

**BOROUGH OF DEAL
MONMOUTH COUNTY, NJ**

**MAYOR AND COMMISSIONERS
Regular Meeting - Tuesday, March 4, 2025 @ 9:00 AM**

CALL TO ORDER/SALUTE TO FLAG/PUBLIC ANNOUNCEMENT

The Mayor and Commissioners convened for this **Regular Meeting** of the Borough of Deal in the Deal Municipal Court Room on **Tuesday, March 4, 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, also posted in the corridor of the Municipal Building, on the borough website at www.dealborough.com, and in the Office of the Municipal Clerk for public viewing.

ROLL CALL

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

ORDINANCES

ORDINANCE 2025-2: AMENDING “NOISE” ORDINANCE - UNDER POLICE REGULATIONS (2nd READING/ADOPTION)

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

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

PUBLIC COMMENTS: None.

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 (2nd READING/ADOPTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

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

PUBLIC COMMENTS: None.

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) (2ND READING/ADOPTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

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

PUBLIC COMMENTS: None.

ORDINANCE 2025-5: AMENDING ORDINANCE 1285 CHAPTER IV OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" POLICE DEPARTMENT – OFF-DUTY EMPLOYMENT RATE & PROMOTIONAL PROCESS (2ND READING/ADOPTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

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 vender 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

PUBLIC COMMENTS: None.

ORDINANCE 2025-6: AMENDING ORDINANCE 1295 CHAPTER VI OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" BEACH REGULATIONS – AMENDING CONOVER PAVILION MEMBERSHIP FEES (2nd READING/ADOPTION)

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Kassin

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

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.

- a. 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.
- b. No one will be permitted entrance into the Conover Pavilion without being identified as a member or daily guest.

- c. 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.
- d. 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.
- e. No dogs, pets or other animals are permitted on Conover Pavilion property and beaches during the bathing season, with the exception of service animals.
- f. Smoking is prohibited at the Conover Pavilion and on the Beach, except in a designated area determined by the Board of Commissioners.
- g. 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.
- h. 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.
- i. 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 bathhouse 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

PUBLIC COMMENTS: None.

ORDINANCE 2025-7: AN ORDINANCE AMENDING ORDINANCE 1277 CHAPTER X OF "REVISED GENERAL ORDINANCES OF THE BOROUGH OF DEAL, 1982" – VEHICLES AND TRAFFIC – AMENDING BEACH CASINO CLUB PARKING (2ND READING/ADOPTION)

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

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:
Five (5) rows from the grass will be signed;
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

Location

Grass Lot
Avenue)

Date

May 20 –
September 15

Days

Fri, Sat, Sun
& Holidays

Hours

9AM – 5PM

Limits

(Between Paved Lot and Ocean

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.

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

MOTION APPROVED

PUBLIC COMMENTS:

Ms. Barbara Coffey, 85 Norwood Avenue, expressed concerns about public beach access. Borough Attorney Pfeffer communicated to Ms. Coffey that her comment was not relevant to Ordinance 2025-7 and to hold her comments until Open Public Comments at the end. Ms. Barbara Coffey insisted on knowing why individuals were not able to purchase beach pass bulk rate. Casino Beach Club Manager Carrie Sniffen responded that anyone can purchase beach passes bulk rate. Borough Attorney Pfeffer reminded Ms. Barbara Coffey that public comments right now are to gather comments for this Ordinance 2025-7 regarding parking for the Casino Beach Club, and that she may have the floor toward the end of the meeting during Open Public Comments.

ORDINANCE 2025-8: AN ORDINANCE TO AMEND THE PREVIOUSLY INTRODUCED ORDINANCE 2025-6 AMENDING CONOVER PAVILION MEMBERSHIP FEES – “PENALTIES” (2ND READING/ADOPTION)

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

BE IT ORDAINED, by the Mayor and Commissioners of the Borough of Deal as follows:

6-6.5 Hours and Locations – Admission to the Beach

The beachfront area includes all sand areas above the high tide line, extending from the southern border of Deal to Long Branch to the northern border of Deal to Allenhurst.

Beach badges or daily passes are mandatory from Memorial Day weekend through Labor Day and are required seven days a week.

Members of the Deal Casino, Conover Pavilion, and season pass holders must possess a beach pass or daily bracelet during the following times:

Monday through Thursday: 10:00 AM – 6:00 PM
Friday, Saturday, Sunday, and all major holidays: 9:00 AM – 6:00 PM

All individuals 12 years of age and older are required to have a valid beach pass during these designated hours.

It is strictly prohibited to replicate, alter, or tamper with daily bracelets. Additionally, walking on or across a dune is not permitted.

6-6.6 Penalties

Beach Admission Violation: Individuals without a valid beach badge or daily pass will be issued a summons of \$80.00, escorted from the beach, and prohibited from returning until they obtain the required pass.

Dune Violation: Any person found walking on or across a dune will be subject to a \$500.00 fine.

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

MOTION APPROVED

PUBLIC COMMENTS: None.

ORDINANCE 2025-9: AMENDING ORDINANCE UNDER DEVELOPMENT COMMITTEE – CHAPTER 30 DEVELOPMENT REGULATIONS 30-6: DEFINITIONS AND WORD USAGE (2ND READING/ADOPTION) - TABLED.

ORDINANCE 2025-10: CAPITAL ORDINANCE PROVIDING FOR THE PURCHASE OF AN AMBULANCE AND APPROPRIATING \$300,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY (2ND READING/ADOPTION)

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was adopted:

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

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

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

- Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$300,000, said sum being inclusive of \$300,000 from the Borough's Capital Improvement Fund.
- Section 2. The improvements hereby authorized to be undertaken consist of the Purchase of an Ambulance equipment necessary for the safety of employees and efficiency of maintaining the various systems of the Borough of Deal, together with all purposes necessary, incidental or appurtenant thereto, all as shown on and in accordance with contracts, plans, specifications or requisitions therefore on file with or through the Borough Clerk, as finally approved by the governing body of the Borough.
- Section 3. The 2025 temporary capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.
- Section 4. An aggregate amount not exceeding \$0 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.
- Section 5. Any grant or similar moneys from time to time received by the Borough for the improvements or purposes described in Section 2 hereof, shall be applied either to direct payment of the cost of the improvements within the appropriation herein authorized or to payment of the obligations issued pursuant to this ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are received and so used.
- Section 6. The Borough Attorney and other Borough officials and representatives are hereby authorized to do all things necessary to accomplish the purposes of the appropriation made herein.
- Section 7. This ordinance shall take effect as provided by law.

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

MOTION APPROVED

PUBLIC COMMENTS:

Ms. Coffey, 85 Norwood Avenue, expressed her appreciation and gratitude for the Deal First Aid Squad.

ORDINANCE 2025-11: CAPITAL ORDINANCE PROVIDING FOR IMPROVEMENTS TO CASINO BEACH CLUB AND APPROPRIATING \$6,000,000 THEREFOR, AND PROVIDING THAT SUCH SUM APPROPRIATED SHALL BE RAISED FROM CAPITAL IMPROVEMENT FUND IN AND BY THE BOROUGH OF DEAL, IN THE COUNTY OF MONMOUTH, NEW JERSEY (1ST READING/INTRODUCTION)

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At a public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following ordinance was introduced:

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

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

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

Section 1. The improvements described in Section 2 of this ordinance are hereby authorized as general capital improvements to be undertaken in and by the Borough of Deal, in the County of Monmouth, New Jersey (the "Borough"). For the improvements or purposes described in Section 2, there is hereby appropriated \$6,000,000, said sum being inclusive of \$6,000,000 from the Borough's Capital Improvement Fund.

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

Section 3. The 2025 temporary capital budget of the Borough will conform to the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director of the Division of Local Government Services is on file with the Borough Clerk and is available there for public inspection.

Section 4. An aggregate amount not exceeding \$600,000 for interest on said obligations, costs of issuing said obligations, engineering costs, legal fees and other items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included as part of the cost of said improvements and is included in the estimated cost indicated herein for said improvements.

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

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

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

Roll Call: (Ayes): Cohen, Simhon & Kassin

MOTION APPROVED

PUBLIC COMMENTS: None.

RESOLUTIONS

RESOLUTION 25-71: INCREASE TEMPORARY BUDGET APPROPRIATIONS

MOTION BY: Commissioner Kassin

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following resolution was approved:

INCREASE TEMPORARY BUDGET APPROPRIATIONS

WHEREAS N.J.S.A.40A: 4-20 states that in addition to the temporary appropriations necessary for the period prior to the adoption of the budget and regular appropriations, the governing body may, by resolution adopted by a 2/3 vote of the full membership thereof, make emergency temporary appropriations for any purpose for which appropriations may lawfully be made for the period between the beginning of the fiscal year and the adoption of the budget for said year, and,

WHEREAS the amount of such emergency appropriation shall be included under the correct heading in the budget as adopted, and,

WHEREAS there is a need to provide additional funds for Borough operations, and,

WHEREAS adequate provision for such funding was not made in the temporary budget.

WHEREAS the total Current emergency temporary resolutions adopted in the year 2025 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including the increase represented by this resolution total \$12,740,751.98 in addition to the temporary budgets adopted January 1, 2025 in the amount of \$3,211,404.84 for a total Year to Date Temporary Budget of \$ 15,952,156.82, and,

WHEREAS the total Sewer emergency temporary resolutions adopted in the year 2025 pursuant to the provisions of Chapter 96, P.L. 1951 (N.J.S.A.40A:4-20) including the increase represented by this resolution total \$938,062.50 in addition to the temporary budgets adopted January 1, 2025 in the amount of \$311,062.50 for a total Year to Date Temporary Budget of \$ 1,249,125.00, and,

NOW THEREFORE BE IT RESOLVED by the Borough Committee of the Borough of Deal (not less than 2/3 affirmatively concurring) that the items of appropriation appearing on the list be included in the temporary budget for the Borough for the year 2025, and that in accordance with the Statute such item of appropriation will be included in the 2025 budget as finally adopted.

BE IT FURTHER RESOLVED that two certified copies of this resolution be filed with the Director of the Division of Local Government.

2025 Temporary Current Budget	2025	Increased 3/4/2025	Total
Administrative & Executive			
20-100-1 Salaries	100,000.00	100,000.00	200,000.00
20-100-2 Other Expense	53,077.50	53,077.50	106,155.00
Human Resources			
20-105-2 Other Expense	1,400.00	3,600.00	5,000.00
Director Public Affairs & Safety			
20-110-1 Salaries 1	1,000.00	2,000.00	3,000.00
20-110-2 Other Expense	367.50	1,032.50	1,400.00
Director Revenue & Finance			
20-111-1 Salaries	1,000.00	1,600.00	2,600.00
20-111-2 Other Expense	500.00	900.00	1,400.00
Director Public Works & Public Property			
20-112-1 Salaries	1,000.00	1,600.00	2,600.00
20-112-2 Other Expense	500.00	0.00	500.00
Municipal Clerk			
20-120-2 Other Expense	20,000.00	25,000.00	45,000.00
Elections			
20-121-2 Other Expense	4,000.00	4,000.00	8,000.00
Financial Administration			
20-130-1 Salaries	1,000.00	0.00	1,000.00
20-130-2 Other Expense	7,500.00	7,500.00	15,000.00
Audit Service			
20-135-2 Other Expense	45,000.00	1,000.00	46,000.00
Collection of Taxes			
20-145-1 Salaries	16,480.00	16,480.00	32,960.00
20-145-2 Other Expense	3,438.77	3,438.77	6,877.54
Assessment of Taxes			
20-150-1 Salaries	17,000.00	17,000.00	34,000.00
20-150-2 Other Expense	40,367.50	45,632.50	86,000.00
Legal Services & Costs			
20-155-2 Other Expenses	60,000.00	60,000.00	120,000.00
Engineering			
20-165-2 Other Expense	20,000.00	15,500.00	35,500.00
Municipal Land Use - Planning Board			
21-180-1 Salaries	17,000.00	17,000.00	34,000.00
21-180-2 170-200 Other Expense	10,158.13	10,158.13	20,316.26
Municipal Land Use – Zoning Board			
21-185-1 Salaries	15,750.00	14,250.00	30,000.00
21-185-2 Other Expense	1,200.00	3,300.00	4,500.00
Construction Code Regulation			
22-195-1 Salaries	70,000.00	30,000.00	100,000.00
22-195-2 Other Expense	10,237.50	19,762.50	30,000.00
Plumbing Sub Code Official			
22-196-1 Salaries	8,000.00	9,000.00	17,000.00
22-196-2 Other Expense	52.50	147.50	200.00
Fire Sub Code Official			
22-197-1 Salaries	6,180.00	8,820.00	15,000.00
22-197-2 Other Expense	105.00	295.00	400.00

Electrical Sub Code Official				
22-198-1 Salaries	7,725.00	9,275.00	17,000.00	
22-198-2 Other Expense	52.50	147.50	200.00	
Insurance				
23-210-2 General Liability	90,000.00	88,719.00	178,719.00	
23-215-2 Workers Comp.	83,089.00	83,089.00	166,178.00	
23-220-2 Group Ins. Employees	300,000.00	300,000.00	600,000.00	
23-220-2 Group Ins. Retirees	100,000.00	100,000.00	200,000.00	
Police				
25-240-1 Salaries	680,000.00	680,000.00	1,360,000.00	
25-240-2 Other Expense	67,147.50	67,147.50	134,295.00	
Office of Emergency Management				
25-252-2 Other Expenses	656.25	1,843.75	2,500.00	
First Aid				
25-260-2 Other Expense	26,312.50	26,312.50	52,625.00	
Fire				
25-265-1 Salaries	92,400.00	92,400.00	184,800.00	
25-265-2 Other Expense	45,281.25	45,281.25	90,562.50	
Prosecutor				
25-275-1 Salaries	12,360.00	12,360.00	24,720.00	
25-275-2 130-200 Other Expenses	78.75	221.25	300.00	
Streets and Roads Maintenance & Repair				
26-290-1 Salaries	120,000.00	120,000.00	240,000.00	
26-290-2 Other Expense	42,708.75	42,708.75	85,417.50	
Traffic Signals				
26-300-2 Other Expense	1,968.75	-968.75	1,000.00	
Sanitation				
26-305-1 Salaries	71,950.00	71,950.00	143,900.00	
26-305-2 Other Expense	13,125.00	13,125.00	26,250.00	
Public Grounds & Buildings				
26-310-200 Other Expense	20,000.00	20,000.00	40,000.00	
Vehicle Maintenance				
26-315-2 Other Expense	25,000.00	25,000.00	50,000.00	
Deal Lake Weed Control				
26-320-2 Other Expense	1,750.00	0.00	1,750.00	
Board of Health				
27-330-2 Other Expense	10,000.00	10,000.00	20,000.00	
Dog/Animal Regulation				
27-340-2 Other Expense	2,100.00	2,900.00	5,000.00	
Aid to Health Care Facilities				
27-360-2 Other Expenses	500.00	0.00	500.00	
Recreation				
28-370-2 Other Expense	1,400.00	600.00	2,000.00	
Parks and Playgrounds				
28-375-2 Other Expense	30,000.00	20,000.00	50,000.00	
Deal Casino				
28-380-1 Salaries	82,250.00	82,250.00	164,500.00	
28-380-2 Other Expense	54,810.00	54,810.00	109,620.00	
Conover Pavilion				
28-381-1 Salaries	0.00	5,000.00	5,000.00	
28-381-2 Other Expense	9,850.00	9,850.00	19,700.00	

Accumulated Leave Compensation			
30-415-2 Other Expense	262.50	19,737.50	20,000.00
Utilities & Bulk Purchases			
31-430-2 Electricity	20,000.00	20,000.00	40,000.00
31-435-2 Street Lighting	20,000.00	20,000.00	40,000.00
31-440-2 Telephone	3,000.00	3,000.00	6,000.00
31-445-2 Water	8,000.00	8,000.00	16,000.00
31-446-2 Gas	10,000.00	10,000.00	20,000.00
31-455-2 Sewerage	15,000.00	15,000.00	30,000.00
31-460-2 Gasoline & Motor Fuel	35,000.00	35,000.00	70,000.00
32-465-2 Solid Waste Land Fill	75,000.00	75,000.00	150,000.00
Contingent			
35-470-2 Other Expense	1,000.00	0.00	1,000.00
Statutory Expenditures			
36-472-2 Social Security	70,000.00	65,000.00	135,000.00
36-476-2 SDI Contribution	6,825.00	6,825.00	13,650.00
36-475-2 Police & Fire Retire	0.00	996,727.00	996,727.00
36-471-2 Public Employees Retire	42,430.44	128,336.56	170,767.00
Interlocal Municipal Service Agreements			
42-250-2 Police Mandates 911 SVC.	2,625.00	5,375.00	8,000.00
42-250-2 Reverse 911	262.25	237.75	500.00
42-250-2 Ocean Twp. Tactical Team	420.00	2,180.00	2,600.00
Shared Service Agreements			
42-106-2 Police Services-Interlaken	220,000.00	220,000.00	440,000.00
45-106-2 Police Service-Loch Arbour	50,000.00	60,000.00	110,000.00
42-108-2 Court Services-Loch Arbour	2,750.00	2,500.00	5,250.00
45-251-2 Public Works-Loch Arbour	37,500.00	27,748.27	65,248.27
45-251-2 Beach Cleaning-Loch Arbour	4,000.00	4,000.00	8,000.00
			0.00
Municipal Court			
43-490-1 Salaries	45,000.00	45,000.00	90,000.00
43-490-2 Other Expense	15,000.00	12,468.75	27,468.75
Public Defender			
43-495-2 Other Expenses	2,500.00	2,500.00	5,000.00
	<u>3,211,404.84</u>	<u>4,240,751.98</u>	<u>7,452,156.82</u>
Capital Improvement Fund			
44-901-2 Capital Improvement Fund		<u>8,500,000.00</u>	<u>8,500,000.00</u>
Total 2025 Temporary Current Budget	3,211,404.84	12,740,751.98	15,952,156.82
2025 Temporary Sewer Budget			
Operating			
55-501-1 Salaries & Wages	85,000.00	85,000.00	170,000.00
55-502-2 Other Expense	211,062.50	211,062.50	422,125.00
Statutory Expenditures			
55-530-2 Pub. Employ. Retirement		75,000.00	75,000.00
55-541-2 Social Security	15,000.00	17,000.00	32,000.00
Capital Improvement Fund			
55-511-501 – Capital Improvement Fund		550,000.00	550,000.00
Total 2025 Temporary Sewer Budget	<u>311,062.50</u>	<u>938,062.50</u>	<u>1,249,125.00</u>

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

MOTION APPROVED

RESOLUTION 25-72: TEMPORARY CAPITAL BUDGET FOR IMPROVEMENTS TO DEAL CASINO BEACH CLUB

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following resolution was approved:

CAPITAL BUDGET (Current Year Action) 2025

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 AMOUNTS RESERVED IN PRIOR YEARS	5 PLANNED FUNDING SERVICES FOR CURRENT YEAR 2025					6 TO BE FUNDED IN FUTURE YEARS
				5a 2023 Budget Appropriations	5b Capital Improvement Fund	5c Capital Surplus	5d Grants In Aid and Other Funds	5e Debt Authorized	
Purchase of an Ambulance	1	300,000			300,000			0	
Improvements to Casino Beach Club	2	6,000,000			6,000,000				
TOTALS ALL PROJECTS		6,300,000		0	6,300,000			0	

3 YEAR CAPITAL PROGRAM 2025 - 2027

Anticipated PROJECT Schedule and Funding Requirement

1 PROJECT	2 PROJECT NUMBER	3 ESTIMATED TOTAL COST	4 Estimated Completion Time	5 Funding Amounts Per Year					
				Budget Year 2025	2026	2027	20__	20__	20__
Purchase of an Ambulance	1	300,000	2025	300,000					
Improvements to Casino Beach Club	2	6,000,000	2027	6,000,000	6,000,000	6,000,000			
TOTALS ALL PROJECTS		6,300,000		6,300,000	6,300,000	6,300,000			

3 YEAR CAPITAL PROGRAM 2025-26

SUMMARY OF ANTICIPATED FUNDING SOURCES AND AMOUNTS

1 PROJECT	2 Estimated TOTAL COST	3 Budget Appropriations		4 Capital Improvement Fund	5 Capital Surplus	6 Grants In Aid and Other Funds	7 BONDS AND NOTES			
		Current Year 2025	Future Years				General	Self- Liquidating	Assessment	School
Purchase of an Ambulance	300,000			300,000						
Improvements to Casino Beach Club	6,000,000			6,000,000						
TOTALS ALL PROJECTS	6,300,000			6,300,000						

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

MOTION APPROVED

RESOLUTION 25-73: APPROVAL OF CASH MANAGEMENT PLAN OF THE BOROUGH OF DEAL

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, the following Cash Management Plan was approved:

I. STATEMENT OF PURPOSE

This Cash Management Plan (the "Plan") is prepared pursuant to the provisions of N.J.S.A. 40A:5-14 in order to set forth the basis for the deposits ("Deposits") and the investment ("Permitted Investments") or certain public funds of the Borough, pending the use of such funds for the intended purposes. The Plan is intended to assure that all public funds identified herein are deposited in interest bearing Deposits or otherwise invested in Permitted Investments hereinafter referred to. The intent of the Plan is to provide that the decisions made with regard to the Deposits and the Permitted Investments will be done to insure the safety, the liquidity (regarding its availability for the intended purposes), and the maximum investment return within such limits. The Plan is intended to insure that any Deposit or Permitted Investment matures within the time period that approximates the prospective need for the funds deposited or invested so that there is not a risk to the market value of such Deposits or Permitted Investments.

II. IDENTIFICATION OF FUNDS AND ACCOUNTS TO BE COVERED BY THE PLAN.

- A. The Plan is intended to cover the deposit and/or investment of the following funds and accounts of the Borough:
- Current Fund
 - Grant Fund
 - Law Enforcement Trust Fund
 - Animal Trust Fund
 - Payroll
 - General Trust Funds
 - Unemployment Trust
 - General Capital Fund
 - Sewer Utility Operating Fund
 - Sewer Utility Capital Fund

- B. It is understood that this Plan is not intended to cover certain funds and accounts of the Borough, specifically:
- Developers Escrow
 - Tax Lien Redemption
 - Municipal Court
 - Deferred Compensation
 - Flexible Spending Account

III. DESIGNATION OF OFFICIALS OF THE BOROUGH AUTHORIZED TO MAKE DEPOSITS AND INVESTMENTS UNDER THE PLAN.

The Chief Financial Officer and Tax Collector of the Borough are hereby authorized and directed to deposit and/or invest the funds referred to in the Plan. Prior to making any such Deposits or any Permitted Investments, such officials of the Borough are directed to supply to all depositories or any other parties with whom the Deposits or Permitted Investments are made a written copy of this Plan which shall be acknowledged in writing by such parties and a copy of such acknowledgement kept on file with such officials.

IV. DESIGNATION OF DEPOSITORIES

The following banks and financial institutions, or their assignees/successors, are hereby designated as official depositories for the Deposit of all public funds referred to in the Plan, including any certificates of Deposit which are not otherwise invested in Permitted Investments as provided for in this Plan:

- Citizens Bank
- Valley National Bank

All such depositories shall acknowledge in writing receipt of this Plan by sending a copy of such acknowledgement to the Designated Official(s) referred to in Section III above.

V. AUTHORIZED INVESTMENTS.

- A. Except as otherwise specifically provided for herein, the Designated Official is hereby authorized to invest the public funds covered by this Plan, to the extent not otherwise held in Deposits, in the following Permitted Investments:
1. Bonds or other obligations of the United States of America or obligations guaranteed by the United States of America;
 2. Government money market mutual funds;
 3. Any obligation that a federal agency or a federal instrumentality has issued in accordance with an act of Congress, which security has a maturity date not greater than 397 days from the date of purchase, provided that such obligation bears a fixed rate of interest not dependent on any index or other external factor;
 4. Bonds or other obligations of the Local Unit or bonds or other obligations of school districts of which the Local Unit is a part of within which the school district is located;
 5. Bonds or other obligations, having a maturity date not more than 397 days from the date of purchase, approved by the Division of Investment of the Department of the Treasury for investment by Local Units;
 6. Local government investment pools;
 7. Deposits with the State of New Jersey Cash Management Fund established pursuant to Section 1 of P.L. 1977, c.281 (C.52:18A-90.4); or
 8. Agreements for the repurchase of fully collateralized securities if:
 - a. the underlying securities are permitted investments pursuant to Paragraphs 1 and 3 of this Subsection A;
 - b. the custody of collateral is transferred to a third party;
 - c. the maturity of the agreement is not more than 30 days;
 - d. the underlying securities are purchased through a public depository as defined in Section 1 of P.L. 1970, c.236 (C.17:9-41); and
 - e. a master repurchase agreement providing for the custody and security of collateral is executed.

For purposes of the above language, the terms "government money market mutual fund" and "local government investment pool" shall have the following definitions:

Government Money Market Mutual Fund. An investment company or investment trust:

- a. which is registered with the Securities and Exchange Commission under the "Investment Company Act of 1940", 15 U.S.C. sec. 80a-1 et seq., and operated in accordance with 17 C.F.R. sec. 270.2a-7;
- b. the portfolio of which is limited to U.S. Government securities that meet the definition of any eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities; and
- c. which has:
 - i. attained the highest ranking or the highest letter and numerical rating of a nationally recognized statistical rating organization; or
 - ii. retained an investment advisor registered or exempt from registration with the Securities and Exchange Commission pursuant to the "Investment Advisors Act of 1940", 15 U.S.C. sec. 80b-1 et seq., with experience investing in U.S. Government securities for at least the most recent past 60 months and with assets under management in excess of \$500 million.

Local Government Investment Pool. An investment pool:

- a. which is managed in accordance with 17 C.F.R. sec. 270.2a-7;
- b. which is rated in the highest category by a nationally recognized statistical rating organization;
- c. which is limited to U.S. Government securities that meet the definition of an eligible security pursuant to 17 C.F.R. sec. 270.2a-7 and repurchase agreements that are collateralized by such U.S. Government securities;
- d. which is in compliance with rules adopted pursuant to the "Administrative Procedure Act", P.L. 1968, c.410 (c.52:14B-1 et seq.) by the Local Finance Board of the Division of Local Government Services in the Department of Community Affairs, which rules shall provide for disclosure and reporting requirements, and

other provisions deemed necessary by the board to provide for the safety, liquidity and yield of the investments;

- e. which does not permit investments in instruments that: are subject to high price volatility with changing market conditions; cannot reasonably be expected, at the time of interest rate adjustment, to have a market value that approximates their par value; or utilize an index that does not support a stable net asset value; and
- f. which purchases and redeems investments directly from the issuer, government money market mutual fund, or the State of New Jersey Cash Management Fund, or through the use of a national or State bank located within this State, or through a broker-dealer which, at the time of purchase or redemption, has been registered continuously for a period of at least two years pursuant to Section 9 of P.L. 1967 c.9 (C.49:3-56) and has at least \$25 million in capital stock (or equivalent capitalization if not a corporation), surplus reserves for contingencies and undivided profits, or through a securities dealer who makes primary markets in U.S. Government securities and reports daily to the Federal Reserve Bank of New York its position in and borrowing on such U.S. Government securities.

VI. SAFEKEEPING CUSTODY PAYMENT AND ACKNOWLEDGMENT OF RECEIPT OF PLAN.

To the extent that any Deposits or Permitted Investment involves a document or security which is not physically held by the Borough, then such instrument or security shall be covered by a custodial agreement with an independent third party, which shall be a bank or financial institution in the State of New Jersey. Such institution shall provide for the designation of such investments in the name of the Borough to assure that there is no unauthorized use of the funds or the Permitted Investments or Deposits. Purchase of any Permitted Investments or Deposits. Purchase of any Permitted Investments that involve securities shall be executed by a "delivery versus payment" method to insure that such Permitted Investments are either received by the Borough or by a third party custodian prior to or upon the release of the Borough's funds.

To assure that all parties with whom the Borough deals either by way of Deposits or Permitted Investments are aware of the authority and the limits set forth in this Plan, all such parties shall be supplied with a copy of this Plan in writing and all such parties shall acknowledge the receipt of that Plan in writing, a copy of which shall be on file with the Designated Official(s).

VII. REPORTING REQUIREMENTS.

At the end of each year during which this Plan is in effect, the Designated Official(s) referred to in Section III hereof shall supply to the governing body of the Borough with a written report of any Deposits or Permitted Investments made pursuant to this Plan, which shall include, at a minimum, the following information:

- A. The name of any institution holding funds of the Borough as a Deposit or a Permitted Investment.
- B. The amount of securities or Deposits purchased or sold during the immediately preceding month.
- C. The class or type of securities purchased or Deposits made.
- D. The book value of such Deposits or Permitted Investments.
- E. The earned income on such Deposits or Permitted Investments. To the extent that such amounts are actually earned at maturity, this report shall provide an accrual of such earnings during the immediately preceding month.
- F. The fees incurred to undertake such Deposits or Permitted Investments.
- G. The market value of all Deposits or Permitted Investments as of the end of the immediately preceding month.
- H. All other information which may be deemed reasonable from time to time by the governing body of the Borough.

VIII. DISBURSEMENT OF FUNDS.

All funds shall be disbursed as authorized and directed in accordance with statutory provision established by Borough Code. The Chief Financial Officer shall, at the beginning of the fiscal year, present to the Borough Committee a schedule of debt service principal and interest payments if applicable and when available, a schedule of School Tax payments for the upcoming fiscal year. Upon review of the schedules of payments by the Borough Committee, the Chief Financial Officer shall then have the authority to make the aforementioned payments and the following disbursements that shall be ratified by the Governing Body at the following official meeting:

- School Taxes
- County Taxes
- Interfund Obligations
- Purchase of Investments
- Debt Service
- Salaries and Wages
- Postage
- Payroll Withholdings - Taxes, Dues, Deferred Compensation, Bonds, Garnishments, Pension(s), etc.
- Utility & Lease Obligations
- Registration of Vehicles with the MVC
- Any State Mandated Fees – Stormwater, Unemployment, etc.
- Insurance Premiums

IX. Audit

The Cash Management Plan shall be subject to annual audit conducted pursuant to N.J.S.A. 40A:5-4.

X. Surplus

The Cash Management Plan and Accounting Policies of the Borough Administration incorporate the goals of maintaining and replenishing reserves, determining when they can be used, what the fund balance target level is

and to what minimum level they will not drop below. They also define a target for cash, as cash is a leading indicator of financial health. While the Cash Management Plan and the Accounting Policies do not require a specific fund balance level, the Borough recognizes that the specific targeted level should be predicated on the level of fiscal vulnerability faced by the Borough including the cyclical vulnerability of the revenue stream, volatility of expenditure items and likelihood of natural disasters.

XI. TERM OF PLAN.

This Plan shall be in effect January 1, 2025 to December 31, 2025. Attached to this Plan is a resolution of the governing body of the Borough approving this Plan for such period of time. The Plan may be amended from time to time. To the extent that any amendment is adopted by the Committee, the Designated Official is directed to supply copies of the amendments to all of the parties who otherwise have received the copy of the originally approved Plan, which amendment shall be acknowledged in writing in the same manner as the original Plan was so acknowledged.

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

MOTION APPROVED

RESOLUTION 25-74: APPROVE MEMBER PARTICIPATION IN CO-OPERATIVE PRICING SYSTEM: HGACBUY

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, to approve member participation in the co-operative pricing system:

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the HGACBUY Cooperative Purchasing Program, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on March 4, 2025 the governing body of the Borough of Deal, County of Monmouth County, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as:

The Cooperative Pricing Resolution: HGACBUY of the Borough of Deal.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Borough of Deal is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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

MOTION APPROVED

RESOLUTION 25-75: APPROVE MEMBER PARTICIPATION IN CO-OPERATIVE PRICING SYSTEM: TIPS-USA

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025, to approve member participation in the co-operative pricing system:

WHEREAS, N.J.S.A. 40A:11-11(5) authorizes contracting units to establish a Cooperative Pricing System and to enter into Cooperative Pricing Agreements for its administration; and

WHEREAS, the TIPS-USA Interlocal Purchasing System, hereinafter referred to as the "Lead Agency" has offered voluntary participation in a Cooperative Pricing System for the purchase of goods and services;

WHEREAS, on March 4, 2025 the governing body of the Borough of Deal, County of Monmouth County, State of New Jersey duly considered participation in a Cooperative Pricing System for the provision and performance of goods and services;

NOW, THEREFORE BE IT RESOLVED as follows:

TITLE

This RESOLUTION shall be known and may be cited as:

The Cooperative Pricing Resolution: TIPS – USA of the Borough of Deal.

AUTHORITY

Pursuant to the provisions of *N.J.S.A. 40A:11-11(5)*, the Borough of Deal is hereby authorized to enter into a Cooperative Pricing Agreement with the Lead Agency.

CONTRACTING UNIT

The Lead Agency shall be responsible for complying with the provisions of the *Local Public Contracts Law (N.J.S.A. 40A:11-1 et seq.)* and all other provisions of the revised statutes of the State of New Jersey.

EFFECTIVE DATE

This resolution shall take effect immediately upon passage.

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

MOTION APPROVED

RESOLUTION 25-76: APPROVAL OF SOCIAL AFFAIRS PERMIT FOR WINE TASTING EVENT ON MAY 6, 2025 TO SUPPORT DEAL SEPHARDIC YOUTH CENTER ORGANIZATION COMMUNITY PROGRAMMING

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the Deal Sephardic Youth Center filed an application for a Social Affairs Permit for their wine tasting event as a fundraiser to support their community programming; and

WHEREAS the NJOAG had approved amending the new event date of **May 6, 2025** from 4PM – 11:30PM pending Deal Police and Borough of Deal approval of the new event date change (no Rain Date specified but offered May 13 – TBD); and

WHEREAS, Deal Sephardic Youth Center Organization has already received approval for said event date and time from the Deal Casino Beach Club; and

WHEREAS, the submitted application form is complete in all respects, and they have satisfied the requirements set forth by the New Jersey Office of the Attorney General – Division of Alcoholic Beverage Control,

and they have paid the Municipal fees, and their license has been properly reviewed by the Chief of Police, who has no objections to the issuance of said permit.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Commissioners of the Borough of Deal does hereby approve the Social Affairs Permit for Deal Sephardic Youth Center Organization held at Deal Casino Beach Club, 125 Ocean Avenue North, Deal, NJ 07723 for event date May 6, 2025 from 11AM – 6PM.

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

MOTION APPROVED

RESOLUTION 25-77: AUTHORIZING RENEWAL OF PLENARY RETAIL DISTRIBUTION LICENSE NO. 1310-44-002-005 TO DEAL FOOD & LIQUOR STORE INC.

MOTION BY: Mayor Cohen

SECONDED BY: Commissioner Simhon

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, Deal Food & Liquor Store Inc. has applied to the Borough of Deal for renewal of Plenary Retail Distribution License No. 1310-44-002-005 for the term July 1, 2025 through June 30, 2026 as permitted by N.J.S.A. 33:1-1 et. Seq., and N.J.A.C. 1:2-6; and

WHEREAS, the annual fee of \$1,036.00 was paid for the renewal of the license in accordance with the Code of the Borough of Deal; and

WHEREAS, a Tax Clearance Certificate has been received from the Division of Taxation for Deal Food & Liquor Store Inc.; and

WHEREAS, the Deal Food & Liquor Store Inc. has submitted the application form, is complete in all respects, and they have satisfied the requirements set forth by the New Jersey Office of the Attorney General – Division of Alcoholic Beverage Control, and provided they pay the Municipal fees and their license has been properly reviewed by the Chief of Police, who has no objections to the issuance of said permit;

NOW, THEREFORE BE IT RESOLVED that the Mayor and Commissioners of the Borough of Deal in the County of Monmouth and State of New Jersey that the application of Deal Food & Liquor Store Inc. for the renewal of its Plenary Retail Distribution License No. 1310-44-002-005 for the term July 1, 2025 through June 30, 2026 is hereby approved and the license is granted.

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

MOTION APPROVED

RESOLUTION 25-78: APPROVAL OF SOCIAL AFFAIRS PERMIT ON JUNE 16, 2025, FOR HOLIDAY EXPRESS INC. 23RD ANNUAL HOLIDAY EXPRESS GOLF CLASSIC

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the Holiday Express Inc. filed an application for a Social Affairs Permit for their annual Holiday Express Golf Classic Social, event date of June 16, 2025 from 7AM – 6PM (no Rain Date specified); and

WHEREAS, the Holiday Express Inc. have received approval for said event date and time from the Deal Golf & Country Club; and

WHEREAS, the submitted application form is complete in all respects, and they have satisfied the requirements set forth by the New Jersey Office of the Attorney General – Division of Alcoholic Beverage Control, and they have paid the Municipal fees, and their license has been properly reviewed by the Chief of Police, who has no objections to the issuance of said permit.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Commissioners of the Borough of Deal does hereby approve the Social Affairs Permit for Holiday Express Inc 23rd Annual Holiday Express Golf Classic held at Deal Golf & Country Club, 1 Golf Lane Deal, NJ 07723 for event date June 16, 2025 from 7AM – 6PM.

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

MOTION APPROVED

RESOLUTION 25-79: APPROVAL OF SOCIAL AFFAIRS PERMIT ON MAY 10, 2025 FOR NATIONAL MULTIPLE SCLEROSIS SOCIETY CHARITY BICYCLE POST-RIDE CELEBRATION AT DEAL CASINO BEACH CLUB

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the National Multiple Sclerosis Society filed an application for a Social Affairs Permit for their annual Multiple Sclerosis Charity Bicycle Post Ride Celebration, event date of May 10, 2025 from 11AM – 6PM (no Rain Date specified); and

WHEREAS, the Multiple Sclerosis organization has already received approval for said event date and time from the Deal Casino Beach Club; and

WHEREAS, the submitted application form is complete in all respects, and they have satisfied the requirements set forth by the New Jersey Office of the Attorney General – Division of Alcoholic Beverage Control, and they have paid the Municipal fees and their license has been properly reviewed by the Chief of Police, who has no objections to the issuance of said permit.

NOW, THEREFORE BE IT RESOLVED that the Mayor and Commissioners of the Borough of Deal does hereby approve the Social Affairs Permit for the National Multiple Sclerosis Society held at Deal Casino Beach Club, 125 Ocean Avenue North, Deal, NJ 07723 for event date May 10, 2025 from 11AM – 6PM.

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

MOTION APPROVED

RESOLUTION 25-80: ACCEPTANCE OF POLICE CHIEF RONEN NEUMAN'S RESIGNATION AS BOROUGH ADMINISTRATOR

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the Borough of Deal, County of Monmouth, State of New Jersey, acknowledges that Ronen Neuman is resigning as the Borough Administrator; and

WHEREAS, Chief Ronen Neuman has served the Borough diligently as the Borough Administrator stepping in after the untimely loss of former Borough Administrator Stephen Carasia in 2023; and

WHEREAS, during his tenure, Borough Administrator Neuman has demonstrated exceptional leadership qualities, earning the respect and admiration of both the Borough employees and the community; and

WHEREAS, Chief Neuman's commitment to public service and his ability to navigate challenges with integrity and professionalism have greatly benefited the Borough of Deal; and

WHEREAS, the Board of Commissioners wishes to express their gratitude for Chief Neuman's service and dedication during this transitional period;

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Commissioners of the Borough of Deal, County of Monmouth, State of New Jersey, that Police Chief Ronen Neuman's departure as Borough Administrator be accepted with deep appreciation for his contributions to the Borough; and

BE IT FURTHER RESOLVED that the Mayor and Commissioners extends their best wishes to Chief Neuman in his future endeavors and acknowledges his invaluable service to the community while serving as the Borough Administrator.

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

MOTION APPROVED

RESOLUTION 25-81: APPOINTMENT OF INTERIM BOROUGH ADMINISTRATOR

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the Borough of Deal requires a Borough Administrator to coordinate the day to day activities of the Borough's various departments for their efficient and economical operation, and to assist the Mayor & Commissioners in the continued efficient operation of the Borough; and

WHEREAS, the current Borough Administrator has submitted his resignation and his last workday will be March 4, 2025; and

WHEREAS, the Mayor & Commissioners find it to be in the best interests of the Borough that an Interim Borough Administrator be appointed while a search for a permanent replacement is conducted, and said appointment is revocable at any time for any and all reasons;

WHEREAS, Jo Anna Myung since her appointment as Municipal Clerk with the Borough of Deal has proven to be efficient, dedicated and shown commitment to public service for the borough, and has demonstrated exceptional leadership qualities; and

WHEREAS, Jo Anna Myung has shown her ability to navigate challenges with integrity and professionalism which have greatly benefited the Borough of Deal since her appointment; and

WHEREAS, the Mayor and Commissioners desire to appoint Jo Anna Myung, the Borough's current Municipal Clerk, as the interim Borough Administrator; and

WHEREAS, Mrs. Myung will act in the capacity as interim Borough Administrator in addition to her role as Municipal Clerk and Local Registrar, shall be paid by the Borough the amount of \$3,000.00 per month.

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

Jo Anna Myung is appointed Interim Borough Administrator, effective March 4, 2025.

Jo Anna Myung, as compensation for serving as Interim Borough Administrator in addition to her duties as Municipal Clerk, shall be paid an additional stipend by the Borough in the amount of \$3,000.00 per month.

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

MOTION APPROVED

RESOLUTION 25-82: APPROVAL OF MONMOUTH UNIVERSITY LOVE BLUE CLUB ("MEBP") CLEAN UP

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, Love Blue Club is a passionate environmental organization with a profound mission focused on preservation and restoration of eastern coastlines; and

WHEREAS, the dedicated students from the Love Blue Club are committed to removing plastic waste, debris and other pollutants that pose threats to marine life and compromise the delicate ecological balance of our coastal ecosystems; and

WHEREAS, students from the Love Blue Club love participating in these events to continue making a positive impact; and

WHEREAS, the request to approve the 2025 season beach cleanup for April 12 and October 18 from 9AM – 12:30PM by Clean Ocean Action Clean was also approved in the Mayor and Commissioners meeting at the February 7th meeting; and

WHEREAS, students from the Love Blue Club love participating in these events to continue making a positive impact; and

WHEREAS, the Love Blue Club from Monmouth University have reached out and requested permission to host their upcoming beach cleanup on the following dates from the Borough of Deal's beaches:

- March 7th | 4:00 – 6:00 PM on Deal Esplanade
- March 28th | 4:00 – 6:00 PM on Roseld Ave
- April 5th | 10:00 – 11:00 AM on Philips Ave
- April 12th | 10:00 – 11:00 AM on Deal Esplanade
- April 22nd | 4:00 – 6:00 PM on Philips Ave

NOW, THEREFORE BE IT RESOLVED that the Mayor and Commissioners of the Borough of Deal does hereby approve the above-mentioned dates for the beach cleanup by the Love Blue Club.

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

MOTION APPROVED

RESOLUTION 25-83: ADOPTION OF TORT CLAIMS FORM

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the New Jersey Tort Claims Act, N.J.S.A. 59:8-6, provides that a public entity may adopt a form to be completed by claimants seeking to file a Notice of Tort Claim against the public entity; and

WHEREAS, the Borough of Deal is a public entity covered by the provisions of the New Jersey Tort Claims Act; and,

WHEREAS, the Municipal Clerk deems it advisable, necessary and in the public interests to adopt a Notice of Tort Claim form in the form attached hereto and made a part hereof.

NOW THEREFORE BE IT RESOLVED, by the Mayor and Commissioners of the Borough of Deal assembled in public session the 4th day of 2025, 2025, that the attached Notice of Tort Claim form be and hereby is adopted as the official Notice of Tort Claim form for the Borough of Deal; and,

BE IT FURTHER RESOLVED, that all persons making claims against the Borough of Deal, pursuant to the New Jersey Tort Claims Act, N.J.S.A. 59:8-1, et. seq., be required to complete the form herein adopted as a condition of compliance with the notice requirement of the New Jersey Tort Claims Act.

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

MOTION APPROVED

RESOLUTION 25-84: AUTHORIZING ACQUISITION OF JOHN DEERE 6120M CAB BEACH TRACTOR

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the beaches in the Borough of Deal is in need of removing debris such as trash, seaweed, plastics, fishing gear, cigarette butts, and other human-generated debris; and

WHEREAS, the Borough of Deal is committed to preventing harm to wildlife by raking debris and biotic material from the beach that can harm wildlife such as plastics and fishing gear; and

WHEREAS, the Borough of Deal has an interest in improving aesthetics by removing debris that can cause unpleasant smells; and

WHEREAS, the Borough of Deal is in need of maintaining a visually appealing appearance of our beaches; and

WHEREAS, the Borough of Deal is interested in keeping our beaches clean and safe for beachgoers; and

WHEREAS, the Borough of Deal is in need of a beach tractor to remove debris and to groom the sand; and

WHEREAS, a John Deere 6120M Cab Tractor is under State Contract Sourcewell Ag Tractors 082923-DAC (PG 1P CG 70) (Quote ID 32283473); and

WHEREAS the Chief Financial Officer has certified that funds are available for this acquisition from Capital Account C-04-56-282-001.

NOW THEREFORE BE IT RESOLVED, that the Borough does hereby award a contract for the acquisition of the Cab Tractor and Mayor and Commissioners are hereby authorized to execute the contract in connection with the aforesaid acquisition.

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

MOTION APPROVED

RESOLUTION 25-85: AUTHORIZATION OF TWO (2) CHANGE FUNDS FOR TAX COLLECTOR

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, from time to time, the Tax Collector is required to make change for cash payments received; and

WHEREAS, there exists a need to maintain such a fund for tax collection operation in the Borough of Deal; and

WHEREAS, New Jersey State Regulations allow change funds to be established by an initial resolution and to continue from year to year without additional governing body action until such time as they take action have funds returned; and

WHEREAS, these two (2) change funds will be safely secured in keeping with established prudent business practices; and

WHEREAS, these two (2) change funds be used to make change only and shall not be used to purchase goods and/or services of any kind.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Commissioners of the Borough of Deal in the County of Monmouth and State of New Jersey that the Tax Collector establish two (2) change funds to an amount not to exceed \$100 each for the purpose of only making change for 1) tax collection, and 2) general tax collection administration.

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

MOTION APPROVED

RESOLUTION 25-86: AUTHORIZATION OF THREE (3) CHANGE FUNDS FOR COURT ADMINISTRATOR

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, from time to time, the Court Administrator is required to make change for cash payments received; and

WHEREAS, there exists a need to maintain such funds for the shared service agreement in municipal court administration in the Borough of Deal to cover the Borough of Deal, Village of Loch Arbour and the Borough of Interlaken; and

WHEREAS, New Jersey State Regulations allow change funds to be established by an initial resolution and to continue from year to year without additional governing body action until such time as they take action have funds returned; and

WHEREAS, three (3) change funds will be safely secured in keeping with established prudent business practices; and

WHEREAS, three (3) change funds be used to make change only and shall not be used to purchase goods and/or services of any kind.

NOW, THEREFORE BE IT RESOLVED by the Mayor and Commissioners of the Borough of Deal in the County of Monmouth and State of New Jersey that the Court Administrator establish three (3) change funds to an amount not to exceed \$100 each, for the purpose of only making change for the 1) Borough of Deal, 2) Village of Loch Arbour, and 3) the Borough of Interlaken municipal court collection and administration purposes.

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

MOTION APPROVED

RESOLUTION 25-87: AUTHORIZE CONTRACT WITH EDMUNDS GOVTECH FOR FINANCIAL SOFTWARE MAINTENANCE

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this public meeting of the Borough of Deal Mayor and Commissioners on March 4, 2025,

WHEREAS, the Borough's Finance and Tax Departments require software maintenance and support for its automated finance system (the "Services"); and

WHEREAS, the system is proprietary to Edmunds & Associates, Inc. ("Edmunds"); and

WHEREAS, Edmunds has provided software maintenance and support for the system since the time of purchase; and

WHEREAS, Edmunds has offered Services for the period of January 1, 2025 through December 31, 2025 at a cost of \$14,552.41; and

WHEREAS, in accordance with N.J.S.A. 40A:11-5(1)(dd) these services are exempt from public bidding, as on-going support and/or maintenance of existing proprietary computer hardware and software; and

WHEREAS, the Board of Commissioners are permitted by law to authorize a contract without publicly advertised competition if the contract is under the bid threshold of \$17,500 for these kinds of services.

NOW, THEREFORE BE IT RESOLVED, by the Board of Commissioners of the Borough of Deal to award the contract to Edmunds GovTech for financial software maintenance and support services for a period of January 1, 2025 through December 31, 2025 at a cost of \$14,552.41.

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

MOTION APPROVED

CONSENT AGENDA:

The following resolutions are considered to be routine and will be enacted by one motion. There will be no separate discussion of these items. If discussion is desired, that item will be removed and considered separately.

RESOLUTION 25-88: APPROVAL OF MEETING MINUTES FROM FEBRUARY 7 & 14, 2025

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this meeting of the Borough of Deal Mayor and Commissioners held on March 4, 2025, to approve the meeting minutes from the following meetings:

1. Regular Meeting - February 7, 2025 at 9:00 A.M.
2. Special Meeting - February 14, 2025 at 9:00 A.M.

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

MOTION APPROVED

RESOLUTION 25-89: APPROVAL OF BILLS AND CLAIMS

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this meeting of the Borough of Deal Mayor and Commissioners held on March 4, 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

UNFINISHED BUSINESS

RESOLUTION 25-90: APPROVAL OF JANITORIAL SERVICES FOR BOROUGH HALL & POLICE DEPARTMENT

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this meeting of the Borough of Deal Mayor and Commissioners held on March 4, 2025;

WHEREAS, the Borough of Deal was in need of reliable and efficient cleaning and janitorial service; and

WHEREAS, estimates for janitorial maintenance services were received by the Police Captain; and

WHEREAS, three (3) estimates were received as follows:

Company	Police Dept	Borough Hall	Cleaning Frequency	Weekly Total	Monthly Total	Yearly Total
ProJam	\$ 850.00	\$ 750.00	2x's / week each	\$ 1,600.00	\$ 6,400.00	\$ 76,800.00
Building Stars			2x's/ week		\$ 650.00	\$ 7,800.00
Stunning	\$ 430.00	\$ 200.00	2x/SPD 1x/ BH	\$ 630.00	\$ 2,500.00	\$ 30,000.00

WHEREAS, the Police Department has carefully vetted cleaning and janitorial service providers; and

WHEREAS, the estimate for cleaning and janitorial services is accepted; and

WHEREAS, the Building Stars cleaning service provided the lowest estimate.

NOW, THEREFORE BE IT RESOLVED by the Borough of Deal to accept the proposal for Building Stars Cleaning and Janitorial Services.

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

MOTION APPROVED

Surf Camp Update: Bid packets were prepared and advertised. Bid Opening Date: March 21, 2025 at 12PM.

Lighting project at DSN: Tabled.

Website upgrade: Tabled.

NEW BUSINESS

RESOLUTION 25-91: AUTHORIZING AGREEMENT WITH ACORN FARMS INC FOR PLANTINGS

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this meeting of the Borough of Deal Mayor and Commissioners held on March 4, 2025;

WHEREAS, there exists a need for trees and plantings in the Borough of Deal; and

WHEREAS, the Borough of Deal has an interest to combat climate change by reducing the erosion of precious topsoil by wind and water; absorbing stormwater to mitigate flooding effects; cleaning the air; producing life-giving oxygen; and

WHEREAS, trees are a renewable resource giving us paper, wood, fuel for our fires and countless other wood products, and increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, pursuant to N.J.S.A. 40A:11, the Borough may by resolution and without advertising for bids, purchase goods and/or services under the bid threshold of \$44,000; and

WHEREAS, our Department of Public Works in doing the due diligence of receiving estimates from various nurseries in the area for trees and plants found Acorn Farms Inc are the wholesalers for these nurseries; and

WHEREAS, Acorn Farms Inc is a wholesale distributor of trees, flowers and arborvitae and had duly filed in accordance with New Jersey State Law on 2/25/2025 with the New Jersey Department of the Treasury; and

WHEREAS, pursuant to N.J.S.A. 40A:11, the Borough may by resolution and without advertising for bids, purchase goods and/or services under the bid threshold of \$44,000; and

WHEREAS, contracts that are exempt from public advertising, and the receipt of bids require the contracting agent to actively solicit at least two competitive quotations; and

NOW, THEREFORE BE IT RESOLVED, that the Borough of Deal in the County of Monmouth, New Jersey hereby approve Acorn Farms Inc and authorize to enter into contract for purchases of trees and plants for an amount not to exceed \$44,000.

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

MOTION APPROVED

PUBLIC COMMENTS: None.

COMMUNICATIONS/CORRESPONDENCES RECEIVED:

1. Monmouth County adulticide data sheets are available online on their county website:
<https://www.visitmonmouth.com/Page.aspx?id=3228>
2. Monmouth County Tire Pick-Up Program:
<https://www.visitmonmouth.com/Page.aspx?id=4760>
3. T-Mobile Hometown Grant opportunity: Cancelled due to limited resources required within tight deadlines to submit project design per their application specifications.
4. American Littoral Society tort case: Met to discuss project timeline with October as the target month to reconvene.
5. Audit Report on Financial Statements received from Municipal Auditors and filed.
6. 2025 Municipal Budget is expected to be introduced at the April 4th meeting.

MONTHLY REPORTS:

Municipal Court – February Financial Disbursement on file with Court Administrator.
Police Chief's Report – February report on file with Police Department.

PUBLIC COMMENTS: None.

EXECUTIVE/CLOSED SESSION

RESOLUTION 25-92: EXECUTIVE (CLOSED) SESSION RELATING TO CONTRACT NEGOTIATIONS (ATTORNEY-CLIENT PRIVILEGE)

MOTION BY: Commissioner Simhon

SECONDED BY: Commissioner Kassin

At this meeting of the Borough of Deal Mayor and Commissioners held on March 4, 2025;

WHEREAS, the Borough of Deal is subject to certain requirements of the Open Public Meetings Act, N.J.S.A. 10:4-6, et seq.; and

WHEREAS, the Open Public Meetings Act, N.J.S.A. 10:4-12 provides that a Closed Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

WHEREAS, it is necessary for the Mayor and Commissioners for the Borough of Deal to discuss in a session not open to the public, certain matters relating to the item or items authorized by N.J.S.A. 10:4 – 12B subsection designated below:

(b)(7) Matters relating to Litigation, Negotiations, and Attorney-Client Privilege: Contract Negotiations;

NOW, THEREFORE BE IT RESOLVED, that the deliberations conducted in Closed Session may be disclosed to the public upon determination of the Commissioners that public interest will no longer be served by such confidentiality.

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

MOTION APPROVED

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 10:45AM.

Respectfully Submitted,

Jo Anna Myung
Municipal Clerk



BOROUGH OF DEAL – MONMOUTH COUNTY
190 Norwood Avenue, P.O. Box 56
Deal, New Jersey 07723

2025

Dear Claimant:

Your recent communication in which you indicated an intention to assert a claim against the Borough of Deal or against an official, employee or Department of the Borough of Deal has been received.

In accordance with the provisions of the New Jersey Tort Claims Act, the Borough has adopted an official form to be completed by any individual seeking to assert a claim against the Borough or against any official, employee or Department of the Borough.

A copy of the Claim Form is enclosed and includes a form authorizing us to obtain reports with respect to your injury if necessary.

Your claim will not be considered as filed and cannot be evaluated until you return the completed form and provide the information required.

You should be aware of the fact that the New Jersey Tort Claims Act included limitations on claims against public bodies and established time limits for the filing of those claims.

Notice of the claim against the public body generally must be filed within 90 days after the incident giving rise to the claim. No Notice of Tort Claim may be filed after the 90 day period unless there is an Order from the New Jersey Superior Court allowing the late filing of the Notice of Tort Claim. Such an Order can be granted only within one year from the date of the incident and only where the Court determined that good cause exists to permit the late filing.

Very truly yours,

Jo Anna Myung
Municipal Clerk

Notice of Claim Form - Instructions, Transmittal Letter, and Claim Form

Joint Insurance Funds throughout the state have established certain uniform procedures for the members to handle claims filed against them. The purpose of this uniform procedure is to ensure that each member takes appropriate action to preserve any defenses that may be available.

Therefore, the purpose of this exhibit is to review the procedures applicable to liability claims (as distinguished from workers' compensation claims), so that all of claims are handled promptly and efficiently.

There currently exist defenses available to the member because of the failure of claimants to comply with a properly established procedure in accordance with the New Jersey Tort Claims Act. In those instances, public entities must be able to prove that the claimants were given notice of the procedure.

It is the Fund's recommendation that your governing body or commission adopt a "Notice of Claim" form by Resolution, so that there will be a record that the form has been adopted as the official Notice of Claim Form for your public entity. The authority for the adoption of the form is found in the New Jersey Tort Claims Act, N.J.S.A. 59:8-6.

If there is no record of a formal adoption of the Notice of Tort Claim form, then a plaintiff's attorney might argue that the public entity did not adopt the form and that the failure to complete it was not fatal to the assertion of the claim.

Under the law, public entities are entitled to require the disclosure of information related to the claim, including information that will enable the Fund to evaluate both liability and damages. The failure of a claimant to provide the requested information in a timely manner can protect the member against the claim by resulting in the dismissal of the claim.

It is not suggested that the use of the official form will win every case, but it will give members an additional basis for defending litigation if the claimants have not filed the claim properly, and if they have not provided the information required by the official form once they have been notified about the form.

It is suggested that the following instructions be followed:

- 1) Whenever a Notice of Tort Claim or a letter asserting a claim against the member or against a members' employee is received by the member, it should be date stamped to show the date on which it was received.
- 2) A copy of that notice should be sent both to your designated Claims Administrator Company for the Joint Insurance Fund (**see Section II of the Claims Manual**), and to the Fund Attorney for the Joint Insurance Fund (**see Exhibit One on preceding pages**).
- 3) At the same time, provide each of them with whatever information you may have on the incident giving rise to the claim, i.e., police reports, copies of documents, etc., as that will enable them to get a handle on the claim quickly.
- 4) In most instances, the first contact that you will have will be a letter from an attorney asserting a claim against the member, or against a member's employee(s). That initial contact rarely will provide sufficient information on the nature of the claim and rarely will it be provided on the "official" claim form adopted by each member.
- 5) When the initial contact is received, the member should notify the claimant or the attorney for the claimant, **by certified mail, return receipt requested**, that the claim must be filed on a specific form adopted by the member for that purpose. A format for a responsive letter is attached for your use. A copy of the officially adopted Tort Claim Form should be enclosed with the response letter.

It is strongly recommended that there be no exceptions to the procedure. Just because you may believe that there is no basis for the claim, because it happened on school property, or because it happened on a State highway, or for any other reason, does not mean that the procedure should not be followed. The member may still be named in the resulting litigation filed by the claimant and it is then too late to:

- Gather the necessary information that might have protected the member early in the claim process; or
- Raise defenses based on the failure of the claimant to comply with the New Jersey Tort Claims Act.

A sample Notice of Claim Form and a sample cover letter than can be used to respond to the initial contact are attached for your use.

The Notice of Claim Form should be officially adopted by Resolution of your Governing Body. A certified copy of that Resolution should be provided to:

- The Executive Director and Administrator for the Joint Insurance Fund.
- The Fund Attorney for the Joint Insurance Fund.
- The Claims Administration Company for the Joint Insurance Fund.

Once the return receipt is returned, you should retain it in your records, in case it is needed at some future time to prove that the claimant was given notice.

Additionally, whenever there is a difference of more than a few days between the postmark on the envelope conveying the initial notice or the official notice to you, and the date that is shown on the Notice or the cover letter, it would be useful to keep the envelope and to provide the JIF Attorney with a photocopy of it. It has been found useful on several occasions where a Notice is dated on one date, and received several weeks later. In that instance, it is very useful to have the envelope showing the date mailed, so that a claimant cannot backdate a Notice to imply compliance with statutory deadlines.

When the completed Notice of Tort Claim has been returned, it should be date stamped to show the date that it was received, and copies should be sent to Claims Administrator and Fund Attorney, so that their information will be as complete as possible regarding the claim.

When a Summons and Complaint is received or when a Notice of Motion is received, or any document that appears to involve a court proceeding, most likely in the New Jersey Superior Court, or the United States District Court, that document should be transmitted **immediately** to the Claims Administrator and Fund Attorney as it may require immediate action and the assignment of defense counsel. The receipt of court documents certainly justifies the use of TeleFax to get those items to the claims administrator and Fund Attorney.

When a Summons and Complain is received, that is **not** the time to send out the form letter on the Notice of Claim procedures. A Summons and Complaint requires a response in Court, and sending out the form letter only communicates to the attorney for the Plaintiff that you may not know what you are doing.

It is important that as soon as a claim is received, that members make an effort to determine just what happened, and that the Fund professionals can collect the reports that may have been made by member's employees, including police reports, on the incident giving rise to the claim.

For your convenience, a form letter has been prepared to serve as a "check off" in sending claim documents to the Claims Administrator and Fund Attorney. Simply check off that you are sending the information to either party and complete the form. Then photocopy the form and send the copies and the information out.

You may certainly use some other format, but you should be certain that the documents are sent out and are sent both to the Claims Administrator and Fund Attorney at the same time.

Once litigation has begun, whether in the New Jersey Superior Court or in the United States District Court, a defense attorney will be assigned to the case. The Fund Attorney is responsible for the assignment. You should cooperate fully with that attorney.

You should not respond to requests for information from the Plaintiff's attorney without first checking with the assigned defense attorney, or with JIF Attorney, or with your Municipal/Utility Attorney, where litigation has not yet commenced and no defense attorney has been assigned. Please make certain that your various departments (police, public works, code enforcement, sewer, etc.) are aware of the litigation, and that they should not respond to information requests on a routine basis.

There may be occasions when the Funds have found it necessary to assign more than one defense attorney to the case, where there is a real conflict between the position of the member, and the defense of an individual public entity employee. In that instance, you will be advised to discuss the case only with the attorney who is defending the municipality/utility.

Regarding punitive damages, these claims arise from allegation that a member's employee intentionally or willfully caused the injury to the claimant. **The coverage through the Joint Insurance Fund does not cover awards of punitive damages** for the very reason that to provide coverage would encourage wrongful acts by public employees. The defense of the case, including the punitive damage claims, will in most cases be handled by the assigned defense attorney.

If an employee, who is alleged to have caused injuries sufficient to justify a punitive damage award, wishes to consult with a private attorney with respect to their individual exposure, they have every right do so. They also have a right to have private counsel represent them with respect to the punitive damage claims. That consultation and any representation, however, is on their own determination, and at their own expense. The defense of the claims will be handled by the attorney or attorneys assigned by the Joint Insurance Fund. **Members of the Bergen Joint Insurance Fund should refer to Section III for additional information in this area.**

GENERAL INSTRUCTIONS: Pursuant to the provisions of the New Jersey Tort Claims Act, this Notice of Tort Claim form has been adopted as the official form for the filing of claims against the Borough of Deal.

The questions are to be answered to the extent of all information available to the Claimant or to his or her attorneys, agents, servants, and employees, under oath. The fully completed Claim Form and the documents requested shall be returned to the:

**Jo Anna Myung, Municipal Clerk
Borough of Deal
190 Norwood Avenue, P.O. Box 56
Deal, NJ 07723**

NOTE CAREFULLY: Your claim will not be considered filed as required under the New Jersey Tort Claims Act until this completed form has been filed with the Borough of Deal. Failure to provide the information requested, including such responses as "To Be Provided" or "Under Investigation" will result in the claim being treated as not being properly filed.

Timely Notices of Claim must be filed within 90 days after the incident giving rise to the claim.

This form is designed as a general form for use with respect to all claims. Some of the questions may not be applicable to your particular claim. For example, if your claim does not arise out of an automobile accident, questions regarding road conditions might not be applicable. In that event, please indicate "Not Applicable."

If you are unable to answer any questions because of a lack of information available to you, specify the reason the information is not available to you. If a question asks that you identify a document, it will be sufficient to furnish true and legible copies. Where a question asks that you "identify all persons," provide the name, address and telephone number of the person.

If you need more space to provide a full answer, attach supplementary pages, identifying the continuation of the answer with the number of the applicable question.

DEFINITIONS:

"Claimant" shall refer to the person or persons on whose behalf the Notice of Claim has been filed with the Borough.

"Documents" shall refer to any written, photographic, or electronic representation, and any copy thereof, including, but not limited to, computer tapes and/or disks, videotapes and other material relating to the subject matter of the claim.

"Person" shall include in its meaning a partnership, joint venture, corporation, association, trust or any other kind of entity, as well as a natural person.

"Public Entity" shall refer to the Borough of Deal along with any agent, official, or employee of the Borough of Deal against whom a claim is asserted by the Claimant.

NOTE: That the questions are divided into sections relating to the claimant, the claim, property damage, personal injury and the basis for the claim against the public entity or public employee.

If the claim involves only property damage, the portion on personal injuries need not be answered. If the claim involves no property damage, then the portion on property damage need not be answered.

INFORMATION ON THE CLAIMANT

1. Provide the following information with respect to the Claimant:
Any other name by which the claimant is known.
Address at the time of the incident giving rise to the claim.
Marital Status (at the time of the incident and current).
Identify each person residing with the claimant and the relationship, if any, of the person to the Claimant.
2. Provide all addresses of the Claimant for the last 10 years, the dates of the residence, the persons residing at the addresses at the same time as the Claimant resided at the address and the relation, of any of the persons to the Claimant.

INFORMATION ON ALL CLAIMS

3. Provide the exact date, time and place of the incident forming the basis of the claim and the weather conditions prevailing at the time.
4. Provide the Claimant's complete version of the events the form the basis of the claim.
5. List any and all individuals who were witnesses to or who have knowledge of the facts of the incident which gave rise to the claim. Provide the full name and address of each individual.
6. Identify all public entities or public employees (by name and position) alleged to have caused the injury or property damage and specify as to each public entity or employee the exact nature of the act or omission alleged to have caused the injury or property damage.
7. If you claim that the injury or property damage was caused by a dangerous condition of property under the control of the public entity, specify the nature of the alleged dangerous condition, and the manner in which you claim the condition caused the injury.
8. If you allege a dangerous condition of public property, state the specific basis on which you claim that the public entity was responsible for the condition and the specific basis and date on which you claim that the public entity was given notice of the alleged dangerous condition. **Statements such as "should have known" and "common knowledge" are insufficient.**
9. If you or any other party or witness consume any alcoholic beverages, drugs or medications within twelve hours before the incident forming the basis of the Claim, identify the person consuming the same and for each person (a) what was consumed, (b) the quantity thereof, (c) where consumed, (d) the names and addresses of all persons present.
10. If you have received any money or thing of value for your injuries or damages from any person, firm or corporation, state the amounts received, the dates, names and addresses of the payers. Specifically list any policies of insurance, including policy number and claim number, from which benefits have been paid to you or to any person of your behalf, including doctors, hospitals or any person repairing damage to property.
11. If any photographs, sketches, charts, or maps were made with respect to anything which is the subject matter of the Claim, state the date thereof, the names and addresses of the persons making the maps and of the persons who have present possession thereof. Attach copies of any photographs, sketched, charts or maps.
12. If you or any of the parties to this action or any of the witnesses made any statements or admissions, set forth what was said; by whom said; the date and place where said; and in whose presence, giving names and addresses of any persons having knowledge thereof.
13. State the total amount of your claim and the basis on which you calculated the amount claimed.
14. Provide copies of all documents, memoranda, correspondence, reports (including police reports), etc. Which discuss, mention or pertain to the subject matter of this claim.
15. Provide the names and addresses of all persons or entities against whom claims have been made for injuries or damages arising out of the incident forming the basis of this claim and give the basis for the claim against each.

PROPERTY DAMAGE CLAIM

If your claim is for property damage, attach a description of the property and an estimate of the cost of repair. If your claim does not involve any claim for property damage, enter "None."

Note: If your claim is for property damage only, initial here and proceed directly to the certification section on the next to last page of this form.

Initials: _____

PERSONAL INJURY CLAIMS

1. Was any complaint made to the public entity or to any official or employee of the public entity. State the time and place of the complaint and the person or persons to whom the complaint was made.
2. Describe in detail the nature, extent and duration of any and all injuries.
3. Describe in detail any injury or condition claimed to be permanent.
4. If confined to any hospital, state name and address of each and the dates of admissions and discharge. Include all hospital admissions prior to and subsequent to the alleged injury and give the reason for each admission.
5. If x-rays were taken, state (a) the address of the place where each was taken, (b) the name and address of the person who took them, (c) the date when each was taken, (d) what each disclosed, (e) where and in whose possession they now are. Include all x-rays, whether prior to or subsequent to the alleged injury forming the basis of the claim.
6. If treated by doctors, including psychiatrist or psychologist, state (a) the name and present address of each doctor, (b) the dates and places where treatments were treatments are continuing, the schedule of continuing treatments. Provide true copies of all written reports rendered to you or about you by any doctor whom you propose to have testify on your behalf.
7. If you have any physical impairment which you allege is caused by the injury forming the basis of your claim and which is affecting your ordinary movement, hearing or sight, state in detail, the nature and extent of the impairment and what corrective appliances, support or device you use to overcome or alleviate the impairment.
8. If you claim that a previous injury has been aggravated or exacerbated, describe the injury and give the name and present address of each doctor who treated you for the condition, the period during which treatment was received and the cause of the previous injury. Specifically list any impairment, including use of eyeglasses, hearing aid or similar device, which existed at the time of the injury forming the basis of the claim.
9. If any treatments, operations, or other form of surgery in the future has been recommended to alleviate any injury or condition resulting from the incident which forms the basis of the claim, state in detail (a) the nature and extent of the treatment, operation, or surgery, (b) the purpose thereof and the results anticipated or expected, (c) the name and address of the doctor who recommended the treatments operations or surgery, (d) the name and address of doctor who will administer or perform the same, (e) the estimated medical expenses to be incurred, (f) the estimated length of time of treatments, operation or surgery, period of hospitalization and period of convalescence, (g) all other losses or expenditure anticipated as a result of the treatment, operations or surgery, (h) further if it is your intention to undergo the treatments, operation or surgery, please give an approximate date.
10. Itemize any and all expense incurred for hospital, doctors, nurses, x-rays, medicines, care and appliances and indicate which expenses were paid by any insurance coverage.
11. If employed at the time of the alleged injury forming the basis of the claim state (a) the name and address of the employer, (b) position held and the nature of the work performed, (c) average weekly wages for the year prior to the injury, (d) period of time lost form employment, giving dated, (e) amount of wages lost, if any. List any sources of income continuation or replacement, including, but not limited to, workers' compensation, disability income, social security and income continuation insurance.
12. If other loss of income, profit or earnings is claimed, state (a) total amount of loss, (b) give a complete detailed computation of the loss, (c) the nature and dates of the loss.
13. If you are claiming lost wages state (a) the date that the employment began, (b) the name and address of the employer, (c) the position held and the nature of the work performed, (d) the average weekly wages. Attach copies of pay stubs or other complete payroll record for all wages received during the year.

DOCUMENT REQUEST: Provide all documents identified in your answers to the above questions.

CERTIFICATION: I hereby certify that the information provided is the truth and is the full and complete response to the questions, to the best of my knowledge.

Signature of Claimant: _____

Date: _____

Authorization for Release of Medical and Hospital Records

Date: _____

To: _____

Re: _____
Patient's Name

Social Security Number

Address

Claim Number

You are hereby authorized and requested to disclose, make available and furnish to:

all information, records, x-rays, reports or copies thereof relating to my examination, consultation, confinement or treatment and to permit him or her to inspect and make copies or abstracts thereof.

Approximate date of admission to hospital, first examination, treatment of consultation:

A photocopy of this release form, bearing a photocopy of my signature shall constitute you authorization for the release of the information in accordance with the request made to you.

Signature: _____ Date: _____