

August 15, 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, Haney, DeLucry, Simpson, Sera, Guenther
Absent: None

* * *

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

CITY OF BRIGANTINE
RESOLUTION 2018-150a

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 5:05 P.M.

* * *

Council returned from Executive Session at 6:30 P.M.

Councilman Riordan moved, seconded by Councilwoman Bew to resume the meeting.

Roll Call: All: "Yes".

Motion Carried.

* * *

Mayor Guenther led the flag salute after which Councilman Sera offered a brief prayer. Councilman Simpson asked for a moment of silence for Flo Dove, Tommy Callowhill, Camile Gregovszki and Fred Tochterman.

* * *

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

* * *

Municipal Attorney Fred Scerni reported that Council discussed the following topics in executive session: one contract matter dealing with a contract between the City of Brigantine and The Board of Education, one matter of potential litigation regarding notices issued by Construction Official and one litigation matter discussed regarding the resolutions and ordinances of the COAH litigation.

* * *

Councilman Riordan moved, seconded by Councilwoman Bew to approve Council and Executive Session Minutes of 8/1/18.

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

Motion Carried.

* * *

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

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Guenther: "Yes".
Simpson: "Abstain" to 181730, "Yes" to the balance.

Motion Carried.

* * *

Elks Presentation. Dr. Karen Gellar from the Elks presented a \$2,000 check to the City, to be put toward the purchase of the MOBI Mats.

* * *

Public Comment on Agenda Items Only

John Pucci of 100 Sheridan Square commented on Ordinance 21 of 2018 and Resolution 2018-156.

Lisa McClay of 11th Street North spoke about Ordinance 21 of 2018.

Paul Brockman of 3319 W. Brigantine Ave. #1 spoke on Ordinance 21 of 2018.

Denise Hakanson of 1103 E. Beach Ave. spoke on Ordinance 21 of 2018.

Cheryl Mascioli of 4116 Atl-Brigantine Blvd. spoke on Ordinance 21 of 2018.

Beth Port of Ventnor spoke on Ordinance 21 of 2018.

Close of public comment.

* * *

Linda Galella Esquire of Parker McCay explained the 3rd Round Affordable Housing Obligations.

* * *

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

City of Brigantine
Ordinance 15-2018

Fair Housing Act: Development Fee Ordinance

Mayor Guenther called for the public hearing of Ordinance 15 of 2018. The Ordinance was read by title by the Mayor.

No public comments were made.

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

Motion Carried.

* * *

Councilman Sera moved, seconded by Councilwoman Bew to adopt the following ordinance as amended.

Ms. Galella explained the minor typos that were needed to amend.

City of Brigantine
Ordinance 16-2018

Fair Housing Act: Affordable Housing Ordinance

Mayor Guenther called for the public hearing of Ordinance 16 of 2018. The Ordinance was read by title by the Mayor.

No public comments were made.

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

Motion Carried.

* * *

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

City of Brigantine
Ordinance 17-2018

Fair Housing Act: Mandatory Set Aside Ordinance

Mayor Guenther called for the public hearing of Ordinance 17 of 2018. The Ordinance was read by title by the Mayor.

No public comments were made.

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

Motion Carried.

* * *

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

Mayor Guenther explained that an amendment was needed due to a few minor typos.

City of Brigantine
Ordinance 18-2018

Fair Housing Act: Overlay Ordinance

Mayor Guenther called for the public hearing of Ordinance 18 of 2018. The Ordinance was read by title by the Mayor.

No public comments were made.

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

Motion Carried.

* * *

Councilman Haney moved, seconded by Councilman DeLucry to adopt the following ordinance.

City of Brigantine
Ordinance 19-2018

Designated "No Parking" Areas on Harbor Beach Blvd.

Mayor Guenther called for the public hearing of Ordinance 19 of 2018. The Ordinance was read by title by the Mayor.

No public comments were made.

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

Motion Carried.

* * *

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

City of Brigantine
Ordinance 20-2018

Designated "No Parking" Area on West Side of Bayshore Avenue, 35th to 36th Street

Mayor Guenther called for the public hearing of Ordinance 20 of 2018. The Ordinance was read by title by the Mayor.

No public comments were made.

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

Motion Carried.

* * *

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

CITY OF BRIGANTINE
ORDINANCE 21-2018

SINGLE USE BAG REGULATION

Councilman DeLucry suggested it be a ban on all single use plastic bags and suggested the definition be changed to remove the exclusion regarding the details of the bag and instead make it a blanket ban. Councilman Sera stated that the State Legislature passed a bill that would put a fee on paper and plastic but it has not been signed by the Governor as of yet.

A discussion took place regarding fees and the details of the ordinance.

By voice resolution, Councilwoman Bew moved, seconded by Councilman Simpson to remove the word “plastic” in Section 210-1C and replace it with “cotton or polyester or other fabric”.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Simpson, Guenther: “Yes”.

Motion Carried.

Councilman Simpson moved, seconded by Councilwoman Bew to adopt as amended.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Simpson, Guenther: “Yes”.

Motion Carried.

By voice resolution Councilman Sera moved, seconded by Councilwoman Bew to remove the word “person” and replace with “commercial establishment”.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Simpson, Guenther: “Yes”.

Motion Carried.

Councilman Sera moved, seconded by Councilwoman Bew to adopt the ordinance as amended.

Roll Call: Bew, Riordan, Haney, DeLucry, Sera, Simpson, Guenther: “Yes”.

Motion Carried.

* * *

By voice resolution, Councilwoman Bew moved, seconded by Councilman Haney to combine Resolution 2018- 150, 2018-151 and 2018-153 for voting purposes.

RESOLUTION 2018-150
ENDORING FAIR SHARE HOUSING ELEMENT AND FAIR SHARE PLAN

RESOLUTION 2018-151
ADOPTING 2018 FAIR SHARE HOUSING SPENDING PLAN

RESOLUTION 2018-153

ADOPTING AFFIRMATIVE MARKETING PLAN

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

Motion Carried

* * *

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

RESOLUTION 2018-152
FUNDING FOR FAIR SHARE HOUSING SHORTFALLS

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

Motion Carried

* * *

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

CITY OF BRIGANTINE
RESOLUTION 2018-154

ACMJIF RENEWAL

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

Motion Carried

* * *

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

CITY OF BRIGANTINE
RESOLUTION 2018-155

AWARD OF CONTRACT
STORM WATER PUMP STATION AT HACKNEY, JENKINS & 34TH STREET

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

Motion Carried

* * *

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

CITY OF BRIGANTINE
RESOLUTION 2018-156

AWARD OF CONTRACT
TWO (2) POLICE VEHICLES

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

Motion Carried

* * *

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

CITY OF BRIGANTINE
RESOLUTION 2018-157

AWARD OF CONTRACT
MAINTENANCE FOR OEM BATTERY BACKUP SYSTEM

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

Motion Carried

* * *

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

CITY OF BRIGANTINE
RESOLUTION 2018-158

PROVIDING FUNDING FOR BRIGANTINE B.O.E. FOR CIVILIAN SECURITY AGENT

Police Chief Rehill explained that there was limited response to the job search, further stating that this Resolution was an alternative.

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

Motion Carried

* * *

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

CITY OF BRIGANTINE
RESOLUTION 2018-159

AWARD OF CONTRACT
EMERGENCY REPAIR OF SEWER COLLAPSE

Superintendent of Public Works John Doring explained that the repair location was between Sarazen and Vardon Road on Sheridan.

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

Motion Carried

* * *

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

Consent Agenda

A. Brigantine VFW Raffle License #857

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

Motion Carried.

* * *

Council/Manager/Committee Discussion: Mayor Guenther reported on the meeting he attended with the DEP regarding the management of the North End. Chief Financial Officer Roxanne Tosto announced the RFP for the East Evans Boulevard Pump Station & Drainage Improvements went out and the bid opening day will be August 23rd and spoke about the Dune Maintenance Program saying that she spoke to Dr. Stuart Farrell and she then read a response she received from Dr. Farrell regarding trimming of trees and vegetation in the dunes. Mayor Guenther suggested that the City Solicitor modify the ordinance to reflect the information received. Ms. Tosto then announced that letters were mailed to home owners that qualify for the low interest loan for bulkhead improvements, under the Waterfront Redevelopment Plan.

* * *

Public Comments

John Pucci of 100 Sheridan Square asked for a timeline for the handicap parking spaces repair.

Close of Public Comment

*

*

*

Council Comments

Councilman Simpson commented on the 4th Ward meeting, saying it was a success.

Councilman Riordan announced that local resident Brett Kennedy will be the starting pitcher for the Sand Diego Padres.

Councilman Haney reported on the success of the Triathlon and National Night Out.

Councilwoman Bew announced the Greenfest and “Trashion Show” fashion show that will feature fashions created with recycled products will be at the Farmers Market Saturday and the Flea Market Saturday and Sunday at the 26th Street Field.

*

*

*

Councilwoman Bew moved, seconded by Councilman Riordan 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