

Present:
Absent:

AGENDA
CITY OF BRIGANTINE
COUNCIL MEETING
FEBRUARY 5, 2020
5:30 Executive Session
6:00 P.M. – Public Portion

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Resolution 2020-30 Re: Executive Session ____ P.M.
Topics to be Discussed: Personnel

M: S: RC: MC:

5. Return from Executive Session ____ P.M.
6. Approval of 1/22/20 Council Meeting Minutes

M: S: RC: MC:

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

M: S: RC: MC:

8. Public Comment on Agenda Items Only
9. Ordinance No. 1 of 2020 Introduction
To Exceed Municipal Budget Appropriation Limits and to Establish a Cap Bank

M: S: RC: MC:

10. Resolution 2020-31 Re: Authorization Participation in the Houston-Galveston Area Council of Government National Cooperative Purchasing Program (HGAC-BUY) for Contract #AM10-18, Ambulances, EMS & Other Special Service Vehicles with VCI Emergency Vehicle Specialists for a Remount to and Existing Horton E-450 Ambulance

M: S: RC: MC:

11. Resolution 2020-32 Re: Designating Official Newspapers

M: S: RC: MC:

12. Resolution 2020-33 Re: Authorizing Annual "Fill the Boot" Roadway Solicitation Request

M: S: RC: MC:

13. Resolution 2020-34 Re: Cancellation of Real Estate Taxes

M: S: RC: MC:

14. Resolution 2020-35 Re: Authorizing Execution of Agreement with N.J. D.O.T. for Lighthouse District Streetscape Improvement Program

M: S: RC: MC:

15. Resolution 2020-36 Re: Award of Contract: Municipal Engineer

M: S: RC: MC:

16. Resolution 2020-37 Re: Award of Contract: Conflict Engineer

M: S: RC: MC:

17. Resolution 2020-38 Re: Award of Contract: Sanitary Sewer Reconstruction on Sheridan Blvd. and Roosevelt Blvd.

M: S: RC: MC:

18. Resolution 2020-39 Re: Authorizing Execution of Chief of Police Contract

M: S: RC: MC:

19. Consent Agenda

A. Riptide Spring Striper Derby Request

M: S: RC: MC:

20. Council Manager/Committee Discussion:

21. Public Comments

22. Council Comments

23. 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
ORDINANCE #1 of 2020**

**CALENDAR YEAR 2020
ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION
LIMITS AND TO ESTABLISH A CAP BANK
(N.J.S.A. 40A:4-45.14)**

WHEREAS, the Local Government Cap Law, N.J.S.40A: 4-45.1 et seq., provides that in the preparation of it annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous' year's final appropriations, subject to certain exceptions; and,

WHEREAS, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between that amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

WHEREAS, the City Council of the City of Brigantine in the County of Atlantic finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year's final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

WHEREAS, the City Council hereby determines that a 3.5% increase in the budget for said year, amounting to \$ 232,634.09 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

WHEREAS, the City Council hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years, and

NOW THERETOFORE BE IT ORDAINED, by the City Council of the City of Brigantine, in the County of Atlantic, a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations of the City of Brigantine shall, in accordance with this ordinance and N.J. S.A. 40A: 4-45.14, be increased by 3.5% amounting to \$232,634.09 and that the CY 2020 municipal budget for the City of Brigantine be approved and adopted in accordance with this ordinance; and,

BE IT FURTHER ORDAINED, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance as introduced by filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FURTHER ORDAINED, that a certified copy of this ordinance upon adoption, with the recorded vote included thereon; be filed with said Director within 5 days of such adoption.

Introduction: February 5, 2020
Adoption:

Mayor Andrew Simpson

ATTEST:

Lynn Sweeney, RMC,
City Clerk

EXPLANATORY STATEMENT - (Continued)

BUDGET MESSAGE

CAP CALCULATION		CAP CALCULATION	
Total General Appropriations for 2020	29,794,381.87	Allowable Operating Appropriations before	23,844,994.43
Cap Base Adjustment:		Additional Exceptions per (N.J.S.A. 40A:4-45.3)	
Subtotal	<u>29,794,381.87</u>		
Exceptions Less:			
Total Other Operations	500.00	Additions:	
Total Uniform Construction Code		New Construction (Assessor Certification)	219,168.50
Total Interlocal Service Agreement		2018 Cap Bank	765,766.46
Total Additional Appropriations	306,500.00	2019 Cap Bank	1,111,512.08
Total Capital Improvements	500,000.00		
Total Debt Service	3,104,398.00	Total Additions	<u>2,096,447.04</u>
Transferred to Board of Education			
Type I School Debt	1,109,000.00	Maximum Appropriations within "CAPS" Sheet 19 @ 2.5%	<u>25,941,441.47</u>
Total Public & Private Programs	62,380.40		
Judgements			
Total Deferred Charges	20,942.00	Additional Increase to COLA rate.	3.5%
Cash Deficit		Amount of Increase allowable.	1.0%
Reserve for Uncollected Taxes	1,427,252.27		
Total Exceptions	<u>6,530,972.67</u>		<u>232,634.09</u>
Amount on Which CAP is Applied	23,263,409.20		
2.5% CAP	<u>581,585.23</u>		
Allowable Operating Appropriations before	23,844,994.43	Maximum Appropriations within "CAPS" Sheet 19 @ 3.5%	<u>26,174,075.57</u>
Additional Exceptions per (N.J.S.A. 40A:4-45.3)			

Sheet 3b

NOTE:

MANDATORY MINIMUM BUDGET MESSAGE MUST INCLUDE A SUMMARY OF:

1. HOW THE 1977 "CAP" WAS CALCULATED. (Explain in words what the "CAPS" mean and show the figures.)
2. 2010 "CAP" LEVY CAP WORKBOOK SUMMARY
3. A SUMMARY BY FUNCTION OF THE APPROPRIATIONS THAT ARE SPREAD AMONG MORE THAN ONE OFFICIAL LINE ITEM (e.g. If Police S & W appears in the regular section and also under "Operation Excluded from "CAPS" section, combine the figures for purposes of citizen understanding.)
4. INFORMATION OR A SCHEDULE SHOWING THE AMOUNTS CONTRIBUTED FROM EMPLOYEES, THE EMPLOYER SHARE AND THE TOTAL COST OF HEALTH CARE COVERAGE (Refer to LFN 2019-4).

Draft

City of Brigantine

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY OF BRIGANTINE
AUTHORIZING PARTICIPATION IN THE HOUSTON – GALVESTON AREA COUNCIL OF GOVERNMENT
NATIONAL COOPERATIVE PURCHASING PROGRAM (HGAC-BUY) FOR CONTRACT #AM10-18,
AMBULANCES, EMS & OTHER SPECIAL SERVICE VEHICLES WITH VCI EMERGENCY VEHICLE
SPECIALISTS FOR A REMOUNT TO AND EXISTING HORTON E-450 AMBULANCE

WHEREAS, the City of Brigantine is allowed to participate in national purchasing cooperatives per N.J.S.A. 52:34-6.2 (b), c.139 which was enacted into law permitting agencies to utilize national purchasing cooperatives; and

WHEREAS, the Houston-Galveston Area Council of Governments National Cooperative Purchasing Program (HGAC-Buy) has acted as lead agency and awarded Contract #AM10-18, Ambulances, EMS & other Special Service Vehicles; and

WHEREAS, Tige Platt, City Fire Chief and Dennis Krause, QPA, Purchasing Agent have reviewed the contract from HGAC-Buy, Contract #AM10-18, and determined that a remount to an existing City ambulance through national contract pricing is the functional economic solution for the City's Fire Department; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey authorizes the remount to an existing E-450 Horton ambulance through VCI Emergency Vehicle Specialists, 43 Jefferson Avenue, Berlin NJ 08009 in accordance with the HGAC-Buy Contract #AM10-18 in the amount of \$173,929.65; and

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 General Capital Acct # C-04-19-012-503.

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 5th day of February 2020.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Roxanne Tosto
Chief Financial Officer

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

**CITY OF BRIGANTINE
RESOLUTION 2020-32**

THE CITY COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

WHEREAS, there is a need to designate an official newspaper or official newspapers for the City of Brigantine, pursuant to law.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE THAT:

There are hereby designated as the official newspapers of the City of Brigantine, either of which newspapers may be utilized for the calendar Year 2020, and continuing until superseded by subsequent resolution of the Governing Body of the City of Brigantine:

1. The Atlantic City Press
2. The Philadelphia Inquirer
3. The Times

THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.

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 February 5, 2020.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2020-33**

WHEREAS, the Brigantine Professional Firefighters have filed a Charitable Roadway Solicitation application with the City of Brigantine for the purpose of soliciting contributions at the location of Rt. 187 (West Brigantine Avenue) and 14th Street South on Saturday, August 29, 2020, between the hours of 8:00 A.M. and 5:00 P.M. with a rain date of Sunday, August 30, 2020; 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 Professional Firefighters its requested Charitable Roadway Solicitation application in order to solicit contributions at the location of Rt. 187 (West Brigantine Avenue) and 14th Street South, 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 February, 5, 2020.

Lynn Sweeney, RMC
City Clerk

RESOLUTION

2020 –

WHEREAS, the property known as Block 2201, Lot 8, located at 2201 Bayshore Avenue, Brigantine, New Jersey, and recorded under the name of Sarah M. Kern & Frank Kern, has been granted an exemption from taxes, under Chapter 171, Laws of 1981, supplementing N.J.S.A. 54:4-3.30 as a war veteran who is 100% permanently and totally disabled, and

WHEREAS, the property known as Block 2201, Lot 8 was deeded on January 23, 2017 in the name of Sarah M. Kern & Frank Kern, and Frank Kern was determined to be 100% permanently and totally disabled as of December 11, 2018, and

WHEREAS, Frank Kern filed a claim for a property tax exemption by a 100% permanently and totally disabled veteran upon the dwelling house, known as Block 2201, Lot 8 located at 2201 Bayshore Avenue in Brigantine, New Jersey with the tax assessor of the City of Brigantine, and

WHEREAS, the Tax Assessor has approved the tax exemption from the date of January 1, 2020 and for subsequent years on the property known as Block 2201, Lot 8, recorded under the name of Sarah M. Kern & Frank Kern,

NOW THEREFORE BE IT RESOLVED by the City Council of the City of Brigantine that the taxes for the year 2020 from January 1, 2020 and subsequent years on the property known as Block 2201, Lot 8 and recorded under the name of Sarah M. Kern & Frank Kern 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 total assessment of the property is \$1,008,600 and that the Tax Collector of the City of Brigantine be and is hereby authorized to note said cancellation of the taxes on the assessment of \$898,700 in the Real Estate Tax Duplicate of the City of Brigantine from the date of January 1, 2020.

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

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2020-_____**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK
TO EXECUTE A FEDERAL AID AGREEMENT WITH THE NJDOT:**

WHEREAS, the Federal Highway Administration (FHWA) authorized funding up to an amount of \$135,960.16, for a Transportation Alternatives Project for the Lighthouse District Streetscape Improvement Program; and

WHEREAS, this authorization was based on the scope of work and budget agreed upon by the City of Brigantine and the NJDOT Division of Local Aid; and

WHEREAS, the scope of work in this authorization includes Preliminary Engineering (PE) Activities and Final Design Activities will be authorized once PE activities have been completed; and

WHEREAS, it is necessary for the City to enter into a design contract between the City of Brigantine and GPI, Inc. for the Preliminary Engineering (PE) Activities; and

WHEREAS, work cannot begin until this funding agreement is executed by NJDOT; and

NOW, THEREFORE BE IT RESOLVED by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey on this __ day of January, 2020:

1. The Mayor and Clerk are authorized to execute the attached Federal Aid Agreement.
2. The Clerk is hereby directed to return four (4) original signed and sealed copies of the attached agreement with three (3) signed/Sealed Resolutions for execution by the Department of Transportation.
3. That the NJDOT will receive an initial billing (payment voucher) from the City for the design project no later than 3 months after the NJDOT has concurred in the award of the construction contract, and will receive subsequent billings in accordance with the terms of the agreement.

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 February 5, 2020.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION 2020-**

THE CITY COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

WHEREAS, the City of Brigantine is desirous of entering into a Professional Service Contract with Matthew F. Doran, Sr.; and

WHEREAS, Matthew F. Doran, Sr., 903 Sarazen Road, Brigantine, NJ 08203, will perform all the duties of Municipal Engineer for the City of Brigantine at the direction of said City of Brigantine; and

WHEREAS, a Professional Service Contract may be awarded without competitive bidding pursuant to N.J.S.A. 40A:11-5(1)(a)(i). This contract has been awarded pursuant to the Fair and Open Process.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE THAT:

SECTION I: Matthew F. Doran, Sr, is appointed Municipal Engineer for the City of Brigantine.

SECTION II: A Professional Service Contract is awarded to Matthew F. Doran, Sr. pursuant to the following conditions:

(A) Nature of Contract: The nature of the contract is for Matthew F. Doran. Sr. to perform all required duties of the office of Municipal Engineer for the City of Brigantine

(B) Duration: Three Year Term, expiring December 31, 2022

SECTION III: This Resolution and the Professional Service Contract detailing the terms and conditions of service, are to be placed on file and made available for public inspection in the Office of the City Clerk of the City of Brigantine. The City Clerk shall cause to be published in the official newspaper of the City of Brigantine, a brief notice stating the nature, duration, service and amount of the contract.

SECTION IV: The award of this contract pursuant to this Resolution shall become effective immediately upon adoption.

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 February 5, 2020.

Lynn Sweeney, RMC
City Clerk

CITY OF BRIGANTINE

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGANTINE
APPOINTING EDWARD P. STINSON, P.E., AS CONFLICT ENGINEER FOR 2020

WHEREAS, there exists a need for a Municipal Conflict Engineer for the City of Brigantine; and

WHEREAS, funds are available for this purpose; and

WHEREAS, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires that the Resolution authorizing the award of contracts for "Professional Services" without competitive bids must be publicly advertised; and

WHEREAS, Edward P. Stinson, P.E., has represented that he has the requisite knowledge, training and experience to perform the services required; and

WHEREAS, the services to be performed hereunder are services rendered or performed by a person licensed to practice in a recognized profession.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of Brigantine, County of Atlantic, State of New Jersey do hereby authorize the City Manager and City Clerk to execute a professional services agreement with Edward P. Stinson, P.E., C.P.M. to act as the City's Conflict Engineer for 2020 for an amount not to exceed \$17,500.00; and

BE IT FURTHER RESOLVED that this contract is being awarded without competitive bidding under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1), because the services to be provided are to be performed by a person who is authorized by law to practice a recognized profession, whose practice is regulated by law, and the performance of which requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study.

BE IT FURTHER RESOLVED that notice of this professional services agreement shall be published by the Clerk of the City of Brigantine in accordance with the law.

LYNN SWEENEY, CITY CLERK

DATED: February 5, 2020

CITY OF BRIGANTINE
RESOLUTION 2020-

A RESOLUTION BY THE CITY OF BRIGANTINE AUTHORIZING THE AWARD OF CONTRACT
TO LAFAYETTE UTILITY CONSTRUCTION CO, INC. FOR SANITARY SEWER REPLACEMENT AT
ROOSEVELT BLVD AND SHERIDAN BLVD IN THE AMOUNT OF \$959,807.37

WHEREAS, the City Council of the City of Brigantine authorized the acceptance of proposals on January 16, 2020 for "Sanitary Sewer Replacement at Roosevelt Blvd and Sheridan Blvd"; and

WHEREAS, (12) bids were received and the lowest bidder was Lafayette Utility Construction Co., Inc., 9 Atlantic Avenue, Egg Harbor Twp., NJ 08234, with a base bid in the amount of \$959,807.37 which was determined to be the lowest responsible bid; 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 bid submitted by Lafayette Utility Construction Co., Inc., is hereby determined to be the lowest responsible bid and is accepted by the City subject to the execution of an Agreement, the posting of proper Performance Guarantees and insurance as required by the bid documents in forms acceptable to the Municipal Attorney; and

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 Improvement Authorization 2018-25 Account C-06-18-025-101 for \$922,100.00 and Improvement Authorization 2017-13 Account C-06-17-013-101 for \$37,707.37.

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 5th day of February, 2020

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Roxanne Tosto
Chief Financial Officer

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

**CITY OF BRIGANTINE
RESOLUTION 2020-**

BE IT RESOLVED, that the City Council of the City of Brigantine hereby authorizes the execution of an agreement between the City of Brigantine and Richard Casamento for the Chief of Police for the City of Brigantine.

BE IT FURTHER RESOLVED, that this resolution shall take effect immediately.

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 held on February 5, 2020.

Lynn Sweeney, RMC
City Clerk

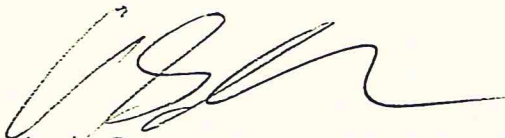
To whom it may concern,

1/17/2020

I am putting in a request to hold the 15th annual Spring Riptide Striper Derby from March 1st 2020 to May 20th 2020. The tournament has helped several local charities and local people in distress with the biggest being Hooked On Fishing Not Drugs kids fishing tournament. We have donated well over \$33,000 to local charities from the money that we have raised in the past and will continue our donations. Like in the previous 14 years of running this tournament, I am asking for permission to drive on the front beaches of Brigantine as long as they have a valid Brigantine City 4 X 4 permit in addition to the Riptide Striper Derby permit. The anglers will have to abide by all city regulations and be in the act of fishing while driving the front beaches. I have run this tournament for the last 14 years and have not had any problems and will continue to run it the same way.

I am also looking to extend the pass as you have done in previous years that will allow us to continue to drive the front beaches (after Memorial Day Weekend) from Tuesday May 26th until Friday June 19th from 6:00 pm until 9:00 am during the week (including Sunday nights). You have allowed us to do this in the past as the beach is still very slow during the week until the schools are finished.

If you have any questions you can call my cell # at [REDACTED] and I thank you in advance for your cooperation.

A handwritten signature in black ink, appearing to read 'AG', with a long horizontal flourish extending to the right.

Andy Grossman
Riptide Bait and Tackle