

July 7, 2021

A regular meeting of the Board of Commissioners of the Borough of Deal, New Jersey was held on July 7, 2021 at 9:00 A.M. This meeting was conducted via Teleconference with the Board of Commissioners only meeting in person.

Mayor Cohen led the salute to the flag.

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

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

It was moved by Commissioner Simhon, seconded by Commissioner Ades and carried that the minutes of the previous meeting held on June 2, 2021 be approved as recorded.

Ordinance 1240 to amend Chapter VI Beach Regulations was introduced on June 2, 2021 and the public hearing is scheduled for today, July 7, 2021. Mayor Cohen moved to open the meeting to public comment on Ordinance #1240, seconded by Commissioner Simhon and approved. The Mayor invited public comment. There were no comments from the public and the public session was closed by the same vote.

ORDINANCE #1240

AN ORDINANCE AMENDING CHAPTER VI OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" Beach Regulations

Commissioner Ades moved to adopt Ordinance 1240, seconded by Commissioner Simhon. Roll Call: Ayes 3; Cohen, Ades & Simhon.

The following Resolutions were discussed and enacted:

Commissioner Ades offers the following Resolution:

Resolution 21-98

WHEREAS, the State of New Jersey has appropriated \$10 million for Shared Services and School District Consolidation Study and Implementation Grants to assist local units with the study, development and implementation of new shared and regional services; and

WHEREAS, the Department of Community Affairs, Division of Local Government Services (DLGS) is tasked with administering these grant funds through the Local Efficiency Achievement Program (LEAP); and

WHEREAS, LEAP Implementation Grants exist to support costs associated with shared service implementation to ensure that meaningful, efficiency generating initiatives are not hindered by short term transitional expenses; and

WHEREAS, the County of Monmouth and the Borough of Deal propose to enter into a shared services agreement, but face certain expenses associated with implementation that present a burden to the local units; and

July 7, 2021

WHEREAS, the purpose of this shared services agreement is to provide the technical benefits the County receives through our high resolution aerial imagery service (Nearmap) to all fifty-three (53) municipalities in the County, free of charge for two years, which will benefit the residents of all participating local units; and

WHEREAS, this service will provide high resolution, high quality imagery, as well as a complete set of countywide images three times a year through a web-based interface that allows the user to view the most recent images online; and

WHEREAS, municipal governments will use this to do the following:

- Measure size and footprints of buildings
- Determine property boundaries, setbacks and buffers
- Evaluate environmental conditions and potential development impacts
- Estimate capital investments
- Post disaster damage assessment
- Hazard mitigation assessments
- Search and rescue; and

WHEREAS, the County of Monmouth has agreed to be the lead agency in this program and will submit the application to DLGS on behalf of all participating units; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, that the Borough of Deal does hereby join with County of Monmouth in applying for a LEAP Implementation Grant in the amount of \$250,000.00 to support implementation of this shared service.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-99

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2022; and

WHEREAS, the Borough of Deal is desirous of submitting an application under this program for the following purpose:

- Improvements to Brighton Avenue

NOW, THEREFORE, BE IT RESOLVED by the Board Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2022- Improvements to Brighton Avenue – 00459 to the New Jersey Department of Transportation on behalf of the Borough of Deal; and

FURTHER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of

July 7, 2021

Deal and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-100

**Approval of Change Order #1 for
DPW Steel Building**

WHEREAS, the Borough of Deal awarded a contract for purchase and installation of a steel building at the Deal Public Works to West End KB LLC, Oceanport, NJ at a cost of \$298,826.00; and

WHEREAS, the Superintendent of Public Works recommended the following change to improvements to Steel Building Bid:

SA1-1 Relocation of Building	Add	\$5,566.00
Total (ADD)		\$5,566.00

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the Steel Building Installation as specified by the Superintendent of Public Works changing the contract amount to \$304,392.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-101

WHEREAS, West End – KB, LLC, Oceanport, NJ has been awarded a contract for the installation of a 60x120 steel building at the Borough Garage at a cost of \$304,826.60; and

WHEREAS, West End – KB, LLC. has requested payment #4 in the amount of \$68,392.00; and

WHEREAS, the DPW Superintendent has verified that the work to date has justified this payment.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that payment #4 of \$78,172.00 be made to West End – KB, LLC for the 60x120 steel building at the Borough Garage.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-102

Approval of Change Order #1 for

July 7, 2021

FY 2021 Various Road Improvements

WHEREAS, the Borough of Deal awarded a contract for the FY 2021 Various Road Improvements to Fiore Paving Co., Inc., Oceanport, NJ at a cost of \$408,473.58; and

WHEREAS, the Superintendent of Public Works recommended the following change to improvements to FY2021 Various Road Improvement Bid:

T1. Concrete Curbing	Add	\$2,117.00
T2. Detectable Warning Surfaces	Add	\$420.00
T3. Fuel Price Adjustment	Add	\$7,665.59
T4. Asphalt Price Adjustment	Add	\$11,246.72
T5. Milling	Subtract	\$6,630.00
T6. Surface Course	Subtract	\$24,480.02
T7. Concrete Sidewalk	Subtract	\$3,015.00
T8. Concrete Apron	Subtract	\$3,285.00
Total (Subtract)		\$15,960.71

NOW THEREFORE BE IT RESOLVED that the Board of Commissioners of the Borough of Deal hereby authorizes the changes recommended to the FY 2021 Various Road Improvement as specified by the Superintendent of Public Works changing the contract amount to \$392,504.47.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-103

WHEREAS, Fiore Paving Company, Inc., Oceanport, NJ has been awarded a contract for the FY 2021 Road Improvements at a cost of \$392,504.47; and

WHEREAS, Fiore Paving Company Inc. has requested payment #2 in the amount of \$280,542.12; and

WHEREAS, the DPW Superintendent has verified that the work to date has justified this payment.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that the payment #2 of \$280,542.12 be made to Fiore Paving Company Inc. for the FY 2021 Road Improvements.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-104

WHEREAS, a request has been made for a refund for 2021 membership to the Conover Pavilion and a seasonal badge; and

WHEREAS, these refunds are being requested due to an overpayment for their membership and the inability to attend for 2021.

July 7, 2021

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 Conover Pavilion and Season Badge:

- | | |
|--|----------|
| 1. Kathleen Elfner, West Long Branch, NJ | \$100.00 |
| 2. Meghan Salowe, Ocean, NJ | \$100.00 |
| 3. Allison Safdieh, Oakhurst, NJ | \$150.00 |

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-105

WHEREAS, the Borough is in need of hiring part time building inspectors due to the amount of construction; and

WHEREAS, the Borough is in need of hiring lifeguards for the beach front due to lifeguards resigning their positions.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the following persons are hereby appointed part time building inspectors for the year 2021 and hereby appoint summer positions at the Deal Casino, Conover Pavilion and Municipal Beach, May 2021 through September 2021 at the hourly salaries set in this resolution unless otherwise noted. Salaries for these positions have been provided for in the Municipal Budget.

2021 Building Inspectors

Martin Tellekamp, Plumbing	\$35.00
James McCormick, Electric	\$35.00
Dean Ferraro, Building	\$35.00
Joseph Woolley, Plumbing	\$35.00

2021 Lifeguard Staff hourly salaries

Brielle Dellavalle	\$12.75
William Hulse	\$17.00

2021 Beach Staff hourly salaries

Jack Volek	\$10.00
Archeley Eugene	\$9.00
Nicholas Pang	\$9.00
Abigail O'Hara	\$9.00
Jake Bonforte	\$9.00

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-106

WHEREAS, due to the age and deterioration of fire house, the Deal Fire Department is in need of purchasing different size hose for the apparatus; and

July 7, 2021

WHEREAS, quotes were received for the purchase of 1.5", 2.5" and 5" hose from a high of \$16,500.00 from New Jersey Fire Equipment, Ridgefield Park, NJ to a low of \$15,159.00 from Witmer Public Safety, Coatesville, PA.

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the purchase of fire hose for the Deal Department be made from Witmer Public Safety at a cost of \$15,159.00.

Seconded by Commissioner Simhon

Roll Call: Ayes 3; Cohen, Ades & Simhon

Commissioner Ades offers the following Resolution:

Resolution 21-107

WHEREAS, due to the fact the Board of Commissioners will be holding one meeting for the month of July; 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 July 31, 2021 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 for the month of June was received from Chief Ronen Neuman.

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

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

A letter from the Township of Woodbridge advising they will be hosting the New Jersey Senior Olympic games on September 10-12, 2021.

A letter was received from District 11 Legislative Representatives advising of the latest Legislative updates.

A letter was received from the Prevention Coalition of Monmouth County advising that August 31 is International Overdose Awareness Day.

A letter was received from the District 11 Legislatures asking the Board of Commissioners reassess approving Ordinance 1139.

An email was received from Sheila Levy, Dream Events, requesting permission for fireworks on August 31 at 191 Ocean Avenue. The Board of Commissioners approved the fireworks subject to the review of the Fire Official and meets all code requirements.

An email was received from Charles Anteby, Sephardic Bikur Holim, about a 5k on August 15th. The Board of Commissioners approved the race.

July 7, 2021

An application was received from the Deal Fire Company for Joseph Ezon, Deal, NJ to be added to the NJ State Firemen's Association active role. The Board of Commissioners approved the application.

An email was received from Stephen Foley, Deal Fire Company requesting permission for the Run Thru Deal on October 31. The Board of Commissioners approved the race.

An email was received from John Rogers, Chief of the Deal Fire Company, advising their open house will be July 11.

An application for a raffle license was received from the Mya Lin Terry Foundation at the Deal Golf Club on September 17, 2021. The Board of Commissioners approved the raffle.

An application for a raffle license was received from the Deal PBA Local #101 on September 5, 2021. The Board of Commissioners approved the raffle.

Under unfinished business, Commissioner Ades mentioned to the other Board of Commissioners he would like to address placing all wiring underground for newly constructed houses. Mayor Cohen stated he spoke with JCP&L and the cost of placing just the power lines on Lawrence Avenue underground would be in the millions.

Commissioner Ades also mentioned he would like to see the Borough Engineer look into repairing the flooding from Poplar Brook. The mayor was ok with Mr. Avakian looking into the flooding.

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 21-07 of the Warrant Register in the amount of \$2,976,277.29.

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.

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

Mrs. Cattan, Ocean Avenue, stated to the Board of Commissioners that the parking with a permit in the Deal Casino on the weekdays is ridiculous. Mrs. Cattan stated the lot is empty and the grass hill is full.

Katherine Williams, Deal Casino Member, asked the Board of Commissioners how many spots vs. passes given out were in the Deal Casino, she was advised an answer would be provided later in the day. Mrs. Williams also asked for an update on the renovations, Mayor Cohen stated that is still in early stages, there have been a couple of meetings with the Planner and we are awaiting what can be done under CAFRA.

Alice Adjmi, 54 Parker Avenue, stated to the Board of Commissioners that the water from the rain has flooded out her basement. Mrs. Adjmi stated that there are houses around her property with more than 40% coverage.

July 7, 2021

Mayor Cohen stated that the planning board is very strict about the coverage and will look into the flooding.

Cori Patterson, Deal Casino Member, asked if the ropes or lines can be painted on the grass lot at the Casino similar to what was there in the past, so everyone knows how to park. Mayor Cohen stated that we would look at adding ropes to the grass lot.

Barbara Coffey, 85 Norwood Avenue, asked the Board of Commissioners about the white tent on the DSN property. Commissioner Simhon stated that they need the tent due to the building not being completed and is temporary for the summer. Ms. Coffey asked about the trailers in town, she was advised that Joe Ciccone, Construction Official was reaching out to all the job sites to clean up the sites.

Isadora Chamlin, 5 Poplar Avenue, stated to the Board of Commissioners that rules need to be in place about ball playing in the pool at the Deal Casino, Mrs. Chamlin stated that she was hit with a ball and they should be removed. Mrs. Chamlin also stated that she can't see when making a left turn on Norwood Avenue. Mayor Cohen stated he was going to check with the State DOT to lower the mounds on the corners.

MaryAnne Cronheim, 88 Monmouth Drive, stated to the Board of Commissioners that Maria is doing a good job with the restrooms at the Deal Casino and the new bathroom looks great. Mrs. Cronheim also stated there needs to be rules for young kids that are unsupervised at the Deal Casino. Commissioner Simhon stated he will speak with Carrie. Mrs. Cronheim also stated that a vehicle was stopped in the dead center of Hathaway by Richmond Avenue and they is so much bad driving and bikes going the wrong way. Chief Neuman stated that officers have been proactive in enforcing the laws and there also has been an increase in the amount of people.

Bobby Adjmi, 54 Parker Avenue, stated to the Board of Commissioners that there has been heavy flooding on Parker Avenue with rain coming down Parker Avenue causing houses to flood. Commissioner Ades stated we would have to look at increasing the pipes into Deal Lake. Mayor Cohen stated he will speak with the Borough Engineer.

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, August 4, 2021 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 9:53 A.M.

SC _____

MA _____

DS _____

Clerk