

Absent:

**AGENDA
CITY OF BRIGANTINE
COUNCIL MEETING
MAY 6, 2020
1:00 P.M. – Public Portion**

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Approval of 4/15/20 and 4/29/2020 Council Meeting Minutes

M: S: RC: MC:

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

M: S: RC: MC:

6. Public Comments on Agenda Items Only
7. Ordinance No. 3 of 2020 – Introduction
Removal of Handicap Parking Space at 107 21st Street South

M: S: RC: MC:

8. Ordinance No. 4 of 2020 – Introduction
Adopting an Amended Redevelopment Plan for the Civic Center Redevelopment
Area

M: S: RC: MC:

9. Resolution 2020-82 Re: Referring a Proposed Amended Redevelopment Plan for the Civic Center to the City of Brigantine Planning Board and Directing the Planning Board to Take Certain Actions

M: S: RC: MC:

- ## 10. Resolution 2020-83 Re: Authorizing Award of Contract for Road Materials

M: S: RC: MC:

11. Resolution 2020-84 Re: Authorizing Award of Contract for Third-Party Professionals to Provide County and State Tax Appeals and Inspections for Assessment Purposes

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12. Resolution 2020-85 Re: Authorizing Award of Contract for Design and Construction Management Services

M: S: RC: MC:

13. Resolution 2020-86 Re: Authorizing Award of Contract for Supply and Delivery of Heavy-Duty Equipment Rental

M: S: RC: MC:

14. Resolution 2020-87 Re: Authorizing Award of Contract for Two John Deere 310L Backhoe Loaders

M: S: RC: MC:

15. Resolution 2020-88 Re: Real Estate Tax Refund

M: S: RC: MC:

16. Resolution 2020-89 Re: Declaring an Emergent Condition Exists and Authorizing an Award of Contract for Emergency Sewer Repairs

M: S: RC: MC:

17. Resolution 2020-90 Re: Declaring an Emergent Condition Exists and Authorizing an Award of Contract for Emergency Sewer Video and Cleaning

M: S: RC: MC:

18. Resolution 2020-91 Re: Renewal of The Smile Factory, LLC Amusement Game License

M: S: RC: MC:

19. Consent Agenda: *may be postponed and/or cancelled

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 NO. 3 OF 2020**

**AN ORDINANCE AMENDING CHAPTER 284 OF THE CODE OF THE CITY
OF BRIGANTINE AS IT RELATES TO HANDICAP PARKING SPACES**

WHEREAS, state statute specifically allows municipalities to establish restrictive parking zones in front of residences occupied by handicap persons; and

WHEREAS, a request has been made by the City of Brigantine Police Department concerning the withdraw of a handicap parking space that is no longer needed; and

WHEREAS, the space set forth in this Ordinance has been investigated by the Brigantine Police Department who have recommended the same.

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

SECTION 1: Section 284-59 of the Code of the City of Brigantine shall be amended by deleting the following space as a designated handicap space within the City of Brigantine:

NAME OF STREET
107 21st Street South

LOCATION
Twenty (20) foot area
in front of the property
located at 107 21st Street South

SECTION II: Upon adoption of this ordinance by the City Council of the City of Brigantine, the Department of Public Works and all other appropriate entities are authorized to take any and all steps to dismantle the appropriate signs designating the above space as a handicap parking space and to take any other action to fulfill the intention of this ordinance.

SECTION III: Severability

If any section or part of this ordinance is deemed to be invalid or illegal in any court or competent jurisdiction then said part is severable from this ordinance as a whole and the remaining selections or parts of this ordinance shall remain in full force and effect.

SECTION IV: Repealer

All ordinances or portions thereof inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.

SECTION V: Effective Date

This ordinance shall take effect after final adoption and publication as prescribed by law.

INTRODUCTION: May 6, 2020

ADOPTION:

Andrew Simpson, Mayor

ATTEST:

Lynn Sweeney, RMC
City Clerk

CITY OF BRIGANTINE

ORDINANCE NO. 4 OF 2020

**AN ORDINANCE OF THE CITY OF BRIGANTINE ADOPTING AN AMENDED
REDEVELOPMENT PLAN FOR THE CIVIC CENTER REDEVELOPMENT AREA**

WHEREAS, previously, the City Council of the City of Brigantine directed the Brigantine Planning Board to study an area located on Block 2901, Lot 5, which includes the unused two-story City-owned Civic Center building, and including surrounding uses, which area is bounded by 31st Street, Bayshore Avenue and 32nd Street, (hereinafter referred to as the "Civic Center Redevelopment Area") to determine whether the area is in need of redevelopment pursuant the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 *et. seq.*) and

WHEREAS, the Brigantine Planning Board undertook the required study and recommended that the City declare the area in need of redevelopment; and

WHEREAS, on November 1, 2017, pursuant to Resolution No. 2017-207, the City Council of the City of Brigantine declared the Civic Center Redevelopment Area to be in an area in need of redevelopment; and

WHEREAS, as a result of such designation, property within the area so designated is eligible to adopt a Plan designed to rehabilitate, redevelop and revitalize the site; and

WHEREAS, the City Council of the City of Brigantine authorized the preparation of a Redevelopment Plan, which Plan was prepared by Rutala Associates, LLC, and is dated April 25, 2018; and

WHEREAS, pursuant to Ordinance No. 10 of 2018, the City Council adopted this Plan for the Civic Center Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A. 40A12A-7, a governing body may adopt, revise or amend a redevelopment plan; and

WHEREAS, the City has determined that amendment to the Redevelopment Plan is necessary to effectuate the redevelopment of the Redevelopment Area and has proposed an amended redevelopment plan entitled “Amended Civic Center Redevelopment Plan” prepared by Rutala Associates, LLC and is dated _____, a copy of which is attached hereto; and

WHEREAS, the City Council adopted a Resolution referring the Amended Redevelopment Plan to the Joint Land Use Board for review and recommendation; and

WHEREAS, the Joint Land Use Board adopted a Resolution recommending the City Council adopt the Amended Redevelopment Plan; and it is now necessary to amend this Redevelopment Plan to incorporate various use and design standards and the governing body finds it appropriate to amend the Redevelopment Plan to incorporate same; and

WHEREAS, the City Council has reviewed and accepts the recommendations of the Joint Land Use Board and determined that the adoption of the Amended Redevelopment Plan will be in the best interests of the City of Brigantine and facilitate appropriate rehabilitation, redevelopment and revitalization of the Civic Center Redevelopment Area.

NOW, THEREFORE, BE IT ORDAINED AND ESTABLISHED by the City Council of the City of Brigantine as follows:

Section 1. The Amended Redevelopment Plan for the Civic Center Redevelopment Area, is hereby adopted as an Amended Redevelopment Plan in Accordance with N.J.S.A. 40A:12A-1 *et. seq.* The City Council declares and determines that said Amended Redevelopment Plan meets the criteria, guidelines and conditions set forth in N.J.S.A. 40A:12A-7, provides

realistic opportunities for the planning development and rehabilitation of the Township and specifically the Redevelopment Area, and is otherwise in conformance with N.J.S.A 12A-1, *et seq.*;

Section 2. The City Council hereby accepts the recommendations of the Joint Land Use Board and adopts the attached Amended Redevelopment Plan entitled “Amended Civic Center Redevelopment Plan” prepared by Rutala Associates, LLC and is dated _____, for the City of Brigantine and specifically the Redevelopment Area.

Section 3. The Amended Redevelopment Plan shall supersede and replace the zoning and development regulations of the City Land Use Ordinance.

Section 4. All Ordinances and provisions thereof inconsistent with the provisions of this Ordinance shall be and are hereby repealed to the extent of such inconsistency.

Section 5. If any section, paragraph, subdivision, clause or provision of this ordinance shall be adjudged, invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision and the remainder of this ordinance shall be deemed valid and effective.

Section 6. This ordinance shall take effect upon final adoption and publication in accordance with the law.

ATTEST

CITY OF BRIGANTINE

LYNN SWEENEY, CITY CLERK

ANDREW SIMPSON, MAYOR

First Reading: _____

Publication: _____

Second Reading: _____

4819-7925-4708, v.



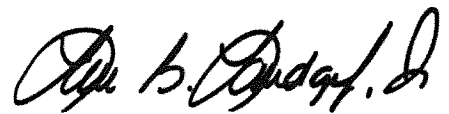
L. B. Landgraf & Associates, LLC

Land Use & Planning Consulting Services

AMENDMENTS TO THE BRIGANTINE REDEVELOPMENT PLAN

CIVIC CENTER REDEVELOPMENT AREA

March 03, 2020



Lance B. Landgraf, Jr., P.P., AICP
New Jersey Professional Planners License 33#LI00510000
AICP Certification #11202

L. B. Landgraf & Associates, LLC.
9 South Harvard Avenue
Ventnor City, New Jersey 08406

Amendments to the Brigantine Redevelopment Plan

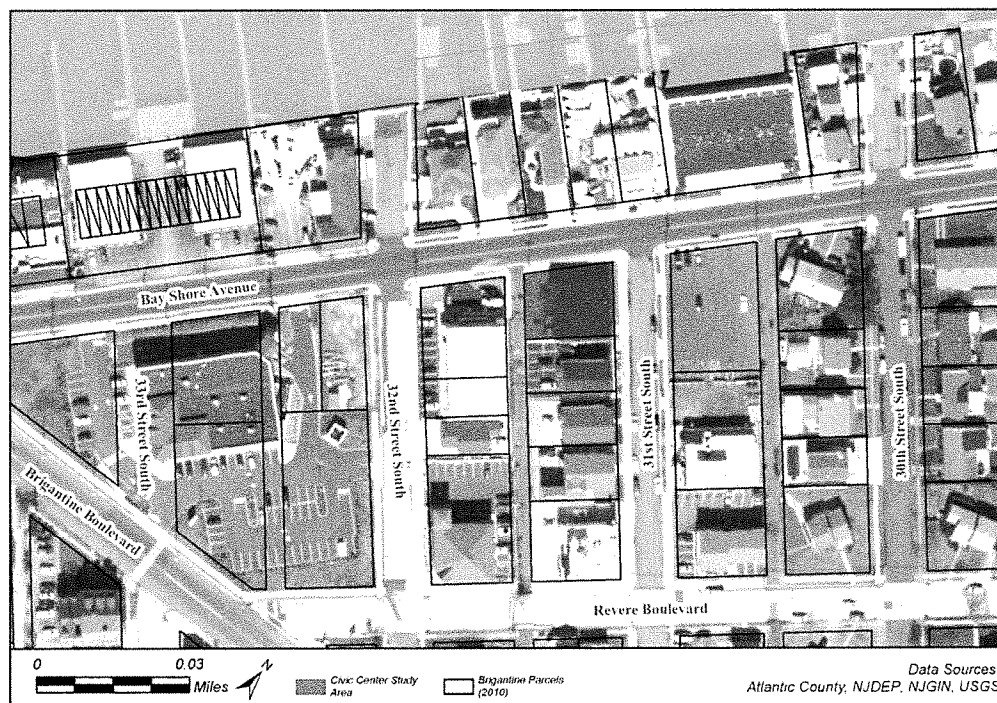
Civic Center Redevelopment Area

Amendment

At the request of the City of Brigantine, we have proposed these minor amendments to the Non-Condensation Redevelopment Plan (Redevelopment Plan) for property known as the Civic Center Redevelopment Area (Redevelopment Area). These amendments will not alter the overall goal of the Redevelopment Plan and will only change the specific items outlined in this document. The balance of the Redevelopment Plan prepared by James Rutala Associates will remain unchanged. The Planning Board will review the amendments for consistency with the City's Master Plan at the March Planning Board meeting and make any recommendations deemed necessary. City Council will then review the amendments in April 2020. City Council originally declared the Civic Center Redevelopment Area an area in need of redevelopment on November 1st, 2017.

1.0 Introduction – No Changes

Figure 1 - Civic Center Redevelopment Area



2.0 Vision, Goals and Context (*Amendments bolded & italicized*)

2.1 Vision and Purpose

The purpose of the Redevelopment Plan is to replace an obsolete use and building which was damaged by Superstorm Sandy with a viable residential use. Redevelopment of this site will be compatible with the surrounding uses. The main goals are to provide a Redevelopment Plan that enables a private developer to acquire the site and construct ***up to six units of residential housing*** that anchors the southeast corner of Bayshore Avenue and 32nd Street, provides revenue to the City and is compatible with surrounding uses.

No condemnation or land acquisition is necessary, no residents in the project area will be displaced, nor will any housing units affordable to low- and moderated-income households be removed for this Redevelopment Plan.

3.0 Land Use Plan for the Civic Center Redevelopment Area (*Amendments bolded & italicized*)

Figure 2 is an aerial photo of the Redevelopment Area and Figure 3 shows land use categorizations of properties in the vicinity of the Redevelopment Area. This aerial photograph clearly shows the many types of uses that surround the civic center property. The adjoining properties are a four-family residential structure and the Aquatic Center. Across 31st Street is parking lot and across Bayshore Avenue are commercial and residential properties.

The preceding land use map shows the neighborhood land use context of the Redevelopment Area. The Redevelopment Area is in an area of mixed commercial and residential uses, with the properties to the west of the Redevelopment Area being commercial, those to the north and south being residential of varying densities, and those to the east being a VFW and a parking lot. Residential properties on the opposite side of 30th Street South are almost exclusively single-family residential, while those on the opposite side of Brigantine Boulevard are a mix of densities within the context of the City's low-rise character. The only mid-rise, non-contextual development is the waterfront condominium complex on Bay Shore Avenue.

GRAPHIC SCALE

250 0 125 250

1 INCH = 250 FEET

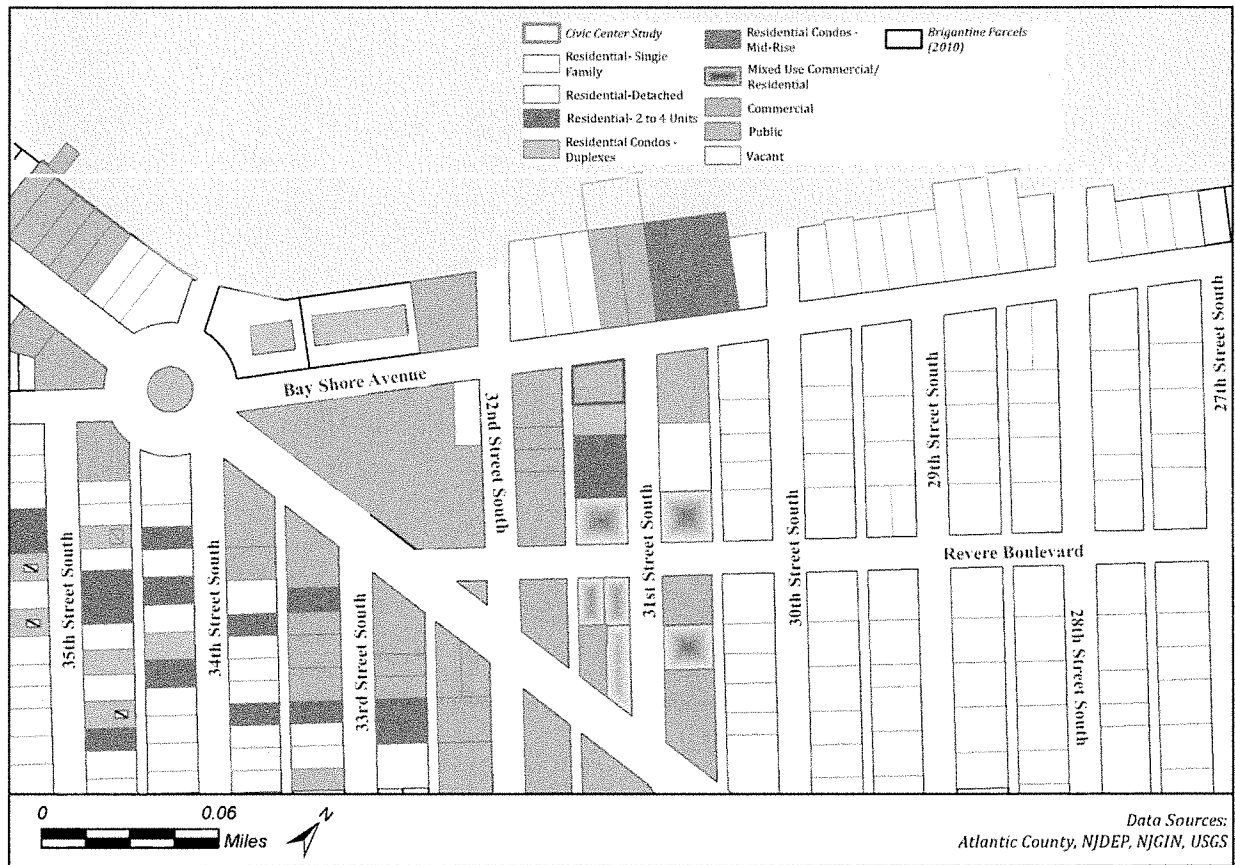
LEGEND

- FRESHWATER WETLANDS
- COASTAL WETLANDS
- FLOOD HAZARD DELINEATION LINES

REFERENCE: NJDEP BUREAU OF GEOGRAPHIC INFORMATION SYSTEMS AND FEMA FIRM RATE MAPS (PRELIMINARY MAY 30, 2014)

RUT 003.01

Figure 3 – Land Use in the Vicinity of the Redevelopment Area



The Redevelopment Area's location supports up to a **six-unit** residential development. Each residential property on the Redevelopment Area's block appears to be a building of at least four units, including the mixed-use building on Revere Boulevard. The single-family uses opposite the Redevelopment Area and mixed-use and density to the south and east of the Redevelopment Area render the site ideal as a transitional zone, whereby attractive residential development at a slightly higher density is contextually appropriate.

4.0 Redevelopment Provisions and its Relationship to the Land Use Code of the City of Brigantine. (No Changes)

5.0 Civic Center Redevelopment Plan Development Regulations (*Amendments bolded & italicized*)

5.1 General Requirements

The Redevelopment Plan is intended to enable a private developer to acquire the old civic center site and construct ***up to six units of residential housing***.

5.2 Definitions (*Amendments bolded & italicized*)

Any term not identified herein shall be as defined in the City Land Use Code.

Dwelling — A structure or portion thereof which is used exclusively for human habitation.

Dwelling, attached — A one-family dwelling attached to one or more one-family dwellings by common vertical walls.

Dwelling, detached — A one-family dwelling which is not attached to any other dwelling by any means.

Dwelling, multifamily — A dwelling containing more than two one family dwelling units, including all dwellings which are attached or detached, or defined as garden apartments, quadraplexes, townhouses, triplexes or two-family dwellings.

Dwelling, quadraplex — Four attached one-family dwellings in one structure in which each unit has two open-space exposures and shares one or two walls or floors with adjoining unit or units.

Dwelling, stacked-over-flat townhouse — *A one-family dwelling with a private entrance, attached either vertically or horizontally with other dwelling units in a single building. No less than three and no more than six units shall be located within one grouping of stacked-over-flat townhouses. Each unit shall be separated from any other unit by one or more comment fire resistant walls or floors.*

Dwelling, triplex — A dwelling containing three dwelling units, each of which has direct access to the outside or to a common hall.

Dwelling, two-family — A structure on a single lot containing two independent dwelling units. If the Zoning Officer or Construction Official makes a determination that a dwelling is a two-family dwelling (duplex), the burden is on the applicant, occupant or owner to prove otherwise and obtain all necessary variances, permits, and other approvals.

Dwelling unit — A single unit providing complete, independent living facilities for one or more persons, including permanent provisions for living, sleeping, eating, cooking and sanitation.

5.3 Use Regulations

Principal Permitted Uses. The following principal uses, and structures shall be permitted.

- Two-family Dwelling
- Townhouse Dwelling
- Triplex Dwelling
- Quadraplex Dwelling
- ***Stacked-over-flat townhouses***

Accessory Uses. The following accessory uses, and structures shall be permitted.

- Fences
- Signs
- Public Utility
- Electric Vehicle Charging

5.4 Area, Yard, Height, Coverage and other requirements

A. General Regulations

Minimum lot area	6,500 square feet
Minimum lot depth	90 feet
Minimum lot frontage	60 feet
<i>Minimum front yard - Primary</i>	<i>5 feet</i>
<i>Minimum front yard - Secondary</i>	<i>5 feet</i>
<i>Second side yard setback</i>	<i>3 feet</i>
Minimum Rear yard	10 feet
Maximum building height (measured from first habitable floor)	35 feet
Maximum number of stories	3 stories
<i>Maximum building coverage</i>	<i>50 percent</i>
<i>Maximum site coverage</i>	<i>70 percent</i>
<i>All side and rear yard setbacks for accessory buildings</i>	<i>3 feet</i>
Maximum height of accessory buildings	15 feet
<i>Number of Parking Spaces Per Unit (one space on site and the remainder off site)</i>	<i>1.5 spaces</i>

5.5 Additional Requirements and Exceptions

- B. Where a lot abuts an alley, the rear yard setback may be reduced to a minimum of 10 feet if all other bulk requirements are met. This reduction acknowledges that a twenty-foot wide rear yard alley provides the desired air, light and open space deemed appropriate by the goals of this section.
- C. There shall be a minimum of 10 feet between buildings on adjoining lots. An applicant for a building permit shall submit a survey or other documentation showing the home/building on contiguous lots are at least ten feet away from the proposed home/building on the applicant's lot.

- D. For any use there shall be no more than three floors of dwelling space and the combined height of all such dwelling space or portions thereof shall not exceed 35 feet measured from the first habitable floor. The thirty-five-foot height is to allow more architecturally pleasing houses to be constructed in the City. The increase in height over 30 feet is not designed to allow a fourth floor to be added to a dwelling. All dwellings with flat roofs shall be limited to 28 feet in height. Partial flat roofs shall also be limited to 28 feet in height.
- E. Eaves or roof overhangs, 12 feet or more above average finished grade, shall not exceed 12 inches. **(Note that both front and side yard setbacks may be encroached).**
- F. The following extensions or projections from residential structures are permitted in front and rear yards only:
 - 1. Open entry porches, not to exceed four feet.
 - 2. Chimneys, not to exceed 18 inches.
 - 3. ***Steps (up to eight feet wide) into the principal building up to the right-of-way line(s). It is recognized that a significant rise in elevation is required from street grade to the dwelling to address flood hazard protection requirements.***
 - 4. Bay windows, not to exceed twenty-four-inch encroachment.
 - 5. Mechanical equipment in rear yard not to exceed 48 inches encroachment. Mechanical equipment is permitted in rear yards within the center 1/3 of the lot width and shall be soundproofed to conform to the local sound ordinance and elevated to conform to the floodplain management ordinance.
 - 6. Decks and porches are to be considered as part of the principal structure unless specifically addressed in other portions of this section.

6.0 Site Planning and Design Standards

The following performance and design standards shall be used by the Planning Board which may approve departures from the site planning and design standards as may be requested by the redeveloper where in the opinion of the Planning Board the departures are consistent with the Redevelopment Plan.

A. Architectural Style

The building should provide for a design that utilizes a front façade on both 31st Street and Bayshore Avenue. If only one front façade is utilized, the building should front on 31st Street.

B. Sustainable Development Green Design

1. Energy Efficiency

- a. Roof lines of proposed structure should be designed to maximize south facing surfaces with few obstructions to maximize solar access.
- b. Energy Star roofing material should be used.
- c. Electric lighting should use LED lamps.
- d. Appliances and mechanical equipment should be Energy Star rated.
- e. Windows and doors should be Energy Star rated.
- f. Roof design should permit installation of photovoltaics panels.

2. Water Conservation

- a. Low flow plumbing fixtures should be used.
- b. Water Sense certified fixtures should be used.

3. Build Material

- a. Green building materials and finishes should be used to the extent practicable.
- b. Sustainable source building material using recyclable material for drywall, insulation, glass tiles, landscape materials, carpeting and carpet padding, ceiling tiles, concrete, steel should be used.
- c. A minimum of 50% of all site building demolition and construction debris ***should*** be recycled, ***if feasible***.

C. Landscaping

Native vegetation shall be utilized where possible due to its natural resistance to drought and disease. Landscaping shall include shade trees, ornamental trees, evergreens or conifers, shrubs and ground cover. Use locally sourced material where possible.

D. Lighting

All outdoor lighting shall reduce light pollution to the extent practicable. Outdoor lighting shall be installed with full cutoff fixtures and utilize LED lights.

Specify maximum height at which outdoor lighting can be mounted.

E. Mechanical equipment and trash enclosures

- 1. All mechanical equipment and trash enclosures shall be screened, recessed and enclosed. Wall, screens and enclosures for such structures shall use construction material similar as the primary building. ***Landscaping may also be used as screening.***

2. All roof top mechanical equipment shall be screened from view from all directions and elevated pursuant to Brigantine's floodplain management ordinance.
3. Trash enclosures shall be suitable sized to provide adequate space for waste and recyclables.

F. Storm Water Management

1. The development shall comply with the City Engineer's requirements for Storm Water Management
2. The provision of rain gardens or rain barrels for stormwater detention purposes

G. Flood Damage Prevention

1. All development remains subject to the provisions of the City's Flood Damage Prevention Ordinance.

7.0 Relationship of Redevelopment Plan to City Master Plan and to Other Plans

7.1 Brigantine Master Plan (*Amendments bolded & italicized*)

The Brigantine Planning Board adopted Master Plans in 1992 and 2001 and Re-examination Reports in 2010 and 2016. The 2016 Reexamination Report acknowledges that the City is, to a major extent, fully developed with only isolated parcels of land available for development. The 2016 Reexamination Report discusses the various goals and objectives outlined in the 1992 and 2001 Master Plans as well as the 2010 Re-examination Report. The following goals are furthered by this Redevelopment Plan.

The 2016 Reexamination Report cites the general goals of the Municipal Land Use Law as being goals for the City. The Redevelopment Plan addresses the following goals listed in the 2016 Reexamination Report.

To encourage municipal action to guide the appropriate use or development of all lands in a manner, which will promote the public health, safety, morals and general welfare.

To provide adequate light, air and open space.

To promote the establishment of appropriate population densities and concentrations that will contribute to the well-being of persons, neighborhoods, communities and regions and preservation of the environment.

To encourage the appropriate and efficient expenditure of public funds by the coordination of public development with land use policies.

To provide sufficient space in appropriate locations for a variety of residential, recreational, commercial and industrial uses, and open space, both public and private,

according to their respective environmental requirements in order to meet the needs of all citizens.

To promote a desirable visual environment through creative development techniques and good civic design and arrangements.

To promote conservation and wise use of all energy resources.

To promote the maximum practicable recovery and recycling of recyclable materials from municipal solid waste through the use of planning practices designed to incorporate the state Recycling Plan goals and to complement municipal recycling programs.

*The Redevelopment Plan specifically furthers these general goals by encouraging the redevelopment of an underutilized site in a manner that protects the public health and welfare. The standards proposed in this Redevelopment Plan **ensure** that adequate air, light and open space are provided.*

The Redevelopment Plan establishes an appropriate density for the site and the neighborhood given the density and intensity of adjacent uses as well as higher density uses nearby on Bayshore Avenue.

The design standards implemented through the Redevelopment Plan will result in a desirable visual environment, promote the conservation of energy resources and promote the recovery and recycling of recyclable materials.

7.2 Surrounding Municipalities' Master Plans (No Changes)

7.3 Atlantic County Master Plan (No Changes)

7.4 State Development and Redevelopment Plan (No Changes)

8.0 General Provisions of the Redevelopment Plan (Amendments Bolded)

8.1 Redevelopment Entity

The City Council shall act as the redevelopment entity pursuant to the Redevelopment Law for purposes of implementing this Redevelopment Plan and carrying out the development of the Redevelopment Area. City Council shall review and approve a redevelopment concept plan and project description of the proposal.

8.2 Redeveloper Selection

The redevelopment entity shall select a redeveloper for the redevelopment of the entire Redevelopment Area. The selection of the redeveloper shall be **appointed by City Council as the established Redevelopment Entity by a** fair and equitable means of selection as determined by the redevelopment entity. The redevelopment entity shall select a redeveloper based on the entity's experience, financial capacity, ability to meet deadlines, flexibility in meeting market demands within the framework of the Redevelopment Plan, and additional criteria that demonstrate the redeveloper's ability to implement the goals and objectives of the Redevelopment Plan.

- 8.3 Redevelopment Agreement (No Changes)**
- 8.4 Effect of Redevelopment Agreement (No Changes)**
- 8.5 Development Plan Review and Approval (No Changes)**
- 8.6 Escrow Fee (No Changes)**
- 8.7 Application for Development (No Changes)**
- 8.8 Redevelopment Entity Approval (No Changes)**
- 8.9 Planning Board Review (No Changes)**
- 8.10 Project Phasing (No Changes)**
- 8.11 Approval by Other Agencies (No Changes)**
- 8.12 Duration of Plan (No Changes)**
- 8.13 Non-Discrimination Provisions (No Changes)**

RESOLUTION 2020-82

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGANTINE REFERRING A PROPOSED AMENDED REDEVELOPMENT PLAN FOR THE CIVIC CENTER TO THE CITY OF BRIGANTINE PLANNING BOARD AND DIRECTING THE PLANNING BOARD TO TAKE CERTAIN ACTIONS PURSUANT TO N.J.S.A. 40A:12A-7(e)

WHEREAS, previously, the City Council of the City of Brigantine directed the Brigantine Planning Board to study an area located on Block 2901, Lot 5, which includes the unused two-story City-owned Civic Center building, and including surrounding uses, which area is bounded by 31st Street, Bayshore Avenue and 32nd Street, (hereinafter referred to as the "Civic Center Redevelopment Area") to determine whether the area is in need of redevelopment pursuant the New Jersey Local Housing and Redevelopment Law (N.J.S.A. 40A:12A-1 *et. seq.*) and

WHEREAS, the Brigantine Planning Board undertook the required study and recommended that the City declare the area in need of redevelopment; and

WHEREAS, on November 1, 2017, pursuant to Resolution No. 2017-207, the City Council of the City of Brigantine declared the Civic Center Redevelopment Area to be in an area in need of redevelopment; and

WHEREAS, as a result of such designation, property within the area so designated is eligible to adopt a Plan designed to rehabilitate, redevelop and revitalize the site; and

WHEREAS, the City Council of the City of Brigantine authorized the preparation of a Redevelopment Plan, which Plan was prepared by Rutala Associates, LLC, and is dated April 25, 2018; and

WHEREAS, pursuant to Ordinance No. 10 of 2018, the City Council adopted this Plan for the Civic Center Redevelopment Area; and

WHEREAS, pursuant to N.J.S.A.40A:12A-7, a governing body may adopt, revise or amend a redevelopment plan; and

WHEREAS, the City has determined that amendment to the Redevelopment Plan is necessary to effectuate the redevelopment of the Redevelopment Area and has proposed an amended redevelopment plan entitled "Amended Civic Center Redevelopment Plan" prepared by Rutala Associates, LLC and is dated _____; and.

WHEREAS, the City Council has reviewed the proposed Amended Redevelopment Plan, found it to be beneficial to the City and consistent with the vision for the Civic Center Redevelopment Area and desires to forward the proposed Amended Redevelopment Plan to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7(e);

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Brigantine as follows:

1. The City Council hereby refers the proposed Amended Redevelopment Plan to the Planning Board for review and recommendation in accordance with the requirements of N.J.S.A. 40A:12A-7(e).
2. The Planning Board is authorized and directed to prepare a report of its recommendations (the "Planning Board Report") to the proposed Amended Redevelopment Plan within forty-five (45) days of the date hereof.
3. The Planning Board Report shall identify any provisions within the proposed Amended Redevelopment Plan that are inconsistent with the City's Master Plan, the recommendations concerning those inconsistencies and any other matters the Planning Board deems appropriate.
4. If the Planning Board Report has not transmitted to the City Council within forty-five (45) days of the date hereof, the City Council shall be relieved for the requirement to obtain a Planning Board Report for the proposed Amended Redevelopment Plan in accordance with N.J.S.A. 40A:12A-7(e).
5. The Clerk of the City shall forward a copy of this Resolution and the proposed Amended Redevelopment Plan to the Planning Board for review pursuant to N.J.S.A. 40A:12A-7(e).

6. This Resolution shall take effect immediately.

I certify the above to be a true copy of
the Resolution adopted at a public meeting
held on the __ day of ____, 2020.

Lynn Sweeney, RMC
City Clerk

4847-6178-6804, v. 1

RESOLUTION NO. 2020-

A RESOLUTION OF THE CITY OF BRIGANTINE
AUTHORIZING AWARD OF BID FOR ROAD MATERIALS

WHEREAS, the City duly advertised for and accepted sealed proposals on May 7, 2019 for Road Materials; and

WHEREAS, the term of the contract is for twelve (12) months and the specifications provide that the City can exercise (2) one-year extensions; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine authorizes that the first option year contract extension for road materials be granted to Hanson Aggregates BMC, Inc.

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 Capital Trust account # C-04-17-015-104. Estimated expenditures for 2020 should not exceed \$28,000.00 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 6th day of May 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					

RESOLUTION #2020-

FOR TAX ASSESSMENT SERVICES AND APPEALS

WHEREAS, the Assessor's office has a need for a third-party professional to provide County and State appeals and inspections for assessment purposes for the City of Brigantine when needed; and

WHEREAS, it is determined in the best interest of the City of Brigantine to utilize said services in connection with the 2020 added assessments; and

WHEREAS, Dennis Krause, QPA, City Purchasing Agent has determined and certified in writing that the value for these services will exceed \$17,500.00; and

WHEREAS, Barbara Saccoccia, Tax Assessor, and Dennis Krause, QPA, City Purchasing Agent have reviewed the proposal and recommended that Professional Property Appraisers Inc., 101 Route 130 S. Cinnaminson, NJ 08077 receive an alternative non-advertised method of award to provide County and State appeals and inspections for assessment purposes as determined by the needs of the City of Brigantine; and

WHEREAS, the anticipated term of this project is not to exceed one (1) calendar year; and

WHEREAS, Professional Property Appraisers Inc has completed and submitted a Business Registration Certificate (BRC), a Business Entity Disclosure Certification and Sworn Statement By Professional Services Provider which certifies that Professional Property Appraisers Inc has not made any contributions to a political or candidate committee for an elected office in the City of Brigantine in the previous one year period will prohibit Professional Property Appraisers Inc from making any contributions through the projected time of completion; and

WHEREAS, the vendor has provided information demonstrating its compliance with the provisions of N.J.S.A.19:44A-20.5, regarding political contributions; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine, New Jersey that an alternative method award with Professional Property Appraisers Inc for County and State appeals and inspections for assessment purposes. A copy of the Business Entity Certification and Determination of Value shall be on file with this resolution in the City Clerk's Office.

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 Current Fund misc expense account #0-01-20-150-299. Estimated expenditures for 2020 should not exceed \$28,000.00.

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 6th day of May, 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					

RESOLUTION NO. 2020-

A RESOLUTION BY THE CITY OF BRIGANTINE AUTHORIZING AWARD OF CONTRACT FOR DESIGN
AND CONSTRUCTION MANAGEMENT SERVICES

WHEREAS, the City Council of the City of Brigantine authorized the acceptance of proposals for Design and Construction Management Services for the refurbishing of the East Evans Blvd Reconstruction from 6th Street to 11th Street; and

WHEREAS, the City Manager and Purchasing Agent have reviewed the proposals in accordance with applicable law, regulations and procedures for the above-mentioned municipal contract; and

WHEREAS, the City Manager recommended the award of contract; 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 6st day of May, 2020:

1. The contract is for Design and Construction Management Services for the East Evans Blvd Reconstruction from 6th Street to 11th Street.
2. Doran Engineering is awarded this contract on their proposal of \$28,500.00.
3. Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in the NJDOT Grant Fund Account #G-02-41-865-037 (\$13,500.00) and the Capital Fund Improvement Streets Various Locations Account # C-04-13-010-101 (\$15,000.00) totaling \$28,500.00
4. This resolution shall take effect immediately.

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					

RESOLUTION #2020-

SUPPLY AND DELIVERY OF HEAVY-DUTY EQUIPMENT RENTAL

WHEREAS, the City of Brigantine has a need from time to time to rent construction equipment for use in grading beach paths and general areas around the City; and

WHEREAS, it is determined in the best interest of the City of Brigantine to have said equipment available in order to provide quality services to the public; and

WHEREAS, Dennis Krause, QPA, City Purchasing Agent has determined and certified in writing that the value of the contract will exceed \$17,500.00; and

WHEREAS, Mike Zyndorf LLC has provided heavy-duty equipment rentals for the City the past ten years; and

WHEREAS, John W. Doring Jr., Superintendent of Public Works and Dennis Krause, QPA, City Purchasing Agent have reviewed the required needs of the City for heavy duty equipment rentals and recommended that Mike Zyndorf LLC, 6481 Harding Highway, Mays Landing, NJ 08330 be given an alternative non-advertised method of award determined by the needs of the City of Brigantine; and

WHEREAS, the anticipated term of these services is not to exceed (1) calendar year; and

WHEREAS, Mike Zyndorf LLC has completed and submitted a Business Registration Certificate (BRC) and a Business Entity Disclosure Certification which certifies that Mike Zyndorf LLC has not made any contributions to a political or candidate committee for an elected office in the City of Brigantine in the previous one year period that will prohibit Mike Zyndorf LLC from making any contributions through the projected time of completion; and

WHEREAS, the vendor has provided information demonstrating its compliance with the provisions of N.J.S.A. 19:44A-20.5, regarding political contributions; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine, New Jersey that an alternative method award with Mike Zyndorf LLC for heavy-duty equipment rentals. A copy of the Business Entity Certification and Determination of Value shall be on file with this resolution in the City Clerk's Office.

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 Current and Utility Vehicle Maintenance Fund Accounts #0-01-26-290-299 and #0-09-55-502-299. Estimated expenditures for 2020 should not exceed \$39,000.00.

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 6th day of May, 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 NO. 2020-

A RESOLUTION OF THE CITY OF BRIGANTINE
AUTHORIZING PARTICIPATION IN THE SOURCEWELL PURCHASING COOPERATIVE FOR
CONTRACT #032515-JDC, FULL SIZE & COMPACT CONSTRUCTION EQUIPMENT WITH JOHN DEERE
CONSTRUCTION SALES FOR TWO (2) JOHN DEERE 310L BACKHOE LOADERS

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; and

WHEREAS, Sourcewell Purchasing Cooperative has acted as lead agency and awarded Contract #032515-JDC, Full Size & Compact Construction Equipment; and

WHEREAS, John W. Doring Jr., Superintendent of Public Works and Dennis Krause, QPA, Purchasing Agent have reviewed the contract from Sourcewell, Contract #032515-JDC, and determined that the acquisition of two (2) 2019 310L Deere Backhoe Loaders through national contract pricing is the functional economic solution for the City's Public Works 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 Purchasing Agent to acquire (2) 2019 310L Deere Backhoe Loaders through its authorized dealer Jesco Inc., 118 Saint Nicholas Avenue, South Plainfield, NJ 07080 in accordance with the Sourcewell Contract #032515-JDC in the amount of \$184,486.06; 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 the Improvement Authorization 13-2019 Water & Sewer Account C-06-19-013-401 (\$92,243.03) and Improvement Authorization 12-2019 Buildings & Grounds Account C-04-19-012-501 (\$92,243.03).

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 6th day of May 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					

RESOLUTION
2020-

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

April 22, 2020

BLOCK	LOT	QUAL	NAME	YEAR-QRT	AMOUNT
5701	7.02	C000B	Ciano, Louis J. 100% Disabled Veteran	2020-01	1755.01

**A RESOLUTION DECLARING THAT AN EMERGENT CONDITION EXISTS AND
AUTHORIZING AN AWARD OF A CONTRACT FOR EMERGENCY SEWER REPAIRS**

WHEREAS, an emergent condition was declared for a sewer collapse in two sewer laterals located at 1106 and 1112 Bayshore, and further damage to the existing sewer main was discovered between 8th Street and 9th Street So, that are in need of immediate repair. and

WHEREAS, Matthew F Doran, City Engineer, determined that time was of the essence in order to prevent further damage; and

WHEREAS, Lafayette Utility is presently performing a sewer replacement project for the City, and is available to perform the repairs mentioned above immediately; and

WHEREAS, the New Jersey Public Contract Law, N.J.S.A. 40A: 11-6. permits municipalities to make required purchases without public bidding or advertising, when situations of emergency which may affect the public health, safety, or welfare have been declared and when immediate replacement/reconstruction of said article is required to rectify the emergent conditions; and

WHEREAS, a Purchase Order will be issued to Lafayette Utility Construction Co., PO Box 944, Pleasantville, New Jersey 08232 in an amount not to exceed \$40,000.00; and

NOW THEREFORE, BE IT RESOLVED by the by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey that it authorizes Lafayette Utility Construction Co. to perform the work necessary to correct these emergent conditions; 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 the Water & Sewer Utility Improvement Authorization #13-2019, Acct # C-06-19-013-302.

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 6th day of May, 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					

A RESOLUTION DECLARING THAT AN EMERGENT CONDITION EXISTS AND
AUTHORIZING AN AWARD OF A CONTRACT FOR EMERGENCY SEWER VIDEO AND CLEANING

WHEREAS, an emergent condition was declared for a sewer collapse in the sewer main and damage to various sewer laterals, between 12th Street So and 6th Street So; and

WHEREAS, Matthew F Doran, City Engineer, determined that time was of the essence in order to prevent further damage and evaluate the existing damage; and

WHEREAS, Root 24 Inc is a Pipe cleaning and video capable company that has previously and adequately performed services for the City of Brigantine; and

WHEREAS, the New Jersey Public Contract Law, N.J.S.A. 40A: 11-6. permits municipalities to make required purchases without public bidding or advertising, when situations of emergency which may affect the public health, safety, or welfare have been declared and when immediate replacement/reconstruction of said article is required to rectify the emergent conditions; and

WHEREAS, a Purchase Order will be issued to Root 24 Inc., 130 Ferry Ave, Camden, New Jersey 08104, in an amount not to exceed \$65,000.00; and

NOW THEREFORE, BE IT RESOLVED by the by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey that it authorizes Root 24 Inc. to perform the work necessary to correct clean and Video the damaged pipes; 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 the Water & Sewer Utility Improvement Authorization #13-2019, Acct # C-06-19-013-302.

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 6th day of May, 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-**

WHEREAS, Jeffrey Delson is the owner of The Smile Factory, LLC and is desirous of renewing an amusement games license through the New Jersey Department of Law and Public Safety Division of Consumer Affairs, Legalized Games of Chance Control Commission; and

WHEREAS, according to N.J.S.A. 5:8-101 et seq and Chapter 95 of the Code of the City of Brigantine, the applicant for said license must first obtain a municipal license; and

WHEREAS, Jeffrey Delson has successfully completed an application and passed a background check, the City Council of the City of Brigantine has no objection to the renewal of the municipal license applied for and authorizes the applicant to file for the renewal of the state license and, furthermore, is not aware of any circumstances or provisions of law or local ordinance which would prohibit the issuance of the license.

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

This is to certify that this is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey at its meeting of May 6, 2020.

Lynn Sweeney, RMC
City Clerk