



12. Resolution 2020-107 Re: Authorizing Appointment of Special Law Enforcement Officers for Police Department

M: S: RC: MC:

13. Resolution 2020-108 Re: Award of Contract  
Emergency Sewer Repairs

M: S: RC: MC:

14. Resolution 2020-109 Re: Award of Contract  
HVAC Maintenance, Service and Repairs

M: S: RC: MC:

15. Resolution 2020-110 Re: Award of Contract  
Replacement of Sewage Grinder Unit

M: S: RC: MC:

16. Resolution 2020-111 Re: Authorizing Up-Fit of Seven Police Vehicles

M: S: RC: MC:

17. Resolution 2020-112 Re: General Maintenance and Repairs for Various City Projects

M: S: RC: MC:

18. Resolution 2020-113 Re: Rental Registration Refund

M: S: RC: MC:

19. Resolution 2020-114: Re: Cancellation of Real Estate Taxes

M: S: RC: MC:

20. Resolution 2020-115: Re: Authorizing Advertisement for Bids for the Lease of  
Water Tower for the Installation of a Wireless Communications Corral

M: S: RC: MC:

21. Resolution 2020-116: Re: Public Works Refund

M: S: RC: MC:

22. Council Manager/Committee Discussion:
23. Public Comments
24. Council Comments
25. 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.

To view, please download entire ordinance  
on [www.brigantinebeach.org](http://www.brigantinebeach.org).

**LAND USE**

**Chapter 198**

**City**

**of**

**BRIGANTINE**

*Revised 09-24-2019*

**CITY OF BRIGANTINE  
ORDINANCE NO. 6 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:

<u>NAME OF STREET</u>	<u>LOCATION</u>
306 W. Evans Blvd.	Twenty (20) foot area in front of the property located at 306 W. Evans Blvd.

**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: June 17, 2020

ADOPTION:

ATTEST:

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ANDREW SIMPSON, MAYOR

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LYNN SWEENEY, RMC  
CITY CLERK

**CITY OF BRIGANTINE**

**Resolution 2020-**

**Approval to Submit a Municipal Aid Grant Application MA-2021-Revere Boulevard-00319  
And Execute Grant Agreement with the New Jersey Department of Transportation**

**WHEREAS**, the New Jersey Department of Transportation is accepting applications for the Municipal Aid Grant Program; and

**WHEREAS**, \$151 million is appropriated to municipalities; and

**WHEREAS**, this program is available to all counties and municipalities in the State of New Jersey; and

**WHEREAS**, this program can be used for road improvement projects such as resurfacing, rehabilitation or reconstruction and signalization; and

**WHEREAS**, this grant program does not require a local match; and

**WHEREAS**, the City of Brigantine carefully considers grant programs that assist the City in achieving projects and programs that are priorities for the community; and

**NOW, THEREFORE, BE IT RESOLVED** that governing body of the City of Brigantine formally approves a grant application for a municipal aid project.

**BE IT FURTHER RESOLVED** that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as **MA-2021-Revere Boulevard-00319** to the New Jersey Department of Transportation.

**BE IT FURTHER RESOLVED** that the City Manager and Clerk are hereby authorized to sign the grant agreement on behalf of the City of Brigantine and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by City Council on this 17<sup>th</sup> day of June, 2020.

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_  
(Clerk)

CITY OF BRIGANTINE

RESOLUTION NO. 2020-

WORK CHANGE ORDER #1

**WHEREAS**, the City Council of the City of Brigantine did award a contract for the Design and Construction Management Services for Sewer Replacement – Lighthouse Circle, Brigantine Blvd, 34<sup>th</sup> Street to 31<sup>st</sup> Street Project and did enter into a contract with DeBlasio & Associates in the amount of \$46,500.00 (Resolution #2019-143); and

**WHEREAS**, during the performance of the project additional work is required to properly complete and enhance the project to date; and

**NOW, THEREFORE BE IT RESOLVED** that the contract for the Design and Construction Management Services for Sewer Replacement – Lighthouse Circle, Brigantine Blvd, 34<sup>th</sup> Street to 31<sup>st</sup> Street Project be amended from \$46,500.00 to \$61,500.00, a net increase of \$15,000.00.

**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 Sanitary Sewer Main Account # 0-09-55-502-214.

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 OF THE CITY OF BRIGANTINE  
AUTHORIZING AWARD OF BID FOR HVAC MAINTENANCE, SERVICE & REPAIRS

**WHEREAS**, the City duly advertised for and accepted sealed proposals on May 21, 2020 for HVAC maintenance, service and repairs; 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 award of contract to Falasca Mechanical, 3329 N. Mill Road, Vineland NJ 08360 based on their low bid.

**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 2020 Current Fund maintenance and repair line 0-01-26-302-216. Estimated expenditures for 2020 should not exceed \$140,000.00 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 17<sup>th</sup> day of June 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-**

**AUTHORIZING THE APPOINTMENT OF SPECIAL LAW ENFORCEMENT  
OFFICERS FOR THE BRIGANTINE POLICE DEPARTMENT**

**WHEREAS**, the Code of the City of Brigantine allows for the appointment of Special Law Enforcement Officers by the municipality's governing body for a term not exceeding one year or upon revocation of the appointment; and

**WHEREAS**, the Brigantine Police Department has requested that Class I Special Law Enforcement Officers be appointed; and

**WHEREAS**, the following candidates hold the requisite qualifications of Class I Special Law Enforcement Officers:

Michael Waszen  
Matthew Rehill

**NOW, THEREFORE, BE IT RESOLVED** that the City Council of the City of Brigantine, County of Atlantic, State of New Jersey does hereby appoint the above individuals listed above as Special Law Enforcement Officers for a one year term with an appointment date of June 25, 2020, and terminating on June 24, 2021; and

**BE IT FURTHER RESOLVED** that this appointment may be revoked prior to the termination date is so determined by the governing body and, if revoked, all powers, rights and duties of this position shall immediately cease upon the expiration of the term of the appointment.

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 June 17, 2020.

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Lynn Sweeney, RMC  
City Clerk

CITY OF BRIGANTINE  
RESOLUTION 2020-

A RESOLUTION DECLARING THAT AN EMERGENT CONDITION EXISTS AND  
AUTHORIZING AN AWARD OF A CONTRACT 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 8<sup>th</sup> Street and 9<sup>th</sup> Street South that are in need of immediate repair; and

**WHEREAS**, additional work is required to properly complete the work due to unforeseen conditions; and

**WHEREAS**, Matthew F. Doran, City Engineer, determined that time was of the essence in order to prevent further damage; 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 of \$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, Account #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 17<sup>th</sup> day of June, 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 AWARD OF BID FOR HVAC MAINTENANCE, SERVICE & REPAIRS

**WHEREAS**, the City duly advertised for and accepted sealed proposals on May 21, 2020 for HVAC maintenance, service and repairs; 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 award of contract to Falasca Mechanical, 3329 N. Mill Road, Vineland NJ 08360 based on their low bid.

**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 2020 Current Fund maintenance and repair line 0-01-26-302-216. Estimated expenditures for 2020 should not exceed \$140,000.00 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 17<sup>th</sup> day of June 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-  
THE CITY OF BRIGANTINE

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO REPLACE  
SEWAGE GRINDER UNIT

**WHEREAS**, the existing sewage grinder unit at the Sheridan lift station needs to be replaced; and

**WHEREAS**, A.C. Schultes, Inc. is the current contracted vendor for the City of Brigantine for well maintenance services; and

**WHEREAS**, John W. Doring Jr., Superintendent of Public Works agrees with the scope of work to be performed; and

**NOW, THEREFORE BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey authorizes A.C. Schultes, Inc. to perform the work necessary to replace the existing grinder unit; 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 Utilities Equipment Maintenance and Repairs Line# 0-09-55-502-233 in the amount of \$20,488.00.

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 18<sup>th</sup> day of June, 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 THE UP-FIT OF SEVEN NEW POLICE VEHICLES FROM APPROVED STATE  
CONTACT VENDOR, TACTICAL PUBLIC SAFETY

**WHEREAS**, the City of Brigantine Police Department, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29c, may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any state contracts entered into on behalf of the state by the Division of Purchase and Property in the Department of the Treasury; and

**WHEREAS**, the City of Brigantine Police Department has the need to up-fit two new police vehicles utilizing state contracts in the amount of \$22,712.16; and

**WHEREAS**, the City of Brigantine intends to enter into a contract with Tactical Public Safety through this resolution which shall be subject to all the conditions applicable to the current New Jersey State Contracts.

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council for the City of Brigantine, County of Atlantic, and State of New Jersey, that the City Purchasing Agent is hereby authorized to up-fit two new police vehicles from Tactical Public Safety, pursuant to all conditions of the individual state contracts.

**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 Police Current Fund account #C-04-19-012-504.

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 17<sup>th</sup> day of June, 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-

GENERAL MAINTENANCE AND REPAIRS  
FOR VARIOUS CITY PROJECTS

**WHEREAS**, the Public Works department has a need for service and repairs to various City buildings; and

**WHEREAS**, it is determined in the best interest of the City of Brigantine to acquire said services as needed; and

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

**WHEREAS**, Jersey Architectural Door & Supply has supplied these services in the past; and

**WHEREAS**, John W. Doring Jr., Superintendent of Public Works and Dennis Krause, QPA, City Purchasing Agent have reviewed the required maintenance schedules and recommended that Jersey Architectural Door & Supply, Inc., 722 Adriatic Avenue, Atlantic City, NJ 08401 be awarded an alternative non-advertised method for service and repairs to various City Buildings as determined by the needs of the City of Brigantine; and

**WHEREAS**, Jersey Architectural Door & Supply, Inc. has completed and submitted a Business Registration Certificate (BRC) and a Business Entity Disclosure Certification which certifies that Jersey Architectural Door & Supply, 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, and will prohibit them 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 Jersey Architectural Door & Supply, Inc. for service and repairs to various City Buildings. 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 2020 Current and Utility maintenance and repair line items. Estimated expenditures for 2020 should not exceed \$39,900.00

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 17<sup>th</sup> day of June 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

***THE COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:***

*WHEREAS*, the City of Brigantine has, pursuant to various ordinances, a set fee schedule for the collection of rental inspections fees; and

*WHEREAS*, it appears from the record that ***Michael & Christine Keffer, 212 West Hathaway Lane, Ardmore, PA 19003***, owner of the property located at ***124 4<sup>th</sup> Street South, (Block 6704, Lot 19)***, has overpaid for rental registration in the amount of ***\$150.00 (One Hundred Fifty Dollars)***, resulting in an overpayment.

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

- 1) The City Financial Officers are hereby directed to refund the sum of ***\$150.00 (One Hundred Fifty Dollars)*** to the above mentioned property owner.
- 2) 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, New Jersey.  
At its meeting of \_\_\_\_\_

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***Lynn Sweeney, RMC, City Clerk***

## RESOLUTION

2020 –

**WHEREAS**, the property known as Block 6602, Lot 26, located at 21 Roosevelt Blvd. North, Brigantine, New Jersey, and recorded under the names of Thomas F. Gilson, Jr., Rita Ann Gilson (50% share) and Elizabeth A. Gilson (50%) share has been granted an exemption from taxes, under Chapter 171, Laws of 1981, supplementing N. J. S. A. 54:4-03.30B as a war veteran who is 100% permanently and totally disabled, and

**WHEREAS**, Thomas F. Gilson, Jr., Rita Ann Gilson and Elizabeth A. Gilson, purchased the property known as Block 6602, Lot 26 on June 22, 2019, and Elizabeth A. Gilson was determined to be 100% permanently and totally disabled as of July 3, 2019, and

**WHEREAS**, Elizabeth A. Gilson filed a claim for a property tax exemption by a 100% permanently and totally disabled veteran upon the dwelling house, known as Block 6602, Lot 26 located at 21 Roosevelt Blvd North in Brigantine, New Jersey with the tax assessor of the City of Brigantine on April 15, 2020, and

**WHEREAS**, the Tax Assessor has approved that tax exemption from the date of April 15, 2020 and for subsequent years on the 50% share of the property known as Block 6602, Lot 26, owned and recorded under the name of Elizabeth A. Gilson,

**NOW THEREFORE BE IT RESOLVED** by the City Council of the City of Brigantine that 50% of the taxes for the year 2020 from April 15, 2020 and subsequent years on the property known as Block 6602, Lot 26, for the 50% share owned and recorded under the name of Elizabeth A. Gilson, be and are hereby cancelled because she qualifies for an exemption under N.J.S.A. 54:4-03.30B, and

**BE IT FURTHER RESOLVED** that the Tax Collector of the City of Brigantine be and is hereby authorized to note said cancellation of 50% of the taxes on the total assessment of \$299,100 in the Real Estate Tax Duplicate of the City of Brigantine from the date of April 15, 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

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE**

**RESOLUTION NO. 2020-**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BRIGANTINE  
AUTHORIZING THE ADVERTISEMENT FOR RECEIPT OF BIDS FOR THE LEASE  
OF CERTAIN CITY-OWNED REAL PROPERTY LOCATED ON BLOCK 1502, LOT 7  
(215 14<sup>TH</sup> STREET, SOUTH) FOR THE INSTALLATION OF A WIRELESS  
COMMUNICATIONS CORRAL, ANTENNAE AND RELATED EQUIPMENT.**

**WHEREAS**, N.J.S.A. 40A:12-14 requires public bidding when a municipality has determined to lease any real property or personal property not needed for public use; and

**WHEREAS**, the City of Brigantine is the owner of the water tower located on certain real property designated as Block 1502, Lot 7 on the City of Brigantine Tax Maps and commonly referred to as 215 14<sup>th</sup> Street, South; and

**WHEREAS**, the City is aware that one or more wireless communications companies have expressed an interest in leasing a portion of said water tower in order to construct a wireless communications corral and install antennae and related equipment thereon; and

**WHEREAS**, the Mayor and City Council have found and determined that the portion of said property is not otherwise needed for public use; and

**WHEREAS**, the Mayor and City Council have determined that it is in the City's interest to grant a nonexclusive lease on the portion of said property to one or more wireless communications companies, depending upon compatibility with the City's needs and with the technical requirements of the tenants; and

**WHEREAS**, the use of the portion of said property by one or more tenants will not be detrimental to the portions of the public property which will continue to be used for public purposes; and

**WHEREAS**, N.J.S.A. 40A:12-14 requires advertisement and receipt of bids at public auction or by way of sealed bids; and

**WHEREAS**, the aforesaid statute allows the governing body to fix a minimum rental with the reservation of the right to reject all bids where the highest bid is not accepted.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Brigantine as follows that the City Clerk and City Solicitor are hereby authorized to prepare, advertise and notice bid specifications and a land lease in order to lease a portion of the 14<sup>th</sup> Street Water tower located on Block 1502, Lot 7 (215 14<sup>th</sup> Street, South) and adjacent land to facilitate the construction and installation of a communications corral, antennae and related equipment, in accordance with the following terms:

1. The minimum bid shall be for \$36,000 per year, which rate of rent shall be increased by a minimum of 3% per annum;
2. The initial term shall be for five (5) years, with four (4) five-year term renewals;
3. This portion of the Property is not needed for public use during the anticipated term of the lease;
4. The City reserves the right, within the two consecutive meetings following the bid opening, to reasonably evaluate the bid and to award to the highest responsible bidder or to reject all bids consistent with the Local Lands and Buildings Law;
5. The portion of the property is leased “as is” with no warranties, promises or guarantees attendant to the sale;
6. The City Clerk is hereby authorized and directed to advertise a lease of said property by way of sealed bids by advertising twice in consecutive weeks that last advertisement no less than seven (7) days before opening;

7. The successful bidder, if any, shall execute and return to the City the Land Lease within thirty (30) working days of receipt of same. If this condition is not met, the deposit submitted by the successful bidder will be forfeited and retained by the City;

8. The City Solicitor is authorized to negotiate any terms of the lease which do not affect the length of the lease term, the bid price or the escalation rate; and

9. The successful bidder, if any, shall be required to obtain any local, county, state and federal approvals at its sole cost.

**CITY OF BRIGANTINE  
RESOLUTION 2020-**

**THE COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:**

**WHEREAS**, it has been determined the City of Brigantine Department of Public Works that Elizabeth Bowers of 1112 Bayshore Avenue, Brigantine, NJ is due a refund for a plumbing bill that was incurred due to a problem of the City's responsibility; and

**WHEREAS**, it appears from the records that Elizabeth Bowers is due a refund of \$447.83; and

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

1. The City Financial Officers are hereby authorized to refund the sum of \$447.83 to Elizabeth Bowers.
2. 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 June 17, 2020.

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Lynn Sweeney, RMC  
City Clerk