

January 10, 2020

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on January 10, 2020 at 9:00 A.M.

Mayor Cohen lead the salute to the flag.

It was stated that in conjunction with the "Open Public Meeting Law", p.l. 1975 ch. 231, a notice required by this statute has been satisfied as per a resolution passed on December 9, 1997 at 5:05 P.M. at Borough Hall at a regular meeting of the Board of Commissioners, Borough of Deal, and Monmouth County, New Jersey.

Present: Mayor Cohen, Commissioner Ades & Commissioner Simhon  
Also Present: Paul Fernicola, Borough Attorney

It was moved by Commissioner Simhon, seconded by Commissioner Ades and carried that the minutes of the previous meeting held on December 6, 2019 be approved as recorded.

Ordinance 1199 to exceed the Municipal budget appropriation limit and to establish a CAP Bank was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

#### **ORDINANCE 1199**

#### **CALENDAR YEAR 2020**

#### **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the Board of Commissioners of the Borough of Deal in the County of Monmouth finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 3.5% increase in the budget for said year, amounting to \$301,383.81 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS the Board of Commissioners hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

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NOW THEREFORE BE IT ORDAINED, by the Board of Commissioners of the Borough of Deal, in the County of Monmouth, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the Borough of Deal shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$301,383.81, and that the CY 2020 municipal budget for the Borough of Deal be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

Ordinance 1200 to establish salaries or wages of officials and employees was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

**ORDINANCE #1200**

**AN ORDINANCE ESTABLISHING SALARIES OR WAGES OF OFFICIALS AND EMPLOYEES OF THE BOROUGH OF DEAL**

BE IT ORDAINED by the Board of Commissioners of the Borough of Deal, in the County of Monmouth, as follows:

Section One: That the range of the annual base pay salaries of the hereinafter designated officers and employees of the Borough of Deal be amended, commencing on the 1<sup>st</sup> day of January, 2020 shall be as follows:

- b. 1. Police Dispatcher/Clerks \$28,650 - \$60,000
- 2. Special Officers – Class I and Class II \$9.00 to \$20.00 per hour
- 3. Part-time Dispatchers \$9.00 to \$20.00 per hour
- c. 1. Summer Beach Managers \$ 5,000 - \$36,000
- 2. Beach Office Personnel \$8 to \$18 per hour
- 3. Beach Life guards \$8 to \$20.00 per hour
- 4. Pool Life Guards \$8 to \$20.00 per hour
- 5. Casino & Conover Attendants \$6.50 to \$15 per hour
- 6. Security Guards \$10 to 15 per hour
- 7. Part Time Laborers \$9.00 to \$20 per hour

Section Two: Unless otherwise specified in Section One, thereof compensation is on an annual basis. Compensation shall be payable semi-monthly unless otherwise specified in the appointing resolution.

Section Three: All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

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Section Four: Positions with a salary range shall have their annual salary set by resolution of the Governing Body.

Section Five: This ordinance shall become effective as of January 1, 2020 when passed and published according to law.

Ordinance 1201 to amend Chapter IV – Police Department was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

### **ORDINANCE 1201**

#### **AN ORDINANCE AMENDING CHAPTER IV OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982", POLICE DEPARTMENT**

BE IT ORDAINED by the Board of Commissioners of the Borough of Deal, in the County of Monmouth, as follows:

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 4-12 **Outside Employment** is amended to add as follows:

- c. The rate of compensation of off-duty Deal Police personnel will be billed at eighty dollars (\$80.00) 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 the Borough where the request for such service is cancelled on less than 12-hour notice. For any services at houses of worship, not including private events, or any events at the Deal Elementary School will be billed at fifty dollars (\$50.00) per hour per officer. The minimum charge payable for such services shall be equal to a minimum of two (2) hours for each officer contracted for with the Borough.

### **SECTION 2**

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

### **SECTION 3**

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

### **SECTION 4**

This Ordinance shall take effect upon final passage and publication in accordance with Law.

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Ordinance 1202 to amend Chapter XXX – Development Regulation was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on March 4, 2020 at 9:00 A.M.

**ORDINANCE NO. 1202**

**AN ORDINANCE AMENDING CHAPTER XXX DEVELOPMENT REGULATIONS OF THE BOROUGH OF DEAL IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Board of Commissioners has determined that it is in the best interest of the Borough to revise the Zoning Map of the Borough of Deal and designate certain parcels of land as Open Space / Recreation; and

WHEREAS, the Borough Planning Board has reviewed the changes on February 5, 2020 and has recommended that such changes to the Development Regulation are consistent with the Master Plan.

NOW THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, as follows:

Section 1. Chapter XXX, of the Ordinances of the Borough of Deal are hereby amended by the following:

**CHAPTER XXX**

**DEVELOPMENT REGULATION**

**30-81 Zoning Districts**

**30-81b** The zoning map is hereby amended and supplemented by the addition of the Open Space / Recreation Zone, incorporating the following properties into said zone:

- Block 36 Lot 1
- Block 37 Lot 1
- Block 35 Lot 27 portion as outline on Zoning Map
- Other areas as outline on Zoning Map dated January 10, 2020

**30-86 REGULATIONS FOR RESIDENTIAL R-1, R-2, R-3, R-4 AND OPEN SPACE / RECREATION DISTRICTS**

**30-86.7 Requirements for Open Space / Recreation Zone**

30-86.7a Permitted Use

1. Golf Course
2. Accessories associated with a Golf Course
3. Playground

30-87.7b Bulk Requirements

1. All Density, Bulk, Yard and Content Requirements shall follow the same requirements for the R-1 Residential Zone.

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Section 2. The Borough Administrator /Clerk is directed to give notice at least ten days prior to hearing on the adoption of this Ordinance to the County Planning Board and to all other persons entitled thereto pursuant to N.J.S. 40:55D-15 and N.J.S. 40:55D-63 (if required).

Upon the adoption of this Ordinance after public hearing thereon, the Borough Administrator/Clerk is further directed to publish notice of the passage thereof and to file a copy of the Ordinance as finally adopted with the Monmouth County Planning Board as required by N.J.S. 40:55D-16. The Clerk shall also forthwith transmit a copy of this Ordinance after final passage to the Borough Tax Assessor as required by N.J.S. 40:49-2.1.

Section 3. If any word, phrase, clause, section or provision of this ordinance shall be found by any court of competent jurisdiction to be unenforceable, illegal or unconstitutional, such word, phrase, clause, section or provision shall be severable from the balance of this ordinance and the remainder of the ordinance shall remain in full force and effect.

Section 4. This Ordinance shall become effective immediately upon its final passage and publication as required by law.

Ordinance 1203 to amend **Chapter II –** was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

### **ORDINANCE NO. 1203**

#### **AN ORDINANCE AMENDING CHAPTER II OF THE “REVISED GENERAL ORDINANCE” OF THE BOROUGH OF DEAL “THIRD-PARTY PAYROLL DISBURSEMENT”**

WHEREAS, the Local Finance Board of the State of New Jersey adopted formal rules regarding “Electronic Disbursement Controls for Payroll Purposes” in order to provide formal authority for local governments to hire third-party payroll services/disbursing services to disburse funds to payroll agencies; and

WHEREAS, in order to have a payroll servicer provide disbursement services, the Board of Commissioners of the Borough of Deal (“Borough”) must formally approve the principle of a third-party having access to Borough funds, formally assigning responsibility to an official to oversee the process by enacting an ordinance, and approving all contracts or extensions.

NOW, THEREFORE, BE IT ORDAINED, by the Board of Commissioners of the Borough of Deal, County of Monmouth and State of New Jersey that Chapter II be amended as follows:

#### **CHAPTER 2-14 “Third-Party Payroll Disbursement”**

##### **2-14.1 Purpose; definitions.**

- A. The purpose and intent of these regulations is to abide by the requirements of N.J.S.A. 52:27D-20.1 and N.J.A.C. 5:30-17.1 et seq., governing electronic disbursement controls for payroll purposes.

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B. Definitions. As used in this chapter, the following terms shall have the meanings indicated:

“Approval Officer” - Person(s) responsible for authorizing and supervising the activities of the payroll service.

“Payroll Service” - Third-party payroll service organization.

“Borough” – Borough of Deal

#### 2-14.2 Authorization.

- A. The Borough is authorized to use a payroll service to prepare payment documentation, take possession of Borough funds, and make such disbursements itself on behalf of the Borough.
- B. The following payroll service providers shall be required to comply with these regulations:
  - (1) Payroll service providers who use their own customized programming process to execute disbursements for the Borough;
  - (2) Payroll service providers who use a third-party processor to execute disbursements for the Borough.

#### 2-14.3 Borough Requirements.

- A. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, See N.J.S.A. 40A:11-1 et seq. and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements, and/or transfer of Borough funds to contractor's account for subsequent disbursement of payment.
- B. Any renewal or extension of a contract under these regulations shall be by resolution.
- C. The Chief Financial Officer is hereby appointed the approval officer and is responsible for authorizing and supervising the activities of the payroll service and shall further be charged with the reconciliation and analysis of all general ledger accounts affected by the activities of the disbursing organization.
- D. If required by the contract between the Borough and the payroll service, the payroll service is permitted to hold Borough funds pending transmittal to a payee.

#### 2-14.4 Payroll service requirements.

- A. A payroll service must meet all of the following requirements:
  - (1) Report any irregularities that may indicate potential fraud, noncompliance with appropriate laws, dishonesty or gross incompetence on the part of the approval officer;
  - (2) Report circumstances that could jeopardize its ability to continue operations or otherwise interrupt the services provided to the Borough.

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- B. A payroll service must meet the requirements of N.J.A.C. 5:30-17.5, requiring that the approval officer be assured that the servicer has its own internal controls and appropriately guard against theft and other adverse conditions.
- C. All contracts entered into pursuant to these regulations and the laws authorizing the same shall comply with the requirements of N.J.A.C. 5:30-17.6, which sets out a series of mandatory contractual terms and conditions.

2-14.5 Establishment of service.

Upon the adoption of these regulations, the Borough Clerk / Administrator, with the assistance of the Chief Financial Officer and Borough Attorney, as necessary, is hereby authorized and directed to enter into a contract for payroll service in accordance with all local public contracting laws and N.J.A.C. 5:30-17. Appointment of the payroll service shall be by separate resolution of the Borough.

BE IT FURTHER ORDAINED, that if any section, paragraph, subsection, clause or provision of this Ordinance shall be adjudged by the courts to be invalid, such adjudication shall apply only to the section, paragraph, subsection, clause or provisions so adjudicated, and the remainder of the Ordinance shall be deemed valid and effective; and

BE IT FURTHER ORDAINED, that any ordinances or parts thereof in conflict with the provisions of this Ordinance are repealed to the extent of such conflict; and

BE IT FURTHER ORDAINED, that this Ordinance shall take effect upon passage and publication in accordance with applicable law.

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

**Resolution 20-01**

WHEREAS, the Local Budget Law, (N.J.S.A. 40:1-19) requires every municipality to make temporary appropriations sufficient to cover commitments made during the period January 1<sup>st</sup> to the date of adoption of the budget; and

WHEREAS, the total of this temporary budget shall not exceed 26 ¼ % of the total appropriations made for all purposes in the budget for the preceding year excluding appropriations made for interest and debt reduction charges, capital improvement fund and public assistance; and

WHEREAS, 26 ¼ % of the total appropriations in the 2019 budget less the exclusions mentioned in the preceding paragraph in the sum of \$2,672,282.99.

NOW THEREFORE BE IT RESOLVED, that the following temporary appropriations be made and a certified copy of the Resolution be transmitted to the Chief Financial Officer for his records.

2020 Temporary Municipal Budget

Administrative & Executive  
20-100-1 Salaries

72,000.00

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20-100-2 Other Expense	45,412.50
Human Resources	
20-105-2 Other Expense	1,325.00
Director Public Affairs & Safety	
20-110-1 Salaries	1,000.00
20-110-2 Other Expense	500.00
Director Revenue & Finance	
20-111-1 Salaries	1,000.00
20-111-2 Other Expense	131.25
Director Public Works & Public Property	
20-112-1 Salaries	1,000.00
20-112-2 Other Expense	131.25
Municipal Clerk	
20-120-2 Other Expense	1,312.50
Elections	
20-121-2 Other Expense	4,000.00
Financial Administration	
20-130-1 Salaries	3,200.00
20-130-2 Other Expense	210.00
Audit Service	
20-135-2 Other Expense	25,000.00
Collection of Taxes	
20-145-1 Salaries	12,000.00
20-145-2 Other Expense	2,926.88
Assessment of Taxes	
20-150-1 Salaries	6,000.00
20-150-2 Other Expense	13,492.50
Legal Services & Costs	
20-155-2 Other Expenses	27,562.50
Engineering	
20-165-2 Other Expense	15,250.00
Municipal Land Use - Planning Board	
21-180-1 Salaries	13,000.00
21-180-2 170-200 Other Expense	3,990.00
Municipal Land Use – Zoning Board	
21-185-1 Salaries	12,000.00
21-185-2 Other Expense	1,207.50
Construction Code Regulation	
22-195-1 Salaries	56,000.00
22-195-2 Other Expense	9,056.25
Plumbing Sub Code Official	
22-196-1 Salaries	4,100.00
22-196-2 Other Expense	52.50



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Fire Sub Code Official	
22-197-1 Salaries	3,000.00
22-197-2 Other Expense	105.00
Electrical Sub Code Official	
22-198-1 Salaries	4,200.00
22-198-2 Other Expense	52.50
Insurance	
23-210-2 General Liability	60,000.00
23-215-2 Workers Comp.	80,000.00
23-220-2 Group Ins. Retirees	80,000.00
23-220-2 Group Ins. Employees	265,000.00
Police	
25-240-1 Salaries	560,000.00
25-240-2 Other Expense	77,041.25
Office of Emergency Management	
25-252-2 Other Expenses	656.25
First Aid	
25-260-2 Other Expense	7,875.00
Fire	
25-265-1 Salaries	85,000.00
25-265-2 Other Expense	19,293.75
25-265-2 Fire Hydrants	26,000.00
Prosecutor	
25-275-1 Salaries	9,900.00
25-275-2 130-200 Other Expenses	78.75
Streets and Roads Maintenance & Repair	
26-290-1 Salaries	125,000.00
26-290-2 Other Expense	39,165.00
Traffic Signals	
26-300-2 Other Expense	1,312.50
Sanitation	
26-305-1 Salaries	58,000.00
26-305-2 Other Expense	11,681.25
Public Grounds & Buildings	
26-310-200 Other Expense	17,430.00
Vehicle Maintenance	
26-315-2 Other Expense	24,937.50
Deal Lake Weed Control	
26-320-2 Other Expense	1,750.00
Board of Health	
27-330-2 Other Expense	7,612.50
Dog/Animal Regulation	
27-340-2 Other Expense	2,225.00

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Aid to Health Care Facilities	
27-360-2 Other Expenses	131.25
Recreation	
28-370-2 Other Expense	367.50
Parks and Playgrounds	
28-375-2 Other Expense	13,125.00
Deal Casino	
28-380-1 Salaries	80,000.00
28-380-2 Other Expense	53,156.25
Conover Pavilion	
28-381-1 Salaries	-0-
28-381-2 Other Expense	7,691.50
Accumulated Leave Compensation	
30-415-2 Other Expense	262.50
Utilities & Bulk Purchases	
31-430-2 Electricity	18,000.00
31-435-2 Street Lighting	22,000.00
31-440-2 Telephone	12,000.00
31-445-2 Water	8,000.00
31-446-2 Gas	10,000.00
31-455-2 Sewerage	14,000.00
31-460-2 Gasoline & Motor Fuel	35,000.00
32-465-2 Solid Waste Land Fill	55,000.00
Contingent	
35-470-2 Other Expense	656.25
Statutory Expenditures	
36-472-2 Social Security	68,000.00
36-476-2 SDI Contribution	700.00
36-475-2 Police & Fire Retire	-0-
36-471-2 Public Employees Retire.	-0-
Interlocal Municipal Service Agreements	
42-250-2 Police Mandates 911 SVC.	2,625.00
42- Reverse 911	260.25
42-240-2 Ocean Twp. Tactical Team	275.63
Municipal Court	
43-490-1 Salaries	50,000.00
43-490-2 Other Expense	9,135.00
Public Defender	
43-495-2 Other Expenses	2,050.00
Shared Service Agreements	
45-250-2 Police Services-Interlaken	215,000.00
45-250-2 Police Service-Loch Arbour	57,000.00
45-250-2 Court Services-Loch Arbour	2,500.95
45-251-2 Public Works-Loch Arbour	35169.03
<b>GRAND TOTAL</b>	<b>\$2,672,282.99</b>

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Capital Improvement Fund  
44-90102 Capital Improvement Fund 930,000.00

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-02**

WHEREAS, the Local Budget Law, (N.J.S.A. 40:1-19) requires every municipality to make temporary appropriations sufficient to cover commitments made during the period January 1<sup>st</sup> to the date of adoption of the budget; and

WHEREAS, the total appropriations made for all purposes in the budget for the preceding year excluding appropriations made for interest and debt reduction charges, capital improvement fund and public assistance; and

WHEREAS, 26 ¼ % of the total appropriations in the 2019 budget less the exclusions mentioned in the preceding paragraph in the sum of \$304,670.63.

NOW THEREFORE BE IT RESOLVED, that the following temporary appropriations be made and a certified copy of the Resolution be transmitted to the Chief Financial Officer for his records.

2020 Temporary Sewer Budget

Operating	
55-501-1 Salaries & Wages	\$ 58,275.00
55-502-2 Other Expense	221,851.88
Statutory Expenditures	
55-530-2 Pub. Employ. Retirement	19,687.50
55-541-2 Social Security	4,856.25
Debt Service	
55-523-501 – Interest on Bans	0.00
<b>Total</b>	<b>\$304,670.63</b>

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-03**

RESOLUTION TO APPROVE 2020 TEMPORARY CAPITAL BUDGET

WHEREAS, N.J.A.C. 5:30-4.4B provides for the adoption of a temporary capital budget when it is desired to approve capital projects prior to adopting of the permanent capital budget; and

WHEREAS, the Board of Commissioners of the Borough of Deal, desires to constitute the 2020 Temporary Capital Budget by inserting therein various Capital Projects enumerated in Section 1;

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

Section 1. The 2020 Temporary Capital Budget of the Borough of Deal is hereby constituted by the adoption of a schedule to read as follows:

**TEMPORARY CAPITAL BUDGET OF THE  
BOROUGH OF DEAL  
COUNTY OF MONMOUTH, NEW JERSEY  
PROJECTS SCHEDULE FOR 2020**

**METHOD OF FINANCING**

Project	Estimated Costs	Grants In Aid	Capital Improvement Fund
Various Improv to Streets & Drains	\$965,000.00	\$315,000.00	\$650,000.00
Various Improv to Deal Casino & Conover	\$100,000.00		\$100,000.00
Purchase & Improv Sanitation Equipment	\$20,000.00		\$20,000.00
Purchase & Improv to Police Dept Equipment	\$135,000.00		\$135,000.00
Purchase & Improv to Fire Dept Equipment	\$25,000.00		\$25,000.00

Section 2. The Borough Clerk be and is authorized and directed to file a certified copy of this resolution with the Division of Local Government Services, Department of Community Affairs, State of New Jersey, within three days after the adoption of these projects for the 2020 Temporary Capital Budget, to be included in the 2020 Permanent Capital Budget as adopted.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Ordinance 1204 to provide for the various improvements to Streets and Drains was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

**CAPITAL ORDINANCE NO. 1204**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO STREETS AND DRAINS AND APPROPRIATING \$965,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the various improvements to streets and drains; and

WHEREAS, the Borough has available in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

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Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$965,000, said sum being inclusive of \$650,000 from the Borough's Capital Improvement Fund and \$315,000.00 from Grants In Aid.

Section 2. The improvements hereby authorized to be undertaken consist of the various improvements to Streets and Drains necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2020 temporary capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$130,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Ordinance 1205 to provide for various improvements to Deal Casino and Conover Pavilion and Municipal Beaches was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

#### **CAPITAL ORDINANCE NO. 1205**

**CAPITAL ORDINANCE PROVIDING FOR THE VARIOUS IMPROVEMENTS TO THE DEAL CASINO, CONOVER PAVILION AND MUNICIPAL BEACH AND APPROPRIATING \$100,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

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WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the various improvements to the Deal Casino, Conover Pavilion and Municipal Beach, and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$100,000, said sum being inclusive of \$100,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the various improvements to the Deal Casino, Conover Pavilion and Municipal Beach necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2020 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Ordinance 1206 to provide for the purchase of Sanitation Equipment was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

January 10, 2020

**CAPITAL ORDINANCE NO. 1206**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO SANITATION EQUIPMENT AND APPROPRIATING \$20,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to Sanitation equipment; and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$20,000, said sum being inclusive of \$20,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the purchase of and various improvements to Sanitation equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2020 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

January 10, 2020

Ordinance 1207 to provide for the purchase of and improvements to Police Department equipment was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

**CAPITAL ORDINANCE NO. 1207**

**CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO POLICE DEPARTMENT EQUIPMENT AND APPROPRIATING \$135,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to Police Department equipment; and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$135,000, said sum being inclusive of \$135,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the purchase of and various improvements to Police Department equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2020 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations



January 10, 2020

issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

Ordinance 1208 to provide for the purchase of and improvements to Fire Department equipment was introduced by Commissioner Ades, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

Public Hearing for this ordinance will be given on February 5, 2020 at 9:00 A.M.

### **CAPITAL ORDINANCE NO. 1208**

#### **CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AND VARIOUS IMPROVEMENTS TO FIRE DEPARTMENT EQUIPMENT AND APPROPRIATING \$25,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY**

WHEREAS, the Board of Commissioners of the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough") has determined to provide for the purchase of and various improvements to Fire Department equipment; and

WHEREAS, the Borough has available funds in the Borough's Capital Improvement Fund.

NOW, THEREFORE, BE IT ORDAINED by the BOARD OF COMMISSIONERS OF THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AS FOLLOWS:

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$25,000, said sum being inclusive of \$25,000 from the Borough's Capital Improvement Fund.

Section 2. The improvements hereby authorized to be undertaken consist of the purchase of and various improvements to Fire Department equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.

Section 3. The 2020 capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

January 10, 2020

Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.

Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.

Section 7. This ordinance shall take effect as provided by law.

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

**Resolution 20-04**

WHEREAS, there exists within the salary ordinance of the Borough of Deal pay ranges for certain positions; and

WHEREAS, the Board of Commissioners are desirous of setting the salaries for the person filling these certain positions,

NOW THEREFORE BE IT RESOLVED, that the following persons receive the assigned salary for the year 2020, said salary to be paid according to section two of the salary ordinance:

Samuel Cohen	3,000.00
Morris Ades	2,500.00
David Simhon	2,500.00
Stephen Carasia, Boro Clerk/Administrator	176,000.00
Theresa Davis, Tax Collector (L)	86,000.00
Michael Egan, Secretary, Deputy Clerk (L)	82,340.46
Alison Gavin, Administrative Clerk	60,000.00
Krystle Reiner, Court Administrator	60,000.00
Ronen Neuman, Police Chief (LH)	175,527.49
William Hulse (LH)	157,476.40
Matthew Sharin (LH)	154,564.49
Brian Egan (LH)	138,345.55
Nicholas Vaccaro (LH)	138,345.55
Daniel Kobil (LH)	137,345.55
Brad Kerney (LH)	137,345.55
Vincent Volek (LH)	135,491.28
Joseph Ammaturo (LH)	135,491.28
Jonathan Losquadro (LH)	130,794.60
Daniel Liptak (H)	125,794.60
Daniel Lokerson(H)	125,794.60
Nicholas Dowling(H)	125,794.60
Christopher Mirrione (H)	91,350.40
Jeffrey Kless (H)	87,104.20
Miguel Medina (H)	87,104.20

January 10, 2020

Zachariah Bell (H)	77,147.05
Daniel Mguire (H)	52,815.40
Tyler Redy (H)	52,815.40
Dale Wong	18.00/hr
Tyler O'Brien	15.00/hr
Michael Della Ragione (LH)	53,095.65
Cole Panaccione (H)	44,367.75
Christopher Conti (H)	37,735.95
Charles Zhoa (H)	37,735.95
Peter Barnett, Tax Assessor	18,018.60
Scott Basen, Judge Municipal Court	33,826.00
Jason Shamy, Prosecutor	29,766.88
Robert Simmen, Fire Fighter (LH)	105,123.21
Alan Roussell, Fire Fighter (LH)	52,500.00
John Hansen, Relief Driver	15.00/hr
Russell Williams, Relief Driver	15.00/hr
Victor Huhn, Relief Driver	15.00/hr
Charles Rivera, Relief Driver	15.00/hr
Joseph Santorelli, Street & Sewer Superintendent	120,000.00
James Foley, Beach Superintendent	82,000.00
Harold Josefowitz, DPW Forman (L)	75,755.77
Robert Roxey, DPW, Mechanic (L)	86,757.44
Robert Yorg, DPW (L)	62,550.74
Chris Beradesco, DPW (L)	62,550.74
Joseph Hagerman, DPW (L)	77,956.41
Mark Powers, DPW (L)	62,550.74
Michael Herzog, DPW	36,774.00
Benjamin Turetzkin, DPW	36,774.00
Broderick Heron	35,360.00
Brandon Catley	35,360.00
James Valente	34,340.00
Riley Allan	34,340.00
Austin Racine	34,340.00
John Palmer, Sub-Code Plumbing	12,387.78
Eric Sudia Sub-Code Electrical	12,447.96
Ron Viglioto Sub-Code Building	24,366.66
Joseph Ciccone Construction & Fire Official	60,000.00
Kevin Diaz, Code Enforcement	3,570.00
Thomas Seaman, Chief Financial Officer	9,401.24
Jennifer Simmen	120.00/DAY
Carol Dice	120.00/DAY

(H) Includes Holidays

(L) Includes Longevity

(LH) Includes Longevity & Holidays

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-05**

BE IT RESOLVED, that the regular meetings of the Board of Commissioners of the Borough of Deal, New Jersey will be held in the Borough Hall meeting room, Durant Square, 190 Norwood Avenue, Deal, New Jersey for the ensuing year, 2020, on the following dates and times:

January 10, 2020

January 10, 2020 – 9:00 am  
February 5, 2020 – 9:00 am  
March 4, 2020 – 9:00 am  
April 1, 2020 – 9:00 am  
May 6, 2020 – 9:00 am  
June 3, 2020 – 9:00 am  
July 1, 2020 – 9:00 am  
August 5, 2020 – 9:00 am  
September 2, 2020 – 9:00 am  
October 2, 2020 – 9:00 am  
November 4, 2020 – 9:00 am  
December 2, 2020 – 9:00 am

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

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-06**

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, New Jersey that the Asbury Park Press and The Coaster be designated the official newspapers for the Borough of Deal for legal notices of the year 2020. Legal ads may be published in either or both of the newspapers listed above.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-07**

**RESOLUTION AUTHORIZING THE AWARD OF A NON-FAIR AND OPEN CONTRACT FOR PROFESSIONAL SERVICES**

WHEREAS, the Borough of Deal has a need to obtain the following Professional Services, and their 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 Clerk/Administrator has determined and certified in writing that the value of the acquisition will exceed \$17,500; and,

WHEREAS, the anticipated term of this contract is one year; and

WHEREAS, each of the following business entities have completed and submitted a Business Entity Disclosure Certification which certifies that they have has 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

January 10, 2020

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

NOW, THEREFORE, BE IT RESOLVED that:

1. The following appointments are hereby ratified and confirmed for the year 2020 with the amounts charged for these services in accordance with any contracts.

Engineer	Peter Avakian, P.E.	Not to exceed \$240,000.00
Auditor	Suplee, Clooney & Co.	Not to exceed \$55,000.00
Borough Attorney	Paul V. Fernicola, Esq.	Not to exceed \$75,000.00
Tax / Conflict Attorney	Martin Barger, Esq.	Not to exceed \$60,000.00
Public Defender	Eric Casriel, Esq.	Not to exceed \$20,000.00
Public Defender-Substitute	David Gardner, Esq.	Not to exceed \$3,000.00
Public Defender-Substitute	Kevin Bransley, Esq.	Not to exceed \$3,000.00
Prosecutor	Jason Shamy, Esq.	Not to exceed \$30,000.00
Prosecutor – Substitute	James Carton, Esq.	Not to exceed \$3,000.00
Prosecutor – Substitute	Paul Granick, Esq.	Not to exceed \$3,000.00
Planning/Zoning Attorney	Eric Anderson, Esq.	Not to exceed \$20,000.00
Bond Counsel	GluckWalrath, LLP.	Not to exceed \$20,000.00

2. A copy of the Resolution shall be published in The Coaster within 10 days of its passage.

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

Commissioner Ades offers the following Resolution:

#### **Resolution 20-08**

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the Investors 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 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 Stephen Carasia, Borough Clerk.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

#### **Resolution 20-09**

RESOLUTION OF THE BOROUGH OF DEAL,  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY  
FIXING THE RATE OF INTEREST TO BE CHARGED

January 10, 2020

ON DELIQUENT TAXES OR ASSESSMENTS

WHEREAS, N.J.S.A. 54:4-67 permits the governing body of each municipality to fix the rate of interest to be charged for non-payment of taxes or assessments subject to any abatement or discount for the late payment of taxes as provided by law; and

WHEREAS, N.J.S.A. 54:4-67 has been amended to permit the fixing of said rate of 8% per annum on the first \$1,500.00 of the delinquency and 18% per annum on any amount in excess of \$1,500.00 and allows an additional penalty of 6% be collected against a delinquency in excess of \$10,000.00 on properties that fail to pay the delinquency prior to the end of the calendar year,

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey as follows:

1. The Tax collector is hereby authorized and directed to charge 8% per annum on the first \$1,500.00 of taxes becoming delinquent after due date and 18% per annum on any amount of taxes in excess of \$1,500.00 becoming delinquent after due date and if a delinquency is in excess of \$10,000.00 and remains in arrears beyond December 31<sup>st</sup>, an additional penalty of 6% shall be charged against the delinquency.
2. There will be ten (10) days grace period of quarterly tax payments made by cash, check or money order.
3. Any payments not made in accordance with paragraph two of this resolution shall be charged interest from the date set forth in paragraph one of this resolution.
4. This resolution shall be published in its entirety once in an official newspaper of the Borough of Deal.
5. The Borough Clerk shall provide a certified copy of this resolution to the Tax Collector, Borough Attorney and Borough Auditor for the Borough of Deal.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-10**

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the New Jersey Cash Management Fund, shall be the depository for funds not needed immediately and shall be maintained in the following accounts: General, Sewer, and the SUI Fund.

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 Stephen Carasia, Borough Clerk.

BE IT FURTHER RESOLVED, that any wire transfers from the above listed accounts must have the approval of the three government officials listed above and the funds may only be wired to a Borough of Deal bank account maintained at the Investors Bank or New Jersey Cash Management account.

Seconded by Commissioner Simhon

January 10, 2020

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-11**

WHEREAS, the Borough of Deal desires to appoint Deputy Emergency Management Coordinators; and

WHEREAS, such appointment is authorized under NJSA Appendix A:9-33, est. seq.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Matthew Sharin and Brian Egan are hereby appointed Deputy Emergency Management Coordinators. The term of office shall be from January 1, 2020 through December 31, 2020.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-12**

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 and alternate;

NOW, THEREFORE BE IT RESOLVED, that Stephen Carasia 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 through December 31, 2020; and

BE IT FURTHER RESOLVED, that Michael Egan, Deputy Clerk, is hereby appointed the alternate of the Borough of Deal to the Monmouth County Community Development Program for the year 2020.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-13**

WHEREAS, after 20 years of service to the Borough of Deal, Mary Ellen Supon, the Certified Municipal Court Administrator of the Deal Municipal Court is retiring as of December 31, 2019 and,

WHEREAS, the Deal Municipal Court is in need of a Certified Municipal Court Administrator and,

WHEREAS, proper notice for qualified candidates was duly advertised as per New Jersey Court Rule 1:34-3 and,

January 10, 2020

WHEREAS, A Municipal Court Administrator must adhere to N.J.S.A. 2B:12-11 or New Jersey Court Rule 1:41-3 and all applicants for the Deal Municipal Court Administrator were presented and reviewed to the Superior Court of New Jersey, Monmouth County Vicinage, Municipal Division Management as per New Jersey Court Rule 1:34-3 and,

WHEREAS, based on a thorough review of applications and resumes submitted, the Monmouth County Municipal Division of the Superior Court of New Jersey interviewed qualified candidates along with the Deal Municipal Court Judge and Deal Borough Administrator and,

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that based on the recommendation of the above-mentioned interview committee that it hereby appoints Krystle Reiner the Borough of Deal Municipal Court Administrator.

BE IT FURTHER RESOLVED, that Krystle Reiner be granted permission for all disbursements from the Deal, Loch Arbour and Interlaken Court Bank Accounts with Investors Savings Bank shall be made by checks signed by Krystle Reiner.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-14**

WHEREAS, N.J.A.C 17:27 requires the Borough of Deal to appoint a Public Agency Compliance Officer (PACO) to perform the duties described in the rules and ensure that the Borough and its contractors comply with these rules; and

WHEREAS, the Borough of Deal shall appoint the Public Agency Compliance Officer at the first meeting in January of each year and notify the Department of the Treasury, State Affirmative Action Office by January 10<sup>th</sup>.

NOW, THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Stephen Carasia, Clerk/Administrator is appointed as the Public Agency Compliance Officer (PACO) for the year ending December 2020.

BE IT FURTHER RESOLVED that the Clerk send a certified copy of this Resolution to the State Affirmative Action Office.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-15**

WHEREAS, there exists a need to coordinate alcohol, drug and audio hearing testing within the Borough of Deal; and

WHEREAS, Dynamic Testing Service, 230 Main Street, Toms River, NJ 08753 offers the service for alcohol and drug testing; and



January 10, 2020

WHEREAS, Interstate Mobile Care, P.O. Box 64, Sewell, NJ 08080 offers the service for audio testing; and

NOW, THEREFORE, BE IT RESOLVED that Dynamic Testing Services conduct alcohol and drug testing and Interstate Mobile Care conduct audio testing for the required employees for the Borough of Deal.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-16**

WHEREAS, the Borough of Deal is required to appoint a representative to the Deal Lake Commission; and

WHEREAS, Steven Kassin, Ocean Place, Loch Arbour, expressed an interest in becoming the representative for the Borough of Deal on the Deal Lake Commission.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that Steven Kassin be appointed as the representative to the Deal Lake Commission to commence January 1, 2020 and to expire December 31, 2020.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-17**

WHEREAS, Local budget Law provides that between November 1<sup>st</sup> and December 31<sup>st</sup> of the current budget year, and January 1<sup>st</sup> and March 31<sup>st</sup> 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 2019 budget, as adopted.

NOW, THEREFORE BE IT RESOLVED that the following transfers be made between appropriations in the 2019 budget for the Borough of Deal,

Transfer To:		
Administrative & Executive, OE		\$315.74
Transfer From:		
Administrative & Executive, Credit Card, OE		\$315.74

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-18**

January 10, 2020

**RESOLUTION AUTHORIZING RELEASE OF PERFORMANCE  
GUARANTEE, Congregation Ohel Yaacob,  
BLOCK 2 LOTS 8.03,9.01 & 9.02**

**WHEREAS**, Congregation Ohel Yaacob, posted a Performance Guarantee with the Borough of Deal in the amount of \$467,880 for the on-site improvements associated with the development of this project on Block 2, Lots 8.03, 9.01 & 9.02 as follows: Cash Surety Bond, in the amount of \$414,408.00 and cash in the amount of \$53,472.00; and

**WHEREAS**, upon review of the construction status and associated paperwork, the Borough Engineer has found that all on-site improvements have been completed in accordance with the approved plans and has recommended the release of the performance guarantee and acceptance of the improvements in his correspondence to the Borough of Deal dated December 2, 2019; and

**WHEREAS**, the Borough Engineer has recommended the acceptance of the two-year Maintenance Guarantee in the amount of \$66,840.00 in the form of a surety maintenance bond scheduled to expire two years from the date of acceptance.

**NOW, THEREFORE, BE IT RESOLVED**, by the Board of Commissioners of the Borough of Deal, that 1) all of the on-site improvements covered by the aforementioned performance guarantee are hereby accepted; 2) therefore, said Performance Guarantee posted by Congregation Ohel Yaacob, cash surety bond in the amount of \$53,472.00 be and is hereby released; and 3) that these acceptances are subject to all professional escrow fees being paid, and

**BE IT FURTHER RESOLVED**, in accordance with the recommendation of the Borough Engineer stated above, that the Board of Commissioners accept the two-year Maintenance Guarantee posted by Congregation Ohel Yaacob, credit surety bond in the amount of \$66,840.00 be and is hereby accepted.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Simhon offers the following Resolution:

**Resolution 20-19**

**WHEREAS**, due to the age and mileage of a police car 6105 and 6107 Chevy Caprice, which has made it necessary to purchase a replacement for these vehicles; and

**WHEREAS**, the Board of Commissioners have agreed to replace these police vehicles with two (2) 2021 Chevy Tahoe's.

**NOW, THEREFORE BE IT RESOLVED** by the Board of Commissioners that two (2) 2021 Chevrolet Tahoe's 4WD SSV Police Vehicle be purchased through competitive biddings with bids due by February 4, 2020.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

January 10, 2020

Commissioner Simhon offers the following Resolution:

**Resolution 20-20**

WHEREAS, the Borough of Deal has to secure a supplier of gasoline and diesel fuel for the vehicles that service the Borough; and

WHEREAS, the New Jersey State Contract has gasoline and diesel fuel available through state contract from J Swanton Fuel Oil Company, 37 Center Avenue, Highlands, NJ 07716 for the year 2020 at prices specified in their bid.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal agrees to purchase the fuel required for the year 2020 from J Swanton Fuel Oil of Highlands, New Jersey at the terms and prices specified in their contract under New Jersey State Contract 19-FLEET-00975.

BE IT FURTHER RESOLVED, that the service provided must meet the delivery requirements of the Borough and that it reserves the right to obtain another supplier should the requirements not be met by J Swanton Fuel Oil Company.

Seconded by Commissioner Ades

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

**Resolution 20-21**

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

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

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that payroll and associated deductions for the period ending January 31, 2020 be approved in the amount not to exceed \$300,000.00; and

BE IT FURTHER RESOLVED that the miscellaneous expenses not to exceed the amount of \$300,000.00 be paid at this time.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

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

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

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

The Monmouth Municipal Joint Insurance Fund provided the 2020 Budgets.

January 10, 2020

A Notice of Public Hearing was received from the Township of Ocean for the Third Round Housing Element and Fair Share Plan.

A letter was received from the Monmouth County Regional Health Commission advising of the Visiting Nurse Association Contracts.

An email was received from the Sephardic Bikur Holim requesting permission to use the Deal Casino Property for their Carnival on August 1.

A letter was received from the Jersey Shore Relay to hold their RunAPalooza race on April 4, 2020. The Board of Commissioners approved the race with proper traffic safety.

A letter was received from One More Tri to hold their race on September 13<sup>th</sup>. The Board of Commissioners approved the race with proper traffic safety.

Commissioner Ades offers the following Resolution:

BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, New Jersey that the following bills reported by the finance committee be ordered paid and vouchers drawn for same as listed on page 20-01 of the Warrant Register in the amount of \$714,920.82.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Mayor Cohen moved to open the floor to public comments, seconded by Commissioner Simhon and approved.

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners to hold the meetings at night. Mayor Cohen stated they had done that in the past and no one additional attended. Ms. Coffey inquired about trailers being parked on private properties. Ms. Coffey was advised that violations have been sent to those homeowners and they were being removed. Ms. Coffey stated there are old phone books in the driveways. Ms. Coffey also asked who cleans up after the parties. Ms. Coffey was advised the homeowners do the cleanup and trash is collected by the Deal Sanitation.

Mayor Cohen asked for any additional comments from the public, which there was none and closed the floor to public comments.

It was announced that the next meeting of the Board of Commissioners, which will be on Wednesday, February 5, 2020 at 9:00 A.M.

There being no further business or comments, it was moved by Mayor Cohen and seconded by Commissioner Simhon that the meeting be adjourned at 9:31 A.M.

SC \_\_\_\_\_

MA \_\_\_\_\_

DS \_\_\_\_\_

\_\_\_\_\_  
Clerk