

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on August 11, 2023 at 9:00 A.M. This meeting was conducted via Teleconference.

Mayor Cohen led the salute to the flag.

Mayor Cohen asked everyone to join him in a moment of silence to honor Stephen Carasia, Borough Administrator/Clerk.

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 and 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 July 13, 2023 be approved as recorded.

RESOLUTIONS

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 23-117

Authorizing the Execution of a Municipal Assistance/Shared Services Agreement and Commodity Resale Agreement with the County of Monmouth

WHEREAS, the New Jersey Uniform Shared Services and Consolidation Act (C40A:65-1, et seq.) authorizes local units such as this Borough to enter into shared service agreements with other local units; and

WHEREAS, the County of Monmouth, a local unit, has offered to provide Municipal Assistance/Shared Services and Commodity Resale to the Borough; and

WHEREAS, in October of 2018, the Borough of Deal entered into a five year shared service Commodity Resale Agreement with the County of Monmouth; and

WHEREAS, it is in the best interest of this Borough to enter the proposed Municipal Assistance/Shared Services Agreement and Commodity Resale Agreement with the County of Monmouth for another five years.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Mayor and the Borough Clerk are hereby authorized to execute the attached Municipal Assistance/Shared Services Agreement and the Commodity Resale Agreement with the County of Monmouth.

BE IT FURTHER RESOLVED, that the Borough Clerk will forward a certified copy of this resolution, along with the executed Municipal Assistance/Shared Services Agreement and Commodity Resale Agreement to the Clerk of the Board of County Commissioners, County of Monmouth.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 23-118

WHEREAS, the Board of Commissioners previously approved Colel Chabad, A.K.A. Pantry Packers, permission to use 125 Ocean Ave. for an event on August 22, 2023; 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 125 Ocean Ave. on August 22, 2023 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 Simhon offers the following Resolution:

Resolution 23-119

WHEREAS, a vacancy exists due to the passing of Stephen Carasia, Borough Clerk / Administrator; and

WHEREAS, when a vacancy occurs in the office of the Municipal Clerk, NJAC 5:32-5.3 permits the governing body to appoint an Acting Municipal Clerk from the date of the vacancy to serve as acting municipal clerk for a period not to exceed one year and for an additional two years with the approval of the Director of New Jersey Local Government Services; and

WHEREAS, the Borough wishes to appoint Ronen Neuman to serve as Acting Borough Clerk/Administrator for a one-year term as per statute.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Ronen Neuman is hereby appointed Acting Municipal Clerk / Administrator for the Borough of Deal for a one-year term commencing August 11, 2023.

BE IT FURTHER RESOLVED by the Board of Commissioners of the Borough of Deal that Ronen Neuman in accordance with N.J.A.C 26:8-11 is hereby appointed Registrar of Vital Statistics of the Borough of Deal.

Seconded by Commissioner Ades

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

Commissioner Ades offers the following Resolution:

Resolution 23-120

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Citizens Bank, Norwood Avenue, Deal branch, shall be the depository for the following Borough of Deal funds: General Capital, Payroll, General Checking, Sewer Capital, Sewer Checking, Engineering Escrow, Street Opening, Dog Account, Law Enforcement Trust Account, Trust Other Interfund, Tax Collectors Escrow Account, General Reserve, the SUI Fund, Deal PBA, Deal Beaches, and Accumulated Leave Compensation.

All disbursements from these accounts shall be made by checks signed by three of the following: Mayor Samuel Cohen, Commissioner Morris Ades, Commissioner David Simhon, and Ronen Neuman, Acting Borough Clerk.

Seconded by Commissioner Simhon

Roll Call Ayes 3; Cohen, Ades, and Simhon

Commissioner Simhon offers the following Resolution:

Resolution 23-121

Resolution Authorizing the Award of a Non-Fair and Open Contract for Professional Services

WHEREAS, the Borough of Deal has a need to obtain Professional Services, and these 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 of Deal wishes to retain the services of an Administrator Consultant; and

WHEREAS, the services to be provided are specialized and qualitative in nature, and require expertise, extensive training, and proven reputation in the field of endeavor; and

WHEREAS, the Contractor, PM Consultants, possess the necessary training and expertise to act in this capacity; and

WHEREAS, the anticipated term of this contract is 5 months; and

WHEREAS, PM Consultants 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, the parties wish to express in the within Agreement the terms and conditions associated with the Contractor's provision of services to the Borough; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that PM Consultants be appointed for services of Administrator Consultant for a term of August 11, 2023 and ending December 31, 2023 provided that the term may be extended up to an additional sixty (60) days with the mutual consent of the parties, and with the amount charges for these services in accordance with the contract.

BE IT FURTHER RESOLVED, a copy of the Resolution shall be published in The Coaster within 10 days of its passage; and

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

MONTHLY REPORTS

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

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

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

CORRESPONDENCE

Two raffle applications from Deep Search Metal Detecting Club were received for events at Conover Pavilion on September 23 and September 24, 2023. The Board of Commissioners approved the raffles.

Two raffle applications from Interfaith Neighbors Inc. were received for events at the Deal Golf & Country Club on September 18, 2023. The Board of Commissioners approved the raffles.

Two raffle applications from Freehold Sports and Wellness DBA All Kids One Field were received for events at Deal Casino on August 25, 2023. The Board of Commissioners approved the raffles.

A letter was received from the Deal Fire Company No. 2 requesting permission to use the Borough's streets and facilities at the Deal Casino, on Sunday October 29, 2023. The Commissioners approved the use of Deal Casino by the Deal Fire Company.

A letter was received from Dreyer's Lumber & Hardware Inc., providing notification that an application for a Letter of Interpretation, Flood Hazard Area Verification, and Flood Hazard Aea Individual Permit was submitted to the New Jersey Department of Environmental Protection.

A letter was received from the New Jersey Department of Transportation announcing that applications are now being accepted for the 2024 Safe Routes to School Program.

A letter was received from the Mayor of Woodbridge Township announcing that they are hosting the New Jersey Senior Olympic games on September 8,9,& 10, 2023.

A letter was received from the Monmouth County Division of Transportation advising that a public hearing will be had on August 17, 2023 at 1:00 p.m. to obtain public input on the application for FY 2024 5311 grant.

Local Finance Notice 2023-14 was received from the Department of Community Affairs advising on Pay-to-Play Law Updates for Local Governments.

A letter was received from Senator Vin Gopal providing legislative updates.

A copy of a resolution was received from the Ocean Township Board of Adjustment approving the meeting dates for 2023-2024.

A copy of a resolution was received from the Ocean Township Planning Board approving the meeting dates for 2023-2024.

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 \$3,020,177.97 for the July 31, 2023 bills report and \$776,267.73 for the August 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.

Mary Anne Cronheim, 88 Monmouth Drive, gave her condolences for the passing of Stephen Carasia and stated there was a lot of flooding on Richmond and Monmouth Dr., going all the way to Hathaway.

Mayor Cohen responded he will speak with the borough's engineer to investigate.

Commissioner Simhon commented to have the engineer review Parker Ave. as well.

Barbara Coffey, 85 Norwood Avenue, asked if the event at Deal Casino is open to the public.

Barbara Coffey was advised it is an event hosted by the non-profit organization Freehold Sports and Wellness DBA.

Barbara Coffey, 85 Norwood Avenue, stated Railroad Ave. and Poplar roads she sees a lot of flooding. As well, she asked that the DSN not layout chairs before the beach goers come to the beach for those who use the beach rental chair service.

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

The following resolution was discussed and enacted:

Mayor Cohen offers the following Resolution:

Resolution 23-122

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 collective bargaining agreement 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 Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

The Board of Commissioners entered into closed session to discuss litigation matters at 9:30 A.M.

The Commissioners returned to open session at 9:45 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 9:46 A.M.

SC _____

MA _____

DS _____

Clerk