

May 16, 2018
Brigantine, New Jersey

A Council meeting was held this date in Council Chambers at 5:00 P.M. with Mayor Guenther presiding.

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

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

CITY OF BRIGANTINE
RESOLUTION 2018-93

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 5:01 P.M.

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Council returned from Executive Session at 6:14 P.M.

Councilman Riordan moved, seconded by Councilman Haney to resume the meeting.

Roll Call: All: "Yes".

Motion Carried.

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Mayor Guenther led the flag salute after which Councilman Sera offered a brief prayer.

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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: matters of transfer of real estate interest regarding Block 91 Lots 1 & 2, Block 10B Lot 3A; personnel matters regarding a vacancy in the construction office for an administrative secretary position; two matters with bargaining units, one involving the Telecommunications bargaining unit negotiations being referred to PERC for mediation and one matter regarding the Fire Fighters bargaining that is scheduled to negotiate; a litigation matter regarding an update on Malone vs City of Brigantine; a property transfer issue regarding the 4200 Block of Atl-Brigantine Boulevard, a title search is being completed.

By voice resolution, Councilman Riordan moved, seconded by Councilwoman Bew to authorize the City Solicitor to draft a resolution to lift the deed restriction on 4200 Block of Atl-Brigantine Boulevard, at no cost to the Jewish Community Center.

Roll Call: Bew, Riordan, DeLucry, Sera, Simpson, Guenther: "Yes".
Motion Carried.

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Councilman Simpson moved, seconded by Councilwoman Bew to approve the Council Meeting Minutes and Executive Session Minutes 05/02/18.

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

Motion Carried.

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

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

Motion Carried.

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Public Comment on Agenda Items Only

John Pucci of 100 Sheridan Square spoke in favor of Ordinance 9, stated he supports Ordinance, 12, spoke about Ordinance 13 and had questions regarding Resolution 2018-102.

Lisa McClay of 38 11th Street North commented on Resolution 2018-101.

Joe Scillavata of 239 14th Street South spoke as the lease holder of the Miniature Golf Course property and asked council for the permission to place a small kiddy amusement park near the miniature golf course.

Close of public comment.

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

CITY OF BRIGANTINE
RESOLUTION 2018-94

AUTHORIZING EXECUTION OF THE SETTLEMENT AGREEMENT TO CONCLUDE
PENDING THIRD ROUND MOUNT LAUREL LITIGATION

Linda Gallella gave presentation regarding COAH.

Public Comment

John Pucci of 100 Sheridan Square asked about the details of the veterans units.

Frank Congemi of 605 W. Shore Drive asked about details of the units.

Close of public comment.

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

Motion Carried.

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

City of Brigantine
Ordinance 9-2018

Amending Chapter 61, Salaries and Compensation

Mayor Guenther called for the public hearing of Ordinance 9 of 2018. The Ordinance was read by title by the Mayor.

No public comments were made.

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

Motion Carried.

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Councilman DeLucry moved, seconded by Councilman Simpson to introduce the following ordinance.

CITY OF BRIGANTINE
ORDINANCE 10-2018

APPROVAL OF REDEVELOPMENT PLANS RESOLUTION

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

Motion Carried.

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Councilwoman Bew moved, seconded by Councilman Riordan to introduce the following ordinance.

CITY OF BRIGANTINE
ORDINANCE 11-2018

APPROVAL OF REDEVELOPMENT PLANS

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

Motion Carried.

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Councilman Riordan moved, seconded by Councilman Simpson to introduce the following ordinance.

CITY OF BRIGANTINE
ORDINANCE 12-2018

NAMING OF VETERAN'S WAY

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

Motion Carried.

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Councilman Simpson moved, seconded by Councilman Riordan to introduce the following ordinance.

CITY OF BRIGANTINE
ORDINANCE 13-2018

HANDICAP PARKING SPACE REQUEST FOR 340 32ND STREET

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-95

AWARD OF CONTRACT FOR CONSULTING ENGINEERING SERVICES

Councilman DeLucry questioned if the City Engineer actually solicit and review proposal from entities other than Roberts Engineers and Acting City Manager Roxanne Tosto responded that he did not and explained that they took Roberts Engineering's proposal because they are a part of the engineering pool and are the engineers that did the design.

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-96

AWARD OF CONTRACT- BULKHEAD REPLACEMENT PROJECT

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-97

AUTHORIZING EXECUTION OF AN ASSIGNMENT AND CONSENT AGREEMENT
WITH JKST, LLC

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-98

AWARD OF CONTRACT TO REPAIR A LEAK UNDER THE WATER TOWER THAT
FEEDS WELL NO. 9 – EMERGENT CONDITION

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-99

AWARD OF CONTRACT FOR ON-SITE COMPUTER SUPPORT AND REPAIRS

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-100

AUTHORIZING AGREEMENT BETWEEN ATLANTIC COUNTY AND
CITY OF BRIGANTINE REGARDING DESIGN OF IMPROVEMENTS TO
BRIGANTINE LIGHTHOUSE CIRCLE

After discussion, it was decided that the county will be notified to send the any and all notices to the attention of Ed Stinson, City Engineer.

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-101

REAL ESTATE TAX REFUNDS

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-102

APPOINTMENT OF AMERICANS WITH DISABILITIES COORDINATOR

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2018-103

WAIVER OF SPECIAL EVENT PERMIT FEE

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

Motion Carried.

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Discussion and Possible Approval of Soccer Tournament Request

By voice resolution, Councilwoman Bew moved, seconded by Councilman Sera to allow the Soccer Tournament to use 40th Street to Club Drive on May 26th and August 11th.

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

Motion Carried.

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

Consent Agenda

- A. American Legion Memorial Day Parade Request
- B. Women's Surf Fishing Club of NJ Tournament Request
- C. Brigantine Elks Raffle License #847
- D. Brigantine Elks Raffle License #848
- E. Brigantine Elks Raffle License #849

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

Motion Carried.

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Council/Manager/Committee Discussion: Grant Award for Bike Path, Information from J.I.F. Ms. Tosto explained the correspondence received from J.I.F. and announced the City has been awarded a grant from the N.J.D.O.T. in the amount of \$170,000.00.

Councilman Sera reminded everyone to vote for Brigantine in the USA Today "Best Beach Contest", gave an update from the Beach Committee regarding beach mats and asked for council approval to purchase them and gave an update on handicapped parking around the City.

Councilwoman Bew gave a Green Team update and reminded all of the City Wide Yard Sale over Memorial Day Weekend, announced they received a Sustainable Jersey Grant in the amount of \$2,000.00 for the rain garden, stated that the Community Garden is up and running and announced that the shredding event will be May 19th.

Councilman Simpson discussed an ordinance to ban plastic bags. Councilwoman Bew spoke about Ventnor's plastic bag ordinance. Councilman Simpson stated that the City Solicitor will compile information regarding this topic, for council to discuss at the next meeting.

Councilman Riordan announced the Cultural Arts Fine Arts Festival on Sunday, June 24th at the Historical Museum and the Marine Mammal Stranding Center will host the Run for the Animals on Saturday.

Councilman Sera announced Beach Cleanup on May 19th.

Councilman DeLucry commented on the plastic bag topic, saying he is in favor of it and questioned if the meeting were on YouTube. Ms. Tosto stated that the meetings will now be uploaded.

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Public Comments

Dave Roantree of 4540 Brigantine Ave. spoke on behalf of the Brigantine Farmers Market, reminding all to attend.

A resident of 605 W. Shore Drive asked the status of Ordinance 8 of 2018.

Lisa McClay of 38 11th Street North spoke on behalf of the Green Team and announced that the Green team needs a Co-Chair and a Secretary, spoke on the plastic bag topic and asked for a status on the projects on Jenkins Parkway and East Evans Boulevard.

John Pucci of Sheridan Place spoke about the traffic pattern at the circle, asked the procedure of the removal of a handicap parking spot, spoke about Ordinance 9 of 2018 and asked council to develop an ordinance requiring all businesses to comply to the handicap parking law.

Close of Public Comment

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Councilman Simpson moved, seconded by Councilman Sera to adjourn the meeting.

Roll Call: All "Yes".

Motion Carried.

There being no further business to discuss the meeting was adjourned at 8:58 P.M.

Mayor Philip Guenther

Lynn Sweeney, RMC, City Clerk