

Present:
Absent:

**AGENDA
CITY OF BRIGANTINE
COUNCIL MEETING
MAY 1, 2024
5:00 P.M. – Public Portion**

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Swearing In Ceremony: Firefighter D'Alessandro and Firefighter Solari
5. Presentation: Mayor’s Wellness Award
6. Resolution 2024-77 Re: Executive Session _____ P.M.
Topics to be Discussed:

M:	S:	RC:	MC:
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7. Return from Executive Session _____ P.M.

M:	S:	RC:	MC:
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8. Approval of 4/17/2024 Council Meeting and Executive Session Minutes

M:	S:	RC:	MC:
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9. Approval of Payroll, Requisition List and Operating Expenses

M:	S:	RC:	MC:
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10. Public Comment on Agenda Items Only

11. Ordinance No. 8 of 2024 – Public Hearing and Adoption
Amending Chapter 241 of the Code of the City of Brigantine as it Relates to the
Skateboard Park

M:	S:	RC:	MC:
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12. Ordinance No. 9 of 2024 – Introduction
Establish One Hour Parking on Section of Brigantine Avenue

M:	S:	RC:	MC:
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and Board of Commissioners to Utilize its Various Powers, including Legal Action to Protect the Future of Atlantic County

M: S: RC: MC:

22. Resolution 2024-87 Re: Authorizing Agreement with Rocket Power Freestyle Academy for Summer Skateboarding Program

M: S: RC: MC:

23. Resolution 2024-88 Re: Road Opening Permit Refund

M: S: RC: MC:

24. Resolution 2024-89 Re: Granting a Revocable License at 4205 Atlantic-Brigantine Blvd. to Utilize a Portion of the 20' Paper Alley Behind the Property

M: S: RC: MC:

25. Resolution 2024-90 Re: Shared Service Agreement with the Twp of Long Beach for Legal Services

M: S: RC: MC:

26. Resolution 2024-91 Re: Farmer’s Market Refund

M: S: RC: MC:

27. Consent Agenda
A. Elk’s Bingo License #1059

M: S: RC: MC:

- 28. Council Manager/Committee Discussion:
- 29. Public Comments
- 30. Council Comments
- 31. Adjourn _____ P.M.

The City Council of the City of Brigantine reserves the right to consider, discuss and/or take any formal action upon resolutions or ordinances not appearing on the printed agenda.

CITY OF BRIGANTINE

ORDINANCE NO. 8 OF 2024

AN ORDINANCE AMENDING CHAPTER 241 OF THE MUNICIPAL CODE OF THE CITY OF BRIGANTINE TO ALLOW FOR NON-MOTORIZED SCOOTERS AND INLINE SKATES IN THE SKATEBOARD PARK

WHEREAS, the City of Brigantine (the "City") operates a popular skate park free to the public; and

WHEREAS, the skate park currently only allows for the usage of skateboards; and

WHEREAS, the City wants to allow the use of non-motorized scooters at the skate park; and

WHEREAS, the City must amend Chapter 241 of the Brigantine City Code to allow for the use of non-motorized scooters in the skate park;

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey that the Brigantine City Code be and is hereby amended and supplemented with as detailed herein:

SECTION 1. Amendment to Chapter 241 of the City Code entitled "Recreational Facilities"

Section 241-7 of the Code of the City Code is amended and supplemented to read as follows:

B. The following rules are established. Signs which recite the rules and regulations for use of the facility shall be posted at the entrance and at least one conspicuous place inside of the facility

(1) The skate park will be used for skateboards, inline skates and non-motorized scooters only.

(7) Skateboard, inline skating, and the use of non-motorized scooters are prohibited on City property surrounding the skate park; for example, the Community Education and Recreation grounds, sidewalks and parking lots.

(10) The skate park will be closed when weather is inclement. No skateboarding, inline skating or usage of non-motorized scooters shall be permitted when the equipment is wet or icy."

SECTION 2. Repealer, Severability, and Effective Date

A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

- B. Severability. In the event that any clause, section, paragraph or sentence of the Ordinance is deemed to be invalid or enforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

ATTEST:

BRIGANTINE CITY COUNCIL

Lynn Sweeney, City Clerk

Vince Sera, Mayor

Introduction: April 17, 2024

Adoption: May 1, 2024

**CITY OF BRIGANTINE
ORDINANCE NO. 9 of 2024**

WHEREAS, the City of Brigantine is desirous of establishing one (1) hour parking between the hours of 9:00 A.M. and 9:00 P.M. on the westerly side of Brigantine Avenue between 33rd Street South and 34th Street South.

NOW, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE IN THE COUNTY OF ATLANTIC AND STATE OF NEW JERSEY AS FOLLOWS:

Section I: Section 284-54 of the Code of the City of Brigantine is amended by adding the following:

<u>Name of Street</u>	<u>Side</u>	<u>Time Limit: Hours/Days</u>	<u>Location</u>
Brigantine Avenue	West	One (1) hour between the hours of 9:00 A.M. and 9:00 P.M.	33 rd Street South to 34 th Street South

Section II: Severability

If any section or part of this ordinance is deemed to be invalid or illegal in any court of competent jurisdiction then said part is severable from this ordinance as a whole and the remaining sections or parts of this ordinance shall remain in full force and effect.

Section III: Repealer

All ordinances or portions thereof inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

Section IV: Effective Date

This ordinance shall take effect after final adoption and publication as prescribed by law.

Introduction: May 1, 2024

Adoption:

Lynn Sweeney, City Clerk

Vince Sera, Mayor

RESOLUTION 2024-

RESOLUTION ADOPTING CASH MANAGEMENT PLAN, AND AUTHORIZING
THE TREASURER TO UTILIZE THIS PLAN AS A GUIDE IN DEPOSITING AND
INVESTING THE FUNDS OF THE CITY OF BRIGANTINE

WHEREAS, pursuant to N.J.S.A. 40A:5-1 et - (the "Local Fiscal Affairs Law"), specifically N.J.S.A 40A:5-14, the Council of the City of Brigantine are required to annually adopt a Cash Management Plan.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine that the attached Cash Management Plan shall serve as the Cash Management Plan of the Authority for the year 2024.

BE IT FURTHER RESOLVED that the Chief Financial Officer, as defined under the Local Fiscal Affairs law, is directed to use this Cash Management Plan as the guide in depositing and investing the funds of the Authority

BE IT FURTHER RESOLVED that the Chief Financial Officer and Mayor and Council as may be required, be and are hereby authorized to prepare, execute, and transmit documents to implement the 2024 Cash Management Plan.

BE IT FURTHER RESOLVED that the City of Brigantine hereby authorizes and designates the Chief Financial Officer signatories for bank accounts utilized by the City of Brigantine.

BE IT FURTHER RESOLVED that the Secretary forward a certified true copy of this resolution to the Chief Financial Officer.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

CITY OF BRIGANTINE
RESOLUTION NO. 2024-
A RESOLUTION BY THE CITY OF BRIGANTINE NEW JERSEY
AUTHORIZING PURCHASING CITY CAMERA SURVEILLANCE SYSTEM FOR THE PROMENADE UNDER STATE
CONTRACT 17-FOOD-00244 FROM GRIDLESS POWER

WHEREAS, the City of Brigantine needs a camera surveillance system for security purposes at the Promenade and;

WHEREAS, Gridless Power Inc. can provide a system meeting the needs of the City under NJ State Contract 17-FOOD-00244 and;

WHEREAS, the City is to purchase without public bidding in the amount of \$10,580.25 for a Camera Surveillance System for the Promenade and;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a camera surveillance can be purchased for the Promenade from Gridless Power Inc. 7905 Browing Road, Suite 104 Pennsauken, NJ 08109 and;

BE IT FURTHER RESOLVED that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Accounts # C-04-17-015-104 \$10,580.25

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

CITY OF BRIGANTINE
RESOLUTION NO. 2024-
A RESOLUTION BY THE CITY OF BRIGANTINE NEW JERSEY
AUTHORIZING LEASING OF COPIERS THROUGHOUT THE CITY MUNICIPAL BULIDINGS UNDER STATE
CONTRACT 24-FOOD-52427 FROM ALTEK BUSINESS SYSTEMS, INCORPORATED

WHEREAS, the City of Brigantine current lease for copiers is due to expire at year end and;

WHEREAS, Altek Business Systems can provide copiers without public bidding and meets the needs of the City under NJ State Contract 24-FOOD-52427 and;

WHEREAS, the City is to lease without public bidding in the amount of \$4,775.00 per month including maintenance and supplies for copiers throughout City Hall Buildings and;

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a lease contract be executed for leasing of copiers from Altek Business Systems, Incorporated, 10000 Lincoln Drive East, Suite 201 Marlton, NJ 08053 and;

BE IT FURTHER RESOLVED that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Accounts # 4-01-31-425-299

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

CITY OF BRIGANTINE

RESOLUTION 2024-

AMENDING THE CITY OF BRIGANTINE 2024 YEAR MUNICIPAL BUDGET BY THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION FROM THE WAWA FOUNDATION FOR LIFE SAVING EQUIPMENT IN THE FIRE DEPARTMENT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Brigantine has been awarded \$1,000.00 from the Wawa Foundation and will include in the 2024 budget

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brigantine hereby requests the Director of the Division of Local Government Services approve the insertion of a special item of revenue in the budget for the year 2024 in the sum of**\$1,000.00**

which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with prior written consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations.

Wawa Foundation Life Saving Equipment Grant

BE IT FURTHER RESOLVED that a sum of.....**\$1,000.00** be and the same is hereby appropriated under the caption of:

General Appropriations:

(A)Operations – Excluded from “CAPS”

Public and Private Programs Offset by Revenues:

Wawa Foundation Life Saving Equipment Grant

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

CITY OF BRIGANTINE

RESOLUTION - 2024

AMENDING THE CITY OF BRIGANTINE 2024 YEAR MUNICIPAL BUDGET BY THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION FROM THE STATE OF NEW JERSEY RECYCLING TONNAGE GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Brigantine has been awarded \$16,790.67 from the State of New Jersey and will include in the 2024 budget

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brigantine hereby requests the Director of the Division of Local Government Services approve the insertion of a special item of revenue in the budget for the year 2024 in the sum of**\$16,790.67** which is now available as a revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated with prior written consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations. Recycling Tonnage Grant

BE IT FURTHER RESOLVED that a sum of.....**\$16,790.67** be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations – Excluded from “CAPS” Public and Private Programs Offset by Revenues: Recycling Tonnage Grant

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

CITY OF BRIGANTINE

RESOLUTION - 2024

AMENDING THE CITY OF BRIGANTINE 2024 YEAR MUNICIPAL BUDGET BY THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION FROM THE BULLETPROOF VEST PARTNERSHIP GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Brigantine has been awarded \$3,008.55 from the State of New Jersey and will include in the 2024 budget

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brigantine hereby requests the Director of the Division of Local Government Services approve the insertion of a special item of revenue in the budget for the year 2024 in the sum of**\$3,088.55**

which is now available as a revenue from:

Miscellaneous Revenues:

*Special Items of General Revenue Anticipated with prior written consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations.
Bulletproof Vest Partnership Grant*

BE IT FURTHER RESOLVED that a sum of.....**\$3,088.55** be and the same is hereby appropriated under the caption of:

General Appropriations:

*(A)Operations – Excluded from "CAPS"
Public and Private Programs Offset by Revenues:
Bulletproof Vest Partnership Grant*

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

CITY OF BRIGANTINE

RESOLUTION 2024-

AMENDING THE CITY OF BRIGANTINE 2024 YEAR MUNICIPAL BUDGET BY THE INSERTION OF A SPECIAL ITEM OF REVENUE AND APPROPRIATION FROM THE COUNTY OF ATLANTIC NUTRITIONAL OFFICE ON AGING GRANT

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Brigantine has been awarded \$54,452.40 from the State of New Jersey and will include in the 2024 budget

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brigantine hereby requests the Director of the Division of Local Government Services approve the insertion of a special item of revenue in the budget for the year 2024 in the sum of**\$54,452.40** which is now available as a revenue from:

Miscellaneous Revenues:

*Special Items of General Revenue Anticipated with prior written consent of the Director of Local Government Services - Public and Private Revenues Offset with Appropriations.
Atlantic County Nutritional Office on Aging Grant*

BE IT FURTHER RESOLVED that a sum of.....**\$54,452.40** be and the same is hereby appropriated under the caption of:

General Appropriations:

*(A)Operations – Excluded from “CAPS”
Public and Private Programs Offset by Revenues:
Atlantic County Nutritional Office on Aging Grant*

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Sera					
Riordan					
Kane					
Bew					
Lettieri					
Haney					
DeLucry					

RESOLUTION
2024-

WHEREAS, it has been determined by the Tax Collector that the taxpayers as indicated on the attached Schedule "A" are entitled to overpayment refunds and;

WHEREAS, it is the desire of the Council of the City of Brigantine to have these overpayments returned to the respective taxpayers;

NOW THEREFORE BE IT RESOLVED by the Council of the City of Brigantine, County of Atlantic, State of New Jersey, that:

1. The Tax Collector is hereby authorized to make overpayment refunds in the amount shown and to the taxpayers, as appears on Schedule "A" which made apart hereof.
2. Copies of the resolution to the Tax Collector

CITY OF BRIGANTINE
OVERPAYMENT REFUNDS

May 1, 2024

BLOCK	LOT	QUAL	NAME	YEAR-QRT	AMOUNT
2003	7		Meryl Rubin Erroneous payment	2024-02&03	520.00

CITY OF BRIGANTINE

RESOLUTION 2024-__

RESOLUTION UNEQUIVOCALLY OPPOSING OFFSHORE WIND PROJECTS, ENCOURAGING ALL MUNICIPALITIES TO JOIN THE OPPOSITION AND CALLING ON THE ATLANTIC COUNTY EXECUTIVE AND BOARD OF COMMISSIONERS TO UTILIZE ITS VARIOUS POWERS, INCLUDING LEGAL ACTION TO PROTECT THE FUTURE OF ATLANTIC COUNTY

WHEREAS, the future of Atlantic County's economy faces significant risk from the negative impacts of proposed offshore wind projects and the industrialization of our ocean; and

WHEREAS, developers continue to pursue federal and state approvals to construct more than 550 giant wind turbines off New Jersey's coastline and such construction will detrimentally affect the Atlantic Ocean and Atlantic County's shore communities and economy; and

WHEREAS, the Ocean Wind One/Two and Atlantic Shores offshore wind projects seek to place several hundred thousand-foot tall towers and turbines off the beaches of Atlantic and Cape May and Ocean Counties; and

WHEREAS, specifically, Atlantic Shores, and Ocean Wind developers (which still holds an active permit) will build 566 highly visible giant wind turbines starting only nine (9) miles off our beaches; and

WHEREAS, 357 of these massive structures will be 1040 feet high and 209 will be 906 feet high; and

WHEREAS, in addition to the projects adjacent to Atlantic County's coast, another group of six (6) offshore wind development projects are planned directly east of the ones next to our coastline in an area known as the New York Bight. These developers are planning to build 549 more turbines starting 27 miles off the coast at an even greater height of 1312 feet; and

WHEREAS, that is a total of 1,115 massive industrial wind turbines off of our South Jersey coast in our pristine ocean; and

WHEREAS, New Jersey's breathtaking scenic ocean views will be forever lost; and

WHEREAS, Tourism remains one of New Jersey's largest economic drivers; and

WHEREAS, Atlantic County generates over \$7.7 billion in Tourism-related revenue annually with the State realizing over \$800 million in tax revenue; Cape May County generates over \$7.4 billion in Tourism-related revenue annually with the State realizing over \$600 million in tax revenue. 29.9% of all State Tourism-related tax revenue comes out of Atlantic and Cape May Counties alone. Ocean County generates another \$4.7 billion in Tourism-related revenues and over \$400 million in tax receipts; and

WHEREAS, Assessors estimate that based upon the impact of an industrialized ocean view from beach homes in Atlantic City, Brigantine, Longport, Margate, and Ventnor, total property values could be reduced by \$2.2 billion, and the County, municipalities, and school districts could lose over \$36 million in annual tax revenues; and

WHEREAS, surveys conducted show that fifty percent (50%) of prior renters would not return to Atlantic County communities with visible turbines regardless of rent discount; and

WHEREAS, including Atlantic City, Atlantic County annual rental income loss could be \$17.2 Million (10%) to \$68.9 Million (30%) and excluding Atlantic City, Atlantic County's annual revenue loss could be \$4.5 Million (10%) to \$17.9 Million (40%) and lost total rental income over 20 years could be \$65 Million to \$250 Million; and

WHEREAS, the rental income loss alone is enough to destroy Atlantic County's economy but the impacts are felt throughout every industry; and

WHEREAS, wind turbines will not be a significant tourist attraction but will, in fact, deter tourism and based on survey results, participants are not willing to pay more for rental property with a view of wind turbines off of the coast; and

WHEREAS, it is estimated that between 16.5% to 24% of tourists would not visit Atlantic County beach towns and choose other places to vacation, resulting in a loss of 8,700 to 12,700 jobs or 175,000 to 255,000 job years over the project life; and

WHEREAS, massive turbines will result in \$1.3 to \$1.9 Billion in annual revenue losses or net present value of \$17.4 Billion to \$25.5 Billion over the project life; and

WHEREAS, industrialized ocean views will create a \$142 to \$206 million government tax loss revenue over the project life; and

WHEREAS, offshore wind turbines do not create lower cost energy for local residents and business, especially fragile seasonal tourism businesses; and

WHEREAS, based upon the most recent analysis for 11GW of offshore wind energy in New Jersey, electricity rates are expected to increase by over 55% for residents, 70% for

commercial and over 80% for industrial users by 2047 and based upon the most recent solicitation for 3742 MW of power over 20 years, rates are projected to increase by 20-30%; and

WHEREAS, offshore wind turbines not only impact our onshore tourist economy but also affect the recreational fishing industry; and

WHEREAS, projection envision approximately \$19 Million per year losses to the New Jersey recreational fishing economy over an estimated 20-year period because of wind turbine construction and operation; and

WHEREAS, Atlantic County famously hosts significant regional and state events and attractions and the future scheduling and success of such events becomes questionable with the development of giant wind turbines immediately off the coast of Atlantic County; and

WHEREAS, for example, the County hosts the annual Farley Marina Jimmy Johnson Fishing Tournament, the annual Atlantic City Air Show, and world class beach concerts, and other beach centric entertainment events, bars and restaurants and the future of those events becomes uncertain; and

WHEREAS, the air show alone brings 100,000 tourists to Atlantic City and \$50 million to the economy; and

WHEREAS, the construction of turbines and the loss of tourists will result in casino contraction; and

WHEREAS, closure of casinos because of operating losses may jeopardize the casino industry which, in turn, could reduce local and state taxes/fees including but not limited to the annual \$200 million PILOT tax payments and \$700+ million annual Gaming Specific taxes and fees; and

WHEREAS, the New Jersey Legislature expressed concern for the Board of Public Utilities (“BPU”) approach on offshore wind project because of unanswered questions about the economic impact these projects will have on ratepayers as well as potential impacts to one of our state’s largest economic drivers, tourism at the shore; and

WHEREAS, the Legislature has asked the BPU to share these impacts with the communities affected and the Legislature before moving forward with these new offshore projects; and

WHEREAS, the City of Brigantine remains concerned about the negative impacts of the build-as-fast-as-possible approach that the State of New Jersey is currently taking on offshore wind; and

WHEREAS, these massive ocean wind projects that Governor Murphy has planned for the waters off the coast of New Jersey are being utilized to advance a dangerous experiment with little understanding or concern for the many, potentially catastrophic, impacts the installation of these industrial power generating facilities will have on the environment, economy, fishing industry, property values, and cost of electricity for the people of New Jersey; and

WHEREAS, the BPU and the developers cannot assure the Legislature that construction of these offshore wind facilities will not negatively impact tourism; and

WHEREAS, even taken at their own word, one of the developers indicates that tourism losses could be as high as 15%, creating a scenario where New Jersey would lose over \$210 million in annual tax revenue; and

WHEREAS, such construction will have a devastating impact on New Jersey families and small businesses; and

WHEREAS, neither BPU nor any other state or federal agency have adequately studied these impacts on our economy; and

WHEREAS, the Brigantine community supports appropriate clean energy programs, but believes these projects should proceed no further until the potential damage to our tourism-based economy is studied and quantified; and

WHEREAS, before these projects are rushed to be built, our citizens need to know what the real economic and environmental impact will be; and

WHEREAS, the negative impacts from the infrasound generated by these massive ocean wind turbines on marine mammals and humans living along the coast is still unknown and could have long-term damaging effects that may change the Jersey shore forever; and

WHEREAS, despite the pronouncements by Executive agencies of the State of New Jersey that the surveying operations by these off shore wind developers is not leading to the demise of whales, dolphins and porpoises, the City is aware that in 2018, the Murphy Administration joined a federal lawsuit in the United States District Court for the District of South Carolina, case number 2:18-cv-03326-RMG, seeking an injunction against similar surveying activities by other offshore energy companies; and

WHEREAS, in the lawsuit, the State of New Jersey alleged that “the prospect of seeing marine mammals – whether directly from [New Jersey’s] shores, or from boats launched from

[New Jersey's] shores – is an important draw for the State's coastal economies." And further, "Whales, dolphins, and porpoises have finely tuned senses of hearing, on which they rely to navigate, seek food, avoid danger, and communicate among themselves. Many species are vulnerable to human activities"; and

WHEREAS, the lawsuit further alleged, "The seismic testing activities at issue here will harm [New Jersey] and [its] citizens. They will harass marine mammals and other wildlife that commonly move between federal and state waters, including the waters of [New Jersey]. Further seismic testing's negative impact on marine mammals' health and abundance will make [New Jersey] less attractive for coast tourism, will deprive [New Jersey] of tax revenues associated with coastal tourism, and could create cascading effects on the [New Jersey's] economically important commercial and recreational fishing industries."; and

WHEREAS, the City of Brigantine finds that the State of New Jersey's current insistence that the offshore wind activities will have no negative impacts on marine mammals, tourism or fisheries to be inconsistent with reality and contrary to the arguments the State of New Jersey made in Federal Court in 2018; and

WHEREAS, although the Governor and certain other New Jersey officials and representatives of offshore wind developers continue to represent to the public that the immediate construction of these offshore wind electric power generation facilities is of emergent importance in efforts to combat climate change, the City is aware of significant findings both governmental and private sector researchers to the contrary; and

WHEREAS, the Bureau of Ocean Energy Management (BOEM) in 2021, in Volume II of its Final Environmental Impact Statement on the Vineyard Wind 1 offshore wind project at page A-66 states, "Therefore, the Proposed Action (the construction of multiple offshore wind project along the East Coast] would have negligible impacts on climate change during these activities and an overall minor beneficial impact of Green House Gas emissions compared to the generation of the same amount of energy by the existing grids. Development of offshore wind projects and the construction, implementation, operation, maintenance and the eventual decommissioning activities would cause some Green House Gas emissions increases primarily through the emissions of CO₂. Overall, it is anticipated that there would be no collective impact on global warming as a result of offshore wind projects... though they may beneficially contribute to a broader combination of actions to reduce future impacts of climate change."; and

WHEREAS, BOEM concluded in 2021 that building multiple offshore wind farms in Atlantic waters of the East Coast of the United States will essentially have no impact on reducing global warming; and

WHEREAS, the City of Brigantine through sharing data with neighboring municipalities and counties, is aware of studies conducted by researchers at Harvard University that found that the installation of scores of wind turbines in a concentrated area will actually raise surface temperatures, especially in the immediate area of the turbines. The Harvard researchers concluded, “The direct climate impacts of wind power are instant, while the benefits of reduced emissions accumulate slowly. If your perspective in the next 10 years, wind power actually has – in some respects – more climate impact than coal or gas,” david & Keith, Climate Impacts of Wind Power, Joule, Volume II, Issue 12, P2618, December 19, 2018; and

WHEREAS, it would appear that combating climate change does not appear to be advanced by the installation of wind projects thus the urgent necessity of stripping the City of home rule does not appear to exist; and

WHEREAS, post-construction evaluations of the projects’ impact will be meaningless to the residents of Atlantic County when the economy is decimated and to the ocean life after their habitats are severely altered;

WHEREAS, the recent, unprecedented deaths and stranding of marine mammals including whales, dolphins and porpoises along the shores of Atlantic County and other New Jersey Counties and surrounding states is of the utmost concern to the City and no satisfactory answer to the question of whether or not the actions of offshore wind developers are leading to the deaths of whales and other marine mammals had been provided by any federal or state agency; and

WHEREAS, the City Council does not find it an acceptable answer for state and federal officials and agencies to state that they are not certain what is leading to the unprecedented deaths of multiple marine mammals but that they somehow know for certain that the deaths are not related in any way to the activities of offshore wind development companies; and

WHEREAS, the City has grave concerns about the potential negative impact on our tourism economy as a result of the installation of scores of offshore wind turbines visible from shore; and

WHEREAS, the Mayor and City Councilmembers joins and supports the approach and statements made by United States Congressman Van Drew, State Senator Polistina, Assemblywoman Claire Swift and Assemblyman Don Guardian in the State Legislatures’ efforts to vote against Senate Bill S4019 and Assembly Bill A5651 that would give millions of dollars in federal tax credits to the offshore wind project that will adversely affect the rate payers of this municipality, this County and this State.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Brigantine, County of Atlantic, State of New Jersey that:

1. The preamble to this resolution is incorporated here by reference and made part hereof as the findings of the City Council.
2. The City of Brigantine opposes the Atlantic Shore and Ocean Wind turbine projects; and
3. The City determines that the installation of offshore wind projects and other such projects, as currently designed and intended will cause great harm to our marine environment and great harm to the tourism and fisheries sector of our local economy and may cause to other sectors such as real estate.
4. The City of Brigantine further opposes any wind turbine projects along New Jersey's coast, regardless of height of the structures and distance from New Jersey's pristine shorelines, until proper studies are performed; and
5. Studies must include full evaluation of the impact of such construction on the tourism industry, the economy in general, the Atlantic County labor market; and
6. Studies must better understand the environmental impact of ocean habitats, the migration of ocean mammals and organisms that create a healthy biosphere to ensure continued protection of the Atlantic Ocean, waterways and back bays and ocean life in general; and
7. The City resolves that until such time that the wind developers present a project design that , to the greatest extent possible, mitigates the negative environmental and economic impacts of its project, the City objects to and opposes the construction of the projects.
8. The City of Brigantine calls on the municipalities in Atlantic, Cape May and Ocean Counties to join in Brigantine's opposition to these wind turbine projects because of the significant negative impacts to the New Jersey coastline and coastline communities; and
9. The City of Brigantine encourages and urges the Atlantic County Executive and Board of County Commissioners to pursue all appropriate action, including but not limited to legal action to prevent the approval and construction of wind turbine projects because of the detrimental impact they would have on Atlantic County municipalities; and

10. The City of Brigantine recognizes and appreciates the efforts already initiated by Congressman Jeff Van Drew and Senator Vince Polistana and Assembly Members Don Guardian and Claire Swift; and
11. The City of Brigantine shall provide copy of this resolution to each elected official at the County, State and Federal level as well as serve a copy upon Governor Phil Murphy, Lt. Governor Tahesha Way, Department of Environmental Protection Commissioner Shawn M. LaTourette, Members of the Board of Public Utilities, the Senate President Nicholas Scutari, and the Assembly Speaker Craig Coughlin.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024.

City of Brigantine

Lynn Sweeney, RMC
City Clerk

CITY OF BRIGANTINE

RESOLUTION 2024-__

**RESOLUTION AUTHORIZING AN AGREEMENT
WITH ROCKET POWER FREESTYLE ACADEMY**

WHEREAS, the City seeks to offer a summer skate session at Brigantine Skate Park to create an opportunity for participants to enjoy the skate park even if they do not currently possess the skills or knowledge to do so; and

WHEREAS, this summer programs will increase opportunities for City residents;

WHEREAS, it is necessary to enter an agreement with the vendor to perform these service;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of Brigantine, County of Atlantic that the Mayor, City Manager and Clerk be and are hereby authorized to enter into an Agreement with Rocket Power Freestyle Academy of Clarksboro, New Jersey to offer summer skate sessions according to the terms of an Agreement as approved by the City Solicitor.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024.

City of Brigantine

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2024-**

THE COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

WHEREAS, The City of Brigantine has, pursuant to various ordinances, a set fee schedule for services; and

WHEREAS, it appears from the records that South Jersey Gas Company, applied for a Road Opening Permit for a service installation at 4001 Atlantic Brigantine Blvd and paid a permit fee in the amount of \$150.00; and

WHEREAS, the plans for the installation were revised requiring the submission of a new permit application and permit fee. The previously issued permit has been voided and the City of Brigantine agrees to refund the \$150.00 fee.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE:

1. The City Financial Officers are hereby authorized to refund the sum of \$150.00 to South Jersey Gas Company.
2. This resolution shall take effect immediately.

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey at its meeting of May 1, 2024.

Lynn Sweeney, RMC
City Clerk

CITY OF BRIGANTINE

RESOLUTION 2024-__ - __

**RESOLUTION GRANTING A REVOCABLE LICENSE AT 4205 ATLANTIC
BRIGANTINE BOULEVARD TO UTILIZE A PORTION OF THE 20' PAPER ALLEY
BEHIND THE PROPERTY**

WHEREAS, the City owns a twenty (20) foot paper alley behind the properties along the 4200 block of Atlantic-Brigantine Boulevard; and

WHEREAS, the City is preparing to vacate the paper alley to the benefit of the neighbors; and

WHEREAS, the owner of Block 3401, Lot 13 on the Tax Map of the City of Brigantine, commonly known as 4205 Atlantic-Brigantine Boulevard with the knowledge of the City but said use was not formalized; and

WHEREAS, the owner (Licensee) seeks to sell the property and this use may form a cloud on title; and

WHEREAS, the Licensee desires formal permission from the City to use the City Property through a Revocable Licensing Agreement until such time as the City vacates the 20' paper alley at which time the lands will become a portion of Lot 13;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey that:

- 1) The City grants a revocable license to the owner of 4205 Atlantic-Brigantine Boulevard for the owner's personal purposes.
- 2) The Mayor, City Manager, and City Clerk are authorized to execute any and all documents in furtherance of this Resolution upon review and approval of such documents by the City Solicitor's Office.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of May, 2024.

City of Brigantine

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION NO. 2024-**

**AUTHORIZING EXTENSION OF SHARED SERVICE AGREEMENT WITH
TOWNSHIP OF LONG BEACH FOR LEGAL SERVICES AND ADDITIONAL
PAYMENT**

BE IT RESOLVED, that the City Council of the City of Brigantine hereby authorizes the extension of the shared service agreement with the Township of Long Beach for legal services provided by Pashman Stein and to authorize an additional payment of \$20,000.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately.

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey at its meeting of May 1, 2024.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2024-**

THE COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

WHEREAS, it appears from the records that Rob Malik of Rob's Nut Sack, 327 Cristaudo Court, Mount Royal, NY 08061, overpaid for a vendor's permit for the Brigantine Farmer's Market in the amount of one hundred and fifty dollars (\$150.00); and

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE:

1. The City Financial Officers are hereby authorized to refund the sum of \$150.00 to Rob Malik.
2. This resolution shall take effect immediately.

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey at its meeting of May 1, 2024.

Lynn Sweeney, RMC
City Clerk

Application for a Bingo License

Application No. BA 1059
 Identification No. 58-6-16128

Submit four (4) copies of this application to the Municipal Clerk's office in the municipality where the games will be conducted.

Please print clearly.

Name of municipality: Brigantine

Part A - General

1. Name of applying organization: BPOE #2428 Brigantine Lodge
- 2a. Street address of headquarters: 400 W. Shore Drive Brigantine, NJ 08203
- b. Mailing address (if different): PO BOX 544 Brigantine, NJ 08203

3. List date(s) and hours for games:

Date	Hours	Date	Hours
<u>7/19/2024</u>	<u>5-10PM</u>	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

4. Address of place where bingo will be played: 400 W. Shore Drive Brigantine, NJ 08203
 - a. Does the applicant own the premises or regularly occupy them for its general purposes? Yes No
 - b. If "No," from whom will the applicant rent the premises?
 Name _____ Address _____
 - c. If premises are to be rented, attach Form 10, "Statement of Landlord."

Part B - Schedule of Expenses

The items of expense intended to be incurred or paid in connection with the games listed in this application, the names and addresses of the persons to whom each item is to be paid, and the purpose for which each item is to be paid, are:

Item of Expense	Name and address of supplier	Purpose
<u>DABBERS</u>	<u>Wholesale Bingo Supply</u>	<u>FOR PATRONS TO PURCHASE TO PLAY BINGO</u>
<u>BINGO BOARDS/</u>	<u>Tumbling Dice</u>	<u>TO CONDUCT GAME</u>
<u>MUNICIPAL LICENSE</u>	<u>City of Brigantine</u>	<u>LICENSING</u>
<u>STATE LICENSE</u>	<u>STATE OF NJ</u>	<u>LICENSING</u>
<u>COACH HANDBAG</u>	<u>COACHOUTLET</u>	<u>PRIZE TO BE</u>
<u>KATE SPADE</u>	<u>KATE SPADE OUTLET</u>	<u>PRIZE TO BE</u>
<u>MICHAEL KORS HANDBAG</u>	<u>MK OUTLET 27 N Michigan Ave, Atlantic City, NJ 08401</u>	<u>PRIZE TO BE</u>
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____