

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on May 1, 2024 at 7:00 P.M. This meeting was conducted in the Court Room at Borough Hall.

Flag salute led by Mayor Cohen.

OPEN PUBLIC MEETING STATEMENT: *Read by temp. Sandra Martin-* Pursuant to the provisions of New Jersey Open Public Meetings Act, adequate notice of this meeting was properly provided by transmitting the Notice of the meeting for publication in the Asbury Park Press and the Coaster. Notice of this meeting of the Board of Commissioners has been posted in the corridor of the Municipal Building and in the Office of the Municipal Clerk.

Present: Mayor Cohen, Commissioner Simhon & Commissioner Kassin  
Also Present: Acting Clerk/Administrator- Chief Ronen Neuman  
Ian Goldman, Borough Attorney  
Sandra Martin, temp RMC  
Thomas X. Seaman, CFO

APPROVAL OF THE MEETING MINUTES OF APRIL 2, 2024:  
Moved by Commissioner Simhon, Seconded by Mayor Cohen  
In Favor: Cohen, Simhon, Kassin  
Carries: Yes

**ORDINANCES:**

**a) Final Reading & Adoption:** Ordinance 1284 Amending Chapter X Vehicles and Traffic Public Comment (Ordinance 1284): *Mayor Cohen opened the Public Hearing.*

Resident, questioned if the overflow parking section pertains to Deal Casino.  
Resident, questioned if there are parking restrictions on May 1<sup>st</sup> on Phillips Avenue. If additional parking will be permitted in other areas because of proposed restrictions. Are you taking away parking allowance at Deal Esplanade. Asked if signs will be posted with the changes expressing concern that Jerome Avenue needs signs posted as well.  
Resident, questioned if the proposed ordinance limits parking on the south side of the street.

**ORDINANCE 1284**

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 10-14 **Parking Prohibited At All Times on Certain Streets** is amended to read as follows:

**10-14 PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS**

No person shall park a vehicle at any time upon any streets or parts thereof described.

<u>Name of Street</u>	<u>Sides</u>	<u>Location</u>
Alleyway (1 <sup>st</sup> west of Route NJ 71 (Norwood Avenue))	Both	Between Phillips Avenue and Campbell Court.

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	Both	From the northerly curb line of Brighton Avenue to a point 50 feet northerly therefrom.
Alleyway (2 <sup>nd</sup> west of Route NJ 71 (Norwood Avenue))	Both	Entire length.
Beringer Road	Both	From the easterly terminus to a point 85 feet west.
Brighton Avenue	North	From the westerly curb line of Route NJ 71 (Norwood Avenue) to a point 35 feet westerly therefrom.
	North	From the easterly curb line of Route NJ 71 (Norwood Avenue) to a point 85 feet easterly therefrom.
	South	From the westerly curb line of Route NJ 71 (Norwood Avenue) to a point 80 feet westerly therefrom.
	South	From the easterly curb line of Route NJ 71 (Norwood Avenue) to a point 50 feet easterly therefrom.
Clem Conover Road	Both	From the easterly terminus to a point 60 feet west.
Darlington Road	North	From the easterly terminus to a point 125 feet west.
	South	From the easterly terminus to a point 75 feet west. Except in such places as are designated by painted lines in the area provided for parking.
Deal Casino		
Deal Esplanade	Both	From the easterly terminus to a point 150 feet west.
Drummond Road	Both	Entire length.
Hathaway Avenue	Both	Monmouth Terrace to easterly terminus.
Jerome Avenue	Both	From the easterly terminus to a point 85 feet west.
Neptune Avenue	Both	Monmouth Terrace to easterly terminus.
Ocean Avenue	Both	Entire length.
Ocean Lane	Both	From the easterly terminus to a point 60 feet west.

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Parker Avenue	North	Between the east side of Route NJ 71 (Norwood Avenue) and the west side of Ocean Avenue.
Pearl Court	South	Entire length.
	East	Entire length.
Phillips Avenue	North	East of Ocean Avenue
Phillips Avenue	South	East of Ocean Avenue from May 1 <sup>st</sup> through September 15 <sup>th</sup>
Roosevelt Avenue	North	Between Pleasant Place and Route NJ 71 (Norwood Avenue).
	Both	From the easterly curb line of Ocean Avenue to a point 100 feet easterly therefrom.
	Both	From the westerly curb line of Ocean Avenue to a point 100 feet westerly therefrom.
Roseld Avenue	Both	From the easterly terminus to a point 75 feet west.
	North	Eastward for a distance of 115 feet from the projected easterly curb line on Route NJ 71 (Norwood Avenue).
	North	Westward for a distance of 125 feet from the projected westerly curb line of Route NJ 71 (Norwood Avenue).
	South	From the westerly curb line of Route NJ 71 (Norwood Avenue) to a point 50 feet westerly therefrom.
Runyan Avenue	South	From the border with the Township of Ocean easterly to the western boundary of the Deal Board of Education property.
	Both	From the easterly terminus to a point 425 feet west.
	North	Between the east side of Route NJ 71 (Norwood Avenue) and the west side of Ocean Avenue.
Jacobs Lane	Both	Entire length.

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.

Moved by : Commissioner Simhon  
Seconded by: Mayor Cohen  
Roll Call: Cohen: Yes; Simhon: Yes; Kassin: Yes  
Carries: Yes

**b) Final Reading & Adoption:** Ordinance 1285 Amending Chapter IV of 'Revised General Ordinances of The Borough of Deal, 1982' Police Department  
Public Comment (Ordinance 1285): *Mayor Cohen opened the Public Hearing.*

Resident, requested Chief Neuman explain the proposed amendments.

### ORDINANCE 1285

#### AN ORDINANCE AMENDING CHAPTER IV OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" Police Department

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

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

Section 2.

Subsection 2-25 **Police Department** is amended to read as follows:

2-25 POLICE DEPARTMENT.

#### *2-25.1 Department Established.*

There is established a Police Department within the Borough of Deal, the head of which shall be the Chief of Police. (Ord. No. 996)

Editor's Note: Prior history includes 1972 Code Chapter IV and Ord. No. 817.

#### *2-25.2 Appropriate Authority.*

The Mayor as the Director of Public Affairs and Public Safety shall be designated as the appropriate authority as provided in New Jersey State Statutes. The appropriate authority shall adopt and promulgate rules and regulations for the governing of the Police Department and for the discipline of its members. (Ord. No. 996; Ord. No. 1100)

#### *2-25.3 Chief of Police: Appointment.*

There is hereby established the office of Chief of Police. The Chief of Police shall be appointed by the Director of Public Safety and confirmed by the Board of Commissioners of the Borough of Deal. The Chief will report directly to and be accountable to the Director of Public Safety, the Board of Commissioners, the Administrator and/or their designees. (Ord. No. 996)

*2-25.4 Uniformed Officer.*

In addition to the Chief of Police, the Borough of Deal Police Force shall consist of a number of uniformed officers who shall occupy the following ranks:

- a. Captain of police
- b. Lieutenant of Police
- c. Sergeants of police
- d. Patrol Officers

(Ord. No. 996)

*2-25.5 Number of Officers.*

- a. The number of officers in each rank shall be determined by the Chief of Police and confirmed by the Board of Commissioners of the Borough of Deal. The number of uniformed officers shall be of sufficient number to preserve and maintain the peace and good order of the Borough at all times of the year.
- b. The following number of Superior Officers have been established as follows:  
Maximum of one (1) Captain  
Maximum of two (2) Lieutenants  
Maximum of six (6) Sergeants with preference of four (4).

(Ord. No. 996; Ord. No. 999; Ord. No. 1012)

*2-25.6 Civilian Personnel.*

- a. In addition to the uniformed officers, the Borough of Deal Police Department may consist of civilian personnel, whose duties shall be to assist in the operation of the Police Department. Civilian personnel, whose numbers shall be determined by the Chief of Police, may consist of dispatchers, crossing guards, matrons and mechanics. All civilian personnel shall be governed by the applicable rules and regulations of the Deal Police Department.

(Ord. No. 996)

*2-25.7 Reserved.*

*2-25.8 Chief of Police: Compensation; Powers and Duties; Removal from Office.*

- a. The Chief of Police shall be a person experienced in the operation and administration of a municipal force. He shall receive such compensation as shall be fixed from time to time by a general salary ordinance.
- b. The Chief of Police, subject to the supervision of the Director of Department of Public Safety and the Borough Administrator or his designee, shall exercise control over the Police Force subject to all applicable statutes, ordinances and regulations. The Chief of Police, who shall serve as the chief administrator and executive of the Police Department, shall be responsible for the day-to-day operation of the Police Department and shall, subject to the policies promulgated by the Board of Commissioners and under the supervision of the Borough Administrator, have the power and responsibility to:
  1. Plan, organize, direct, supervise and review all activities of the Police Department.
  2. Coordinate the efforts of the Police Force with the court system.
  3. Prepare annual budget requests and recommendations for the Police Department and review all requests for expenditures.
  4. Direct the training of the Police Force in the law and in the technique and procedures of the various functions of the force, with particular attention to personnel at the supervisory level.
  5. Supervise and direct all the operations of the Police Force utilizing supervisory personnel in the Police Force.

6. Determine the powers, functions, duties and assignments of officers and personnel of the Department.
7. Establish work schedules; determine shift assignments and geographic temporal deployments.
8. Cause the Police Department and its officers to obey and comply with the Manual of Rules and Regulations of the Police Force of the Borough of Deal, as adopted and amended from time to time by the Board of Commissioners.

Editor's Note: See also subsection 2-25.9, Rules and Regulations.

9. Promulgate, administer and enforce all other rules and regulations, including such emergency directives as may from time to time be necessary to provide for the disposition, use and discipline of the persons and property of the Police Department.
10. When necessary and in appropriate circumstances, cause investigations to be made, and to then proceed upon the basis of such investigations to take or recommend disciplinary action against members of the Police Department who are found to have violated the rules and regulations referred to.
11. Develop policies, procedures, written manuals and instructions for the Police Department.
12. Attend meetings and public gatherings to explain the safety activities and functions and to elicit citizen support of Police projects.
13. Plan and supervise programs of crime and accident prevention for the community.
14. Respond to the scene of major criminal activity and other major conditions that affect public safety, and may personally direct public safety activities as the scene.
15. Work with community groups to foster community action related to public safety activities.
16. Supervise effective programs for street lighting, signs and traffic control to ensure vehicle and pedestrian safety.
17. Recruit and recommend candidates for positions in the Police Force in reference to appointments and promotions, suspensions and other disciplinary actions pursuant to law.
18. Report at least monthly or as directed to the Director of the Department of Public Safety, in such form as shall be prescribed, on the operation of the force during the preceding month and make such other reports as may be requested.

c. *Removal from Office.*

1. The Chief of Police may be removed from office for cause, defined as:
  - (a) Failure to perform the duties of Chief of Police as defined in this chapter.
  - (b) Mental and/or physical incompetence to perform the duties of the position of the Chief of Police.
  - (c) Conviction of a crime.
  - (d) Personal behavior of a nature which impairs his ability to perform the duties of the position of the Chief of Police or brings disrepute on the Borough of Deal.

(Ord. No. 996)

*2-25.9 Rules and Regulations.*

The Board of Commissioners shall establish by resolution and may amend and repeal by resolution such rules and regulations as it may deem necessary for the government and efficient working of the entire Department. The rules and regulations, when adopted, shall be posted by the Director of Public Safety within five (5) days after their adoption in the room in the Municipal Building assigned to the Police Department, and a copy thereof delivered to every member of the Department. (Ord. No. 996)

2-25.10 *Promotional Procedures.*

Promotional procedures will be promulgated at the discretion of the Board of Commissioners upon demonstrable organizational requirements. Promotional and eligibility requirements shall be established and articulated by the Board of Commissioners prior to the initiation of the promotional process. The promotional process for the rank of sergeant shall involve multidimensional testing and may be administered by the New Jersey State Association of Chiefs of Police followed by a subsequent evaluation by a Promotional Review Board appointed by the mayor. The promotional process for the rank(s) of lieutenant and captain shall consist of a specific project followed by a subsequent evaluation by the Promotional Review Board appointed by the mayor. The Board of Commissioners reserves the right to initiate the promotional procedure as needed. Promotional procedures will be made available sixty (60) days prior to the examination for the rank of Sergeant. The Board of Commissioners may allow the candidates for the rank(s) of lieutenant and captain up to thirty (30) days to complete a specific project. (Ord. No. 996)

2-25.11 *Minimum Position Qualifications.*

a. *Police Officer.*

1. Age: Must be at least eighteen (18) years of age.
2. Citizenship: Must be a citizen of the United States.
3. Morality: Of good moral character; never convicted of any crime or criminal offense of any type involving moral turpitude or an offense involving dishonesty, or a crime of the third degree or above.
4. Education: Must have an associate's degree, but a bachelor's degree shall be preferred and meet all standards of the Police Department.
5. Written Exam: Pass any and all written exams prescribed by the Chief of Police with the approval of the Board of Commissioners.
6. Physical: Weight in proportion to height able to pass physical agility test.
7. Medical: Applicant should be medically fit and sound, exhibiting no physical impairment which would render the applicant incapable of performing the duties of a Police Officer. Applicant must pass a complete medical evaluation including fitness for duty and drug screen. Be able to distinguish colors accurately and have 20/20 vision (eyeglasses acceptable).
8. Psychological: Candidates will be examined by a professional to determine that candidate's intellectual and mental fitness for a position as a Police Officer.
9. Oral Interview: Conducted by police examining teams who shall refer two (2) to five (5) candidates, if otherwise qualified per opening to the Chief of Police. Additional oral exams may be conducted by the Chief of Police, Borough Administrator, and/or Board of Commissioners.
10. Background: Candidate will undergo a thorough background investigation including but not limited to FBI, State Police, MVC, local police, schools, credit bureau, family, etc.
11. Driver's License: Candidate must possess a valid New Jersey Motor Vehicle Commission driver's license at time of appointment.
12. Appointment: By the Board of Commissioners.
13. Training as a Certified Emergency Medical Technician preferred.
14. New appointments to the Police Department will be required to serve a twelve (12) month probationary period prior to a permanent appointment to the Police Department.
15. Hiring procedures will be at the discretion of the Mayor, Board of Commissioners, Administrator and Chief of Police in accordance with all applicable State and Federal statutes.

b. *Sergeant of Police.*

1. Experience: Five (5) years as a Police Officer with the Borough of Deal Police Department.

2. Once the promotional exam is announced all eligible candidate(s) must indicate their intention to take or decline the test by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
  3. Education: Candidate(s) will meet all standards of the Deal Police Department. An Associate's Degree shall be required, but a Bachelor's Degree shall be preferred. Candidate(s) shall be issued points for their level of education. Candidate(s) with no educational degrees shall receive 1 point, candidate(s) with military service shall receive 1 point, candidate(s) with an associate degree shall receive 2 points, candidate(s) with a Bachelor's Degree shall receive 3 points, candidate(s) with a Master's Degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.
  4. Years of Service: Candidate(s) shall be issued points for years of Service as a Deal Police Officer. Each candidate shall receive one-quarter (.25) point for each year completed as a Deal Police Officer at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years of service shall account for 5% of the overall score in the evaluation.
  5. Written and Oral Exam: Obtain a cumulative passing score of 70% on the written and oral exams. Both the written and the oral examinations will be approved and administered by the New Jersey State Association of Chiefs of Police or an outside consultant. The successful completion of these two tests will constitute 60% of the overall score in the evaluation. If the New Jersey Association of Chiefs of Police is not utilized for the testing, the total percentage distribution for each phase of the promotional process will be determined prior to the testing procedure. An examination information/reading list shall be provided to each candidate.
  6. The Promotional Review Board shall be chaired by the mayor or his designee. The Board shall consist of a Borough Commissioner (if available), the Borough Administrator and the Chief of Police. The interview, evaluation and appointment will be based upon the totality of the candidate(s) past performance of his duties by the Promotional Review Board. This phase shall be valued at 30% of the overall score. Each candidate will be provided with a list of dimensions where questions will be derived to evaluate a candidate's competencies.
  7. The candidate(s) chosen for the position shall be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command. Background investigation will include but not be limited to CCH and MVC checks.
  8. Final appointments will be made by the mayor and confirmed by the Board of Commissioners to the rank of Probationary Sergeant and will serve a probationary period of six months before the permanent appointment to Sergeant.
  9. The final list shall be deemed valid for a period of one year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.
- c. *Lieutenant of Police.*
1. Experience: Eight (8) years as a Police Officer with the Borough of Deal Police Department and must previously have been serving in the rank of Sergeant for two (2) years at the time the promotion process is announced.
  2. Once the promotional process is announced all eligible candidate(s) must indicate their intention to take or decline the promotion process by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
  3. Education: Candidate will meet all standards of the Deal Police Department. An Associate Degree shall be required, but a Bachelor's Degree shall be preferred. Candidate(s) shall be issued points for their level of education. Candidate(s) with no degrees shall receive 1 point, candidate(s) with military service shall receive 1



point, candidate(s) with an associate degree will receive 2 points, candidate(s) with a Bachelor's Degree shall receive 3 points, candidate(s) with a Master's Degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.

4. Years in Grade as a Supervisor: Candidate(s) shall be issued points for Years in Grade as a Deal Police Supervisor. Each candidate shall receive one-half (.5) point for each year completed as a Deal Police Supervisor at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years in Grade as a Supervisor shall account for 5% of the overall score in the evaluation.
5. Proposed Project: Each candidate will be required to prepare a proposed project. The Borough of Deal will determine the topic(s) for the project. The Borough of Deal will establish a timeframe to complete the proposed project. The project will be evaluated by the Chief of Police or his designee, the Borough Administrator or his designee, and the mayor or his designee. The Mayor may choose to designate a Borough Commissioner to participate in the oral review board. This phase shall be valued at 30% of the overall score in the evaluation.
6. Promotional Review Board: The Promotional Review Board shall be chaired by the Mayor or his designee. The Promotional Review Board shall consist of a Borough Commissioner (if available), the Borough Administrator or his designee, and the Chief of Police or his designee. The interview, evaluation and appointment will be based upon the totality of the candidate(s) past performance of his duties and the candidate(s) leadership abilities. This phase shall be valued at 60% of the overall score in the evaluation.
7. Background investigation will include but not be limited to CCH and MVC checks.
8. The candidate(s) chosen for the position may be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command.
9. Final appointments will be made by the mayor and confirmed by the Board of Commissioners to the rank of Probationary Lieutenant and will serve a probationary period of (6) six months before the permanent appointment to Lieutenant.
10. The final list shall be deemed valid for a period of one year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.

d. *Captain of Police.*

1. Experience: Eight (8) years as a Police Officer with the Borough of Deal Police Department, must have previously been serving in the rank of Lieutenant with the Borough of Deal Police Department.
2. Once the promotional exam is announced all eligible candidate(s) must indicate their intention to take or decline the promotion process by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
3. Education: Candidate will meet all standards of the Deal Police Department. An Associate Degree shall be required, but a Bachelor's Degree shall be preferred. Candidate(s) shall be issued points for their level of education. Candidate(s) with no degrees shall receive 1 point, candidate(s) with military service shall receive 1 point, candidate(s) with an associate degree will receive 2 points, candidate(s) with a Bachelor's Degree shall receive 3 points, candidate(s) with a Master's Degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.
4. Years in Grade as a Supervisor: Candidate(s) shall be issued points for Years in Grade as a Deal Police Supervisor. Each candidate shall receive one half (.5) point

for each year completed as a Deal Police Supervisor at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years in Grade as a Supervisor shall account for 5% of the overall score in the evaluation.

5. **Proposed Project:** Each candidate will be required to prepare a proposed project. The Borough of Deal will determine the topic(s) for the project. The Borough of Deal will establish a timeframe to complete the proposed project. The project will be evaluated by the Chief of Police or his designee, the Borough Administrator or his designee, and the Mayor or his designee. The mayor may choose to designate a Borough Commissioner to participate in the oral review board. This phase shall be valued at 30% of the overall score in the evaluation.
  6. **Promotional Review Board:** The Promotional Review Board shall be chaired by the Mayor or his designee. The Promotional Review Board shall consist of a Borough Commissioner (if available), the Borough Administrator or his designee, and the Chief of Police or his designee. The interview, evaluation and appointment will be based upon the totality of the candidate(s) past performance of his duties and the candidate(s) leadership abilities. This phase shall be valued at 60% of the overall score in the evaluation.
  7. **Background investigation** will include but not be limited to CCH and MVC checks.
  8. The candidate(s) chosen for the position may be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command.
  9. Final appointments will be made by the Mayor and confirmed by the Board of Commissioners to the rank of Probationary Captain and will serve a probationary period of six months before the permanent appointment to Captain.
  10. The final list shall be deemed valid for a period of one year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.
- e. *Chief of Police.*
1. **Experience:** Ten (10) years with the Borough of Deal Police Department, must have previously been serving in either the rank of Lieutenant or Captain with the Borough of Deal Police Department.
  2. Once the promotional exam is announced all eligible candidate(s) must indicate their intention to take or decline the promotion process by so indicating said desire by signing the form provided by the Chief of Police. The candidate(s) resume must be submitted with this form.
  3. **Education:** Candidate will meet all standards of the Deal Police Department. A bachelor's degree shall be required, but a master's degree shall be preferred. Candidate(s) shall be issued points for their level of education. Candidate(s) with no degrees shall receive 1 point, candidate(s) with military service shall receive 1 point, candidate(s) with an associate degree will receive 2 points, candidate(s) with a bachelor's degree shall receive 3 points, candidate(s) with a master's degree shall receive 4 points and candidate(s) with a Doctorate Degree shall receive 5 points. Education shall account for 5% of the overall score in the evaluation.
  4. **Years in Grade as a Supervisor:** Candidate(s) shall be issued points for Years in Grade as a Deal Police Supervisor. Each candidate shall receive one half (.5) point for each year completed as a Deal Police Supervisor at the time the promotional exam is announced. The maximum allotted points for a candidate to accumulate in this phase are 5 points. Years in Grade as a Supervisor shall account for 5% of the overall score in the evaluation.

5. Promotional Review Board: The interview shall be conducted by the Chief of Police or his designee, the Borough Administrator or his designee, the mayor, or his designee. The mayor may choose to designate a Borough Commissioner to participate in the promotional review board. These individuals will be referred to as the (Police Committee) The interview shall focus on, but not limited to, the candidates' knowledge of the Borough of Deal form of government, police administration, leadership abilities and management skills, team development, municipal and police budget process, staffing, community policing and any other relative personal experience related to the promotion process. All candidates shall be given the same questions by the Police Committee. The Borough Administrator shall keep written records of the scoring for each of the candidates' responses. This phase shall be valued at 60% of the overall score in the evaluation.
6. Record Review: The review of the personnel records shall be conducted by the Police Committee. The candidates' personnel records will include but not limited to sick leave, disciplinary actions, training, and accomplishments. Attendance is averaged over the previous full five (5) calendar years, excluding severe illness, injury, or absence in compliance with the Family Medical Leave Act. If more than sixty (60) hours of sick leave was used annually, three (3) points will be deducted from the candidate's overall score for each of those years. Disciplinary action, each major sustained disciplinary action (suspension of more than five (5) days) will result in a deduction of five points. Each minor sustained disciplinary action of a (five (5) days suspension or less) will result in a deduction of (1) point. Candidate's training received over the course of career. What the candidate has accomplished throughout his/her career. This phase shall be valued at 30% of the overall score in the evaluation.
7. The candidate(s) chosen for the position maybe be subjected to a Psychological Evaluation of the candidate's intellectual and psychological status; assessment of candidate's ability to supervise and to relate to others particularly in the chain of command. Background investigation will include but not be limited to CCH and MVC checks.
8. Final appointments will be made by the Mayor and confirmed by the Board of Commissioners to the rank of Chief of Police.
9. The final list shall be deemed valid for a period of one (1) year from the date of promotion. The final list may be extended at the discretion of the Board of Commissioners as deemed appropriate. As such, the Board of Commissioners of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.
10. In the absence of the Chief of Police or in the event of a vacancy, the Borough Commissioners shall appoint an Acting Chief of Police from among the current police department's leadership to serve until a new Chief is appointed.

(Ord. No. 996; Ord. No. 1013; Ord. No. 1067; Ord. No. 1981; Ord. No. 1135)

*2-25.12 Duties of Department.*

- a. The Police Department, pursuant to the directions of the Public Safety Director and subject to the policies established by the Chief of Police shall:
  1. Protect and preserve the constitutional rights and civil liberties of all, as afforded by the Constitution of the United State and the Constitutional of the State of New Jersey. Preserve the public peace, protect the quality of life, prevent crime, protect property, detect and arrest offenders against the penal laws and ordinances effective within the Borough, suppress riots, mobs and insurrections, disperse unlawful or dangerous assemblages and preserve order at all elections and public meetings and assemblages.
  2. Administer and enforce laws and ordinances to regulate, direct, control and restrict the movement of vehicular and pedestrian traffic and the use of the streets by vehicular and persons, to protect the safety and facilitate the convenience of motorists and pedestrians and to make and enforce rules and regulations not inconsistent with the State law.

3. Remove or cause to be removed all nuisances in the public streets, parks and other public amusement or assemblage and all places of business requiring any State or municipal license or permit and report thereon to the appropriate department.
4. Provide proper Police attendance and protection at fires and other emergencies.
5. Provide the attendance of its members in court as necessary for the prosecution and trial of person charged with crimes and offenses and cooperate fully with the law enforcement and prosecuting authorities of Federal, State, County and municipal governments.
6. Practice pro-active Community Policing so as to foster and maintain partnership with the community.

(Ord. No. 996)

*2-25.13 Removal and Suspension.*

Each regular Police Officer shall hold his office and continue in his employment during good behavior and efficiency and no person shall be removed from office of employment for any other cause than incapacity, misconduct, neglect of duty, conduct unbecoming a Police Officer, disobedience of the rules and regulations established and hereafter established for the Department or absence from duty without just cause for five (5) days or more.

Any member of the Department may be suspended, removed, fined, or reduced from his office or employment therein, for just cause upon due notice and service of written charges and a hearing.  
(Ord. No. 996)

*2-25.14 Reserved.*

*2-25.15 Special Policemen.*

The Board of Commissioners may, as it deems necessary, appoint special law enforcement officers sufficient to perform the duties and responsibilities permitted by local ordinances authorized by N.J.S. 40A:14-146.10 through 40A:14-146.17 inclusive. (Ord. No. 996)

*2-25.16 Hours of Employment.*

The hours of employment for members of the Police Department shall work a (12) hour daily schedule and shall be evaluated annually on December 1<sup>st</sup> of each year. The Borough shall have the right to change the standard workweek schedule, work shifts, starting and stopping times, etc., at its sole discretion, as the Borough determines is necessary for the efficient and effective operation of the Deal Police Department.

*2-25.17 Salaries, Paid Holidays and Longevity.*

- a. *Salaries.* Effective November 13, 2023, and thereafter all Deal Police Department salaries shall be pursuant to appropriate collective bargaining agreements.

(Ord. No. 1069)

- b. *Paid Holidays, Compensatory Time.*

1. The Police Department personnel shall receive one (1) additional day's pay for each of the following holidays:

New Year's Day  
Lincoln's Birthday  
Washington's Birthday  
Easter Sunday  
Memorial Day  
Independence Day  
Labor Day  
Columbus Day  
Veteran's Day  
Thanksgiving Day  
Christmas Day

Such additional day's pay shall be paid at the end of the semi-monthly pay period during which such holiday falls.

2. The members of the Police Department shall be paid at the rate of one and one-half (1 1/2) times their salary rate for all hours spent on Police Duty over forty (40) hours per week. The members of the Police Department shall receive compensatory time, at the rate of time and one-half (1/2), for all hours spent on training and court appearances over forty (40) hours per work week.

(1972 Code § 4-10)

- c. *Longevity.* In addition, every member of the Police Department shall receive in addition to such annual base salary, a longevity increment computed according to the number of years such officer has been in the employ of the Borough of Deal as follows:

1. All employees hired prior to August 1, 2005, will receive (beginning January 1, 2005), in addition to base salary, annual longevity payments in accordance with the following schedule:

<i>Years of Service</i>	<i>Longevity</i>
Upon completion of 5 years and up to completion of 10 years:	3%
Upon completion of 10 years and up to completion of 15 years:	6%
Upon completion of 15 years and up to completion of 20 years:	9%
Upon completion of 20 years and up to completion of 23 years:	12%
Upon completion of 23 years and thereafter:	15%

(Ord. No. 954 § 1)

2-25.18 *Removed no longer have uniform allowance.*

**2-25.19** Uniforms.

- a. Officers will be required to comply with department rules and regulations regarding uniform maintenance and appearance.
- b. Effective January 1, 1999, any and all changes to the police uniform/equipment as set forth in the current Official Uniform Regulations and Specifications, or future updated versions, shall be at the expense of the Borough.

(Ord. No. 1069)

2-25.20 *Health Insurance.*

The Borough agrees to continue to provide all employees with the present health insurance coverage. All employees will be required to comply with the contribution requirements set forth in Chapter 78, P.L. 2011. (Ord. No. 1069)

2-25.21 *Outside Employment.*

The following shall apply to outside employment of off-duty Borough of Deal Police personnel by a contractor or third party for services:

- a. All requests for outside employment of Deal Police shall be through the Chief of Police, or his or her designee. Payment for these services from the contractor or third party shall be made to Jobs for Blue, a third-party venter who handles all off-duty employment.
- b. This subsection shall only apply to Borough of Deal Police personnel.
- c. The rate of compensation of off-duty Deal Police personnel will be billed at ninety dollars (\$90.00) per hour per officer. The minimum charge payable for such services shall be equal to a minimum of four (4) hours for each officer contracted for with the Borough. A cancellation fee equal to such minimum charge per officer shall be due and payable to

Jobs for Blue where the request for such service is cancelled on less than 12-hour notice. (Ord. No. 1103)

- d. Jobs for Blue shall charge the contractor or third party an administrative fee, an amount above the rate set for the police personnel. In order to cover expenses incurred by the Borough resulting from off-duty employment, Jobs for Blue shall charge the contractor or third party an additional ten dollars (\$10.00) per hour per officer. (Ord. No. 1103)
- e. Scheduling of off-duty employment, which is police-related, will be arranged by Jobs for Blue. Police personnel will have the option to work these police-related jobs, and all employment of off-duty Police Officers will be voluntary except for an emergency.
- f. All payments to police personnel shall be made through payroll in accordance with the schedule set. The Borough of Deal will not make payments to officers employed by another agency.
- g. All off-duty police-related work is not to be considered regular police duty.
- h. Whenever off-duty police personnel are assigned to any police-related job, such as traffic control, security, crowd control, etc., he or she shall, for the purpose of his or her pension, be entitled to all benefits that he or she would be normally entitled to while on-duty.
- i. A Police Officer is required to be present at the site for the protection of the public except when on an approved break and when the job mandates. This should be with approval of the Chief of Police or his or her designee.
- j. The Borough may choose to utilize a secondary service to administrate and perform the above actions related to the off-duty employment process. These actions include but are not limited to: Communicating with said person or company to schedule off-duty "jobs", Scheduling the Officers for the said jobs, Invoicing person or company and receiving escrow and or payments from person or company in a manner set forth by the secondary service provider. The secondary service provider may charge an additional fee for services that is above and in addition to the fee structure stated above and utilize business type collection rules as set forth in the contract/agreement between the Borough and the secondary service provider. (Ord. No. 1154)
- k. The secondary service provider will reimburse the Borough via ACH or other funds transfer methods, according to the fees set forth in this ordinance, due to the Borough and Officer, in a timely manner, usually coinciding with payroll periods for "jobs" that the officers have performed or were scheduled for in that period, in accordance with the above listed rules of employment between the Borough and person(s) or company seeking services. (Ord. No. 1154)

(Ord. No. 1100; Ord. No. 1154)

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.

Moved by : Commissioner Simhon  
Seconded by: Mayor Cohen  
Roll Call: Cohen: Yes; Simhon: Yes; Kassin: Yes  
Carries: Yes

BUDGET ADOPTION:

- a. **Resolution 24-66** Authorize Municipal Budget to Be Read by Title Only at Public Hearing

**Resolution 24-66**  
**Authorizing Municipal Budget to be Read by Title Only at Public Hearing**

WHEREAS, N.J.S.A. 40a:4-8 provides that the budget be read by title at the time of the Public Hearing if a Resolution is passed by not less than a majority of the full governing body, providing that at least one week prior to the date of the hearing a complete copy of the approved budget as advertised has been posted in the Borough Hall, the local public library and copies have been made available by the Municipal Clerk to persons requesting them; and

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that it is hereby declared that the conditions of N.J.S.A. 40A:4-8, as amended set forth in subsections 1, have been met and therefore the Municipal Budget shall be read by title only.

Moved by : Commissioner Simhon  
 Seconded by: Commissioner Kassin  
 Roll Call: Cohen: Yes; Simhon: Yes; Kassin: Yes  
 Carries: Yes

Chief Finance Officer Thomas X. Seaman read Resolution 24-67 into the record.

- b. Public Hearing on Municipal Budget: *Mayor Cohen opened the floor to the public hearing.* Seeing no hands Mayor Cohen closed the public hearing.
- c. **Resolution 24-67** Adoption of Municipal Budget Fiscal Year 2024

**Resolution 24-67**

**AUTHORIZING ADOPTION OF 2024 MUNICIPAL BUDGET**

BE IT RESOLVED by the Board of Commissioners of the Borough of Deal hereby adopts the 2024 Municipal Budget as follows:

General Revenues	
Surplus Anticipated	\$ 3,600,000.00
Miscellaneous Revenues Anticipated	\$ 4,216,107.80
Receipt from Delinquent Taxes	\$ 250,000.00
Amount to be Raised by Taxation	\$ 8,817,815.39
Total General Revenues	\$ 16,883,923.19
General Appropriations	
Appropriations Within "CAPS"	\$ 10,448,273.52
Appropriations Excluded from "CAPS"	\$ 5,840,649.97
Reserve for Uncollected Taxes	\$ 595,000.00
Total Appropriations	\$ 16,883,923.19

BE IT FURTHER RESOLVED that \$ 8,817,815.39 will be raised by property taxes to support the Budget.

Moved by : Commissioner Simhon  
 Seconded by: Commissioner Kassin  
 Roll Call: Cohen: Yes; Simhon: Yes; Kassin: Yes  
 Carries: Yes

RESOLUTIONS: *Chief Neuman read by title for the record to be voted on as a consent agenda.*

**Commissioner Simhon offers the following Resolutions:**

**Resolution 24-68**

**Resolution to Authorize Refund for Unit #203 of Conover Pavilion**

WHEREAS, a request has been made for a refund for the cancellation of a deposit for Conover Pavilion Unit#203; and

WHEREAS, this refund is being requested due to not being able to join for the 2024 season.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Vanessa Fernandez, be refunded the \$450.00 deposit for Unit#203 of Conover Pavilion.

**Resolution 24-69**

**Resolution to Authorizing Raffle License Application No. 714**

WHEREAS, the Women's Society of Central Jersey has submitted a Raffle License No. RL 714; and

WHEREAS, all the paperwork is in order.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal does hereby approve Raffle License Application RL714 and the Temporary Borough Clerk is authorized to sign off on the licenses.

**Resolution 24-70**

**Authorizing The Appointment of the Municipal Court Judge**

WHEREAS, N.J.S.A. 2B:12-7 establishes the qualifications of Judges for Municipal Court; and

WHEREAS, N.J.S.A 2B:12-4 establishes the term of an appointed Judge of the Municipal Court for a three (3) year term commencing the date of appointment; and

WHEREAS, Scott J. Basen, Esquire has the necessary experience and qualifications to perform the duties of the Municipal Court Judge; and

WHEREAS, the Board of Commissioners of the Borough of Deal is desirous to reappoint Scott J. Basen, J.M.C. as the Municipal Court Judge of the Borough of Deal in accordance with all applicable statutes and codes; and

WHEREAS, compensation of Honorable Judge Scott J. Basen of the Municipal Court shall be increased to an annual salary of \$42,701.84 hereby authorized by the Board of Commissioners of the Borough of Deal.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey that Scott J. Basen, J.M.C. is hereby reappointed as Judge of Municipal Court for a three-year appointment commencing on May 1, 2024 and terminating on May 1, 2027.



**Resolution 24-71**

**Resolution Authorizing the Execution of a Shared Service Agreement with the Aberdeen Township Police Department Service Agreement for Mobile Data Computers**

WHEREAS, the Uniform Shared Services and Consolidation Act, N.J.S.A. 40A:65-1 et. seq., authorizes municipalities to agree to provide shared services when approved by resolution under N.J.S.A. 40A:65-5; and

WHEREAS, the Deal Borough Police Department recognizes the importance of utilizing modern technology to enhance law enforcement operations; and

WHEREAS, the New Jersey State Police Identification and Information Technology Section offers valuable resources through the New Jersey Criminal Justice Information Systems Service Agreement for Mobile Data Computers; and

WHEREAS, a shared service agreement with Aberdeen Twp. Police Department as the naming agency providing service would facilitate access to these resources; and

WHEREAS, Deal Borough Police Department is the agency requesting service and is committed to collaborating with other law enforcement agencies for the betterment of public safety.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey that the Deal Borough Police Department is hereby authorized to enter into a Shared Service Agreement with Aberdeen Twp. Police Department for the New Jersey State Police Identification and Information Technology Section New Jersey Criminal Justice Information, Systems Service Agreement for Mobile Data Computers for a period of 1 year commencing April 1, 2024.

**Resolution 24-72**

**A Resolution of The Borough of Deal Authorizing A "Change Fund" For Use by the Beach**

WHEREAS, the Acting Borough Administrator has advised that a "Change Fund" is necessary for the purpose of making change for cash payments for the Beach department; and

WHEREAS, the said Change Fund will be used for the sole purpose of making change and not for the purpose of paying bills.

NOW, THEREFORE IT BE RESOLVED by the Board of Commissioners of the Borough of Deal, that a Change Fund is hereby reestablished in the following amount and for the following department: Beach for \$1,000.00 the said Change Fund is to be used for the sole purpose of making change and not for the purpose of paying any bills and said Change Fund is to have a constant balance in the amount in which they are established.

NOW, THEREFORE, BE IT FURTHER RESOLVED that the Chief Financial Officer shall make the appropriate adjustments and notations on his records for the purpose of establishing such Change Funds for the foregoing offices and departments.

**Resolution 24-73**

**Authorizing Refund of 2024 Membership to Deal Casino C36**

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

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. To: Carol Arcomano, C36, \$750.00

**Resolution 24-74**

**Appointing & Confirming Salaries of 2024 Seasonal Summer Staff**

WHEREAS, the Acting Borough of Deal Administrator recommends the employment of the following individuals for various position for the 2024 summer season; and

WHEREAS, it is the desire of the Board of Commissioners of the Borough of Deal to confirm the appointments and salary adjustments.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as the individual(s) listed on SCHEDULE A are hereby appointed as Seasonal Summer Employee(s) for the Beach pursuant to the current salary Ordinance, for the term commencing the effective date of this resolution for the 2024 summer season.

**Resolution 24-75**

**Authorizing the Appointment of Seasonal Employees for The Department of Public Works**

WHEREAS, the Borough of Deal is in need of seasonal help within the Department of Public Works; and

WHEREAS, the Board of Commissioners desire to hire the following individuals as recommended by the Public Works Forman:

-Matthew Alach rate of \$19.00 per hour for the term commencing the effective date of this resolution.

-Wyatt Rodriguez rate of \$19.00 per hour for a term commencing April 16, 2024.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, the individual herein is hereby appointed as Seasonal Employees for the Department of Public Works pursuant to the current salary Ordinance.

**Resolution 24-76**

**Authorizing The Appointment of Part-Time Dispatcher for The Police Department**

WHEREAS, the Borough of Deal is in need to hire a part-time Police Dispatcher; and

WHEREAS, the Board of Commissioners desire to hire the following individual as Part-Time Police Dispatcher upon successful completion of a background check.

Kimberly Leshynski, rate of \$ 24.00 per hour.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, the individual herein is hereby appointed as Part-Time Police Dispatcher for the Police Department pursuant to the current salary Ordinance, for the term commencing upon successful completion of a background check.

**Resolution 24-77**

**Authorizing the Appointment of Amanda LaMonaco as a Part-Time Records Clerk/Secretary**

WHEREAS, the Borough of Deal is in need to hire a part-time Records Clerk/Secretary; and

WHEREAS, the Board of Commissioners desire to hire the following individual as Part-Time Records Clerk/Secretary upon successful completion of a background check.

Amanda LaMonaco, rate of \$ 25.00 per hour.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, the individual herein is hereby appointed as Part-Time Records Clerk/Secretary pursuant to the current salary Ordinance, for the term commencing upon successful completion of a background check.

**Resolution 24-78**

**Resolution of the Borough of Deal Reconfirming Award of Contract to Slice of Hope for Deal Casino Snack Bar / W. Stanley Conover Pavilion.**

WHEREAS, the Borough of Deal awarded a contract to Slice of Hope for the operation of the Deal Casino Snack Bar / W. Stanley Conover Casino commencing May 2023; and

WHEREAS, it has been determined that further amendments are needed in the contract agreement between the Borough of Deal and Slice of Hope; and

NOW, THEREFORE, BE IT RESOLVED by the Borough of Deal that the award of the contract to Slice of Hope for the operation of the Deal Casino Snack Bar / W. Stanley Conover Pavilion commencing May 2023 to the year 2027 is hereby reconfirmed; and

BE IT FURTHER RESOLVED that the owner of Slice of Hope and the Municipal Attorney are authorized to make any necessary amendments to the contract agreement to ensure the successful operation of the Deal Casino Snack Bar/ W. Stanley Conover Pavilion.

**Resolution 24-79**

**Confirming the Appointment of Temporary Employee for Office of the Municipal Clerk**

WHEREAS, the Borough of Deal is in need to hire a temporary employee who holds a Registered Municipal Clerks License; and

WHEREAS, the Board of Commissioners desires to hire the following individual as a temporary employee; and

Sandra Martin rate of \$15.13 per hour.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, the individual herein is hereby appointed as a temporary employee for the Office of the Municipal Clerk for the term commencing April 22, 2024.

**RESOLUTION 24-80**

**AUTHORIZING A CONTRACT WITH JERSEY PROFESSIONAL MANAGEMENT FOR TEMPORARY DEPUTY BOROUGH CLERK SERVICES TO BE PROVIDED BY SANDRA MARTIN**

WHEREAS, the Board of Commissioners has appointed Sandra Martin, RMC, an Associate of the firm of Jersey Professional Management, as the Acting Deputy Borough Clerk to serve in this capacity at the pleasure of the Board of Commissioners or until a permanent Borough Clerk can be appointed; and

WHEREAS, there exists a need for specialized services for a temporary deputy municipal clerk to oversee the various functions that requires the expertise, extensive training and proven reputation in this field of endeavor; and

WHEREAS, Sandra Martin, RMC has extensive experience, training and proven reputation in the area of municipal finance and has offered her services as an Associate of the firm of Jersey Professional Management; and

WHEREAS, it is important that the person serving as the Acting Deputy Municipal Clerk has the legal authority granted in the Code or Ordinances of the Borough of Deal, as well as the liability protection offered to employees of the Borough of Deal; and

**WHEREAS**, the agreement with Sandra Martin that she will be paid a nominal salary to serve as the Acting Deputy Borough Clerk and the firm of Jersey Professional Management will be paid on an hourly basis for her services (\$15.13 on payroll and \$64.87 on voucher), plus a one-time placement fee of \$1,000; and

**WHEREAS**, the designation of Sandra Martin of Jersey Professional Management as a Acting Deputy Municipal Clerk, is specifically designed and intended to be a temporary appointment and contract; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 *et seq.*) requires that the resolution authorizing the award of contracts for “Extraordinary, Unspecifiable Services” without competitive bids and the contract itself must be available for public inspection; and

**WHEREAS**, the contract with Jersey Professional Management meets the statute and regulations governing the award of said contracts, as per the attached Certification.

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

1. The Mayor and the Acting Administrator/Clerk are hereby authorized and directed to execute the attached agreement with Jersey Professional Management for management consultant services.

2. This contract is awarded without competitive bidding as an “Extraordinary, Unspecifiable Services” in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because the services requested are specialized municipal administrative consulting services that require expertise, substantial experience and proven reputation in the multi-faceted aspects of overseeing the mandated functions of the Borough Clerk’s office. These qualifications require an individual whose background includes substantial experience and training in records managements, elections administration, public notifications, keeping of official meeting records, processing of ordinances and resolutions, keeping of deeds, general government administration and governmental relations plus other statutory obligations. Knowledge and familiarity of applicable Borough and State laws and regulations are also required. Having obtained and maintained a State issued certificate as a Registered Municipal Clerk (RMC) attests to these qualifications. Sandra Martin has satisfied all of these requirements, and her services are required to permit the Borough to maintain critically important functions pending the commencement of services by a duly appointed municipal clerk. Precise specifications are not feasible because the services are multi-faceted and dependent on evolving day to day operational needs of the Borough, emergent needs and unanticipated matters that will require the services of the RMC. Likewise, it is not possible to delineate the specific knowledge or tasks required of the person providing this assistance since this will vary according to the work being undertaken. These factors as well as critical time constraints in securing the immediate services of an Acting Borough Clerk do not permit the formulation of precise specifications.

3. Funding shall be paid from budget account 4-01-20-100-090 in the amount not to exceed \$44,000.00, at the rate of \$80 per hour (\$15.13 on payroll and \$64.87 on voucher), plus a one time placement fee of \$1,000.

4. A notice of this action shall be published in the official newspaper authorized to publish notices for the Borough of Deal within 20 days after passage of this resolution.

5. A copy of this Resolution and executed contract shall be filed in the Office of the Borough Clerk.

**RESOLUTION 24-81**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS, N.J.S.A. 40A: 5-4** requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions, and

**WHEREAS,** the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the governing body; and

**WHEREAS, R.S. 52:27BB-34** authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS,** the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

**WHEREAS,** the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations, as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS,** such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

**WHEREAS,** all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS,** failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED,** That the Board Commissioners of the Borough of Deal, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

**Resolution 24-82**

**Authorizing Emergency Repairs for Railroad & Poplar Avenues Performed by Fernandes Construction INC.**

**WHEREAS,** the Borough of Deal, NJ was in need of Emergency Repairs for Railroad & Poplar Avenues; and

**WHEREAS,** the funds for this purchase were certified by the Chief Finance Official and are to be paid from Capital Ordinance 1266 budget line number C-04-56-266-001; and

**BE IT FURTHER RESOLVED** that by the Board Commissioners Borough of Deal, NJ hereby authorize emergency repairs performed by Fernandes Construction INC for Railroad & Poplar Avenues in the amount of \$37,500.00.

**Resolution 24-83**

**Authorizing the Purchase of New Fence and Installation at the Deal Casino from Boundary Fence Company**

WHEREAS, the Deal Casino in the Borough of Deal, NJ is in need of a fence along the beach; and

WHEREAS, Boundary Fence Company has provided the lowest quote for the necessary project in the amount of \$38,500.00 provided April 29, 2024; and

WHEREAS, the funds for this purchase are certified by the Chief Finance Official and are to be paid from Capital Ordinance 1249 budget line number C-04-56-249-001; and

NOW, THEREFORE, BE IT RESOLVED, by the Board Commissioners of the Borough of Deal, NJ that the purchase of a new fence and installation from Boundary Fence Co. along the beach at the Deal Casino in the amount of \$38,500.00 is hereby authorized; and

**Resolution 24-84**

**Authorizing the Purchase of 2024 Summer Seasonal Uniforms from Skip's Sports**

WHEREAS, the Beach & Recreation in the Borough of Deal, NJ requires the purchase of 2024 Summer Season employee uniforms; and

WHEREAS, Skip's Sports has provided the lowest of three quotes obtained for the necessary purchase in the amount of \$7,227.25 provided on April 8, 2024; and

WHEREAS, the funds for this purchase are certified by the Chief Finance Official and are to be paid from budget line number 4-01-28-381-030; and

NOW, THEREFORE, BE IT RESOLVED, by the Board Commissioners of the Borough of Deal, NJ that the purchase of 2024 summer seasonal employee uniforms in the amount of \$7,227.25 is hereby authorized.

**Resolutions (24-68) – (24-84)**

Moved by : Mayor Cohen

Seconded by: Commissioner Simhon

Roll Call: Cohen: Yes; Simhon: Yes; Kassin: Yes

Carries: Yes

**MONTHLY REPORTS:**

Sandra Martin informed that the monthly reports for April will be provided within the week by Chief of Police Neuman & The Municipal Court Administrator due to the fact that it is the 1<sup>st</sup> of the month and they are obtaining the stats.

CORRESPONDENCE

Sandra Martin read for the record:

1) Authorizations:

a) Request for use of Casino Pool:

Email dated 4/27 from Charles Rivera (Firefighter) requesting use of the pool on Friday, May 10<sup>th</sup> 9am-4pm for training with Monmouth County Sheriff's Office Dive Team.

b) Request for use of the beach, (main area)

Email dated 4/11 from Karen Catizone requesting use of pool to host St. George Greek Orthodox Church for 2024 Holy Cross event on Sunday, Sept. 15<sup>th</sup>.

*The Commissioners approved the uses.*

2) Notices- no action to be taken, informational purposes only.

a) Adoption of Ordinance by Ocean Twp. on March 28, 2024; titled Ordinance 2457 Amending Ch. 21 of the Comprehensive Land Development, included for your reference.

b) Adoption of resolution by the Monmouth County Board of County Commissioners on March 28, 2024; Authorizing the Director of Monmouth County Board of County Commissioners to execute a NJ Dept. of Community Affairs Application for a Local Efficiency Achievement Program (LEAP) Grant, included for your reference.

*No questions from the Board of Commissioners.*

Chief Neuman read for the record:

3) Authorization:

c) Request for the use of the pool by Deal School.

Borough Attorney Goldman advised they need to submit a Hold Harmless for permitted use.

*The Commissioners approved the use with the noted condition.*

Unfinished Business: None.

New Business: Lt. William explained the police Department was reaccredited for the fifth year in a row. He summarized the complex process indicating the department does the entire process without contracting assistance. He thanked the department and Chief Neuman.

Chief Neuman summarized the extensive inspections for the reaccreditation thanking all of those involved. He expressed his gratitude and pride for the department and the officers whom were noted during the exit interview to have pride and love for the community.

Authorization to pay all bills approved by the Finance Committee

Read by Sandra Martin: Be It Resolved: By the Board of Commissioners of the Borough of Deal, NJ that the following bills reported by the Finance Committee be ordered paid and the vouchers drawn for the same in the amount of \$340,704.88 through April 30<sup>th</sup>. Also requested for your consideration is the approval to pay the claims through May 15<sup>th</sup>.

*The Commissioners approved the use.*

May 1, 2024

PUBLIC COMMENT

Mayor Cohen opened the session for public comment.

Resident, expressed concern with bike riders not having proper reflective lights while riding at night on Richmond Avenue. Also commented they are not wearing helmets. Suggests issuing summonses for those not following bike safety laws.

Resident, commented he recently had email correspondence with Chief Neuman requesting jetski to be placed on the beaches for water rescues.

Resident, expressed concern with issues of lighting on Ocean Avenue asking the Commissioners the progress in the last four-years. Expressed concern with overgrown lawns on municipal owned-land and consistent garbage pickup. Feels the borough needs maintained and had recent conversations with the Public Works Formen to request the same. Suggested the department requires additional staffing. Expressed concern with regard to broken curbs on ocean Avenue will send visual aid to help expedite repair process. Qustioned Mayor Cohen about a meeting to be held at his residence for the Deal Casino by invitation only.

Resident, Questioned where is the town with the process to build the stairwell. Requests construction workers not leave equipment at marina place. Expressed concerns with signs advertising businesses on residential lawns. Requests Jersey Shore Girls Camp fined for not obeying ordinance restricting the advertising. Requests signs placed alerting pubic of public access points.

Resident, questioned if advertising signs are permitted if individual owns the residence.

Resident, expressed interest to volunteer for the Board of Adjustments.

Commissioner Kassin thanked everyone for attending the meeting assured all issues brought forth are addressed and the three commissioners are committed to enhancing the town while concentrating on security & safety of the community.

Mayor Cohen explained there is an upcoming meeting with JCP&L.

There being no further business or comments, it was moved by Commissioner Kassin and seconded by Commissioner Simhon that the meeting be adjourned at 8:10 P.M.

SC \_\_\_\_\_

DS \_\_\_\_\_

JK \_\_\_\_\_

Respectfully Submitted,



\_\_\_\_\_  
Ronen Neuman,  
Acting Municipal Clerk/Administrator

APPROVED: 06.06.2024