

April 4, 2018
Brigantine, New Jersey

A Council meeting was held this date in Council Chambers at 4:30 P.M. with Mayor Guenther presiding.

Present: Bew, Riordan, Haney, DeLucry, Sera, Guenther
Absent: Simpson

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Councilwoman Bew moved, seconded by Councilman DeLucry to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-59

EXECUTIVE SESSION

Roll Call: All "Yes"

Motion Carried.

City Clerk Lynn Sweeney read the statement pertaining to the Open Public Meeting Act, P.L. 1975, Chapter 231, excluding the public from a meeting in certain circumstances.

Council retired to executive session at 4:35 P.M.

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Mayor Guenther led the flag salute after which Councilman Sera offered a brief prayer. Councilman Sera asked for moments of silence for former Brigantine Commissioner John Daniels and in memory of Dr. Martin Luther King.

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Mayor Guenther read the statement pertaining to the Open Public Meetings Act.

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Municipal Attorney Fred Scerni reported that Council discussed the following topics in executive session: matter of litigation regarding COAH requirements, personnel matters regarding the appointment of Tom Rehill as Acting Police Chief, Acting Police Captain Tom Wodazak and Acting Police Lieutenant Frank Hewitt, the severance agreement with former Police Chief James Bennett and the hiring of Diane Kelly in the Tax Assessor Office.

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Swearing In Ceremony for Police Officer Kenneth Panas and Police Officer Julianna Rote.

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Councilman Haney moved, seconded by Councilwoman Bew to approve Council and Executive Session Meeting Minutes of 3/7/18.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera: "Yes".
Guenther: "Abstain".

Motion Carried.

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Councilwoman Bew moved, seconded by Councilman Riordan to approval of Payroll, Requisition List and Operating Expenses.

Roll Call: Bew, Riordan, Haney, Sera, Guenther: "Yes"
DeLucry: "Abstain" on check #713, "Yes" to the balance.

Motion Carried.

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Public Comment on Agenda Items Only

John Pucci of 100 Sheridan Square thanked the City Clerk's Office for continuing to put the minutes on the website and commented on beach maintenance.

Close of public comment.

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Councilman Sera moved, seconded by Councilwoman Bew to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-60

INTRODUCTION OF THE 2018 MUNICIPAL BUDGET

Municipal Auditor Leon Costello presented the budget.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilwoman Bew seconded by Councilman Haney to introduce the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-61

WORK CHANGE ORDER #7
FLOOD CONTROL IMPROVEMENTS AT MUNICIPAL BOAT RAMP

Public Works Superintendent John Doring explained the details of the change order and announced that people can updates on the closing of the boat ramp through Nixel.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Haney moved, seconded by Councilman Riordan to introduce the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-62

FINAL WORK CHANGE ORDER #3 – EMERGENCY GENERATOR

Acting City Manager Roxanne Tosto explained the need for the work change order.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Sera moved, seconded by Councilman Riordan to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2017-63

AUTHORIZING PARTICIPATION IN THE NATIONAL JOINT POWERS ALLIANCE
FOR TWO BEACH VEHICLES

Councilman Sera spoke about the need for these vehicles.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Haney moved, seconded by Councilman Riordan to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-64

AUTHORIZING AWARD OF CONTRACT FOR HEAVY DUTY EQUIPMENT RENTAL

Mr. Doring explained the need for this equipment.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Riordan moved, seconded by Councilman Haney to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-65

AUTHORIZING PARTICIPATION IN NATIONAL JOINT POWERS ALLIANCE
WITH DEERE & COMPANY FOR A 4WD LOADER

Mr. Doring spoke about the equipment.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilwoman Bew moved, seconded by Councilman Riordan to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-66

AUTHORIZING AWARD OF FIRST OPTION YEAR CONTRACT FOR
HVAC MAINTENANCE, SERVICE AND REPAIRS

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilwoman Bew moved, seconded by Councilman DeLucry to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-68

REQUESTING PLANNING BOARD REVIEW AND PROVIDE RECOMMENDATIONS AS TO WHETHER THE CITY SATISFIES THE CRITERIA TO BE DESIGNATED AS AN AREA IN NEED OF REHABILITATION

Planner/Grant Consultant James Rutala spoke about the criteria needed for designation.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Riordan moved, seconded by Councilwoman Bew to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-69

AUTHORIZING CITY PLANNER TO PROCEED THROUGH THE PLANNING PROCESS TO DESIGNATE THE CITY AS AN AREA IN NEED OF REHABILITATION

Councilman DeLucry had a question about the fee listed on the resolution and Ms. Tosto responded that it is a "not to exceed" amount because it is an hourly rate.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Haney moved, seconded by Councilman Riordan to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-70

EXTENDING FOOD AND BEVERAGE CONCESSION CONTRACT FOR

THE LINKS AT BRIGANTINE

Mayor Guenther stated that this would extend the current contract.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilwoman Bew moved, seconded by Councilman Haney to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-71

AUTHORIZING CITY TO ENTER INTO SHARED SERVICE AGREEMENT
WITH THE CITY OF VENTNOR PROVIDING
FOR MUNICIPAL ENGINEERING SERVICES

Ms. Tosto explained that this would allow Ed Stinson to provide assistance to the City. Councilman DeLucry discussed the issue with having the expectation that Ed Stinson will be able to carry out the functions of the job on a part time shared services basis, further suggesting the City have someone on a full time basis. Mayor Guenther commented that this allows the city to work with Ed on projects that started under his watch, saying further that it compensates Ventnor for the time Ed will spend working on these projects and council will address the situation as it moves forward.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Haney moved, seconded by Councilwoman Bew to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-72

CERTIFICATION OF COMPLIANCE WITH U.S. EQUAL EMPLOYMENT OPPORTUNITY
COMMISSION'S "ENFORCEMENT GUIDANCE ON THE CONSIDERATION OF
ARREST AND CONVICTION RECORDS IN EMPLOYMENT DECISIONS
UNDER TITLE VII OF THE CIVIL RIGHTS ACT OF 1964

Ms. Tosto commented that this is a new requirement this year that needs to be filed with the budget.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilwoman Bew moved, seconded by Councilman Haney to adopt the following resolution.

CITY OF BRIGANTINE
RESOLUTION 2018-73

AUTHORIZING SEPARATION AGREEMENT WITH POLICE CHIEF

Councilman DeLucry commented on the agreement, saying that the form of contracts that the City currently has have built in ambiguities and need to be changed for the future.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Councilman Riordan moved, seconded by Councilwoman Bew to adopt the following requests.

Consent Agenda

- A. St. Thomas Raffle License #842
- B. St. Thomas Raffle License #843
- C. Annual BCBP Memorial Swim
- D. Brigantine Green Team Community Yard Sale Request
- E. Eastern Surfing Association Surf Contest Request
- F. Fernwood Avenue Middle School Beach Clean Up Request

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".

Motion Carried.

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Council/Manager/Committee Discussion: Acting City Manager Roxanne Tosto announced that the bus shelters are still being installed, but there is no definite date. Ms. Tosto then explained there was a pretty significant fire in town and she thanked the Fire Chief Tige Platt and praised the Fire Department for their efforts. Fire Chief Platt spoke about the fire and praised the crew that responded to it.

Councilwoman Bew gave a Green Team update and announced the City Wide Yard Sale will take place on Memorial Day weekend.

Mayor Guenther stated that he spoke with the City Solicitor and would like council to adopt an ordinance that would ban the sale of marijuana in town, if it becomes legal Statewide.

Councilman DeLucry expressed opposition to offshore drilling and asked for a resolution supporting.

Councilman Riordan announced the Cultural Arts event "Jazzy Afternoon" will take place Sunday at Laguna Grill.

Councilman Haney gave a Recreation Commission Meeting update.

Councilwoman Bew thanked Joanne Scannel, the Reading Coordinator at the Elementary School, for inviting Council to the Read Across America Day event.

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Public Comments

Frank Congemi of 605 West Shore Drive expressed his concerns with the potential issue of marijuana smoking on the beach.

John Pucci of 100 Sheridan Square would like to see a formal resolution or proclamation naming Veterans Way, asked about handicap parking spaces at the rowing club and asked for an update on the handicapped parking spaces in the VFW parking lot.

Close of Public Comment

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Councilwoman Bew moved, seconded by Councilman Haney to adjourn the meeting.

Roll Call: All "Yes".

Motion Carried.

There being no further business to discuss the meeting was adjourned at 7:52 P.M.

Mayor Philip Guenther

Lynn Sweeney, RMC, City Clerk