

Absent:

**AGENDA  
CITY OF BRIGANTINE  
COUNCIL MEETING  
OCTOBER 5, 2022  
5:00 P.M. – Public Portion**

1. Flag Salute
  2. Opening Prayer
  3. Open Public Meetings Act Announcement
  4. Resolution 2022-196 Re: Executive Session \_\_\_\_\_ P.M.
- Topics to be Discussed:

M:                      S:                      RC:                      MC:

5. Return from Executive Session \_\_\_\_\_ P.M.
6. Approval of 9/21/22 Council Meeting and Executive Session Minutes

M:                      S:                      RC:                      MC:

- ## 7. Approval of Requisition List, Operating Expenses and Payroll

M:                      S:                      RC:                      MC:

8. Public Comment on Agenda Items Only
9. Resolution 2022-197 Re: Appointment of New Fire Chief

M:                      S:                      RC:                      MC:

10. Swearing In Ceremony of Fire Chief Paul J. Fuller
11. Presentation of 2021 Annual Audit: Leon Costello, Auditor
12. Resolution 2022-198 Re: Governing Body Certification of the Annual Audit

M:                      S:                      RC:                      MC:

13. Ordinance No. 15 of 2022 – Introduction  
Amending Chapter 65 of the Code to Change the Membership of the Sustainable  
Brigantine Green Team Permanent Advisory Committee

M:                      S:                      RC:                      MC:

14. Ordinance No. 16 of 2022 – Introduction

Amending the Registration and Maintenance of Certain Real Property by Mortgagees; Providing for Penalties and Enforcement as Well as the Regulation, Limitation and Reduction of Abandoned Real Property within the Municipality; Providing for Severability, Repealer, Codification and an Effective Date

M: S: RC: MC:

15. Resolution 2022-199 Re: Authorizing Final Change Order #1 to Decrease the Contract for the Lighthouse District Streetscape Project Final Design

M: S: RC: MC:

16. Resolution 2022-200 Re: Authorizing Supply and Delivery of Heavy-Duty Equipment Rental

M: S: RC: MC:

17. Resolution 2022-201 Re: Cancellation of Real Estate Taxes

M: S: RC: MC:

18. Resolution 2022-202 Re: Chapter 159 – Bullet Proof Vest Partnership Grant

M: S: RC: MC:

19. Resolution 2022-203 Re: Support of Opioid Abuse Awareness

M: S: RC: MC:

20. Consent Agenda

- A. St. Thomas Raffle License #983
- B. Brigantine Republican Club Halloween Parade Request
- C. Primal Surf Fall Surf SUP Tournament Request
- D. VFW Veteran's Day Parade Request

M: S: RC: MC:

21. Council Manager/Committee Discussion:

22. Public Comments

23. Council Comments

24. 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  
RESOLUTION 2022-

APPOINT FIRE CHIEF

WHEREAS, Paul J Fuller shall be appointed as the Chief of the Fire Department of the City of Brigantine, effective October 1, 2022 and,

WHEREAS, Former Fire Chief Tige Platt ceased all functions and responsibilities related to his position effective midnight October 1, 2022 and,

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the City of Brigantine, County of Atlantic, hereby authorizes the appointment of Paul Fuller as Chief of the Brigantine Fire Department, effective October 1, 2022.

**CITY OF BRIGANTINE  
RESOLUTION 2022-**

**GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT**

**WHEREAS**, N.J.S.A.40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

**WHEREAS**, the Annual Report of Audit for the year 2021 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A.40A:5-6, and a copy has been received by each member of the governing body; and

**WHEREAS**, R.S.52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

**WHEREAS**, the Local Finance Board has promulgated N.J.S.A.5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled, "Comments and Recommendations"; and

**WHEREAS**, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the governing body attached hereto; and

**WHEREAS**, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.S.A.5:30-6.5; and

**WHEREAS**, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

**WHEREAS**, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52, to wit:

R.S.52:27BB52 a local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

**NOW, THEREFORE BE IT RESOLVED**, that the City Council of the City of Brigantine, hereby states that it has complied with N.J.S.A.5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 September 21, 2022.

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE**

**ORDINANCE NO. 2022-**

**AN ORDINANCE TO AMEND CHAPTER 65 TO CHANGE THE MEMBERSHIP OF  
THE SUSTAINABLE BRIGANTINE  
GREEN TEAM PERMANENT ADVISORY COMMITTEE”**

**WHEREAS**, the City of Brigantine has established by Ordinance 3-2017 The Sustainable Brigantine Green Team (hereinafter “Green Team”) as a permanent advisory committee to focus attention on sustainable issues in the City and to collaborate with City Council and various Departments and Committees in the City on such issues; and

**WHEREAS**, Ordinance 3-2017 set forth the purpose, membership, terms of office and meetings for the Green Team; and

**WHEREAS**, Ordinance 3-2017 was codified in the Code of the City of Brigantine in Chapter 65; and

**WHEREAS**, the City of Brigantine has received communication from the Green Team members requesting a modification to the membership structure to reduce the number of members from 15 to 7 members; and

**WHEREAS**, the City Council of the City of Brigantine has reviewed the request of the Green Team members and wishes to amend Chapter 65 to reduce the number of members of the Green Team from 15 to 7 members.

**NOW, THEREFORE, BE IT ORDAINED**, by the Mayor and City Council of the City of Brigantine, County of Atlantic and State of New Jersey as follows:

Section 1. Chapter 65, Section 3. Membership; terms of office, is hereby amended to read as follows:

- A. The Brigantine City Council shall appoint seven (7) City residents to serve as the Green Team with at least one (1) member being a member of the City Council. The City Council shall appoint a Chair of the Green Team. The Green Team shall elect from among its members a Vice Chair and a Secretary/Treasurer.
- B. Green Team members shall serve a one (1) year term. The initial 7 members of the Green Team appointed pursuant to this Ordinance shall be appointed at the Reorganization Meeting of City Government in the City of Brigantine in January 2023. Future Green Team appointments shall be made at the time of the annual Reorganization Meeting of the City Government in the City of Brigantine.

Section 2. Severability. If any section, paragraph, subparagraph, clause or provision of this Ordinance shall be adjudged invalid, such adjudication shall apply to the specific section, paragraph, subparagraph, clause or provision so adjudged and the remainder of the Ordinance shall be deemed valid and effective.

Section 3. Repeal of Prior Ordinances. Ordinances or parts of Ordinances inconsistent with the provisions of this Ordinance be and the same are hereby repealed to the extent of any such inconsistencies.

Section 4. 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

Adopted on second and final reading on

\_\_\_\_\_.

CITY OF BRIGANTINE

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE AMENDING THE  
REGISTRATION AND MAINTENANCE OF  
CERTAIN REAL PROPERTY BY MORTGAGEES;  
PROVIDING FOR PENALTIES AND  
ENFORCEMENT, AS WELL AS THE  
REGULATION, LIMITATION AND REDUCTION  
OF ABANDONED REAL PROPERTY WITHIN  
THE MUNICIPALITY; PROVIDING FOR  
SEVERABILITY, REPEALER, CODIFICATION,  
AND AN EFFECTIVE DATE.

**WHEREAS**, the present mortgage foreclosure crisis has serious negative implications for all communities trying to manage the consequences of property vacancies and abandoned real properties; and

**WHEREAS**, the City of Brigantine (hereinafter referred to as "The City of Brigantine" or the "City") recognizes an increase in the number of foreclosure properties located throughout the City; and

**WHEREAS**, the City of Brigantine is challenged to identify and locate foreclosing parties who can maintain the properties that are in the foreclosure process or that have been foreclosed; and

**WHEREAS**, the City of Brigantine finds that the presence of foreclosure properties can lead to a decline in property value, create attractive nuisances and lead to a general decrease in neighborhood and community aesthetics; and

**WHEREAS**, the City of Brigantine has already adopted property maintenance codes to Regulate building standards for the exterior of structures and the condition of the property as a whole; and

WHEREAS, pursuant to N.J.S.A. 40:48-2, the City is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the <GOVERNED AREA> by law; and

WHEREAS, pursuant to P.L. 2021, c. 444, the City is authorized to adopt or amend ordinances creating a property registration program for the purpose of identifying and monitoring residential and commercial properties within the City for which a summons and compliant in an



action to foreclosure on a mortgage has been filed, regulate the care, maintenance, security and upkeep of such properties, and impose a registration fee on the creditor of such properties.

WHEREAS, the City of Brigantine desires to amend the City's Code in order to participate in the County-wide registration program established by the Atlantic County Improvement Authority that will identify a contact person to address safety and aesthetic concerns to minimize the negative impacts and blighting conditions that occur as a result of the foreclosures; and

WHEREAS, the City of Brigantine has a vested interest in protecting neighborhoods against decay caused by vacant and abandoned properties and concludes that it is in the best interests of the health, safety, and welfare of its citizens and residents to impose registration and certification requirements on abandoned and vacant properties located within the City of Brigantine; and

WHEREAS, upon passage, duly noticed public hearings, as required by law will have been held by the City of Brigantine, at which public hearings all residents and interested persons were given an opportunity to be heard;

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

SECTION 1. That the foregoing "Whereas" clauses are hereby ratified and confirmed as being true and correct and are hereby made a specific part of this Ordinance upon the adoption hereof

SECTION 2. That the City Council of the City of Brigantine hereby amends The City Code of the City of Brigantine, Chapter 237 by amending Article 2, entitled " Registration of Foreclosure Mortgage Properties,"

to read as follows:

## CHAPTER 237. ARTICLE 2. REGISTRATION OF FORECLOSURE MORTGAGE PROPERTIES

### SECTION 237-7. PURPOSE AND INTENT

It is the purpose and intent of the City of Brigantine to establish a process to address the deterioration and blight of City of Brigantine neighborhoods caused by an increasing amount of real property in foreclosure located within the City of Brigantine, and to identify, regulate, limit and reduce the number of foreclosure properties located within the City of Brigantine. It is the City of Brigantine's further intent to participate in the County-wide registration program established by the Atlantic County Improvement Authority as a mechanism to protect neighborhoods from becoming blighted due to the lack of adequate maintenance and security of foreclosure properties.

### SECTION 237-8. DEFINITIONS.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning.

Abandoned Real Property - means any real property located in the City of Brigantine, whether vacant or occupied, that is in default on a mortgage, as evidenced by a foreclosure filing, has had a complaint and summons filed, has had a lis pendens filed against it by the Lender holding a mortgage on the property, is subject to an ongoing foreclosure action by the Lender, or has been transferred to the Lender under a deed in lieu of foreclosure. The designation of a property as "foreclosure" shall remain in place until such time as the property is sold or transferred to a new owner, the foreclosure action has been dismissed, and and sold to a non-related bona fide purchaser in an arm's length transaction.

Accessible Property/Structure - means a property that is accessible through a comprised/breached gate, fence, wall, etc. or a structure that is unsecured and/or breached in such a way as to allow access to the interior space by unauthorized persons.

Applicable Codes - means to include, but not be limited to, the City of Brigantine's Zoning Code, the City of Brigantine's Code of Ordinances ("Brigantine Code"), and the New Jersey Building Code.

Blighted Property - means:

a) Properties that have broken or severely damaged windows, doors, walls, or roofs which create hazardous conditions and encourage trespassing; or b) Properties whose maintenance is not in conformance with the maintenance of other neighboring properties causing a decrease in value of the neighboring properties; or

c) Properties cited for a public nuisance pursuant to the Brigantine Code; or

d) Properties that endanger the public's health, safety, or welfare because the properties or improvements thereon are dilapidated, deteriorated, or violate minimum health and safety standards or lacks maintenance as required by the Brigantine City and Zoning Codes.

Enforcement Officer - means any law enforcement officer, building official, zoning inspector, code enforcement officer, fire inspector or building inspector, public officer, or other person authorized by the City of Brigantine to enforce the applicable codes.

Mortgagee - means the creditor, including but not limited to, trustees; mortgage servicing companies; lenders in a mortgage agreement; any agent, servant, or employee of the creditor; any successor in interest; or any assignee of the creditor's rights, interests or obligations under the mortgage agreement; or any other person or entity with the legal right to foreclose on the Real Property, excluding governmental entities as assignee or owner.

Owner - means any person, legal entity or other party having any ownership interest whether legal or equitable, in real property. This term shall also apply to any person, legal entity or agent responsible for the construction, maintenance or operation of the property involved.

Property Management Company - means a local property manager, property Maintenance Company or similar entity responsible for the maintenance of abandoned real property.

Real Property - means any residential or commercial land and/or buildings, leasehold improvements and anything affixed to the land, or portion thereof identified by a property parcel identification number, located in the City limits.

Registrable Property - means any Real Property located in the <GOVERNED AREA>, whether vacant or occupied, that is subject to an ongoing Foreclosure Action by the Mortgagee or Trustee, has been the subject of a Foreclosure Action by a Mortgagee or trustee and a judgement has been entered, or has been the subject of a Foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the Foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. The designation of a "foreclosure" property as "registrable" shall remain in place until such time as the property is sold to a non-related bona fide purchaser in an arm's length transaction or the Foreclosure Action has been dismissed.

Vacant - means any building or structure that is not legally occupied.

#### SECTION 237-9. APPLICABILITY

These sections shall be considered cumulative and not superseding or subject to any other law or provision for same, but rather be an additional remedy available to the City of Brigantine above and beyond any other state, county or local provisions for same.

#### SECTION 237-10. ESTABLISHMENT OF A REGISTRY

Pursuant to the provisions of Section 23 7-1 et. sequitur, the City of Brigantine shall participate in the County-wide registration program established by the Atlantic County Improvement Authority cataloging each Abandoned Property within the City of Brigantine, containing the information required by this Article.

#### SECTION 237-11. REGISTRATION OF ABANDONED REAL PROPERTY

(a) Any mortgagee who holds a mortgage on real property located within the City of Brigantine shall perform an inspection of the property to determine vacancy or occupancy, upon default by the mortgagor, as evidenced by a filing. The mortgagee shall, within ten (10) days of the inspection, register the property with the Division of Code Enforcement, or designee, on forms or website access provided by the City of Brigantine, and indicate whether the property is vacant or occupied. A separate registration is required for each property, whether it is found to be vacant or occupied. (b) If the property is occupied but remains in foreclosure, it shall be inspected by the mortgagee or his designee

monthly until it is found to be vacant or shows evidence of vacancy at which time it is deemed abandoned, and the mortgagee shall, within ten (10) days of that inspection, update the property registration to a vacancy status on forms provided by the City of Brigantine.

(c) Registration pursuant to this section shall contain the name of the mortgagee and the server, the direct mailing address of the mortgagee and the server, a direct contact name and telephone number for both parties, facsimile number and e-mail address for both parties, the folio or tax number, and the name and twenty-four (24) hour contact telephone number of the property management company responsible for the security and maintenance of the property. (d) A non-refundable annual registration fee in the amount of \$500.00 per property, shall accompany the registration form or website registration. (e) If the Foreclosing or Foreclosed Property is not registered, or the registration fee is not paid within thirty (30) days of when the registration or renewal is required pursuant to this section, a late fee equivalent to ten percent (10%) of the Annual Registration fee shall be charged for every thirty-day period (30), or portion thereof, the property is not registered and shall be due and payable with the registration.

(f) If the mortgage and/or servicing on a property is sold or transferred, the new Mortgagee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the new Mortgagee shall register the property or update the existing registration. The previous Mortgagee(s) will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.

(g) If the Mortgagee sells or transfers the Registrable Property in a non-arm's length transaction to a related entity or person, the transferee is subject to all the terms of this Chapter. Within ten (10) days of the transfer, the transferee shall register the property or update the existing registration. Any and all previous unpaid fees, fines, and penalties, regardless of who the Mortgagee was at the time registration was required, including but not limited to unregistered periods during the Foreclosure process, are the responsibility of the transferee and are due and payable with the updated registration. The previous Mortgagee will not be released from the responsibility of paying all previous unpaid fees, fines, and penalties accrued during that Mortgagee's involvement with the Registrable Property.

(h) All registration fees must be paid directly from the Mortgagee, Servicer, Trustee, or Owner. Third Party Registration fees are not allowed without the consent of the City of Brigantine and/or its authorized designee. (i) This section shall also apply to properties that have been the subject of a foreclosure sale where the title was transferred to the beneficiary of a mortgage involved in the foreclosure and any properties transferred under a deed in lieu of foreclosure/sale. (j) Properties subject to this section shall remain under the annual registration requirement, and the inspection, security and maintenance standards of this section as long as they remain vacant or in foreclosure. (k) Any person or legal entity that has registered a property under this section must report any change of information contained in the registration within ten (10) days of the change. (l) Failure of the mortgagee and/or owner to properly register or to modify the registration form from time to time to reflect a change of circumstances as required by this article is a violation of the article and shall be subject to enforcement. U) Pursuant to any administrative or judicial finding and determination that any property is in violation

of this article, the City of Brigantine may take the necessary action to ensure compliance with and place a lien on the property for the cost of the work performed to benefit the property and bring it into compliance.

(m) Registration of foreclosure property does not alleviate the Mortgagee and/or Owner from obtaining all required licenses, permits and inspections required by applicable code or State Statutes. Acquisition of required licenses, permits and inspections or registration of rental property does not alleviate the requirement for the property to be registered under this section. Mortgagee and/or Owner is expected to update the status of the property in the event of a Mortgagee managed rental.

#### SECTION 237-12. MAINTENANCE REQUIREMENTS

(a) Properties subject to this chapter shall be kept free of weeds, overgrown brush, dead vegetation, trash, junk, debris, building materials, any accumulation of newspapers, circulars, flyers, notices, except those required by federal, state or local law discarded personal items including, but not limited to, furniture, clothing, large and small appliances, printed material or any other items that give the appearance that the property is abandoned. (b) The property shall be maintained free of graffiti or similar markings by removal or painting over with an exterior grade paint that matches the color of the exterior structure. (c) Front, side, and rear yards, including landscaping, shall be maintained in accordance with the applicable codes at the time registration was required. (d) Yard maintenance shall include, but not be limited to, grass, ground covers, bushes, shrubs, hedges or similar plantings, decorative rock or bark or artificial turf/sod designed specifically for residential installation. Acceptable maintenance of yards and/or landscape shall not include weeds, gravel, broken concrete, asphalt or similar material.

(e) Maintenance shall include, but not be limited to, watering, irrigation, cutting and mowing of required ground cover or landscape and removal of all trimmings. (f) Pools and spas shall be maintained so the water remains free and clear of pollutants and debris and shall comply with the regulations set forth in the applicable codes. (g) Failure of the mortgagee and/or owner to properly maintain the property may result in a violation of the applicable codes and issuance of a citation or Notice of Violation in accordance with Chapter 23 7 of the Code of the City of Brigantine. Pursuant to a finding and determination by the City of Brigantine's Public Officer or a court of competent jurisdiction, the City of Brigantine may take the necessary action to ensure compliance with this section. (h) In addition to the above, the property is required to be maintained in accordance with the applicable codes.

#### SECTION 237-13. SECURITY REQUIREMENTS

(a) Properties subject to these Sections shall be maintained in a secure manner so as not to be accessible to unauthorized persons. (b) A "secure manner" shall include, but not be limited to, the closure and locking of windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure. Broken windows, doors, gates and other openings of such size that may allow a child to access the interior of the property or structure must be repaired. Broken windows shall be secured by reglazing of the window.

(c) If a mortgage on a property is in foreclosure, and the property has become vacant or abandoned, a property manager shall be designated by the mortgagee to perform the work necessary to bring the property into compliance with the applicable codes, and the property manager must perform regular inspections to verify compliance with the requirements of this article, and any other applicable laws. SECTION 237-14. PUBLIC NUISANCE. All foreclosing or foreclosed real property is hereby declared to be a public nuisance, the abatement of which pursuant to the police power is hereby declared to be necessary for the health, welfare and safety of the residents of the City of Brigantine. SECTION 237-15 PENALTIES; SCHEDULE OF CIVIL PENALTIES.

Any person who shall violate the provisions of this article may be cited and fined as provided in Chapter 237 of the Brigantine Code and N.J.S.A. 55:19-78 et. sequitur. The following table shows violations of these sections, as may be amended from time to time, which may be enforced pursuant to the provisions of this regulation; and the dollar amount of civil penalty for the violation of these sections as it may be amended. The descriptions of violations" below are for informational purposes only and are not meant to limit or define the nature of the violations or the subject matter of the Brigantine Code sections, except to the extent that different types of violations of the Brigantine Code section may carry different civil penalties. For each Brigantine Code section listed in the schedule of civil penalties, the entirety of the section may be enforced by the mechanism provided in this section, regardless of whether all activities prescribed or required are described in the "Description of Violation" column. To determine whether a particular activity is prescribed or required by this Code, the relevant Brigantine Code sections shall be examined.

#### Description of Violation Civil Penalty

Failure to register foreclosing or foreclosed real property on annual basis and/or any violation of the sections stated within.

\$500.00

(a) Unless otherwise provided for in this Chapter, a violation of this Chapter is declared unlawful.

1. Per P.L. 2021, Chapter 444, C.40:48-2.12s3 g. (1) An out-of-State creditor subject to an ordinance adopted pursuant to subsection a. of this section found by the municipal court of the municipality in which the property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation of the requirement to appoint an in-State representative or agent pursuant to the ordinance shall be subject to a fine of \$2,500 for each day of the violation. Any fines imposed on a creditor for the failure to appoint an in-State representative or agent shall commence on the day after the 10-day period set forth in paragraph

2. Per P.L. 2021, Chapter 444, C.40:48-2.12s3 g. (2) A creditor subject to an ordinance adopted pursuant to subsection a. of this section found by the municipal court of the municipality in which the

property subject to the ordinance is located, or by any other court of competent jurisdiction, to be in violation, excluding only a violation addressed by paragraph (1) of this subsection, of the ordinance shall be subject to a fine of \$1,500 for each day of the violation. Any fines imposed pursuant to this paragraph shall commence 31 days following receipt of the notice of violation, except if the violation presents an imminent risk to public health and safety, in which case any fines shall commence 11 days following receipt of the notice.

#### SECTION 237-16. INSPECTIONS FOR VIOLATIONS

Adherence to this article does not relieve any legal entity or agent from any other obligations set forth in any applicable codes, which may apply to the property. Upon sale or transfer of title to the property, the owner shall be responsible for all violations of the applicable codes and the owner shall be responsible for meeting with the City's Code Enforcement Division within forty-five (45) days for a final courtesy inspection report.

#### SECTION 237-17. ADDITIONAL AUTHORITY

(a) If the enforcement officer has reason to believe that a property subject to the provisions of this article is posing a serious threat to the public health safety and welfare, the code enforcement officer may temporarily secure the property at the expense of the mortgagee and/or owner, and may bring the violations before the City's public officer as soon as possible to address the conditions of the property. (b) The public officer shall have the authority to require the mortgagee and/or owner of record of any property affected by this section, to implement additional maintenance and/or security measure including, but not limited to, securing any and all doors, windows or other openings, employment of an on-site security guard or other measures as may be reasonably required to help prevent further decline of the property.

(c) If there is a finding that the condition of the property is posing a serious threat to the public health, safety and welfare, then the public officer may direct the City to abate the violations and charge the mortgagee with the cost of the abatement. (d) If the mortgagee does not reimburse the City of Brigantine for the cost of temporarily securing the property, or of any abatement directed by the public officer, within thirty (30) days of the City of Brigantine sending the mortgagee the invoice then the City of Brigantine may lien the property with such cost, along with an administrative fee of \$500.00 to recover the administrative personnel services.



SECTION 237-18. OPPOSING, OBSTRUCTING ENFORCEMENT OFFICER;  
PENALTY.

Whoever opposes, obstructs or resists any enforcement officer or any person authorized by the enforcement office in the discharge of duties as provided in this chapter shall be punishable as provided in the applicable codes or a court of competent jurisdiction.

SECTION 237-19. IMMUNITY OF ENFORCEMENT OFFICER

Any enforcement officer or any person authorized by the City of Brigantine to enforce the sections here within shall be immune from prosecution, civil or criminal, for reasonable, good faith entry upon real property while in the discharge of duties imposed by this article.

SECTION 3. AMENDMENTS. Registration and Penalty Fees outlined in this article may be modified by an Amendment, passed and adopted by the City Council of the City of Brigantine

SECTION 4. SEVERABILITY. If any section, sentence, clause, or phrase of this Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

SECTION 5. REPEALER. All ordinances or parts of ordinances in conflict herewith, are and the same are hereby repealed.

SECTION 6. CODIFICATION. It is the intention of the City Council of the City of Brigantine, New Jersey, that the provisions of this Ordinance shall become and be made a part of the City of Brigantine Code of Ordinances; and that the sections of this ordinance may be renumbered or relettered to accomplish such intention, and the word "ordinance" may be changed to "section", "article", or such other appropriate word or phrase in order to accomplish such intentions.

**ATTEST:**

**BRIGANTINE CITY COUNCIL**

\_\_\_\_\_  
Lynn Sweeney, City Clerk

\_\_\_\_\_  
Vince Sera, Mayor

Introduction:   October 5, 2022

Adoption:       \_\_\_\_\_

RESOLUTION NO. 2022 -

A RESOLUTION AUTHORIZING CHANGE ORDER #1-FINAL TO DECREASE THE CONTRACT  
FOR THE LIGHTHOUSE DISTRICT STREETSCAPE PROJECT FINAL DESIGN  
IN THE AMOUNT OF \$5,234.05

**WHEREAS**, the Federal Highway Administration (FHWA) authorized funding for final design activities for the Lighthouse District Streetscape Project in the amount of \$203,020.50; and

**WHEREAS**, in accordance with the correspondence and attachments from the City Engineer dated September 29, 2022, copies of which are attached hereto and made a part hereof, a Change Order #1 in the amount of \$5,234.05 has been submitted and recommended to decrease the total contract price to \$197,786.45; and

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that the decrease in the amount of \$5,234.45 to Greenman-Pedersen, Inc., is hereby approved and is accepted by the City in forms acceptable to the Municipal Attorney; and

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 5<sup>th</sup> day of October 2022

CITY OF BRIGANTINE

\_\_\_\_\_  
Lynn Sweeney, RMC  
City Clerk

\_\_\_\_\_  
Roxanne Tosto  
Chief Financial Officer

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

## RESOLUTION #

### SUPPLY AND DELIVERY OF HEAVY-DUTY EQUIPMENT RENTAL

**WHEREAS**, the City of Brigantine has a need from time to time to rent construction equipment for use in grading beach paths and general areas around the city; and

**WHEREAS**, it is determined in the best interest of the City of Brigantine to have said equipment available to provide quality services to the public; and

**WHEREAS**, Dennis Krause, QPA, City Purchasing Agent has determined and certified in writing that the value of the rentals will exceed \$17,500.00; and

**WHEREAS**, Mike Zyndorf LLC has provided heavy-duty equipment rentals for the City the past ten years; and

**WHEREAS**, John W. Doring Jr., Superintendent of Public Works and Dennis Krause, QPA, City Purchasing Agent have reviewed the required needs of the City for heavy duty equipment rentals and recommended that Mike Zyndorf LLC, 6481 Harding Highway, Mays Landing, NJ 08330 be given an alternative non-advertised method of award for these services; and

**WHEREAS**, Mike Zyndorf LLC has completed and submitted a Business Registration Certificate (BRC) and a Business Entity Disclosure Certification which certifies that Mike Zyndorf LLC has not made any contributions to a political or candidate committee for an elected office in the City of Brigantine in the previous one-year period that will prohibit Mike Zyndorf LLC from making any contributions through the projected time of completion; and

**WHEREAS**, the vendor has provided information demonstrating its compliance with the provisions of N.J.S.A. 19:44A-20.5, regarding political contributions; and

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the City of Brigantine that an alternative method award with Mike Zyndorf LLC for heavy-duty equipment rentals. A copy of the Business Entity Certification and Determination of Value shall be on file with this resolution in the City Clerk's Office.

**BE IT FURTHER RESOLVED** that Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in the Current and Utility Vehicle Maintenance Fund Accounts #2-01-26-290-299 and #2-09-55-502-299. Estimated expenditures for 2022 should not exceed \$43,000.00.

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 5<sup>th</sup> day of October 2022.

CITY OF BRIGANTINE

\_\_\_\_\_  
Lynn Sweeney, RMC  
City Clerk

\_\_\_\_\_  
Roxanne Tosto  
Chief Financial Officer

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

## **RESOLUTION**

**2022 –**

**WHEREAS,** the property known as Block 3003, Lot 1, located at 3813 Ocean Avenue, Brigantine, New Jersey, and recorded under the names of Alan Bowman and Christina Bowman has been granted an exemption from taxes, under Chapter 171, Laws of 1981, supplementing N. J. S. A. 54:4-3.30 as a veteran who is 100% permanently and totally disabled, and

**WHEREAS,** Alan Bowman and Christina Bowman became the owners of the property known as Block 3003, Lot 1 on April 22, 2022 and Alan Bowman was determined to be 100% permanently and totally disabled as of July 22, 2019, and

**WHEREAS,** Alan Bowman filed a claim for a property tax exemption by a 100% permanently and totally disabled veteran upon the dwelling house, known as Block 3003, Lot 1, located at 3813 Ocean Avenue in the City of Brigantine, New Jersey with the tax assessor of the City of Brigantine on April 29, 2022, and

**WHEREAS,** the Tax Assessor has approved that tax exemption from the date of April 22, 2022 and for subsequent years on the property known as Block 3003, Lot 1, recorded under the name(s) of Alan Bowman and Christina Bowman,

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Brigantine that the taxes for the year 2022 from April 22, 2022 and subsequent years on the property known as Block 3003, Lot 1, and recorded under the name(s) of Alan Bowman and Christina Bowman be and are hereby cancelled because he qualifies for an exemption under N.J.S.A. 54:4-3.30, and

**BE IT FURTHER RESOLVED** that the Tax Collector of the City of Brigantine be and is hereby authorized to note said cancellation of the taxes on the total assessment of \$1,068,700 in the Real Estate Tax Duplicate of the City of Brigantine from the date of April 22, 2022.

I HEREBY CERTIFY that the foregoing was duly adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey on

IN WITNESS WHEREOF, I hereunto set my hand and affix the Seal of the City of Brigantine, County of Atlantic, New Jersey this

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE  
RESOLUTION NO. 22-**

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 item 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 received notice of an award of \$6,360.00 from the Bureau of Justice Assistance 2021-2022 Bullet Proof Vest Partnership (BVP) Grant and wishes to amend its 2022 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, hereby requests that Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of .....\$6,360.00

Which now is available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
With Prior Written Consent of the Director of the  
Division of Local Government Services:  
State and Federal Revenues Off-set with Appropriations:  
2021-22 Bullet Proof Vest Partnership (BVP) Grant

BE IT FURTHER RESOLVED that the like sum of .....\$6,360.00  
Be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from CAPS  
Public and Private Programs Offset by Revenues  
2021-22 Bullet Proof Vest Partnership (BVP) Grant

BE IT FURTHER RESOLVED, that the City Clerk will forward a certified copy electronically to the Chief Financial Officer who will file request electronically with the Division of Local Government Services for approval.

City of Brigantine  
Resolution 2022-  
Knock Out Opioid Abuse Day  
October 6, 2022

WHEREAS, New Jersey is in the midst of a life-threatening opioid abuse epidemic; and

WHEREAS, the Partnership for a Drug-Free New Jersey has designated October 6, 2022, as Knock Out Opioid Abuse Day – an initiative with a multiple purposes: to raise awareness of the potential for dependency on prescribed pain medicine and its link to heroin and fentanyl use in our state; to reduce stigma of addiction and shine a light on the need for recovery support; and to communicate to physicians information on safer prescribing messages found in the Centers for Disease Control and Prevention guidelines for prescribing opioids, which include considering other therapies, setting realistic treatment goals with patients and discussing with patients the positives and negatives of opioids; and

WHEREAS, the State Senate and General Assembly jointly resolved that October 6 shall be permanently designated as Knock Out Opioid Abuse Day in New Jersey in order to raise awareness about the dangers of, and the link between, prescription opioid abuse and heroin addiction and to educate health care providers, community leaders, state lawmakers and members of the public about the opioid abuse epidemic and its effects throughout the State of New Jersey and across the country; and

WHEREAS, the City of Council of the City of Brigantine supports initiatives designed to raise awareness about opioid abuse in New Jersey and take steps to prevent addiction.

THEREFORE BE IT RESOLVED, that October 6, 2022, be recognized as Knock Out Opioid Abuse Day in the City of Brigantine.



**New Jersey Office of the Attorney General**

Division of Consumer Affairs  
Legalized Games of Chance Control Commission  
124 Halsey Street, 6th Floor, P.O. Box 46000  
Newark, New Jersey 07101  
(973) 273-8000

983

# Application for a Raffle License

Application No. RA

Identification No. 58-1-12461

**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, NJ.

## Part A - General

1. Name of applying organization: St. Thomas Roman Catholic Church
- 2a. Street address of headquarters: 331 8th Street South, Brigantine, NJ. 08203
- b. Mailing address (if different): \_\_\_\_\_

3. A license is requested to conduct raffles of the kind stated on the date, or on each of the dates, and during the hours listed (use a separate application for each type of raffle).

Date	Hours	Date	Hours
January 1, February 1, & March 1 2023			
Calendar Raffle			

- 4a. Address of place where raffles will be played: 331 8th Street South

- b. Does the applicant own the premises or regularly occupy them for its general purposes? ☒ Yes ☐ No

5. If raffles equipment is to be rented, attach a statement by the raffles equipment lessor to this application on Form 13.

## 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
License	City of Brigantine	to conduct raffle
License	State of New Jersey	to conduct raffle



## Sweeney, Lynn

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**From:** Rose Roberts <rose715@aol.com>  
**Sent:** Tuesday, September 27, 2022 8:50 AM  
**To:** Sweeney, Lynn  
**Subject:** [EXTERNAL] Halloween Parade

Dear Lynn,

Once again the Brigantine Republican Club is sponsoring the Halloween Parade on October 30 from 12:15 until approximately 1:30pm.

As in the past we line up at St. Thomas Church and proceed down Brigantine Ave. To 26th Street Ball-field.

The Brigantine Republican Club is requesting permission for use of this route and use of the 26th Street. We are also requesting availability of police and fire departments for public safety.

Thank you in advance for your consideration is the matter.

Respectfully yours,  
Linda Camerota, President of Brigantine Republican Club Rose Roberts

Sent from my iPhone

CAUTION: This email originated from outside your organization. Exercise caution when opening attachments or clicking links, especially from unknown senders.

## Primal Surf Fall Surf Sup Tournament 2022

**Dates:** Starts September 12<sup>th</sup>. 2022 / Ends December 31<sup>st</sup> 2022

**To Qualify:** You must possess a valid 2022 Brigantine Beach 4x4 Permit and a Primal Surf 2022 Fall Waterman's Tournament Pass properly displayed on your vehicle.

**Area of access:** is limited to the south end cove area to the north end of Brigantine, excluding the state monitored part of the north end.

**Exclusions:** No driving on the front beaches on Saturdays and Sundays, other than the south end jetty and cove access areas, in the month of September.

**Tournament rules:** Waves must be recorded via a Rip Curl Search GPS or Apple Watch Dawn Patrol App., or any digital camera /cellphone.

**Equipment:** Surfboard, Surf-SUP, Softboard, or Bodyboard.

### Award Categories:

- Longest ride [watch stats]
- Fastest ride [watch stats]
- Biggest wave [photo]
- Best tube ride [photo]
- Best action shot photograph
- Best action shot video

**All entries:** must be submitted by January 4<sup>th</sup> 2022 and backed up by e-data recorded via aforementioned GPS watch data, and photos.

**Entry Donation:** \$30 / 100% of the proceeds go to the Brigantine Community School Surf Themed Projects & Surf Club.

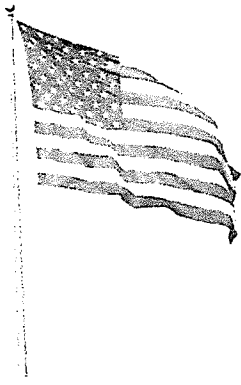
**Purpose of Tournament:** Is to promote year-round fun, health, and environmental activism, provided by a sport that does not pollute the waters or beaches.

### Expectations:

- Keep your eyes peeled for any possibility of endangered swimmers during the "off season" when the beaches are no longer guarded. Call in any situation to authorities, that may be considered dangerous for swimmers.
- Leave the beach cleaner than you found it!! Always carry a trash bag to fill with washed up sea trash. It's a never-ending battle to keep clean, treat it as your own backyard!
- Obey all city ordinances pertaining to the Brigantine Beach 4x4 Permit rules and regulations.
- Primal Waterman's Tournament \*Access Permit must be displayed on front dashboard of your vehicle while you are driving, parked, or surfing in the contest zone.
- Always use proper "safe distance etiquette" with all other water sports including fishing, surfing, and swimming.
  - Keeping a safe distance means don't launch and surf right near a person fishing. Spread out to allow for proper surf fishing.
  - Always use proper surfing etiquette with surfers, keeping a safe distance so as not to create an unfair advantage or dangerous situation with your paddleboard, or surfboard.
  - Keeping an eye out for swimmers in unguarded waters. Call in dangerous situations immediately.

+++ Please Note: Taking part in this tournament is a privilege. Failure to follow the tournament rules and/or beach regulations may result in loss of your \*Access Permit!

Contact Info: Michael & Susan Laielli, 3106 Revere Blvd. Brigantine, NJ Shop: 609-264-1999  
Email all entries to [Michael@psurf.com](mailto:Michael@psurf.com)



NO ONE DOES MORE FOR VETERANS.

VFW Memorial Post 6964  
121 31<sup>st</sup> Street  
Brigantine, NJ 08203



September 27, 2022

City Administrator  
1417 W. Brigantine Ave  
Brigantine, NJ 08203

Hello. VFW Post 6964 Veterans Day Committee, under Post Commander, Mario Perrucci, have begun planning for this year's Veterans Day Parade and commemoration service in honor of veterans of the armed forces and those killed in the country's war.

We request approval to host the post's annual Brigantine Veterans Day Parade followed by the Veterans memorial service planned for Sunday, November 6<sup>th</sup> with a rain date of November 13<sup>th</sup>. We would be extremely grateful for the help of Brigantine's Police, Fire/EMT, and Public Works Departments in this event.

Parade line up will begin at 10:00 am on 15<sup>th</sup> and W. Brigantine Ave. At 10:30 am the parade will proceed down W. Brigantine Ave to the Veterans Triangle on 32<sup>nd</sup> Street where a ceremony will commence at 11:00 am. Please find the enclosed diagram of the parade route and ceremony layout.

Please feel free to contact Mario at 609-██████████ or give us a call-text 609-██████████ (VFW cell). Thank you for what Brigantine does to support our veteran communities!

Sincerely,

A handwritten signature in cursive script that reads "Julie Brouse".

Julie Brouse  
VFW Post 6964 Adjutant

██████████  
VFW6964Adjutant@outlook.com