate Brew	\$18.00
Gary Brenner	\$20.00
Collin Burke	\$13.00
Katie Burke	\$13.00
Shea Carpenter	\$18.00
Gianna Canavan	\$10.00
Ryleigh Cerco	\$10.00
Taylor Cerco	\$16.00
Zachary Cohen	\$11.00
Aiden Consiglio	\$11.00
Shane Corson	\$13.00
Joseph Critelli	\$13.00
Nic Critelli	\$10.00
Stevie Critelli	\$16.00
Matthew Diffley	\$18.00
Thomas Diffley	\$18.00
Anthony Flesca	\$16.00
Ava Ford	\$10.00
Hymie Gindi	\$11.00
Jesse Guica	\$11.00
Parth Gupta	\$10.00
Bryce Haney	\$11.00
Connor Haney	\$18.00
John Haney	\$18.00
Joseph Haney	\$11.00
Dylan Holtz	\$13.00
Michael Hughes	\$11.00
Stephen Krady	\$10.00

**2023 Lifeguard Staff hourly salaries:**

Joseph Amato	\$14.50
Ryan Boyer	\$16.50
Ella Burgdorf	\$17.50
Connor Caamano	\$16.00
Ryan Carey	\$16.75
Kaitlin Clifford	\$16.50
David Cohen	\$15.50
Hannah Cohen	\$15.50
Jack Cullen	\$15.50
Ryan Culliane	\$15.50
Bailey Crochet	\$22.00
Trevor Crochet	\$18.00
Jayion Daniels	\$15.50
Bryan Delia	\$19.00
Alyssa Di Marco	\$15.50
Jenna Dziedzic	\$16.00
Riley Egan	\$16.00
Joey Epstein	\$16.50
Rotimo Esiso	\$14.50
Michael Ford	\$14.50
Kollin Frediksen	\$15.50
Richard Fronapfel	\$19.00

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Diego Gonzalez	\$16.75
Julia Hulse	\$16.00
John Kelly	\$19.00
Liam Kilcullen	\$15.50
Emma Knight	\$16.00
Carolyn Langill	\$15.50
Tori Lee	\$16.00
Alexa Lewis	\$16.50
Nicolas Leyra	\$15.50
Joseph Lucignano	\$15.50
Sophie Masonius	\$16.00
Tyler McLeod	\$15.50
Conor Monaghan	\$19.00
Grace Montanari	\$14.50
Timothy Naughton	\$15.50
Charles Paparella	\$16.50
Sebastian Pepe	\$14.50
Erin Rogers	\$16.75
Ethan Siliato	\$15.50
Molly Sheehan	\$16.00
Jake Shirley	\$18.50
Riley Smaltini	\$14.50
Ezra Edward Smouha	\$14.50
Olivia Starace	\$16.00
Graysen Szuwalski	\$14.50
Logan Szuwalski	\$16.50
Kevin Toth	\$15.50
Dylan Van Berkel	\$15.50
Dennis Vassallo	\$15.50
Malia Wolf	\$19.00
Mason Wolf	\$18.50
Peter Wolf	\$22.00
Benjaminn Zic	\$18.00
Reese Zimmerman	\$16.75

**2023 Coach Staff hourly salaries:**

Kyle Clayton	\$14.50
Alexis Pickett	\$14.50
Maria Tedesco	\$14.50

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-77**

**Resolution to Approve Employee Termination**

WHEREAS, the Board of Commissioners wish to terminate the employment of an existing employee from the Borough of Deal; and

WHEREAS, this employee is outlined with the Borough Administrator; and

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners that the employee outlined with the Borough Administrator be terminated from the current position within the Borough of Deal effective immediately.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-78**

**Resolution to Approve Purchase of Jet Ski**

WHEREAS, the Borough of Deal provides public access to the shore and tidal waterways under the Coastal Permit Program and the Coastal Zone Management rules; and

WHEREAS, the Borough of Deal hires summer lifeguards to monitor public safety at the beaches; and

WHEREAS, rescue watercrafts (jet skis, etc.) to patrol coastlines and quickly respond to lifesaving and other public safety incidents are viewed as beneficial for the safety of the public; and

WHEREAS, there is a need to purchase a jet ski for beach safety and lifeguard rescues within the Borough of Deal; and

WHEREAS, pursuant to N.J.S.A. 40A:11, the Borough may, by resolution and without advertising for bids, purchase goods and/or services under the bid threshold of \$44,000; and

WHEREAS, contracts that are exempt from public advertising, and the receipt of bids require the contracting agent to actively solicit at least two competitive quotations; and

WHEREAS, the Borough of Deal received three competitive quotations ; and

WHEREAS, the Board of Commissioners of the Borough of Deal find Jersey Shore Powersports the most advantageous in price and other factors considered; and

WHEREAS, the Borough of Deal desires to award a contract to Jersey Shore Powersports for the purchase of a jet ski in the amount of \$12,480.00.

BE IT RESOLVED, by Board of Commissioners of the Borough of Deal, in the County of Monmouth, that Jersey Shore Powersports is hereby awarded the contract for the purchase of a jet ski in the amount of \$12,480.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-79**  
**Resolution to Approve Beach Change Fund**

WHEREAS, it is necessary to have a change fund available for the operation of the Deal Casino and Conover Pavilion during the summer months while the beaches are open.

NOW THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal authorize the Borough Administrator to draw \$1,000.00 total from the general account for the beach clubs to use to make change at the Deal Casino and Conover Pavilion beach clubs, returning this fund after the close of the season in September.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-80**  
**Resolution to Approve Metered Parking Fees**

WHEREAS, the Board of Commissioners adopted Ordinance #1269 creating metered parking at the W. Stanley Conover Pavilion; and

WHEREAS, the ordinance allows the Board of Commissioners to fix rates for the metered parking; and

WHEREAS, the Board of Commissioners will set the hourly rate as well as a maximum rate per day to park in the designated area.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the metered parking as outlined in Ordinance #1269 or any amendments to said ordinance be set at the following rates:

- 1) \$2.00 per hour
- 2) Maximum per day: \$10.00

Seconded by Mayor Cohen

Roll Call:

Ayes 2: Cohen & Simhon

Nays 1: Ades

Commissioner Simhon offers the following Resolution:

**Resolution 23-81**  
**Approval of Change Order #1 for  
Brighton Avenue Improvements**

WHEREAS, the Borough of Deal awarded a contract for Brighton Avenue Improvements Project to Fernandes Construction, Monroe, NJ at a cost of \$221,489.50; and

WHEREAS, the Borough Engineer recommended the following change to improvements to Brighton Avenue Improvements Project:

SA 1-1	Repair Inlet	Add	\$5,250.00
SA 1-2	Bicycle Safe Grate	Add	\$635.25
SA 1-3	Tree Removal, 48" Diameter	Add	\$3,750.00
SA 1-4	Remove and Replace Subbase for Concrete Gutter	Add	\$3,290.00

**Total (ADD) \$12,925.25**

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the Brighton Avenue Improvements Project as specified by the Borough Engineer changing the contract amount to \$234,414.75

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-82**

**Resolution Authorizing Payment #1  
Brighton Avenue Improvement Project Bid**

WHEREAS, bids were received for the Brighton Avenue Improvement Project within the Borough of Deal which was awarded to Fernandes Construction, Monroe, NJ; and

WHEREAS, Fernandes Construction has requested first payment in the amount of \$183,729.10; 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 \$183,729.10 be made to Fernandes Construction for the Brighton Avenue Improvement Project.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 23-83**

BE IT RESOLVED, that the regular meetings of the Board of Commissioners of the Borough of Deal, New Jersey will be held for the remaining of the year, 2023, on the following dates and times, action will be taken as appropriate.

- June 15, 2023 – 9:00 am
- July 13, 2023 – 9:00 am
- August 10, 2023 – 9:00 am
- September 14, 2023 – 9:00 am
- October 12, 2023 – 9:00 am
- November 9, 2023 – 9:00 am

December 6, 2023 – 9:00 am

BE IT FURTHER RESOLVED that the Borough Clerk will publish notice thereof in the Official Newspapers.

BE IT FURTHER RESOLVED, by the Board of Commissioners of the Borough of Deal that, the organization, proceedings or decorum of said meetings unless covered by Resolution or general law, shall be governed by Robert's Rules of Order including the items prescribed by this section:

1. The Mayor or his designee will limit public comments to 3 minutes per person.
2. Any person(s) who disrupts the orderly conduct of any meeting shall be called to order by the Mayor or his designee. If such conduct continues to disrupt the meeting despite the warning(s), then the Mayor or his designee, at their discretion, may order such person removed from the meeting

BE IT FURTHER RESOLVED that with the utmost concern for the health and safety of the public and our municipal staff due to the potential spread of the COVID-19 virus, it is necessary that the Borough of Deal take proactive measures. The health and safety of our community remains our number one priority.

BE IT FURTHER RESOLVED that the Board of Commissioners of the Borough of Deal will hold these meetings allowing the public to remotely access the public meeting due to the Municipal Building being closed to the public. Utilize the following call-in information:

[https://zoom.us/j/ 94635937014](https://zoom.us/j/94635937014)  
Meeting ID: 946 3593 7014  
Passcode: 261984

Phone:  
Call # 1-646-558-8656  
Meeting ID/PIN: 946 3593 7014#  
Passcode: 261984

The Preliminary Agenda will be available on the Borough's website, [www.dealborough.com](http://www.dealborough.com), 72 hours prior to the start of the meeting. The public may participate during public comment when the Mayor or his designee opens the meeting to the public. The public may also provide comments via electronic mail or in writing 24 hours prior to the meeting to be read by the Municipal Clerk during the public comment portion of the meeting. These comments can be sent to [administrator@dealborough.com](mailto:administrator@dealborough.com), mailed or hand delivered to Borough Hall, 190 Norwood Avenue, Deal, NJ 07723 24 hours prior to the meeting.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

### **MONTHLY REPORTS**

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

A report of the Building Department for the month of April was received from the Building Department.

A report of the disbursement checks for the Municipal Court for the month of April was received from Krystle Reiner.

### **CORRESPONDENCE**

A letter was received from the New Jersey Department of Transportation regarding grant applications being accepted for the 2024 State Aid Programs, which are due by July 1<sup>st</sup>. The Board of Commissioners approved the borough to apply in order to fix gutter.

A letter was received from Jersey Central Power & Light notifying all municipalities serviced by them that they are seeking recovery fees from a Solar Program.

A letter was received from the Monmouth County Regional Health Commission regarding the new appointment at Michael Balka as our new Health Officer.

Two raffle applications were received from Holiday Express Inc. for an event at Deal Golf & Country Club on June 12, 2023. The Board of Commissioners approved the raffles.

A raffle application was received from the Deal First Aid and Emergency Squad Inc. for an event at 110 Brighton Avenue on September 9, 2023. The Board of Commissioners approved the raffle.

A raffle application was received from Christian Brothers Academy for an event at Deal Golf & Country Club on October 16, 2023. The Board of Commissioners approved the raffle.

A request was made by Sarah's Tent to set up tables and chairs on Phillips Avenue to provide an outdoor dining option. The Board of Commissioners denied the request.

A letter was received requesting the date of July 29 for the Sephardic Bikur Holim Carnival. The Board of Commissioners approved of the date.

### **UNFINISHED BUSINESS**

There was no unfinished business to discuss.

### **NEW BUSINESS**

There was no new business to discuss.

### **RESOLUTION TO PAY BILLS**

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 the amount of \$314,640.84 for the April 28, 2023 bills report and \$2,554,083.73 for the May 15, 2023 bills report.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

### **PUBLIC COMMENT**

Mayor Cohen opened the session for public comment.

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

Katie Williams, resident of Ocean Township, asked if there are any other dates besides the date of the carnival that will restrict parking at Conover. As well, she asked about the public park being built.

Mayor Cohen responded that is the only date right now, and the public park will be completed by next summer.

Katie Williams asked if the public can still use the basketball courts at DSN.

Mayor Cohen responded no because that is where the park is being built.

Katie Williams asked how membership to the Casino will be offered once the Casino is renovated.

Mayor Cohen responded he does not have an answer to that as the Casino renovation project has not gone out to bid, but it will be a similar process as now.

Barbara Coffey, 85 Norwood Avenue, asked if the bid process will be public, and suggested a public meeting for the public to provide feedback on the Casino with the Commissioners.

Barbara Coffey was advised the bid process needs to follow the procedures outlined by the law.

Mary Anne Cronheim, 88 Monmouth Drive, asked about the difference between FY2023 Improvement Project and Brighton Avenue Improvement Project. As well, she asked about the snack bar.

Mary Anne Cronheim was advised the snack bar vendor was approved but the borough is finalizing the contract still.

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

Commissioner Ades made a motion to amend the agenda to include a closed session, seconded by Commissioner Simhon, and moved unanimously.

The following resolution was discussed and enacted:

Commissioner Ades offers the following Resolution:

**Resolution 23-84**

WHEREAS, the Open Public Meetings Act, P.L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss personnel and contractual matters; and

WHEREAS, Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED, that the Board of Commissioners of the Borough of Deal hereby exclude the public from this meeting.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

The Board of Commissioners entered into closed session to discuss potential litigation at 9:35 A.M.

The Commissioners returned to open session at 10:10 A.M.

Commissioner Ades offers the following Resolution:



**Resolution 23-85**

WHEREAS, the Borough of Deal provides CDL driver training to all Department of Public Works employees; and

WHEREAS, the Borough and employees of DPW, CWA Local 1075, have an agreement that if an employee leaves employment within a two year period, the employee shall reimburse the Borough for all or portion of said cost of training; and

WHEREAS, an employee FK, has completed the training and signed the agreement for reimbursement and voluntarily left his employment with the Borough of Deal; and

WHEREAS, multiple attempts have been made to get the reimbursement with no success; and

WHEREAS, the Municipal Attorney would like to send a letter to FK to retrieve the reimbursement immediately or legal action would be taken.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, that the Municipal Attorney take action against FK by sending a letter to obtain the monies for reimbursement for the CDL training and if necessary take legal action.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 23-86**

WHEREAS, the Borough of Deal has taken steps to subdivide a portion of Block 89, Lot 1 by Neptune Avenue to install beach access stairs; and

WHEREAS, the Borough Engineer has provided a metes and bounds of the area to be subdivided; and

WHEREAS, the Deal Planning Board adopted a resolution on March 28, 2023 approving the subdivision; and

WHEREAS, the Board of Commissioners would also like to approve this subdivision and allow the Municipal Attorney to complete the Deed of Subdivision and any other necessary paperwork.

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

- 1) the subdivision of Block 89 Lot 1 outlined by the Municipal Engineer be approved; and
- 2) That the Municipal Attorney create a Deed and any other legal documents to formalize the subdivision; and
- 3) The Board of Commissioners allow the Mayor to sign any legal documents for the subdivision.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

May 2, 2023

It was announced that the next meeting of the Board of Commissioners, will be on Thursday, June 15, 2023 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 10:12 A.M.

SC \_\_\_\_\_

MA \_\_\_\_\_

DS \_\_\_\_\_

\_\_\_\_\_  
Clerk