

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on December 11, 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 (arrived at 9:04 A.M.) & Commissioner Simhon
 Also Present: Paul Fernicola, Borough Attorney

It was moved by Commissioner Simhon, seconded by Mayor Cohen, and carried unanimously by all present that the minutes of the previous meeting held on November 9, 2023 be approved as recorded.

RESOLUTIONS

The following Resolutions were discussed and enacted:

Commissioner Simhon offers the following Resolution:

Resolution 23-161

WHEREAS, Local budget Law provides that between November 1st and December 31st of the current budget year, and January 1st and March 31st of each year of the next succeeding year, transfers may be made from one budget appropriation to another by resolution; and

WHEREAS, it has become necessary to expend more for some purposes than provided for in the 2023 budget, as adopted.

NOW, THEREFORE BE IT RESOLVED that the following transfers be made between appropriations in the 2023 budget for the Borough of Deal:

FROM	AMOUNT	TO
3-01-21-180-012	\$12,000.00	3-01-25-240-011
Planning Board Secretary Salary		PD Salaries
3-01-21-185-012	\$ 17,000.00	3-01-26-315-090
Zoning Officer Salary		Vehicle Maintenance
3-01-22-195-011	\$ 20,000.00	3-01-26-310-024
Construction Salary		Building Maintenance
3-01-28-381-013	\$ 60,000.00	3-01-25-240-032
Summer Salaries		Uniforms PD
		3-01-23-221-093
		Health Benefits Waiver
		3-01-25-240-090
		PD Miscellaneous
Total	\$109,000.00	

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 23-162

Resolution to Approve Roof Repair at Borough Hall

WHEREAS, a leak exists on the flat roof of Deal Borough Hall; and

WHEREAS, there is a need to fix said leak to avoid further damage to the building; 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 requested three competitive quotations; and

WHEREAS, the Board of Commissioners of the Borough of Deal find Ralfco LLC the most advantageous in price and other factors considered; and

WHEREAS, the Borough of Deal desires to award a contract to Ralfco LLC for the services of roof repair in the amount of \$850.00.

BE IT RESOLVED, by Board of Commissioners of the Borough of Deal, in the County of Monmouth, that Ralfco LLC is hereby awarded the contract for services of roof repair in the amount of \$850.00.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 23-163

WHEREAS, the Borough of Deal and the Borough of Red Bank are desirous of entering into an agreement pursuant to the provisions of N.J.S.A. 40A:65.1 et seq. to provide for Services to be provided by the Red Bank Finance Officer.

BE IT RESOLVED, to authorize the Mayor and Acting Clerk to execute the Finance Officer Interlocal Services Agreement with the Borough of Deal subject to legal approval.

NOW, THERE BE IT RESOLVED by the Governing Body of the Borough of Deal, in the County of Monmouth, State of New Jersey that the Mayor and Acting Borough Clerk are hereby authorized to execute an Interlocal Services Agreement with the Borough of Red Bank for Finance Officer Services for the Borough of Deal commencing on January 1, 2024, as detailed in the attached agreement.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 23-164

WHEREAS, the Borough of Deal is a member of the Monmouth County Community Development Program; and

WHEREAS, the Borough of Deal must appoint a representative.

NOW, THEREFORE BE IT RESOLVED, that Ronen Neuman Acting Borough Clerk / Administrator is hereby appointed the representative of the Borough of Deal to the Monmouth County Community Development Program for the year to include January 1, 2024 through December 31, 2024; and

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 23-165

Resolution Approving Purchase Agreement with Witmer Public Safety Group Inc.

WHEREAS, the Borough of Deal has the need to purchase new police firearms; and

WHEREAS, New Jersey State Contracts have for purchase firearms through state contract with Witmer Public Safety Group Inc., 101 Independence Way, Coatesville, PA 19320.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal agrees to purchase and pay for firearms from Witmer Public Safety Group Inc., Pennsylvania at the terms specified in their contract for \$7,526.30 under New Jersey State Contract 17-FLEET-00767.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Simhon offers the following Resolution:

Resolution 23-166

Resolution Approving Purchase Agreements with Axon Enterprises Inc.

WHEREAS, the Borough of Deal Police Department has the need to purchase new police body cameras and patrol car cameras along with software for said cameras; and

WHEREAS, New Jersey State Contract has for purchase body cameras and patrol car cameras along with software through a state contract with Axon Enterprise Inc., 17800 N 85th St., Scottsdale, AZ 85255.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal agrees to purchase and pay for body cameras, patrol car cameras, and software for each camera type from Axon Enterprise Inc., Arizona at the terms specified in the contract for \$98,111.24 for body cameras hardware and software and \$119,958.60 for patrol car cameras hardware and software under New Jersey State Contract T0106 17-FLEET-00738.

BE IT FURTHER RESOLVED, initial payment shall be made for body cameras of \$10,190.00 in December of 2023, and all other payments for body cameras and patrol car cameras shall be made annually for a total contract term of five (5) years starting January 2024 as described in said contracts.

Seconded by Mayor Cohen

Roll Call: Ayes 2; Cohen & Simhon
Absent 1; Ades

Commissioner Ades offers the following Resolution:

Resolution 23-167

WHEREAS, Jennifer Velasquez, was appointed Probationary Patrolman effective January 1, 2023; and

WHEREAS, Officer Velasquez has completed her respective probationary period to the satisfaction of Chief Ronen Neuman and has graduated from the course of instruction at the Monmouth County Police Academy. It is the recommendation of Chief Neuman that this officer be appointed as a regular Patrolman.

NOW THEREFORE BE IT RESOLVED, that Jennifer Velasquez is hereby appointed as a Regular Patrolman in the Police Department of the Borough of Deal, New Jersey, effective January 1, 2024 subject to the provisions of the statutes of New Jersey and the Ordinance establishing the police department in the Borough of Deal and the rules and regulations governing the Police Department.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 23-168

WHEREAS, the Borough of Deal, has duly appointed and employs a Chief Financial Officer in accordance with N.J.S.A. 40A:9-140.10; and

WHEREAS, since January 1996, Thomas Seaman has been appointed and serves as the Chief Financial Officer of the Borough; and

WHEREAS, prior years the Borough Administrator had prepared the temporary budget and regular budget for the ensuing year; and

WHEREAS, now the Board of Commissioners of the Borough of Deal wish to give said responsibility of preparing the temporary and regular budget for the ensuing year, 2024, to the Chief Financial Officer; and

WHEREAS, as compensation for his services in preparing the budget, the Borough finds it equitable to provide Thomas Seaman with a one-time stipend.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that a one-time stipend in the amount of \$4,000.00 shall be paid to Thomas Seaman as compensation for the preparation of the temporary and regular budget for the year 2024.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen offers the following Resolution:

Resolution 23-169

WHEREAS, Commissioner Simhon was appointed Class III member of the Planning Board under Resolution 22-169 for a term that expires on December 31, 2023; and

WHEREAS, the Board of Commissioners wish to reappoint Commissioner Simhon as Class III member of the Planning Board.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Commissioner David Simhon, Deal be appointed as a Class III member of the Planning Board pursuant to the Municipal Land Use Law, P.L. 1975 to commence January 1, 2024 and to expire May 17, 2024.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

Resolution 23-170

WHEREAS, a request has been made for a refund for the 2024 membership to the Deal Casino; and

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

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:

1. Erin Burgdorf, West Allenhurst, \$1,900.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 23-171

WHEREAS, the Board of Commissioners of the Borough of Deal have determined, at a public meeting held on December 11, 2023, to authorize an amendment to the existing Employment Agreement between the Borough of Deal and Ronen Neuman, Chief of Police.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, Monmouth County, New Jersey, on this 11th day of December 2023, as follows:

1. Ronen Neuman, Chief of Police has accumulated certain unpaid compensatory time off. The Board of Commissioners of the Borough of Deal hereby authorize Chief Neuman, at his option, to transfer up to a maximum of \$25,000 in accumulated compensatory time into his New Jersey State Employees Deferred Compensation Plan, as an eligible Borough employee.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

PLANNING BOARD APPOINTMENTS

Mayor Cohen made the following appointments to the Deal Planning Board:

Joseph Cohen	Class IV	Expiring: 12/31/2027
Nicole Cohen	Class IV	Expiring: 12/31/2027

MONTHLY REPORTS

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

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

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

CORRESPONDENCE

A letter was received from Clean Ocean Action regarding the 39th Annual Beach Sweep Dates, asking for permission to clean the beaches on April 13, 2024 and October 19th, 2024. The Commissioners approved the dates.

A letter was received from the Coast for the National Multiple Sclerosis Society asking for permission to rent the Deal Casino for an event on May 11, 2024. The Commissioners approved the date.

A letter was received from Samuel Beda asking to use the Harry Franco Basketball Courts on Sunday mornings from June 23, 2024-August 25, 2024. The Commissioners denied the request as many residents use the basketball court during that time frame.

A letter was received from the Monmouth County Regional Health Commissioner notifying that they are moving locations to 628 Shrewsbury Ave., Tinton Falls, and that they are changing their name to Jersey Shore Regional Health Commission.

A letter was received from the New Jersey Department of Community Affairs notifying residents about the Winter Termination Program .

Notification was received from Long Branch that the Municipal Land Use Law Ordinance 0-31-23 passed and that they will be changing the overlay zone permitting use and operation of non-profit institutions of higher learning.

Notification was received from Ocean Township that the Municipal Land Use Law Ordinance 2444 is scheduled for public hearing on December 14, 2023 regarding changing their Zoning District to allow cannabis establishments.

Local Finance Notice 2023-21 was received providing information on the readoption of budget and financial administration.

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 \$334,060.60 for the November 30, 2023 bills report and \$595,897.42 for the December 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.

Barbara Coffey, 85 Norwood Avenue, asked if in the future the town can have a public tree lighting of the Christmas Tree.

Mayor Cohen responded yes; we can look into that for next year.

Barbara Coffey, 85 Norwood Avenue, asked if a permit has been filed yet for the Neptune Ave. beach stairs.

Paul Fernicola, Borough Attorney, responded it is still being worked on.

Barbara Coffey, 85 Norwood Avenue, asked for better traffic control on Phillips Ave. on Fridays.

Ronen Neuman, Police Chief/Acting Administrator, responded yes was can do that.

Mary Anne Cronheim, 88 Monmouth Drive, asked if the beach was cleaned from the tard balls.

Ronen Neuman, Police Chief/Acting Administrator, responded DEP cleaned it.

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

Commissioner Simhon offers the following Resolution:

Resolution 23-172

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 material that fall under contractual, litigation, and personnel 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 contractual and personnel matters at 9:23 A.M.

The Commissioners returned to open session at 10:18 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 10:18 A.M.

SC _____

MA _____

DS _____

Clerk