

**BOROUGH OF DEAL
MONMOUTH COUNTY, NJ**

**MAYOR AND COMMISSIONERS
Regular Meeting - Friday, February 7, 2025 @ 9:00 AM**

CALL TO ORDER/SALUTE TO FLAG/PUBLIC ANNOUNCEMENT

The Mayor and Commissioners convened for this **Rescheduled Meeting** of the Borough of Deal in the Deal Municipal Court Room on **Friday, February 7, 2025 at 9:00 AM**.

The Pledge of Allegiance was led by Mayor Cohen and the Public Announcement was read:

In accordance with the provisions of the Open Public Meetings Act, N.J.S.A. 10:4-6, notice of this meeting of the Mayor and Board of Commissioners has met the requirements of the law as part of the Borough of Deal's annual meeting notice published in the Coaster on January 9, 2025, and published in the Coaster on January 23, 2025 of this rescheduled meeting, also posted in the corridor of the Municipal building, in the Office of the Municipal Clerk, and on the borough website at www.dealborough.com.

ROLL CALL

Mayor Sam Cohen – Present	Commissioner David Simhon – Present	Commissioner Jack A. Kassin – Present
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Staff Present: Borough Attorney Ian Goldman, Borough Administrator/Chief of Police Ronen Neuman, Borough Engineer Samuel Avakian, Borough Clerk Jo Anna Myung

ORDINANCES

ORDINANCE 2025-1: AN ORDINANCE AMENDING ORDINANCE 1296 - CHAPTER 30, DEVELOPMENT REGULATIONS, ARTICLE XI: FEES, GUARANTIES AND INSPECTIONS (2nd READING/ADOPTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, the following ordinance was heard in a second hearing and approved:

30-94 Fees

The developer shall, at the time of filing a submission, pay the following Escrow fee to the Borough by check or bank money order. Proposals involving more than one use shall pay a fee equaling the sum of the fees for the component elements of the application.

30-94.1 Subdivision

(1972 Code 18-9a)

- a. Informal Plat: \$1,000 per lot for the first three lots, plus \$100 per lot for each lot in excess of three.
- b. Preliminary Plat: \$3,000.
- c. Final Plat: \$1,500.
- d. Performance guarantees, inspection fees, and maintenance guarantees shall be in addition to these filing fees and shall be as outlined in 30-95, Guarantees and Inspections. Inspection fees shall be paid prior to beginning construction.

30-94.2 Site Plan

(1972 Code 18-9b; Ord No 1086-2014)

- a. Informal Plat: One half the preliminary site plan fee.
 - b. Preliminary Site Plan
 1. Residential: \$3,000.
 2. Commercial/Industrial: Preliminary site plan fee for any application is \$100.
- (Ord. No. 1086-2014)
- c. Final Site Plan: \$1,500.
 - d. Performance guarantees, inspection fees, and maintenance guarantees shall be in addition to these filing fees and shall be as outlined in 30-95, Guarantees and Inspections. Inspection fees shall be paid prior to beginning construction.

30-94.3 Variance and Other Appeals

(1972 Code 18-9c)

- a. Hear and Decide Appeals: \$1,500.
- b. Conditional Uses: \$2,500.
- c. Interpretation of the Zoning Map: \$500.
- d. Hardship Variance: \$1,500.
- e. Use Variance:
 1. Residential: \$1,500.
 2. Other Uses: \$1,500.
 3. Minimum: \$1,500.
- f. Building Permit for Lot Not Related to a Street: \$75
- g. Extension Request of Previous Approval: \$500.

30-94.4 Appeal to the Board of Commissioners

(1972 Code 18-9d)

Any appeal to the Board of Commissioners shall be accompanied by a fee of \$1,000, together with four copies of the transcript(s) of the hearing(s) before the Planning Board (Land Use Board).

30-94.5 Amendment of Final Plat Plan

(1972 Code 18-9e)

Any applicant seeking to amend a final plat or plan shall pay a fee of \$750. If the approving authority determines that the proposed amendment will result in a substantial change of the final plat or plan, the application shall be treated as a new application and processed accordingly, subject to the payment of the full fee pursuant to subsections 30-94.1 through 30-94.3 above.

30-94.6 Appearance Fee for Approving Authority's Court Reporter (Stenographer)

(1972 Code 18-9f Ord. No. 1086-2014; Ord No. 1144-2017.2)

In addition to the fees set forth above, each applicant shall pay a fee of \$300 for the appearance of the approving authority's court reporter at the applicant's hearing.

30-94.7 Application Fee

Each applicant wishing to appear before the Planning Board shall remit a non-refundable application fee of \$1,000.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

PUBLIC COMMENTS: None.

ORDINANCE 2025-2: AMENDING NOISE ORDINANCE - UNDER POLICE REGULATIONS (1ST READING /INTRODUCTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, the following ordinance was introduced:

Noise.

Definitions:

"Motor vehicle" shall mean any motor vehicle is propelled or drawn by mechanical equipment, such as but not limited to passengers' cars, trucks, truck trailers, semi-trailers, campers, motorcycles, mopeds, minibikes, go-carts, snowmobiles, amphibious craft, dune buggies drones or racing vehicles.

"Noise" shall be defined as any sound that annoys or distracts humans or causes an adverse psychological or physiological effect on humans.

"Persons" shall be defined as any individual, association, partnership corporation, or other entity.

Findings; Unnecessary Noise Unlawful.

Excessive noise is a serious hazard to the public health, safety, and welfare and to the quality of life of the residents of the Borough of Deal. It is hereby declared to be a public nuisance. The residents of the Borough of Deal have a right to and should be ensured an environment free from excessive sound. The following regulations are enacted to prevent excessive sound that may jeopardize the health, safety, or welfare of the Borough's residents or degrade their quality of life.

In that regard, no person shall permit, make or continue or cause to be permitted, made or continued any loud, disturbing, or unnecessary noise which annoys, injures, endangers, or disturbs the comfort, rest, and repose, or the peace, or the health or safety of any person being in his or her place of abode, or at any public or private meeting or at church services or make, cause or permit to be made or caused upon any premises owned, occupied or controlled by him or her or in any public place or upon any public street, alley or thoroughfare in the Borough any unnecessary noises or sounds by means of the human voice or by any other means or methods which are physically annoying to persons or which are so harsh or prolonged or unnatural or unusual in their use, time and place as to occasion physical discomfort or which are injurious to the lives, health, peace, and comfort of the inhabitants of the Borough or any number thereof. Such conduct shall be deemed a nuisance.

Radios, Musical Instruments, and Other Devices.

No person shall play, use, operate, or permit to be played, used, or operated any radio receiving set, musical instrument, phonograph, or other machine or device for the production or reproduction of sound with a louder volume than is necessary for convenient hearing of the person so playing, using or operating such instrument or device and persons who are voluntary listeners thereto or in such manner as to disturb the peace, quiet and comfort of neighboring inhabitants. The operation of any radio receiving set, musical instrument, phonograph, or other machine or sound amplifying device for the production or reproduction of sound between the hours of 11:00 p.m. and 10:00 a.m. in such a manner as to be plainly audible at a distance of fifty (50) feet from the building, structure or vehicle in which it is located shall be evidence of a violation of this chapter. Any such conduct shall be deemed a nuisance. Nothing herein contained shall be construed to prohibit playing by a band or orchestra in a hall, building, or in the open air when sponsored by the Borough or an appropriately permitted special event. Businesses that provide such music on their property as entertainment for their customers and have hours extending past 11:30 pm shall be permitted to continue the entertainment until 2:00 am.

Advertising with Sound.

No person shall, for advertising purposes or for the purpose of attracting the attention of the passing public, play, use, operate, or permit to be played, used, or operated any radio receiving set, musical instrument, phonograph, loudspeaker, sound amplifier, or other machine or device for the producing or reproducing of sound on the streets or public places of the Borough or in any place where the sound is cast directly upon the streets or public places or which is so placed and operated that the sound can be heard to the annoyance or inconvenience of travelers upon any street or public place or of persons in neighboring premises. Such conduct shall be deemed a nuisance.

Sound Trucks and Other Instruments.

No person shall play, use or operate for advertising purposes or for any other purpose whatsoever in public places or in or upon the public streets, alleys, or thoroughfares in the Borough any device known as a "sound truck," "loudspeaker" or "sound amplifier" or radio or phonograph with a loudspeaker or sound amplifier or any other instrument known as a "calliope" or any instrument of any kind or character which emits therefrom loud and raucous noises and is attached to and upon any vehicle operating or standing upon the streets or public places aforementioned. Such conduct shall be deemed a nuisance.

Vehicular Horns and Warning Devices.

No person shall sound any horn or warning device on any automobile, motorcycle, bus, or other vehicles except when required by law or when necessary to give a timely warning of the approach of the vehicle or as a warning of impending danger to persons driving other vehicles or to persons upon the street. No person shall sound any horn or warning device on any automobile, motorcycle, bus, or other vehicles that emits an unreasonably loud or harsh sound or for any unnecessary or unreasonable purpose or period. Such conduct shall be deemed a nuisance.

Lawnmowers, Leaf Blowers, Power tools, Chain Saws, Snow Blowers

No person shall operate or use any power lawnmower, leaf blower, power tool, chain saw, snow blower, or like item between the hours of 7:00 P.M. and 7:00 A.M., Mondays through Friday, and no operation on Saturday or Sundays, except that the use of same shall not be prohibited during these times when used in response to an emergency, such as to clear a walkway or street from snow, fallen branches or trees following a storm or other natural disaster. Use of any lawnmower, leaf blower, power tool, chain saw, snow blower, or like item within these hours that does not meet the emergency exemption shall be evidence of a violation of this section. Any such conduct which does not meet the exceptions noted herein shall be deemed a nuisance.

Construction

All construction and demolition activity noise shall be restricted to the hours of 8:00 A.M. to 7:00 P.M., Monday through Friday; Construction is prohibited on Saturdays and Sundays, those holidays when construction activity is not prohibited. All construction activity, including but not limited to deliveries for same, shall be prohibited on Saturdays and Sundays and the following holidays: New Year's Day, Memorial Day, July Fourth, Labor Day, Thanksgiving Day, and Christmas Day. No construction will be permitted during the moratorium period set forth by the board of commissioners.

Enforcement

Violations in this section are enforceable by the Deal Police Department and Zoning Officials to enforce and issue violations.

Radios, Musical Instruments, and Other Devices

Any person violating this section will be given a verbal warning on the first offense.

A person violating this section will be given a written warning on the second offense.

A person violating this section will be given a summons on the third offense and every offense thereafter.

Prevailing Time.

The hours referenced in this Section shall refer to the current prevailing time, i.e., Eastern Standard Time or Eastern Daylight Savings Time, depending on the time of year.

Violations and Penalties.

Penalties. As defined in this section, any person who violates any provision of this section shall be subject to a fine not exceeding five hundred dollars (\$500.00) for the first offense. For any subsequent violation, he/she shall be subject to a fine of seven hundred and fifty dollars (\$750.00), imprisonment in the county jail for a period not exceeding ninety (90) days, or both. Each day of such violation's continuance shall be considered a separate offense and be punishable separately.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

ORDINANCE 2025-3: AMENDING ORDINANCE NO. 1297, CHAPTER 7 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982 GENERAL LICENSING – TOWING AND STORAGE (1ST READING/INTRODUCTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, the following ordinance was introduced:

SECTION 1. Chapter 7 of the Revised General Ordinances is hereby amended to read as follows:

7-7.4 Application; Fees

- A. All towing and storage contractors desiring to be included on the tow list shall file an annual application with the Police Department on a form approved by the Chief of Police or his or her designate. The annual application fee shall be \$300. By filing such application, the applicant agrees to the terms and conditions outlined in the application, including compliance with this chapter.
 - 1. Application for the initial tow list shall be submitted to the Chief of Police within 20 days of the date upon which this chapter is finally adopted.
 - 2. The revised tow list shall remain effective until December 31 of each year.
 - 3. Thereafter, all applications must be completed and submitted to the Chief of Police by October 15 of each calendar year preceding the year in which the towing and storage operator desires to be included on the tow list.
 - 4. The tow list shall be effective for a period of one year, commencing January 1 of each successive year.
 - 5. All towing and storage operators desiring to be included on the tow list shall comply with all terms and conditions listed in this chapter. Failure to comply with this chapter shall result in immediate removal from the tow list.
- B. The application shall include the following information:
 - 1. The full name and address of the operator and, if a corporation, the names and addresses of all officers and shareholders thereof. Only one corporation shall apply for anyone given address.
 - 2. The description, by make, model, license number, year, gross vehicle weight, vehicle identification number and color, of each tow truck/wrecker.
 - 3. The address at which each tow truck/wrecker will be principally kept.
 - 4. The address of the authorized storage facility to which the towed vehicles will be taken and at which they will be stored.
 - 5. The names, addresses and copy of the drivers' licenses of all drivers of tow trucks/wreckers.
 - 6. The telephone numbers at which the Police Department may summon a tow truck/wrecker at any time, day or night.

7. Copies of required insurance policies or certificates of insurance.

7-7.14 Towing, Storage Charges & Conduct

Towing and storage contractors shall not charge fees for towing or storage more than those authorized by this chapter. Unless specified, the fee includes waiting time, cleanup, and mileage.

- A. Light Duty Towing (Vehicles up to 10,000 pounds)
 - i) Basic towing service includes motor vehicle crashes, impound, and disabled vehicles. Unless specified, the fee includes waiting time, cleanup, and mileage:
 - (1) Business Hours (8 AM to 5 PM, Monday through Friday): \$150
 - (2) Non-Business Hours (5:01 PM to 7:59 AM, Monday through Friday): \$165
 - (3) Weekend Service (5:01 PM Friday to 7:59 AM Monday): \$175
 - (4) Any Federal or New Jersey State Holiday (8 AM to 7:59 AM the following morning): \$175
 - (5) Recovery Charge (not including tow charge): \$350 per hour charged in half-hour increments of \$175 per hour.
 - (6) Storage Fee:
 - (a) Outdoor Storage: \$50 per day
 - (b) Indoor Storage: \$55 per day
 - (7) Hazardous Fluid Cleanup Fee: \$50
 - (8) If a vehicle is towed from the scene of a call to a place other than the towing contractor's storage area at the request of the owner or authorized representative, a fee not exceeding \$5 per mile may be charged.
- B. Heavy Duty Towing:

Charges for heavy-duty towing shall be as follows:

 - a. Remove Axle: \$40 per axle
 - b. Remove Driveshaft: \$50
 - c. Remove Air Scoop: \$50
 - d. Remove exhaust pipes: \$50
 - e. Cage Brake Chambers: \$40 each
 - f. Extra Man: \$75 per hour (charged in 30-minute increments)
 - g. Hazardous Fluid Cleanup Fee: \$50
 - h. Total Rate: \$300 per hour
 - i. Storage Rate: \$125 per day

3. If a vehicle is towed from the scene of a call to a place other than the towing contractor's storage area at the request of the owner or authorized representative, a fee not exceeding \$10 per mile shall be charged.

SECTION 2. All other provisions of Chapter 7 of the Revised General Ordinances not amended herein shall remain in full force and effect.

SECTION 3. This Ordinance shall take effect immediately upon final passage and publication as required by law.

SECTION 4. The Borough Clerk is hereby directed to publish this ordinance in accordance with the requirements of law.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

ORDINANCE NO. 2025-4: TO EXCEED CALENDAR YEAR 2025 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14) (1st READING/INTRODUCTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, the following ordinance was introduced:

BE IT ORDAINED by the Board of Commissioners of the Borough of Deal as follows:

WHEREAS, the Local Government Cap Law, N.J.S.A. 40A:4-45.1, et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget to 1% 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 2025 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of its citizens; and,

WHEREAS, the Board of Commissioners hereby determines that a 1% increase in the budget for the said year, amounting to \$104,482.74 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.

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 2025 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 \$365,689.58 and that the CY 2025 municipal budget for the Borough of Deal be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, 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.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

ORDINANCE 2025-5: AMENDING ORDINANCE 1285 CHAPTER IV OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" POLICE DEPARTMENT (1st READING/INTRODUCTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, the following ordinance was introduced:

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.

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.

Removal from Office.

The Chief of Police may be removed from office for cause, defined as:

Failure to perform the duties of Chief of Police as defined in this chapter.

Mental and/or physical incompetence to perform the duties of the position of the Chief of Police.

Conviction of a crime.

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.

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.

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.

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 Borough of Deal has the right to hire an independent consultant to review the candidates' projects and create questions as needed. 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 Borough of Deal has the right to hire an independent consultant to assist with interview questions and participate with the promotional review board. 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.

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 Borough of Deal has the right to hire an independent consultant to review the candidates' projects and create questions as needed. 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 Borough of Deal has the right to hire an independent consultant to assist with interview questions and participate with the promotional review board. 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 and Borough Administrator of the Borough of Deal reserves the right to call for an additional examination as deemed appropriate.

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 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. 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 and Borough Administrator 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 and/or the Borough Administrator 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:
 2. 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.
 3. 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.
 4. 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.
 5. Provide proper Police attendance and protection at fires and other emergencies.
 6. Provide the attendance of its members in court as necessary for the prosecution and trail of person charged with crimes and offenses and cooperate fully with the law enforcement and prosecuting authorities of Federal, State, County and municipal governments.
 7. 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 1st 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.

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 employee 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:

Years of Service	Longevity
Upon completion of 5 years and up to completion of 10 years:	3%
Upon completion of 10 years and up to completion of 10 years:	6%
Upon completion of 15 years and up to completion of 10 years:	9%
Upon completion of 20 years and up to completion of 10 years:	12%
Upon completion of 23 years and up to completion of 10 years:	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-five dollars (\$95.00) 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.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

ORDINANCE 2025-6: AMENDING ORDINANCE 1295 CHAPTER VI OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" BEACH REGULATIONS (1st READING/INTRODUCTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, the following ordinance was introduced:

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

Section 2. Subsection 6-1 Conover Pavilion is amended to read as follows:

6-1.4 Conover Pavilion Rates; Charges; Qualifications for Use

Rates and charges at the Conover Pavilion are fixed as follows:

Bathhouse-Season Rate:

Two (2) members	\$975.00
Each additional member 12 to 17 years of age	\$100.00
Each additional member 18 years of age and older	\$180.00
Senior Citizens (62 and older)/or Deal Resident Fee	\$875.00
Veterans no charge	
Children under 12 years of age	No Charge
Seasonal walk-on fee (8 years of age and older)	\$200.00
Weekday admission (Monday -Thursday)	\$12.00
Weekend and holiday admission (Friday-Sunday)	\$15.00

No refunds or rain checks.

Charges to be reviewed annually.

All guest passes must be purchased by a member of the W. Stanley Conover Pavilion and can be done so ahead of time online (www.dealborough.com).

Weekend times are Fridays, Saturdays, Sundays and Holidays. Weekday times will be Monday – Thursday.

Guest passes purchased will not expire and may be used at any time. Upon cancellation of membership, the associated passes will no longer be valid. Absolutely no refunds or rainchecks will be issued for guest passes.

Guest passes are not transferable.

Sale and purchase of guest passes other than from the Borough of Deal is prohibited.

Any member found bringing a guest into the Beach Club without paying the guest fee will be subject to revocation of membership.

Weekday Guest Pass (Book of 5)	\$50.00
Weekend Guest Pass (Book of 5)	\$60.00

6-1.5 Definition.

Member shall mean any family member or friend.

6-1.6 Rules and Regulations.

- Payment in full is due by April 15. If payment in full is not received by April 15, a \$350.00 late fee will be added. If payment is not received by April 30, the locker will be given away to the next person on the waitlist. The maximum number of members in each locker may not exceed 10 persons.
- No one will be permitted entrance into the Conover Pavilion without being identified as a member or daily guest.
- All persons are restricted from remaining on the beach after 10:00 p.m. except during approved special events and ceremonies. Individuals actively engaged in fishing or surfing may be upon any the Conover beach at any time between the applicable beach closing hour of any day.
- No tent or similar structures shall be permitted on the beach. Any structure with one complete side is not permitted. Any structure similar to a Cool Cabana are permitted. No member or guest may stake out an area of the beach or use wind screens to block off any section of beach to claim that area. Wind screens under 3 feet are permitted.
- No dogs, pets or other animals are permitted on Conover Pavilion property and beaches during the bathing season, with the exception of service animals.
- Smoking is prohibited at the Conover Pavilion and on the Beach, except in a designated area determined by the Board of Commissioners.
- Bathers are forbidden to bathe outside the designated areas and unprotected areas, or at such times, when in the opinion of the Management or Lifeguards, ocean bathing is unsafe. Operation and use of Jet Skis are prohibited on Deal beaches except for use by emergency personnel and lifeguards. The use of surf boards on the beaches of the Conover Pavilion are prohibited during the hours the clubs are open. Any person using diving apparatus or other equipment whether or not belonging to the Conover Pavilion, does so at his or her own risk.
- The Conover Pavilion assumes no responsibility for damages or loss of property belonging to a guest or member, whether or not the same be entrusted to employees of the Club or checked with the Management.
- All personal items must be removed at the end of the season. Any personal items still on premise will be discarded without notice.

6:1-7 Hours

The Pavilion will be open Monday-Thursday from 10:00am until 7:00 pm. On Fridays, Saturdays, Sundays and Holidays the Pavilion will be open from 9:00am-7:00 pm.

The beach will be open Monday-Thursday from 10:00 am until 6:30 pm. On Fridays, Saturday, Sundays and Holidays the beach will be open from 9:00 am until 6:30 pm.

Lifeguards will be on-duty Monday-Thursday from 10:00 am until 6:00 pm. On Friday, Saturday, Sundays and Holidays, lifeguards will be on-duty from 9:00 am until 6:00 pm.

The Pavilion will be an exit only from 6:30 pm – 7:00 pm daily. No entry will be permitted during this time.

The Borough reserves the right to close beaches or other areas during inclement weather or other emergent situations (Ord. No. 1196)

Section 3. Subsection 6-2 Deal Casino Beach Club is amended to read as follows: 6-2.2 Club Rules and Regulations

1. HEAD OF HOUSEHOLD

The Deal Borough property owner, the renter with lease and Certificate of Occupancy, or when space permits, the non-resident who heads a specific family. All membership fees must be paid through the primary member.

2. ADDITIONAL MEMBERS

Any family or friend may be added as additional members.

The maximum number of members in a small bathhouse may not exceed 10 members. Deluxe bathhouses may not exceed 10 members. Pool Cabanas and Beach Houses may not exceed 15 members. Current units with more than the listed members may continue with full payment by the due date listed.

3. APPLICATION AND PAYMENT DEADLINE

A \$500.00 deposit to hold your bath house is due on December 1. If deposits are NOT received by this date your bath house will be given away to someone on the waitlist. Payment in full is due by April 15.

If payment in full is not received by April 15 a \$350.00 late fee will be added to your total. If payment in full is not received by April 30, the bath house will be given away to the next person on the wait list and all deposits will be forfeited.

THESE DATES WILL BE STRICTLY FOLLOWED AND THERE WILL BE NO EXCEPTIONS MADE.

4. HOURS

The beach club will be open Monday-Thursday from 10:00am until 7:00 pm. On Fridays, Saturdays, Sundays and Holidays the beach club will be open from 9:00am- 7:00 pm.

The beach will be open and lifeguards on duty Monday-Thursday from 10:00 am until 6:00 pm. On Fridays, Saturday, Sundays and Holidays the beach will be open from 9:00 am until 6:00 pm. The Borough reserves the right to close beaches or other areas during inclement weather or other emergent situations.

All persons are restricted from remaining on the beach after 10:00 p.m. except during approved special events and ceremonies. Individuals actively engaged in fishing or surfing may be upon any the Deal Casino beach at any time between the applicable beach closing hour of any day.

5. GUESTS

All guest passes must be purchased by a member of the club and can be done so ahead of time online (www.dealborough.com) or at the casino office. Each bathhouse is limited to 40 peak passes for the season. Off-peak passes are unlimited.

Peak times are Friday, Saturday, Sunday, and Holidays. Off peak times will be Monday-Thursday.

Guest passes purchased will not expire and may be used at any time. Upon cancellation of membership, the associated passes will no longer be valid. Absolutely no refunds or rainchecks will be issued for guest passes. Guest passes are not transferable.

Off-Peak guest passes are limited in use to 10 passes per day.

Sale and purchase of guest passes other than from the Borough of Deal is prohibited.

Any member found bringing a guest into the Beach Club without paying the guest fee will be subject to revocation of membership.

6. CHILDREN

Children under the age of 12 must be accompanied by an adult. Members and guests are responsible for the conduct of their children at all times. Any violations shall follow the following: First Offense will result in a written warning. Second Offense will result in membership suspension. Third Offense may result in termination of membership.

7. FURNITURE

Beach Club furniture may not be moved from the pool deck, common areas, eating areas, or pool side cabanas. Furniture which is included with cabanas or beach houses is reserved for that specific unit only. Misplaced furniture will be removed. Reserving or rearranging pool deck furniture is prohibited. No Glass Tables will be allowed on beach club property. Refrigerators over 11 cubic feet will be assessed a \$200.00 surcharge. Refrigerators shall be placed in a deluxe cabana and plugged directly into the receptacle, use of extension cords is prohibited.

No outside furniture, rugs or other furnishings may be permitted onto the Public Area of the Deal Casino premises unless expressly approved by Deal Casino Management in writing. Any outside furniture that is brought onto the premises without written permission may be removed and discarded without notice. Outside furniture must be blue and/or white in color only.

8. PLAY PENS

For safety purposes, play pens are prohibited at pool side deck area.

9. USE OF BEACHES

Bathers are forbidden to bathe outside the designated areas and unprotected areas, or at such times, when in the opinion of the Management or Lifeguards, ocean bathing is unsafe. Operation and use of Jet Skis are prohibited on Deal beaches except for use by emergency personnel and lifeguards. The use of surf boards on the beaches of the Conover Pavilion and the Deal Casino are prohibited during the hours the clubs are open. Any person using diving apparatus or other equipment whether or not belonging to the Deal Casino, does so at his or her own risk.

No tent or similar structure shall be permitted on the beach.

10. POOL CONDUCT

Ball playing, floating objects, swim boards, tubes, etc. will only be allowed at the discretion of the lifeguards when it is deemed safe in either the main or baby pools. Children using swimmies are permitted if accompanied in the pool by an adult.

Children in diapers are not allowed in either pool per the New Jersey Sanitary Code.

Baby pool is designated for children 4 years of age and under. Each child must be accompanied and watched by a parent or guardian.

11. SMOKING

Smoking is prohibited inside the Deal Casino and on the Beach, except in a designated area designated by the Board of Commissioners.

12. PARKING

The paved lot is permit parking only. All bath houses and cabanas come with one parking permit. Cars without permits are permitted to park in the overflow grass lot to the south of the paved lot. The owner of any vehicle not properly displaying a valid Casino parking permit will be subject to prosecution, and the vehicle can/will be ticketed and or towed away at the owner's expense. Vehicles must be parked properly in designated spots.

13. PERSONAL PROPERTY

The Deal Casino assumes no responsibility for damages or loss of property belonging to a guest or member, whether or not the same be entrusted to employees of the Club or checked with the Management.

All personal items must be removed at the end of the season. Any personal items still on premise will be discarded without notice.

14. MEMBERSHIP

If and when unsold cabanas and bathhouses are available, membership will be offered on a "first come" basis. Priority will be given to residents who have indicated their interest in membership prior to each season.

Membership in the Deal Casino is limited to "Head of Household" and "Additional Family Members" of property owners and families residing or renting in the Borough of Deal. When available space permits, non-residents, following the same rules for "family membership" as Borough residents, will be allowed membership for that year according to a schedule and fees established by the Board of Commissioners.

6-2.3 Membership Fee Schedule

Membership Fees

(1) SMALL BATHHOUSE – Two (2) members	\$2,650.00
(2) DELUXE BATHHOUSE – Two (2) members	\$3,400.00
(3) CABANAS SOUTH TERRACE – Two (2) members	\$4,500.00
(4) CABANAS NORTH POOL – Two (2) members	\$4,500.00
(5) CABANAS SOUTH POOL – Two (2) members	\$4,400.00
(6) CABANAS NORTH AISLE A – Two (2) members	\$4,400.00
(7) BEACH CABANAS – Two (2) members	\$5,050.00
(8) Resident and Borough Employee Discount	\$500.00
(9) Additional Family Members	
a. Each additional child member	\$250.00
Each additional child member (After May 1)	\$350.00
b. Each additional adult member	\$400.00
Each additional adult member (After May 1)	\$500.00
(10)Members Children Under 5 Years of Age	No charge
(11)GUEST FEES:	
Off-Peak Passes: Monday-Thursday and Peak Pass Day after 5pm	
Single	\$20.00
Pack of 10 Guest Passes	\$150.00
Peak Passes: Friday, Saturday, Sunday and holidays 9am-4pm (Limited to 40 passes)	
Single	\$35.00
Pack of 10 Guest Passes	\$300.00
(12)Refrigerator Fee (over 11 Cubic feet)	\$200.00
(13)Paddle Board Registration and Storage	\$50.00
(14)Kayak Registration and Storage	\$100.00

Charges to be reviewed annually and dates adjusted to accommodate the operations calendar.

The user charges set in this section shall be reviewed annually and revised periodically by resolution of the Board of Commissioners to reflect actual costs associated with the operation of the Deal Casino.

Section 4. Subsection 6-3 Use of Non-Inflatable Surf-riding Equipment is amended to read as follows:

The practice of participating in the sport commonly known as "surfing," or any use of noninflatable surf riding equipment shall be prohibited in the area of the Atlantic Ocean in all designated swimming areas between May 15 and September 15 of each year. It is the intention of this section to prohibit surfing in areas designated as protected beaches reserved for swimmers and other areas designated for recreational activities inconsistent with surfing.

Section 5. Subsection 6-4 Bathing in Unprotected Waters is amended to read as follows:

6-4.2 Definitions.

As used in this section:

Protected beach shall be defined as one which has the following equipment and personnel:

a. Two (2) parallel lines of sound, serviceable and strong manila or hemp rope, not less than one (1) inch in diameter, anchored at some point above high water. Such lines shall be made to extend as far into the surf as bathing is ordinarily safe for persons who are not expert in swimming, and, at such points of safety, shall be anchored and buoyed. Such points shall be at least far enough seaward so that at low tide the depth of the water at such points is at least five (5) feet. Such lines shall be such distance apart so as to provide and identify the space set apart for such bathing and swimming.

The swimming area may also be designated by the use of beach flag markers posted on the beach.

Section 6. Subsection 6-6 Public Beach is amended to read as follows: 6-6.2 Municipal Beach Delineated.

The entire beach area lying between the border of the City of Long Branch and the Borough of Allenhurst. The existing public access points will be utilized. The Conover Pavilion and Deal Casino Beach Club rules and regulations will be separately outlined in Section 6-1 and 6-2, respectively.

6-6.3 Pass / Bracelet Required; Transferability and Loss.

No person twelve (12) years of age and over shall bathe at or otherwise use or be upon the beaches or areas set forth in subsection 10-6.2 without having first acquired and then having in his or her possession a proper and effective season pass, daily bracelet or other insignia to use the beaches, which shall be worn conspicuously by such person during said use, so that it shall be visible at all times and shall be exhibited on demand to the beach inspectors, gate tenders, Police of the Borough of Deal or other duly authorized representative of the Borough. All daily bracelets or other insignia issued shall be for the exclusive use of the holder, and shall not be loaned, given, sold or transferred to any other person, and shall be used only by the person to whom originally issued.

6-6.4 Fees and Charges.

In order to provide funds to improve, maintain and police the municipal beach and to provide facilities and safeguards for public bathing and recreation, including the employment of lifeguards, the following reasonable fees shall be charged the person using said lands and bathing facilities for access to the beaches and bathing and recreational facilities during the normal bathing season:

Daily admission to the beach:

No fee shall be charged of children under the age of twelve (12).

Twelve dollars \$12.00 per day per person on all days with the exception of Fridays, Saturdays, Sundays and holidays.

Fifteen dollars \$15.00 per day per person during Fridays, Saturdays, Sundays, and holidays.

Daily beach pass- bulk purchase rate

1,000-	\$10.00/pass
2,500-	\$8.00/pass
5,000-	\$7.00/pass
10,000-	\$6.00/pass

Seasonal admission to the beach:

1. **Two Hundred Dollars (\$200.00)** for a seasonal pass ages 12 and over for admission to the beach for the entire bathing season for one year.

2. **Seasonal bulk rate - One Hundred Fifty Dollars (\$150.00/pass) minimum of 100 passes (12 years of age and above)**

6-6.5 Hours.

The respective beaches and other areas established by subsection 6-6.2 shall be open for such periods as the Board of Commissioners shall annually designate by resolution. Unless otherwise designated by resolution of the Board of Commissioners, beach season pass, daily bracelet or other insignia shall be required between the hours of 9:00 a.m. and 6:00 p.m. prevailing time daily. The Borough reserves the right to close beaches or other areas during inclement weather or other emergent situations.

All persons are restricted from remaining on the beach after 10:00 p.m. except during approved special events and ceremonies. Individuals actively engaged in fishing or surfing may be upon any Municipal beach at any time between the applicable beach closing hour of any day.

No tent or similar structure shall be permitted on the beach. Any structure with one complete side is not permitted. Any structure similar to a Cool Cabana are permitted. No member or guest may stake out an area of the beach or use wind screens to block off any section of beach to claim that area. Wind screens under 3 feet are permitted.

Section 7.

This Ordinance shall take effect upon passage and publication according to law.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Board of Commissioners on first reading at a regular meeting of the Board of Commissioners of the Borough of Deal held on the 7th day of February, 2025 and will be considered for second reading and final passage at a regular meeting of the Board of Commissioners to held on the 4th day of March, 2025 at 9:00 AM in the Court Room of Borough Hall, 190 Norwood Avenue, Deal, New Jersey at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

ORDINANCE 2025-7: AMENDING ORDINANCE 1277 CHAPTER X OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" VEHICLES AND TRAFFIC (1st READING/IINTRODUCTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

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

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, the following ordinance was introduced:

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 10-36

A Regulation for the Movement and the Parking of Traffic on Municipal Property and Board of Education Property is amended to read as follows:

Property
Deal Casino
125 Ocean Avenue
Block 28, Lot 1

Subsection 10-36 A 2(a)4

Permit Parking is amended to read as follows:

No person shall park a vehicle at the below described location unless said vehicle shall have a valid permit displayed during the open season. In order to be properly displayed a parking permit must be hung from the rearview mirror facing forward or should be placed face-up on the dashboard to the left of the steering wheel. Make sure no other paper or garbage is covering up the placard. A parking permit shall only be valid if the bathhouse lessee to whom it has been issued has paid all charges made in connection with the lessee's bathhouse. Each bathhouse shall only receive one parking permit and that permit shall not be duplicated or reproduced in any way.

<u>Name of Street or Lot</u>	<u>Time Limit</u>	<u>Days</u>
South side of Deal Casino lot	All day	Everyday
North side of Deal Casino lot	All day	Everyday

Permit parking in designated rows indicated by signs; signs will indicate permit parking "All Day, Everyday". NO signs – no permit necessary.

Parking along the building will be Permit Parking only, as well as handicapped parking.

Parking spaces adjacent to grass on center island will be reserved parking only.

Designated by signage, which will be labeled for handicapped, municipal vehicles, police vehicles, and Purple Heart:

Nine (9) rows of double-sided parking will be labeled as follows:

- Three (3) of them will be without signs for 'Non-Permitted' parking;
- Remaining rows with signs for permit parking:
 - o Five (5) rows from the grass will be signed;
 - o One (1) row near north side entrance will be permitted.

Subsection 10-36 A 3(h) Parking Meter Zones, Fees & Enforcement is created to read as follows:

No person shall park a vehicle other than as hereinafter shown upon any of the following areas, unless otherwise indicated.

Subsection 10-36 A 2(a)4 Permit Parking is amended to read as follows:

Name of Street or Lot

Conover spaces to include first row on grass facing west.

Time Limit

All

Days

Monday through Sunday

<u>Location</u>	<u>Date</u>	<u>Days</u>	<u>Hours</u>	<u>Limits</u>
Grass Lot	May 20 – September 15	Fri, Sat, Sun & Holidays	9AM – 5PM	(Between Paved Lot and Ocean Avenue)

Any Conover Pavilion member displaying a valid parking permit will be allowed to park in the grass lot without having to pay the meter.

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.

Subsection 10-37 Amending Ordinance 1277 to include One-Way roadway

The roadway on the west side of the parking lot just west of the DSN basketball courts, between the Deal Casino and Conover Pavilion lots adjacent to Ocean Avenue shall be designated a one way from north to south.

Subsection 10-38 Amending Ordinance 1277 to include designated parking for members of the Deal Fire and Deal First Aid

Deal Fire and First Aid parking spaces: Two (2) north side spots and two (2) south side spots for each organization (total of four (4) per entity) last row on north side, existing row on south side. These spots shall only be for members of the Deal First Aid and Deal Fire Department designated by posted signage.

NOTICE IS HEREBY GIVEN that the foregoing ordinance was introduced and passed by the Board of Commissioners on first reading at a regular meeting of the Board of Commissioners of the Borough of Deal held on the 7th day of February, 2025 and will be considered for second reading and final passage at a regular meeting of the Board of Commissioners to held on the 4th day of March, 2025 at 9:00 AM in the Court Room of Borough Hall, 190 Norwood Avenue, Deal, New Jersey at which time and place any persons desiring to be heard upon the same will be given the opportunity to be so heard.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

PUBLIC COMMENTS: None.

RECEIPT OF ANNUAL FINANCIAL STATEMENT FOR YEAR 2024 (UNAUDITED): PENDED TO MEETING MINUTES AS A SEPARATE ATTACHMENT (PAGES 1 – 93)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, to accept the Annual Financial Statement for the Year 2024 (Unaudited) from CFO Thomas Seaman.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTIONS

RESOLUTION 25-12: CORRECTIONS TO MISSPELLED EMPLOYEE NAMES

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, to correct misspelled employee names in the previously approved Resolution #25-12:

Salary Increases to Non-Union Employees		Schedule A
Name	Title	2025 Base Salary
Ronen Neuman	Acting Administrator Clerk	124,800.00
Theresa Davis	Tax Collector	119,919.87
Kevin Diaz	Tech Assistant Construction	77,662.00
Carrie Sniffen	Beach Manager/Administrative Assistant	79,326.46
Krystal Reiner	Court Administrator	\$75,431.75
Michael Della Ragione	Police Dispatcher	\$62,065.17
Charles Zhao	Police Dispatcher	\$60,565.17
Emily Walsh	Police Dispatcher	\$51,335.46
Ryan Westerlind	Police Dispatcher	\$43,661.80
Robert Simmen	Fire Driver	\$128,679.68
Charles Rivera	Fire Driver	\$69,990.56
Nicholas Simons	Fire Driver	\$66,039.48
Eric Aguiar	Tax Assessor	\$45,457.44
John Palmer	Plumbing Sub-code	\$14,359.50
Eric Sudia	Electrical Sub-code	\$14,429.26
Ron Viglioto	Building Sub-code	\$28,244.99
Joseph Ciccone	Construction Official / Fire	\$69,549.89
Kelly Barrett	PB Secretary	\$12,480.00
Frank DiRoma	Zoning Officer	\$12,480.00
Amanda LaMonaca	Police Records Clerk	\$26.00
Salvatore Toppi	Fire Driver	\$21
Ryan Naclerio	Fire Driver	\$21
Vic Huhn	Fire Driver	\$21
John Hansen	Fire Driver (PT)	\$21
James Corrao	Fire Driver (PT)	\$21
Nicholas Krauss	Fire Driver	\$21
Keith Mitchell	Fire Driver	\$21
Construction	Part Time Inspectors	\$45
Court	Part Time Inspectors	\$21

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-30: APPROVE MEETING MINUTES FROM DECEMBER 13 & DECEMBER 30, 2024 AND JANUARY 6, 2025

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025, to approve the meeting minutes from December 13, 2024, December 30, 2024 and January 6, 2025.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-31: TERMINATION OF CONTRACT WITH JERSEY PROFESSIONAL MANAGEMENT FOR TEMPORARY DEPUTY CLERK SERVICES PROVIDED BY SANDRA MARTIN

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Board of Commissioners has appointed Sandra Martin, RMC, an Associate of the firm Jersey Professional Management, as Acting Deputy Borough Clerk to serve in this capacity as a temporary support staff in the Borough Clerk's office until a permanent Borough Clerk was hired and appointed; and

WHEREAS, after an extensive search and interview process for a Borough Clerk, the Borough of Deal has hired Jo Anna Myung as Borough Clerk on January 6, 2025, and an appointment made on January 16, 2025; and

WHEREAS, the Board of Commissioners received notice from Sandra Martin on January 24, 2025 of her last day for the Borough of Deal as an Associate of the firm Jersey Professional Management;

NOW, THEREFORE BE IT RESOLVED, to approve the termination of contract with Jersey Professional Management and for the Associate working as temporary Deputy Borough Clerk services provided by Sandra Martin.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-32: AUTHORIZE SALARY INCREASE FOR FIRE DRIVER JAMES CORRAO

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Board of Commissioners of the Borough of Deal has reviewed the current salary structure for non-union employees authorized salary increases at their reorganization meeting held on January 6, 2025; and

WHEREAS, to be consistent with other salary increases that was given to other Fire Drivers;

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

1. A salary increase of \$1.00 an hour is hereby authorized for Fire Driver James Corrao retroactive to the effective date of January 1, 2025.
2. The necessary funds to cover this salary increase will be allocated from the Borough's budget for the fiscal year 2025.

The Chief Financial Officer is directed to implement this salary increase in the next payroll cycle

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-33: APPOINTMENT OF PART-TIME FIRE DRIVER: GUIDO MONTELEONE

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, in the Borough of Deal, an opening has occurred for a Fire Truck Driver within the Deal Fire Department; and

WHEREAS, Guido Monteleone has been recommended for the position of Part-Time Fire Driver within the Deal Fire Department.

NOW, THEREFORE BE IT RESOLVED, that Guido Monteleone be appointed as Part-Time Fire Driver at an hourly rate of \$21.00, paid bi-monthly.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-34: RE-APPOINTMENT OF ERICK AGUIAR AS TAX ASSESSOR

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, pursuant to N.J.S.A. 40:72-7, there exists a need for the Borough of Deal to appoint a qualified Municipal Tax Assessor; and

WHEREAS, Erick Aguiar served a full four-year term expiring in 2025; and

WHEREAS, Erick Aguiar possesses certification as a Tax Assessor as provided for and required by N.J.S.A. 54:1-35.25 et seq., N.J.S.A. 40A:9-148.1, and N.J.S.A. 40:72-7; and

WHEREAS, pursuant to N.J.S.A. 40A9-148, the Tax Assessor shall hold a term of office of four years, from the first day of July next following his appointment; and

WHEREAS, notwithstanding the foregoing, N.J.S.A. 54:1-35.31 provides that a Tax Assessor that has been reappointed, and has served not less than four consecutive years prior to such reappointment shall be entitled to tenure; and

WHEREAS, the Borough seeks to reappoint Erick Aguiar to the position of Tax Assessor for the Borough of Deal.

NOW, THEREFORE BE IT RESOLVED by the Board of Commissioners of the Borough of Deal, to hereby reappoint Erick Aguiar as Tax Assessor, effective July 1st, 2025, and by virtue of this reappointment, he shall be entitled to tenure under statutory law.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-35: AUTHORIZATION TO EXECUTE AGREEMENT WITH TANTUM REALTY, LLC

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Borough of Deal is interested in redeveloping the Deal Casino Beach Club property which includes renovating, updating and enhancing existing facilities in order to support the expansion of programming for its' Club Members;

WHEREAS, scope of services and strategy shall be executed and delivered subject to the satisfaction, direction and ultimate control of the Board of Commissioners; and

WHEREAS, per the proposal for Development Consulting Services dated December 20, 2024 this agreement shall be valid from date of this approved Resolution until December 31, 2025.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners are authorized to enter into contract with Tantum Realty L.L.C. for a one-year professional service agreement not to exceed \$44,000.00.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-36: APPOINTMENT FOR FY2025 REP FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

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

WHEREAS, the Community Development Block Grant (CDBG) program in New Jersey provides annual grants to communities to improve housing, economic opportunities, and community facilities; and

WHEREAS, the Borough of Deal must appoint a representative; and

WHEREAS, the Mayor and Municipal Clerk are hereby authorized to execute said agreement in accordance with the provisions of the Participation in the CDBG Program for the FY2024 – FY2026.

NOW, THEREFORE BE IT RESOLVED, that **Ronen Neuman, Borough 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, 2025 through December 31, 2025.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-37: AUTHORIZATION TO EXECUTE AGREEMENT WITH REARDON ANDERSON, LLC FOR PLANNING BOARD LEGAL SERVICES

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Borough of Deal's joint Municipal Land Use Planning and Zoning Board of Adjustment Boards are in need of legal services to represent the boards, including notices, reports, preparation of resolutions and ordinances, preparation and review of correspondences, meeting attendances and conferences, answering telephone calls, legal research and analysis, and other such matters as may be assigned by the Planning Board, Township Committees, Planning Board Secretary and/or the Borough Administrator; and

WHEREAS, scope of services as stated above to accept the hourly rates as follows:

\$175/hour for Attorneys

\$100/hour for Paralegals

WHEREAS, Erik Anderson with his extensive background and legal experience, will be assigned to represent the Borough of Deal's collective Boards and Committees.

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners are authorized to enter into contract with Reardon Anderson L.L.C. for a one-year professional service agreement not to exceed \$35,000.00.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-38: AUTHORIZATION TO EXECUTE AGREEMENT WITH ANDREW WILKINSON ARCHITECTS, PLLC

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Mayor and Commissioners are interested in the beautification of Norwood Avenue; and

WHEREAS, scope of services involve advancing the following schematic design for Norwood Avenue:

- Street Furniture: Benches and Trash Containers
- Street Lighting
- Façade Mounted Lighting
- Specific Palette of Colors and Maters for Façade Treatments
- Awning Program Guideline for Configuration and Fabric Colors/Patterns
- Sidewalk Paving Pattern Options

WHEREAS, Andrew Wilkinson with his extensive background and experience, will be assigned to provide deliverables per agreement dated January 13, 2025

NOW, THEREFORE BE IT RESOLVED, that the Board of Commissioners are authorized to enter into contract with Andrew Wilkinson Architects PLLC for a one-year professional service agreement not to exceed \$6,500.00.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-39: APPROVAL OF TWO (2) RAFFLE LICENCES FOR FAMILY & CHILDREN'S SERVICE OF MONMOUTH COUNTY, INC.

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, Family & Children's Service of Monmouth County Inc, 191 Bath Avenue, Long Branch, NJ 07740 submitted proper application for the following Raffle Licenses; and

WHEREAS, said applications contain the required number of designation(s) furnished by the Legalized Games of Chance Control Commission; and

WHEREAS, the Police Department of the Borough of Deal has confirmed that a background check and criminal history record was conducted;

NOW, THEREFORE BE IT RESOLVED that upon payment and receipt of licensing fees as provided by Statute, and upon filing with the Borough Clerk, she is hereby authorized to issue a license for Raffles in accordance with said application:

1. RAD 2025-01 Off Premise 50/50 Raffle License
2. RAD 2025-02 On Premise Merchandise Raffle

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-40: APPOINTMENT OF CLASS I SPECIAL OFFICER: JAMES P. LYNCH

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of James P. Lynch as a Class I Special Police Officer in the Borough of Deal; and

WHEREAS, James P. Lynch has completed his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, James P Lynch, has successfully completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 1, 2025, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Lynch is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-41: APPOINTMENT OF CLASS I SPECIAL OFFICER: JACK R. SAVARE

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Jack R. Savare as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Jack R. Savare has completed his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Jack R. Savare, has successfully completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 1, 2025, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Savare is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-42: APPOINTMENT OF CLASS I SPECIAL OFFICER: RYAN WESTERLIND

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Ryan Westerlind as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Ryan Westerlind has completed his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Ryan Westerlind, has successfully completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 1, 2025, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Westerlind is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-43: APPOINTMENT OF CLASS I SPECIAL OFFICER: CHARLES Y. ZHAO

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Charles Y. Zhao as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Charles Zhao has completed his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Charles Zhao, has successfully completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 1, 2025, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Zhao is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-44: APPOINTMENT OF CLASS I SPECIAL OFFICER: ALLISON M. SOLIMENE

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Allison M. Solimene as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Allison M. Solimene has completed his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, Allison M. Solimene, has successfully completed her course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 1, 2025, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Solimene is to be assigned her duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-45: APPOINTMENT OF CLASS I SPECIAL OFFICER: JULIAN SANTO

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, Borough Ordinance 4-9 permits the appointment of Special Police Officers; and

WHEREAS, Police Chief Ronen Neuman has recommended the appointment of Julian Santo as a Class I Special Police Officer in the Borough of Deal.

WHEREAS, Julian Santo will be completing his course of instruction at the Monmouth County Police Academy.

NOW THEREFORE BE IT RESOLVED, that Class I Special Police Officer, after Julian Santo after successfully completed his course of instruction, will be appointed a special police officer for a term of (1) one-year, effective May 1, 2025, unless removed from office by the Chief of Police before the end of the one-year term. Special Officer Santo is to be assigned his duties by the Chief of Police consistent with the laws of the State of New Jersey and the Ordinance of the Borough of Deal.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-46: APPROVAL OF MONMOUTH COUNTY VOCATIONAL SCHOOL STUDENT INTERN

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Monmouth County Vocational School District has requested a student for internship with the Deal Police Department; and

WHEREAS, the purpose of the internship is to provide students with the opportunity to explore and practice academia and occupationally related skills; and

WHEREAS, the Deal Police Department has utilized interns from the Monmouth County Vocational School in the past;

WHEREAS, Anthony Mollinari has been selected for the internship to begin February 15, 2024 and end on or before June 1, 2024; and

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners of the Borough of Deal that Anthony Mollinari be provided the internship opportunity with the Deal Police Department beginning February 15, 2025 through June 1, 2024.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-47: APPROVAL OF AUDIOMETRIC TESTING: INTERSTATE MOBILE CARE

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, there exists a need to conduct audio hearing test within the Borough of Deal for employees; and

WHEREAS, the Monmouth County Municipal Joint Insurance Fund has conducted a RFQ for this service and where the low bidder was Interstate Mobile Care, P.O. Box 64, Sewell, NJ 08080, and offers the service for audio hearing testing.

NOW, THEREFORE, BE IT RESOLVED that Interstate Mobile Care provides the necessary audio hearing testing for required employees for the Borough of Deal for the year 2025.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-48: APPROVAL OF 2025 STATE FUEL CONTRACT FROM CREATIVE MANAGEMENT, INC.

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

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

WHEREAS, the New Jersey State Contract has gasoline and diesel fuel available through a state contract from **CREATIVE MANAGEMENT INC**, 935 State Route 34, Matawan, NJ 07747 (<https://www.gillenergy.com/>) for the year 2025 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 2025 from Creative Management Inc of Matawan, New Jersey at the terms and prices specified in their contract under Monmouth County Purchasing Division Contract F-1-2025.

BE IT FURTHER RESOLVED, that the service provided must meet delivery requirements of the Borough and it reserves the right to obtain another supplier should the requirements not be met by **Creative Management Inc**.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-49: APPROVAL OF COMMERCIAL DRIVER'S LICENCE (CDL) DRUG & ALCOHOL TESTING SERVICE

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, there exists a need to administer and coordinate alcohol and drug testing within the Borough of Deal for employees; and

WHEREAS, the Monmouth County Municipal Joint Insurance Fund has conducted a RFQ for this service and where the low bidder was **Dynamic Testing Service**, 230 Main Street, Toms River, NJ 08753 and offers the service for alcohol and drug testing.

NOW, THEREFORE, BE IT RESOLVED that Dynamic Testing Services shall provide alcohol and drug testing services for required employees for the Borough of Deal for the year 2025.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-50: APPROVAL OF MONMOUTH COUNTY 2025 CO-OP SALT ROAD CONTRACT WITH ATLANTIC SALT INC

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Borough of Deal has to secure a supplier of rock salt for snow and ice removal within the Borough; and

WHEREAS, the Borough of Deal as a member of the Monmouth County Co-operative Pricing System can participate in group purchasing for these products; and

WHEREAS, the Monmouth County Department of Purchasing has awarded a bid for granular sodium chloride to **ATLANTIC SALT, INCORPORATED** for the year of October 1, 2024 through September 30, 2025 at prices specified in the County Bid Proposal #F-85-2024.

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal, as a member of the Monmouth County Cooperative Pricing System, agrees to purchase the granular sodium chloride or approved equivalent required for the year 2024/2025 from **ATLANTIC SALT, INCORPORATED** the terms and prices specified in their contract with Monmouth County, #F-85-2024.

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 **ATLANTIC SALT INCORPORATED**.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-51: APPROVAL OF MONMOUTH COUNTY MOSQUITO CONTROL SPRAYING OPERATIONS

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Monmouth County Board of County Commissioners, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitos within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population with the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area", the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Deal is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED as follows:

The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitos constituting either a nuisance, a health hazard, or both with the understanding that:

- a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b. Such operations will be performed in compliance with applicable Federal and State regulations, and
- c. The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-52: AUTHORIZING THE APPOINTMENT OF AN OFFICE OF EMERGENCY MANAGEMENT (OEM) COORDINATOR: CAPTAIN WILLIAM HULSE FOR A 3-YEAR TERM

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Borough of Deal approved the appointment of Captain William Hulse as the Emergency Management Coordinator for a 4-year term; and

WHEREAS, such appointment is authorized under NJSA Appendix A:9-33, est. seq. states the appointment is for a 3-year term; and

WHEREAS, this resolution is an amendment to the original Resolution# 25-13 Authorizing a 4-year Appointment of Captain William Hulse as Emergency Management Coordinator to a 3-year Appointment to satisfy the updated and corrected requirements;

NOW THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal, at this meeting held on February 7, 2025, that Captain William Hulse is hereby appointed as the Emergency Management Coordinator for a 3-year term. The term of office shall be from January 1, 2025 through December 31, 2027.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-53: TO SUPPORT PUBLISHING LEGAL NOTICES ON OFFICIAL GOVERNMENT WEBSITES

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the sunset provision of March 1, 2025 imposed under P.L. 2024 c.106 is fast approaching in what was a temporary solution that allowed local governments to comply with the public notice requirements under the law in time for annual reorganization meetings in January; and,

WHEREAS, local government officials serve as the stewards of property taxpayer dollars and should no longer be required to subsidize the newspaper industry with revenues collected from publishing legal notices in the press; and,

WHEREAS, long before NJ Advanced Media's announcement that it was terminating daily print publications in January of 2025, local government officials found it increasingly difficult to comply with the public notice requirements under the law as the media has become almost exclusively digitized and struggled to retain staff, resources, and publications; and,

WHEREAS, legislation that will authorize local governments to publish legal notices on a local government's official website will streamline an antiquated and overly burdensome process and save valuable time, resources, and property taxpayer dollars; and,

NOW, THEREFORE BE IT RESOLVED that the Borough of Deal does in fact, hereby urge state leaders to pass legislation that will authorize municipalities, counties, school districts, and all local governments to publish legal notices in a clear, transparent, and timely manner on a local government's official website.

BE IT FURTHER RESOLVED that a copy of this Resolution shall be sent to Governor Phil Murphy, Senate President Nicholas Scutari, Speaker of the General Assembly Craig Coughlin, Senator Cory Booker, Senator Andy Kim and District 11 Senator Vin Gopal, Assemblywomen Margie Donlon M.D. and Luanne M. Peterpaul, and the New Jersey State League of Municipalities.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-54: AUTHORIZATION OF MISCELLANEOUS REFUNDS

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, requests have been made for refunds;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal that the following refunds be authorized and paid to the following:

Name	Reason	Amount
Richard Bettenhausen	Casino Non-member payment	\$1,650.00
Erin Leal	Casino Non-member payment	\$3,900.00
Donna Boresen	Casino Non-member payment	\$500.00
Michelle Murphy	Casino Non-member payment	\$500.00
Eileen Czepizak	(2) Certified Copy payment	\$20.00

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

RESOLUTION 25-55: APPROVAL OF BILLS AND CLAIMS FROM JANUARY 14 & 31, 2025 BILLS LIST

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on February 7, 2025,

WHEREAS, the Borough of Deal received bills and claims for the proper management and maintenance of borough facilities and equipment;

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal to approve the bills and claims received to keep current.

ROLL CALL VOTE: (Ayes): Cohen, Simhon, Kassin

MOTION APPROVED

PUBLIC COMMENTS:

Commissioner Kassin inquired about the chemicals used in mosquito control operations by Monmouth County. Municipal Clerk Myung responded that there are fact sheets on Monmouth County's website online and will forward that information for his review (<https://www.co.monmouth.nj.us/page.aspx?ID=3228>).

COMMUNICATIONS/CORRESPONDENCES RECEIVED:

- Request for approval – Clean Ocean Action clean up dates for 2025 spring season on April 12th and October 18th from 9AM – 12:30PM; beach sweep sign-ups beginning February 14th. Request approved by Mayor Cohen, and Commissioners Simhon and Kassin.

2. Request for approval – Congregation Torat El hosting evening services at Conover Pavilion on Friday June 27th and Friday August 8th from 6PM – approximately 8:45PM. Request approved by Mayor Cohen, and Commissioners Simhon and Kassin.
3. Suggested language recommendation letter received for municipal signage from Response Law.
4. "Amending and Supplementing Chapter 21 – The Comprehensive Land Development Ordinance #2492" received from Township of Ocean for our filing and forwarded to our Planning Board as an fyi.
5. Governor Murphy signed a bill that became law (S-5117/3994) on February 3, 2025, which modifies number of signatures required for candidates to be placed on primary, general, non-partisan municipal elections and school election ballots.
6. Request for approval – Garden State Fireworks Inc. on behalf of a couple getting married at 2 White Hall Avenue on June 19th to have fireworks and drones display on the barge in the water at 10:45PM. The requested time for the fireworks display is very late and needs to be done at least an hour earlier. Prior approvals in coordination with the Fire Official and Fire Department would need to be managed as well as notifying the Coast Guard. This vendor would need to complete an application, and provide Certificate of Insurance, as well as sign a Hold Harmless agreement. Request on hold until further information can be obtained.
7. Request for approval – Permission for kite flying event on the beach with option to bring in carnival themed games and snacks. Pending confirmation of the exact event date and location: June 1, June 29, August 3, 10, and/or 17.

UNFINISHED BUSINESS:

- Request For Proposal regarding Deal Casino Beach Club open-air restaurant proposal – tabled.
- Addendum to Agreement for Establishment of a Joint Meeting for Deal Lake Commission – approved.

NEW BUSINESS:

1. New janitorial/cleaning service for borough hall and police department – Tabled.
2. Surf Camp – Approved to go out for bid (Request For Proposal packets need to be prepared)
3. Evaluation of borough website, network administration/hosting and support services – In process.
4. New Municipal Court recording system upgrade – Proposal from BIS Digital which is the only court approved recording system – Approved.
5. Proposal received from Becker's Tree Service, Inc. to remove and/or prune approximately 93 trees along Norwood Avenue – Tabled for further evaluation. Commissioner Kassin suggested reviewing corner areas to be pruned where there are over-grown hedges such as Jerome Avenue.
6. Acorn Farms – This wholesale nursery located in Ohio provides the most competitive quotes and offers quality plants and trees which include delivery. The borough is in process of onboarding them as a vendor.
7. DPW cold patched and filled potholes along Ocean Avenue.
8. The Mayor and Commissioners expressed a desire for more efficient communication with residents, and to provide more transparency. They've brainstormed and proposed a year end newsletter to be sent via email. One obstacle is obtaining valid email addresses of all the residents. A few logistical issues to be ironed out and further discussions to be continued offline.

MONTHLY REPORTS:

Municipal Court January Financial Disbursement – Report on file with Municipal Court Administrator.
Police Chief's Report – Report on file with Police Chief.

PUBLIC COMMENTS:

Commissioner Kassin inquired about the Borough of Deal's Board of Education budget and school taxes. Tax Collector Theresa Davis in attendance responded that local property taxes are the primary source of school revenue and responsible for most of the costs of education. There was a question regarding charter school funding and Mayor Cohen stated that 100% of per pupil funds for students that attend charter schools outside of their district is funded by the state. Borough Attorney Goldman interjected that funding for charter schools was a sort of time share from both the state and district. Commissioner Simhon clarified that charter school budget was not part of the Borough of Deal's budget.

Borough Attorney Goldman recognized that Ms. Debra Tantum was in the audience and invited her to introduce herself and provide a presentation about her services to the borough. Ms. Tantum stated that she was not prepared to provide a presentation in public but introduced herself. Ms. Tantum stated that she had compiled a list of professional service contractors that were needed for the redevelopment efforts at Deal Casino Beach Club and would not be able to provide accurate scope for the project without enlisting these professionals. She also stated that Deal is faced with critical deadlines proposed under looming state regulations, and it was urgent to do this redevelopment as permits are expiring. She would need to regroup with her selected list of professional service contractors to identify work that needs to be accelerated and engage with construction-related professionals to get the work done. Michael Gross an Environmental Attorney in attendance interjected that they needed answers from NJDEP regarding their CAFM permit for approved cabanas. Borough Attorney Goldman suggested that the Mayor and Commissioners form a committee dedicated to the redevelopment effort for Deal Casino Beach Club. Mayor Cohen agreed to make appointments forming a committee to better understand what critical deadlines the borough is up against and how to comply with proposed regulations from the state.

Ms. Barbara Coffey, 85 Norwood Avenue, inquired about agenda items #19 and #22 regarding hiring professional service contractors and architects, and how much was spent on the Casino redevelopment efforts. Mayor Cohen responded that the borough only started the preliminary assessment work for the project, but it was under \$50K.

Ms. Raina Grossman, 5 Poplar Avenue, expressed concern over staff availability and locked pool access. Borough Administrator and Police Chief Neuman commented that we can follow up with Carrie Sniffen the Casino Beach Club Manager to address issues and discuss logistics.

An unidentified public speaker inquired about stairs or steps at 8 Neptune Avenue, and if beach access was available. Captain Hulse responded that the Neptune Avenue Visual Access point had beach access prior to the Army Corp of Engineers beach replenishment project but a scour hole has been added to the outfall pipe at the Neptune Avenue Access point which caused an unsafe condition. This may not be public domain anymore but will confirm and follow up with them offline.

Steven Haim from Deal First Aid Squad stated they needed to replace the ambulance because the current rig is over 25 years old, difficult to operate and not reliable. Deal First Aid Squad received a quote to build out a new ambulance which is approximately \$287K. Borough Administrator Neuman requested to review the quote and will work with our CFO Tom Seaman to review the budget. Mr. Haim also expressed concerns regarding responding to emergencies on the beach as Deal First Aid Squad are not the sole emergency medical providers in town causing confusion and delays in critical care. Police Captain William Hulse in attendance requested to table this matter to better understand this issue. Mr. Haim also requested permission for Deal First Aid Squad trailer be authorized at beach front for events.

CLOSED PUBLIC COMMENTS.

EXECUTIVE/CLOSED SESSION:

The Mayor and Commissioners convened in Closed Session at 10:23AM but deemed it was not necessary and reconvened in public session at 10:25AM.

ADJOURNMENT:

Upon a Motion by Mayor Cohen, Seconded by Commissioner Simhon and approved by Commissioner Kassin, the meeting of the Borough of Deal adjourned at 10:26AM.

Respectfully Submitted,

Jo Anna Myung
Municipal Clerk