

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. 5 OF 2018

“AN ORDINANCE TO AMEND THE CITY CODE OF THE
CITY OF BRIGANTINE CHAPTER 3, ARTICLE V,
SECTION 20, “VACANCY”

WHEREAS, the City of Brigantine is organized under the Council-Manager Form of government as set forth in N.J.S.A. 40:69A-81 et seq. of the *Faulkner Act*, which provides City Council the authority to appoint a professional City Manager; and,

WHEREAS, the City Manager as the chief executive and administrative officer, has the authority to execute all laws and ordinances of the municipality, supervise all municipal departments and negotiate all contracts, subject to council approval; and

WHEREAS, on occasions City Council is required to fill a vacancy in the office of City Manager by appointing a temporary Acting City Manager; and

WHEREAS, this ordinance will provide City Council the ability to ensure continuity in the operation of City government.

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

Section 1. The following section shall be amended as follows:

§ 3-20(d). Vacancy.

The City Council may appoint an Acting City Manager, by resolution for a specific term.

Section 2. Chapter 3 shall remain in full force and effect to the extent not modified herein.

Section 3. 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 Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.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 this Ordinance is deemed to be invalid or unenforceable 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.

CITY OF BRIGANTINE
ORDINANCE NO. 6 OF 2018

BOND ORDINANCE APPROPRIATING TWO MILLION NINE HUNDRED TEN THOUSAND DOLLARS (\$2,910,000) AND AUTHORIZING THE ISSUANCE OF TWO MILLION NINE HUNDRED TEN THOUSAND DOLLARS (\$2,910,000) IN SCHOOL BONDS AND NOTES OF THE CITY OF BRIGANTINE FOR VARIOUS SCHOOL IMPROVEMENTS OR PURPOSES AUTHORIZED TO BE UNDERTAKEN BY THE CITY OF BRIGANTINE, NEW JERSEY

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, COUNTY OF ATLANTIC AND STATE OF NEW JERSEY, (with the affirmative concurrence of not less than two-thirds of all the members thereof) AS FOLLOWS:

Section 1. Appropriation for Projects

The improvements described in Section 3 of this bond ordinance are hereby respectfully authorized as school improvements to be made or acquired by the City of Brigantine, in the County of Atlantic, New Jersey (the "City"). For said improvements or purposes stated in Section 3, there is hereby appropriated the sums of money therein stated as the appropriations made for said improvements or purposes, said sums being inclusive of all appropriations heretofore made therefore and amounting in the aggregate to TWO MILLION NINE HUNDRED TEN THOUSAND DOLLARS (\$2,910,000).

Section 2. Authorization of Bonds

Negotiable bonds of the City are hereby authorized to be issued in the maximum principal amount of TWO MILLION NINE HUNDRED TEN THOUSAND DOLLARS (\$2,910,000) pursuant to Title 18A, Education, of the New Jersey Statutes, particularly Chapter 24 of said Title (the "School Bond Law"), N.J.S.A. 40A:2-1 et seq. (the "Local Bond Law"), and any other law applicable thereto. Such negotiable bonds shall cover the City's local share of final project costs of the improvements and purposes stated in Section 3 regardless of whether such costs are ultimately determined to constitute final eligible costs, as determined in accordance with N.J.S.A. 18A:7G-1 et seq. (the "Educational Facilities Construction and Financing Act"). The City and the City's School District anticipate that a portion of the final eligible costs of the improvements and purposes stated in Section 3 below shall be reimbursed to the City by either grant funding or debt service aid from the New Jersey Department of Education pursuant to the Educational Facilities Construction and Financing Act or from such grants as may otherwise be available under New Jersey law. Each of the bonds issued pursuant to this Ordinance shall be designated "School Bond" and shall contain a recital that it is issued pursuant to Title 18A, Education, of the New Jersey Statutes.

Section 3. Description of Projects

The improvements hereby authorized and the purposes for the financing of which said obligations are to be issued, the appropriations made for and estimated costs of such purposes (including all work or materials necessary therefore or incidental thereto), and the estimated maximum amount of bonds or notes to be issued for such purposes are as follows:

<u>IMPROVEMENT OR PURPOSE</u>	<u>APPROPRIATION AND ESTIMATED COST</u>	<u>AMOUNT OF BONDS OR NOTES</u>
Replacement of HVAC Systems at Brigantine North Middle School and Brigantine Elementary School, including the costs of surveying, construction planning, architectural, engineering, preparation of plans and specifications, permits, bid documents and construction inspection and administration.	\$2,910,000	\$2,910,000

Section 4. Authorization of Notes

In anticipation of the issuance of said bonds and to temporarily finance the local share of the final project costs of said improvements, negotiable notes of the City in a principal amount equal to the said principal of bonds not exceeding TWO MILLION NINE HUNDRED TEN THOUSAND DOLLARS (\$2,910,000) are hereby authorized to be issued pursuant to the limitations prescribed by the Local Bond Law and the School Bond Law. All such note(s) shall mature at such time as may be determined by the Chief Financial Officer or such other Financial Officer designated by Resolution for these purposes (both being hereinafter referred to in this Section as Chief Financial Officer); provided that no note shall mature later than one (1) year from its issue date. Such note(s) shall bear interest at a rate or rates and shall be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with any note(s) issued pursuant to this Ordinance, and the signature of the Chief Financial Officer upon such note(s) shall be conclusive evidence as to all such determinations. The Chief Financial Officer is hereby authorized to sell the note(s) from time to time at public or private sale in such amounts as the Chief Financial Officer may determine and not less than par, and to deliver the same from time to time to the purchasers thereof upon receipt of the purchase price plus accrued interest from their dates to the date of delivery thereof as payment thereof. Such Chief Financial Officer is authorized and directed to report in writing to the Mayor and the City Council at the meeting next succeeding the date when any sale or delivery of the note(s) pursuant to this Ordinance is made. Such report shall include the amount, the description, the interest rate, the maturity schedule of the note(s) sold, price obtained and the name of the purchaser. All note(s) issued hereunder may be renewed

from time to time for periods not exceeding one (1) year for the time period specified in and in accordance with the provisions and limitations of N.J.S.A. 40A:2-8(a) of the Local Bond Law and the School Bond Law. The Chief Financial Officer is further directed to determine all matters in connection with said note or notes and not determined by this Ordinance. The Chief Financial Officer's signature upon said note(s) shall be conclusive evidence of such determination.

Section 5. Capital Budget

The capital budget of the City of Brigantine is hereby amended to conform with the provisions of this bond ordinance. The resolution in the form promulgated by the Local Finance Board showing full detail of the capital budget and capital program is on the file with the Clerk and is available there for public inspection.

Section 6. Additional Matters

The following additional matters are hereby determined, declared and recited and stated:

(a) The said purposes described in Section 3 of this bond ordinance are not current expenses and are properties or improvements which the Board of Education of the City may lawfully require or make as school improvements and no part of the cost thereof has been or shall be specifically assessed on property specifically benefited thereby.

(b) The average period of usefulness of said purposes authorized herein, taking into consideration the respective amounts of said obligations authorized for such purposes, computed in accordance with N.J.S.A. 18A:24-5 is 10.00 years.

(c) The Supplemental Debt statement required by N.J.S.A. 18A:24-16 and 17 has been duly prepared and filed in the office of the City Clerk and in the office of the Secretary of the Board of Education, and a complete duplicate thereof has been electronically filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. The issuance of the \$2,910,000 bonds authorized herein shall be included for purposes of calculating the net school debt of the school district of the City of Brigantine pursuant to N.J.S.A. 18A:24-19, but shall be deducted from the gross debt of the City pursuant to N.J.S.A. 40A:2-44.

(d) Amounts not exceeding FIVE HUNDRED EIGHTY-TWO THOUSAND DOLLARS (\$582,000) in the aggregate for interest on said obligations, costs of issuing said obligations, engineering and inspection costs, legal expenses, a reasonable proportion of the compensation and expenses of employees of the City in connection with the construction or acquisition of such improvements and properties as authorized herein, and other items of expense listed in and permitted under Section 40A:2-20 of the Local Bond Law have been included as part of the costs of said improvements and are included in the foregoing estimate thereof.

Section 7. Full Faith and Credit

The full faith and credit of the City are hereby pledged to the punctual payment of the principal and interest on the said obligations authorized by this bond ordinance. Said obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all of the taxable property within the City for the payment of said obligations and interest thereon without limitation of rate or amount.

Section 8. Ratification of Prior Actions

Any action taken by any officials of the City in connection with the improvements described in Section 3 hereof are hereby ratified and confirmed notwithstanding that such actions may have been taken prior to the effective date of this bond ordinance and shall be deemed to have been taken pursuant to this bond ordinance.

Section 9. Application of Grants

Any grant moneys received for the purposes described in Section 3 hereof shall be applied either to direct payment of the cost of the improvements or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 10. Official Intent to Reimburse Expenditures

The City reasonably expects to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 of this bond ordinance and paid prior to the issuance of any bonds or notes authorized by this bond ordinance with the proceeds of such bonds or notes. No funds from sources other than the bonds or notes authorized herein has been or is reasonably expected to be reserved, allocated on a long-term basis or otherwise set aside by the City, or any member of the same "control group" as the City, within the meaning of Treasury Regulations Section 1.150-1(f), pursuant to their budget or financial policies with respect to any expenditures to be reimbursed. This Section is intended to be and hereby is a declaration of the City's official intent to reimburse any expenditures towards the costs of the improvements or purposes described in Section 3 hereof to be incurred and paid prior to the issuance of bonds or notes authorized herein in accordance with Treasury Regulations Section 1.103-18, and no action (or inaction) will be an artifice or device in accordance with Treasury Regulation Section yield restrictions or arbitrage rebate requirements.

Section 11. Effective Date

This bond ordinance shall take effect twenty (20) days after the first publication thereof after final adoption, as provided by said Local Bond Law.

Lynn Sweeney, RMC
Municipal Clerk

PHILIP J. GUENTHER
MAYOR

FIRST READING:	February 21, 2018
PUBLICATION:	February <u>26</u> 2018
FINAL READING:	March 7, 2018
PUBLICATION WITH STATEMENT:	March __, 2018

RESOLUTION OF THE GOVERNING BODY

Of

City of Brigantine

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

WHEREAS, the City of Brigantine has opted to participate in the Atlantic County Community Development Block Grant (CDBG) Program for FY 2017; and

WHEREAS, as a participant, the City of Brigantine expects to be allocated \$30,732.00 for Fiscal Year(s) 2017 for the project known as ADA Curb Cuts; and

WHEREAS, in order to be allocated CDBG funds, the City of Brigantine must enter into an interlocal service agreement with the Atlantic County Improvement Authority, the administrator of the Atlantic County CDBG Entitlement Program,

NOW, THEREFORE, BE IT RESOLVED, that the Agreement by and between the Atlantic County Improvement Authority and City of Brigantine which is attached hereto, is approved and the Chief Elected Official and the Municipal Clerk are authorized to sign said agreement.

**CITY OF BRIGANTINE
RESOLUTION 2018-**

WHEREAS, the Brigantine Policemen's Benevolent Association #204 has filed a Charitable Roadway Solicitation application with the City of Brigantine for the purpose of soliciting contributions at the location of the intersection of Route 638 and Harbor Beach Blvd. on Saturday, March 24, 2018 between the hours of 8:00 A.M. and 4:00 P.M. and a rain date of Sunday, March 25, 2018; and

WHEREAS, said application has been reviewed and approved for granting by the City Manager of the City of Brigantine; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brigantine, County of Atlantic, State of New Jersey hereby grants the Brigantine Police Benevolent Association its requested Charitable Roadway Solicitation application in order to solicit contributions at the location of the intersection of Route 638 and Harbor Beach Blvd., Brigantine, NJ 08203.

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 March 7, 2018.

Lynn Sweeney, RMC
City Clerk

CITY OF BRIGANTINE

RESOLUTION NO.
2018-

Cancelling a Grant Balance from School Improvement Authorization No.14-2004

WHEREAS, the Chief Financial Officer is authorized to cancel account balances of Grants for programs that have been completed and the remaining balances cannot be utilized; and

WHEREAS, there are funds in Improvement Authorization #14-2004 for School Roof Replacements and a Receivable from the State of New Jersey for the City of Brigantine which represent grant balances of projects that have been completed and funds are no longer needed and no additional funding requests can be made.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine that the Chief Financial Officer is hereby authorized to cancel the following account balances that can no longer be utilized:

Grant Program Name	Receivable	Reserves for Improvement Authorization
2004 School Roof Replacement	\$186,376.45	\$186,376.45

BE IT FURTHER RESOLVED, this Resolution shall take effect immediately.

CITY OF BRIGANTINE
RESOLUTION NO.

WHEREAS, the City of Brigantine is desirous of entering into a contract with Animal Control of South Jersey; and

WHEREAS, said contract will require Animal Control of South Jersey to proform animal control services for a two year term at the rate of \$1,225.00 per month.

WHEREAS, pursuant to State Statute, said award of contract may be awarded without competitive bidding.

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey authorizes award of contract to Animal Control of South Jersey, P.O. Box 663, Egg Harbor NJ 08215.

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 2018 Current Fund account 8-01-27-340-299. Estimated expenditures for 2018 should not exceed \$15,000.00 excluding any emergent conditions.

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 7th day of March 2018.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Roxanne Tosto
Chief Financial Officer

Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
Guenther					
Simpson					
Sera					
Bew					
Riordan					
Haney					
DeLucry					

CITY OF BRIGANTINE

RESOLUTION NO. 2018-55

**“A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF BRIGANTINE AUTHORIZING THE EXECUTION OF
AN EMPLOYMENT CONTRACT WITH ROXANNE TOSTO AS ACTING CITY
MANAGER”**

WHEREAS, the City Council of the City of Brigantine passed Resolution 2018-49 appointing Roxanne Tosto as Acting City Manager, effective March 16, 2018, conditioned upon the entry into an Employment Contract for such position; and

WHEREAS, the Parties have discussed the terms and conditions of such employment and have prepared a contract reflecting the terms of such employment; and

WHEREAS, the City Council of the City of Brigantine wishes to memorialize the understanding relating to the employment of Roxanne Tosto as Acting City Manager.

NOW, THEREFORE, BE IT RESOLVED by the Mayor of the City of Brigantine is authorized to execute the attached Contract of Employment for the employment of Roxanne Tosto as Acting City Manager effective March 16, 2018.

DATE: _____

LYNN SWEENEY, RMC
CITY CLERK

RESOLUTION
2018-

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

March 1, 2018

BLOCK	LOT	QUAL	NAME	YEAR-QRT	AMOUNT
3503	7.13	C0013	Ingrassia, Ronald ET UX ET ALS Corelogic	2018-01	805.29
1606	13		McFadden, Suzanne & Joseph Wells Fargo	2018-01	1630.42



Saint Andrew by the Sea Lutheran Church

936 Baltic Avenue Atlantic City, NJ 08401

Telephone: 609-344-7333 Fax: 609-344-7305

Email: standrewbythesea@verizon.net Web: standrewatlanticcity.org

February 22, 2018

Mr. Ed Stinson, City Manager
1417 West Brigantine Av
Brigantine, NJ 08203

Dear Mr. Stinson,
Greetings!

I, Arlyn Eisenbrandt, Pastor of St Andrew, Atlantic City, am writing to make the formal request for the use of the 16th Street Beach Pavilion in 2018 for two purposes:

- 1) Easter Sunrise Service in partnership with Community Presbyterian Church of Brigantine – Sunday, April 1, 2018, 6:30 am for approximately 90 minutes.
- 2) Morning Service each Sunday, May 6 through September 30, 2018.
We set-up at 7am, worship begins 7:30, ending at 8:30.

As in past years, we pledge to leave the area clean and in good order.
We are grateful for this long standing joyful relationship.
We look forward to another great season together.

Thank you for considering this request.
May God's blessings be upon you and all those who enjoy Brigantine!

Sincerely,

Reverend Arlyn Eisenbrandt

cc: Norman Wiener, Liaison to City of Brigantine

Feb.18,2018

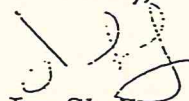
City Clerk
Brigantine Municipal Bldg.
Brigantine,NJ 08203

Ms. Lynn Sweeney, City Clerk,

Hello, the Surf and Land Fishing Club is requesting permission to hold a fishing tournament on Brigantine's North End on Saturday, May 19,2018.

Our tournament will be ASAC sanctioned, and ASAC will provide any insurance information that you may need. We also request temporary beach pass from the Police, to be picked up on Friday night at the Police Station. Thank you for your consideration of our request, and I will be awaiting an answer from you.

Sincerely,



Joe Skelly

Correspondence

Surf and Land Fishing Club



Marine Mammal Stranding Center

P.O. Box 773, 3625 Brigantine Blvd, Brigantine, NJ 08203

Telephone (609) 266-0538 mmsc@verizon.net Fax (609)266-6300
www.marinemammalstrandingcenter.org

1417 W Brigantine Ave
Brigantine, NJ 08203

To: Lynn Sweeney, City Clerk
The City of Brigantine, for City Council's March 7 agenda

From: Sheila Dean, Co-Director, Marine Mammal Stranding Center

The Marine Mammal Stranding Center would like to request permission to host its annual Run/Walk for the Animals 5K Run/Walk fundraiser in Brigantine on Saturday, May 19, 2018.

The run will begin and end at Laguna Grill and Rum Bar at 14th Street South and Ocean Avenue. The 5K loop would be the same route as in years past and contained mainly to Ocean Avenue. Registration would begin 7:30 a.m. at Laguna Grill and the race will begin at 9 a.m. The race should be over by around 10 a.m., followed by an awards ceremony inside Laguna.

More information is available on our website, mmsc.org, or please call the number below regarding questions or for additional information.

Thank you.

A handwritten signature in cursive script that reads "Sheila Dean".

Sheila Dean
Marine Mammal Stranding Center
3625 Brigantine Blvd.
Brigantine, NJ 08203
(609) 266-0538



MARINE MAMMAL STRANDING CENTER

P.O. Box 773, 3625 Brigantine Blvd Brigantine, NJ 08203

Phone: (609) 266-0538 Fax: (609) 266-6300 Email: education@mmsc.org
<http://www.mmsc.org>

Lynn Sweeney, RMC
City Clerk
1417 W. Brigantine Ave.
Brigantine, NJ 08203

Dear Lynn,

I am currently working on building the summer program schedule for the Stranding Center and was hoping to acquire permission to hold our beach programs in Brigantine once again. I have scheduled specific days/times with different schools beginning in May, but would like to run a consistent week-to-week schedule starting at the end of June.

On Thursday mornings, running June 28 – August 9, at 9:00 AM, I would like to hold Mock Stranding Programs at the 17th Street Beach and Pavilion. The program will start in the pavilion, where the participants will learn about the animal we are helping and then move onto the beach for the hands-on lesson. These programs will last approximately 1.5 hours.

On Friday mornings, running June 29 – August 10, at 9:00 AM, I would like to hold Seining programs at the Cove. This will involve participants wading in shallow water to collect organisms with a large net. I will obtain all necessary permits for organism collection/handling. These programs will last approximately 1 hour.

Here are the specific dates/times that do not adhere to the regular schedule:

Tuesday, May 1 10:30 am – 12 pm (17th St Beach)
Monday, May 14 10:45 am – 1 pm (The Cove)
Tuesday, May 15 10:45 am – 1 pm (The Cove)
Monday, May 21 10:00 am – 12:30 pm (The Cove)
Tuesday, May 22 10:00 am – 12:30 pm (The Cove)
Thursday, May 24 10:30 am – 1:30 pm (The Cove)
Tuesday, May 29 10:30 am – 12:30 pm (The Cove)
Thursday, May 31 10:00 am – 12:00 pm (The Cove)
Friday, June 1 10:00 – 11:00 am (17th St Beach)
Saturday, June 2 11:30 am – 12:30 pm (The Cove)
Monday, June 4 10:00 am – 12:00 pm (The Cove)
Tuesday, June 5 10:00 am – 12:00 pm (17th St Beach)
Wednesday, June 6 9:00 – 11:30 am (17th St Beach)
Friday, June 15 10:00 am – 12:00 pm (The Cove)
Saturday, June 23 9:00 – 10:00 am (17th St Beach)
Tuesday, July 10 9:30 – 11:00 am (The Cove)
Wednesday, July 11 10:00 am – 12:00 pm (17th St Beach)

Event Name: Hoe Wa'a Challenge

Event Website: <http://www.pocchoewaa.com/>

Event Director: Jocelyn Leu - (240) 344-6521
106 Mary Ambler Way, Ambler PA, 19002

jocelyn.leu@gmail.com

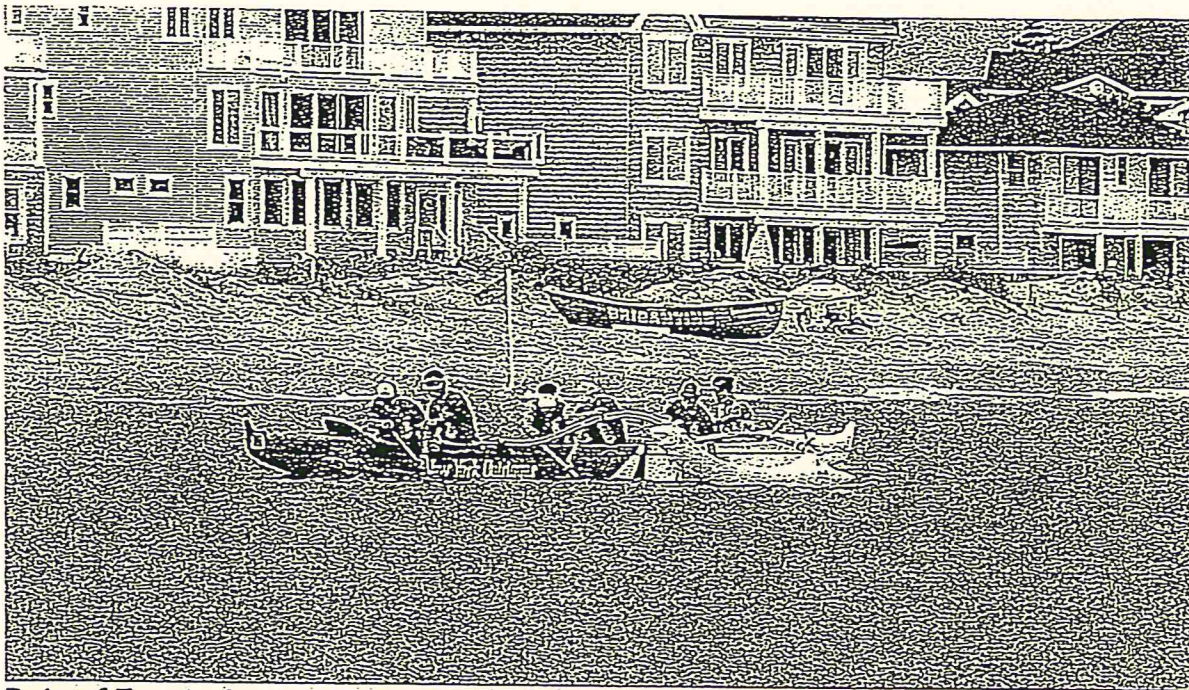
Sponsor Club Name: Philadelphia Outrigger Canoe Club ("POCC")

Type of Organization: 501(c)3 exempt non-profit, recreational and educational athletic

Organization Website: <http://www.philadelphiaoutrigger.org/>

Sponsor Club Contact.: Jill Denyes, POCC President - (808) 754-8471

jilldenyes@yahoo.com
2538 Grays Ferry Avenue, Philadelphia, PA 19146



Date of Event: August 17 to August 19, 2018. POCC held a one day race at the Brigantine Inlet Beach in 2017 and 2016 (Absecon Inlet). This year we are proposing a 2 days of races preceded by paddling workshops as follows:

- "Day 1" August 17, 2018, Friday: Paddling clinics ~18 to 24 paddlers; OC6 canoe and trailer arrival.
- "Day 2" August 18, 2018 OC-6 races
- "Day 3" August 19, 2018 Waterman's Race: OC-1, OC-2, Surfski, Stand-up Paddleboard (SUP) race

Total Time (Including racing, setting up, and dismantling):