

Absent:

**AGENDA  
CITY OF BRIGANTINE  
COUNCIL MEETING  
DECEMBER 2, 2020  
5:00 P.M. – Public Portion**

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Approval of 11/4/2020 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. Best Practice Discussion: Roxanne Tosto

8. Ordinance No. 17 of 2020 – Introduction  
Amending Chapter 284 of the Code of the City of Brigantine as it Relates to  
Handicap Parking Spaces

M:                      S:                      RC:                      MC:

9. Ordinance No. 18 of 2020 – Introduction  
Amending Chapter 210-37, Article II of the Code of the City of Brigantine as it  
Relates to Horseback Riding Permits

M:                      S:                      RC:                      MC:

10. Ordinance No. 19 of 2020 – Introduction  
Providing for Restricted Handicapped Parking Spaces

M:                      S:                      RC:                      MC:

11. Ordinance No. 20 of 2020 – Introduction  
Prohibiting the Ownership, Possession and Maintenance of any Livestock in the City  
of Brigantine

M:                      S:                      RC:                      MC:

12. Resolution 2020-206 Re: Award of Contract – Miscellaneous Parts and Supplies for Various City Departments

M: S: RC: MC:

13. Resolution 2020-207 Re: Award of Contract – Replacement of Three Heat Exchangers at the Community Center

M: S: RC: MC:

14. Resolution 2020-208 Re: Award of Contract - Pierce Equipment for Public Works

M: S: RC: MC:

15. Resolution 2020-209 Re: Renewal of RNR BRIG LLC Pocket Liquor License

M: S: RC: MC:

16. Resolution 2020-210 Re: 2021 Council Meeting Dates

M: S: RC: MC:

17. Resolution 2020-211 Re: Authorizing Execution of Contract for Fire Chief

M: S: RC: MC:

18. Resolution 2020-212 Re: Insertion of Special Item of Revenue – Drive Sober or Get Pulled Over Holiday Enforcement 2020

M: S: RC: MC:

19. Resolution 2020-213 Re: Authorizing the Entry into a Settlement Agreement Resolving an Administrative Penalty Assessment Imposed by the New Jersey Department of Environmental Protection

M: S: RC: MC:

20. Resolution 2020-214 Re: 3<sup>rd</sup> Party Medical Billing Services

M: S: RC: MC:

21. Resolution 2020-215 Re: Authorizing the Entry into and Execution of a Revocable License Agreement with the Property Owners of 1200 Ocean Avenue, A/K/A Block 1002, Lot 2, to Permit Encroachment into the City Right of Way

M: S: RC: MC:

22. Resolution 2020-216 Re: Tree and Debris Removal Services at Various City Locations

M: S: RC: MC:

23. Resolution 2020-217 Re: Summer Basketball Program CER Refund

M: S: RC: MC:

24. Resolution 2020-218 Re: Yard Sale Permit Refund

M: S: RC: MC:

25. Resolution 2020-219 Re: Insertion of Special Item of Revenue – DCA-Local Government Emergency Fund (LGEF) Grant

M: S: RC: MC:

26. Consent Agenda

A. Super Sprint Triathlon

M: S: RC: MC:

27. Council Manager/Committee Discussion:

28. Public Comments

29. Council Comments

30. 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.17 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 to the City of Brigantine concerning two such handicap parking spaces; and

**WHEREAS**, implementing this Ordinance would be a benefit to the health, welfare and safety of the residents of the City of Brigantine and the individuals who need the use of said handicap spaces; and

**WHEREAS**, the spaces set forth in this Ordinance have 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 I:** Section 284-59 of the Code of the City of Brigantine shall be amended be adding the following spaces as a designated handicap spaces within the City of Brigantine:

NAME OF STREET  
121 31<sup>st</sup> Street Sotuh

LOCATION  
Twenty (20) foot area  
on the side of the property  
located at 121 31<sup>st</sup> Street South

**SECTION II:** Upon adoption by the City Council of the City of Brigantine of this Ordinance, the Department of Public Works and all other appropriate entities area authorized to take any and all steps to erect the appropriate signs designating the above spaces as a handicap parking spaces 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: December 2, 2020

ADOPTION:

ATTEST:

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VINCE SERA, MAYOR

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LYNN SWEENEY, RMC CITY CLERK

**CITY OF BRIGANTINE**

**ORDINANCE NO. 18 OF 2020**

**“AN ORDINANCE AMENDING CHAPTER 210-37, ARTICLE II OF  
THE CODE OF THE CITY OF BRIGANTINE  
AS IT RELATES TO HORSEBACK RIDING PERMITS”**

**WHEREAS**, the City of Brigantine is permitted by its police power to establish certain fees for services within the City of Brigantine; and

**WHEREAS**, the City Council of the City of Brigantine desires to amend its fee schedule to provide for certain fees.

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

Section 1. The following fees are hereby established:

<b>License, Permit or Service</b>	<b>Fee</b>
Horseback riding permit	\$100
Senior citizens 65 and over	\$75
Active military and veterans	\$50

Section 2. Chapter 210 shall remain in full force and effect to the extent not modified herein.

Section 3. Repealer, Severability, and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**ATTEST:**

**BRIGANTINE CITY COUNCIL**

\_\_\_\_\_  
Lynn Sweeney, City Clerk

\_\_\_\_\_  
Vince Sera, Mayor

**CITY OF BRIGANTINE**

**ORDINANCE 19 - 2020**

**“AN ORDINANCE PROVIDING FOR RESTRICTED  
HANDICAPPED PARKING SPACES”**

**WHEREAS**, the Municipal Code of the City of Brigantine (the “City”) provides in Chapter 284 for certain vehicle and traffic controls; and

**WHEREAS**, Section 284-32, Article III provides for Handicapped parking; and

**WHEREAS**, the City Council of the City of Brigantine wishes to provide for certain additional, restricted handicapped spaces within the City.

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

Section 1. **§284-32. Article III: Handicapped parking** is amended and supplemented as follows:

- A. The locations described in Schedule XXIII (§ 284-59), included herein and made a part of this chapter, are hereby designated as handicapped parking spots.
- B. Any resident of the City of Brigantine possessing a valid New Jersey driver's license who has qualified for a handicapped parking permit from the State of New Jersey may apply to the City of Brigantine for a restricted handicapped parking space located near their residence. The application shall be submitted to the City Manager with a current copy of the applicant's handicapped parking permit and valid driver's license issued by the State of New Jersey.
- C. Consideration will be given to non-driving applicants for restricted curbside spaces providing that it is shown that there is a hardship in dropping off the handicapped applicant at their residence and subsequently parking the vehicle at another location. The nondisabled driver must reside in the same household as the disabled person and provide verification of such status.
- D. Restricted handicapped spaces will not be provided to applicants who have access to driveways and/or to other off street parking facilities.
- E. The number of handicapped restricted spaces on each City block will be limited. Two (2) spaces will be allotted per street side per block with a maximum of four (4) available spaces. The intent is to provide a fair distribution of accessible spaces that are compliant with the above guidelines to both handicapped and non-handicapped residents of the City.

- F. Applicants shall have the option of requesting a designated space with a personal restriction that shall be defined by their New Jersey license plate number being printed on the signs delineating their space which shall be established by ordinance. .
- G. The fee for restricted handicapped parking space will be \$75 per year. All handicapped parking spaces shall be subject to annual renewal. Applicants shall be required to provide a copy of current status of valid New Jersey handicapped status, driver's license and vehicle registration.
- H. Restricted handicapped spaces designated by ordinance shall be listed in **§284-59, Schedule XXIII: Handicapped Parking Spaces Restricted by New Jersey Plate Number and Designated by Ordinance..**
- I. A handicapped parking permit may be suspended or revoked by the City of Brigantine if the holder thereof has committed fraud or misrepresentation in any application for a permit or in the use of such handicapped parking permit or has violated any provision of this chapter. Additionally, any individual to whom a restricted spot has been granted who is found to be regularly utilizing on-street parking in the immediate vicinity of the location of the restricted space that has been provided to such individual, instead of utilizing such restricted space, shall be subject to suspension or revocation of such restricted parking space. No suspension or revocation shall occur prior to a hearing being held before an Administrative Board, to consist of three persons: the City Clerk, the City Manager, and the Chief of Police. Prior to such hearing, the affected person(s) and/or firm(s) shall receive notice of said hearing and shall have an opportunity to present a defense.

Section 2. All other provisions contained in §284-39 shall remain in full force and effect.

Section 3. Repealer, Severability, and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.
- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.



**CITY OF BRIGANTINE**

**ORDINANCE 20 -2020**

**AN ORDINANCE OF THE CITY OF BRIGANTINE, COUNTY OF ATLANTIC, AND  
STATE OF NEW JERSEY PROHIBITING THE OWNERSHIP, POSSESSION AND  
MAINTENANCE OF ANY LIVESTOCK IN THE CITY OF BRIGANTINE**

**WHEREAS**, the possession, housing, raising and maintenance of livestock in the City of Brigantine is inconsistent with the general good health and well-being of persons in the City of Brigantine; and

**WHEREAS**, it is the intention of City Council to insure the public health and well-being of all persons and cleanliness consistent with the presentation of the City of Brigantine to all residents and visitors; and

**WHEREAS**, in furtherance of such goals, it is the intention of City Council to prohibit the possession and housing of livestock in the City.

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

**Section 1.** There is added to the Brigantine Municipal Code Section 153-11A in Article III, which will provide as follows:

The possession, housing, raising, and maintenance of any livestock in the City of Brigantine, including but not limited to horses, cows, bulls, pigs, and goats, is hereby prohibited.

**Section 2.** Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.

**Section 3.** Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

**Section 4.** This Ordinance shall take effect after final adoption and publication in accordance with law.

**ATTEST:**

**CITY OF BRIGANTINE**

BY: \_\_\_\_\_  
LYNN A. SWEENEY, CITY CLERK

BY: \_\_\_\_\_  
VINCE SERA, MAYOR

RESOLUTION #

MISCELLANEOUS PARTS AND SUPPLIES

**WHEREAS**, the City of Brigantine has a need for miscellaneous parts and supplies for various City Departments; and

**WHEREAS**, it is determined in the best interest of the City of Brigantine to have said supplies available from a local vendor when needed; 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**, John W. Doring Jr., Superintendent of Public Works and Dennis Krause, QPA, City Purchasing Agent have reviewed the required needs of the City and recommended that Smith Brothers Three, Inc., T/A Brigantine Ace Hardware, 3116 Brigantine Blvd, Brigantine, NJ 08203 be awarded an alternative non-advertised method of award for miscellaneous parts and supplies as determined by the needs of the City of Brigantine; and

**WHEREAS**, Smith Brothers Three, Inc., T/A Brigantine Ace Hardware has completed and submitted a Business Registration Certificate (BRC), a Business Entity Disclosure Certification which certifies that Brigantine Ace Hardware 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 that the contract 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 Brigantine Ace Hardware for miscellaneous parts and supplies. 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 Accounts. Estimated expenditures for 2020 should not exceed \$29,000.00.

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 2<sup>nd</sup> day of December, 2020.

CITY OF BRIGANTINE

_____ Lynn Sweeney, RMC City Clerk	Recorded Vote:	MOTIONS	AYE	NAY	ABSTAIN	ABSENT
	Sera					
	Riordan					
	Kane					
	Bew					
_____ Roxanne Tosto Chief Financial Officer	Lettieri					
	Haney					
	DeLucry					

RESOLUTION NO.  
THE CITY OF BRIGANTINE

A RESOLUTION AUTHORIZING AWARD OF A CONTRACT TO REPLACE  
THREE HEAT EXCHANGERS AT THE COMMUNITY CENTER

**WHEREAS**, heat exchangers need to be replaced in the Art, bingo and Billiard rooms at the Community Center; and

**WHEREAS**, Falasca Mechanical is the current contracted vendor for the City of Brigantine for HVAC 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 Falasca Mechanical to perform the work necessary to replace the three heat exchangers at the Community Center; 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 Current Fund Line# 0-01-26-302-216 in the amount of \$9,554.00.

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 2<sup>nd</sup> day of December, 2020.

CITY OF BRIGANTINE

\_\_\_\_\_  
Lynn Sweeney, RMC  
City Clerk

\_\_\_\_\_  
Roxanne Tosto  
Chief Financial Officer

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

CITY OF BRIGANTINE  
RESOLUTION #

EQUIPMENT AND SUPPLIES  
FOR THE PUBLIC WORKS DEPARTMENT

**WHEREAS**, the Public Works department has need for equipment and supplies to service their fleet; 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 may exceed \$17,500.00; and

**WHEREAS**, John Doring, Public Works Superintendent and Dennis Krause, QPA, City Purchasing Agent have reviewed the required equipment and supplies needed and recommended that Peirce Equipment Co, 3388 Route 22 West, Somerville, NJ 08876 be awarded an alternative non-advertised method of award for equipment and supplies as determined by the needs of the City of Brigantine; and

**WHEREAS**, Peirce Equipment Co has completed and submitted a Business Registration Certificate (BRC) and a Business Entity Disclosure Certification which certifies that Peirce Equipment Co 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 Peirce Equipment Co for equipment and supplies. 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 Public Works various line items. Estimated expenditures for 2020 should not exceed \$40,000.00

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 2<sup>nd</sup> day of December 2020

CITY OF BRIGANTINE

\_\_\_\_\_  
Lynn Sweeney, RMC  
City Clerk

\_\_\_\_\_  
Roxanne Tosto  
Chief Financial Officer

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

CITY OF BRIGANTINE  
RESOLUTION 2020-209

THE CITY COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

WHEREAS, the following Alcoholic Beverage License be and is hereby authorized effective December 2, 2020 – June 30, 2021, subject to the restrictions as herein contained:

PLENARY RETAIL DISTRIBUTION  
0103-33-005-006 RNRBRIG, LLC

FEE PAID  
\$1,750.00

Conditions: No restrictions

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

The City Clerk is hereby designated and authorized to issue and sign said license on behalf of the City Council of the City of Brigantine.

This is to certify that this is a true and lawful copy of the resolution adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey at its meeting of December 2, 2020.

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE  
RESOLUTION 2020-210**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, COUNTY OF ATLANTIC, NEW JERSEY, THAT THE REGULAR MEETING DATES OF THE CITY COUNCIL FOR THE CITY OF BRIGANTINE FOR THE 2021 CALENDAR YEAR ARE AS FOLLOWS:**

<b>JANUARY 6, 2021</b>	<b>COUNCIL MEETING</b>
<b>JANUARY 20, 2021</b>	<b>COUNCIL MEETING</b>
<b>FEBRUARY 3, 2021</b>	<b>COUNCIL MEETING</b>
<b>FEBRUARY 17, 2021</b>	<b>COUNCIL MEETING</b>
<b>MARCH 3, 2021</b>	<b>COUNCIL MEETING</b>
<b>MARCH 17, 2021</b>	<b>COUNCIL MEETING</b>
<b>APRIL 7, 2021</b>	<b>COUNCIL MEETING</b>
<b>APRIL 21, 2021</b>	<b>COUNCIL MEETING</b>
<b>MAY 5, 2021</b>	<b>COUNCIL MEETING</b>
<b>MAY 19, 2021</b>	<b>COUNCIL MEETING</b>
<b>JUNE 2, 2021</b>	<b>COUNCIL MEETING</b>
<b>JUNE 16, 2021</b>	<b>COUNCIL MEETING</b>
<b>JULY 14, 2021</b>	<b>COUNCIL MEETING</b>
<b>AUGUST 4, 2021</b>	<b>COUNCIL MEETING</b>
<b>AUGUST 18, 2021</b>	<b>COUNCIL MEETING</b>
<b>SEPTEMBER 1, 2021</b>	<b>COUNCIL MEETING</b>
<b>SEPTEMBER 15, 2021</b>	<b>COUNCIL MEETING</b>
<b>OCTOBER 6, 2021</b>	<b>COUNCIL MEETING</b>
<b>OCTOBER 20, 2021</b>	<b>COUNCIL MEETING</b>
<b>NOVEMBER 3, 2021</b>	<b>COUNCIL MEETING</b>
<b>DECEMBER 1, 2021</b>	<b>COUNCIL MEETING</b>
<b>DECEMBER 15, 2021</b>	<b>COUNCIL MEETING</b>
<b>DECEMBER 29, 2021</b>	<b>SPECIAL COUNCIL MTG. –WEDNESDAY 2:00 P.M.</b>

**BE IT FURTHER RESOLVED, THAT ALL MEETINGS WILL BEGIN AT 5:00 P.M. WITH A POSSIBLE EXECUTIVE SESSION AND THEN IMMEDIATELY FOLLOWED BY THE PUBLIC PORTION UNLESS OTHERWISE NOTED. UNTIL FURTHER NOTICE, ALL MEETINGS WILL BE HELD ON ZOOM. IF THE PUBLIC WOULD LIKE TO PARTICIPATE, LOG ON TO <https://us04web.zoom.us/>. THE MEETING ID IS 7345702437.**

**BE IT FURTHER RESOLVED, THAT FORMAL ACTION CAN BE TAKEN AT ANY AND ALL OF THE ABOVE REFERENCED MEETINGS.**

**NOW, THEREFORE, BE IT FURTHER RESOLVED, THAT THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY. THIS NOTICE WILL BE POSTED AND PUBLISHED IN ACCORDANCE WITH THE “OPEN PUBLIC MEETINGS LAW” P.L. 1975 C231.**



**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 Tige Platt for the Chief of Fire Department 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 December 2, 2020.

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE  
RESOLUTION NO.**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Brigantine has received an award of \$2,400.00 from Atlantic County Office of Highway Safety (sub-grantee) for Drive Sober or Get Pulled Over Holiday Enforcement 2020 and wishes to amend its 2020 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, hereby requests that Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of .....\$2,400.00

Which now is available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the  
Division of Local Government Services:  
State and Federal Revenues Off-set with  
Appropriations:

BE IT FURTHER RESOLVED that the like sum of .....\$2,400.00  
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from CAPS  
Drive Sober or Get Pulled Over Holiday Enforcement 2020

BE IT FURTHER RESOLVED, that the City Clerk will forward a certified copy electronically to the Chief Financial Officer who will file request electronically with the Division of Local Government Services for approval.

**CITY OF BRIGANTINE**

**RESOLUTION NO.                    - 2020**

**A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY COUNCIL OF THE CITY OF BRIGANTINE AUTHORIZING THE  
ENTRY INTO A SETTLEMENT AGREEMENT RESOLVING AN ADMINISTRATIVE  
PENALTY ASSESSMENT IMPOSED BY THE NEW JERSEY DEPARTMENT OF  
ENVIRONMENTAL PROTECTION**

**WHEREAS**, on October 15, 2018, the New Jersey Department of Environmental Protection ("NJ DEP") imposed an administrative penalty on the City of Brigantine (the "City") in the amount of Forty Thousand (\$40,000.00) Dollars which penalty resulted from an analysis of alleged violations of the New Jersey Water Pollution Control Act and the New Jersey Water Quality Planning Act; and

**WHEREAS**, on November 7, 2018, the City filed Notice with the NJ DEP requesting an administrative hearing in regard to the above penalty and the underlying charges; and

**WHEREAS**, during the pendency of this matter, the City has entered into discussions with the Office of Dispute Resolution and within the Department of Environmental Protection which discussions have resulted in a reduction of penalties to Twenty Thousand (\$20,000.00) Dollars without an admission of liability; and

**WHEREAS**, on December 4, 2020, pursuant to Resolution No. \_\_\_\_-2020, the City Council of the City of Brigantine authorized the entry into an Alternative Dispute Resolution Term Sheet authorizing settlement of this matter in the amount of Twenty Thousand (\$20,000.00) Dollars; and

**WHEREAS**, the Department of Environmental Protection Office of Dispute Resolution has prepared a Settlement Agreement based upon the Alternative Dispute Resolution Term Sheet to more formally memorialize this settlement, which Settlement Agreement is attached hereto and which City Council has reviewed and is authorizing the execution thereof; and

**NOW, THEREFORE, BE IT RESOLVED**, that the City Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, hereby authorizes the execution of the attached Settlement Agreement.

DATE: \_\_\_\_\_

\_\_\_\_\_  
LYNN SWEENEY, RMC  
CITY CLERK

RESOLUTION #

FOR 3<sup>rd</sup> PARTY MEDICAL BILLING SERVICES

**WHEREAS**, the Fire Department has a need for a third party billing service to collect fees for EMS services; 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**, DM Medical Billings, LLC has performed this service for the City the past ten years; and

**WHEREAS**, Tige Platt, City Fire Chief and Dennis Krause, QPA, City Purchasing Agent have reviewed the proposal and recommended that DM Medical Billings, LLC, 88 S. Lakeview Drive, Bldg. #2, Gibbsboro, NJ 08026 receive an alternative non-advertised method of award to provide third party billing service to collect fees for EMS services as determined by the needs of the City of Brigantine; and

**WHEREAS**, DM Medical Billings, LLC has completed and submitted a Business Registration Certificate (BRC), a Business Entity Disclosure Certification and Sworn Statement By DM Medical Billings, LLC which certifies that DM Medical Billings, 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 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 DM Medical Billings, LLC for third party billing services. 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 that Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in the Current Fund EMS Billing account #0-01-20-132-201. DM Medical Billings, LLC will receive 6.20% of monies collected. Estimated fees for 2020 should not exceed \$22,500.00.

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 2<sup>nd</sup> day of December, 2020

CITY OF BRIGANTINE

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Lynn Sweeney, RMC  
City Clerk

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Roxanne Tosto  
Chief Financial Officer

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

**CITY OF BRIGANTINE**

**RESOLUTION NO.                    - 2020**

**“A RESOLUTION OF THE CITY COUNCIL  
OF THE CITY OF BRIGANTINE AUTHORIZING THE ENTRY INTO AND  
EXECUTION OF A REVOCABLE LICENSE AGREEMENT WITH THE PROPERTY  
OWNERS OF 1200 OCEAN AVENUE, A/K/A BLOCK 1002, LOT 2, TO PERMIT  
ENCROACHMENT INTO THE CITY RIGHT OF WAY”**

**WHEREAS**, Adam and Donna Schechter, he Property Owners of 1200 Ocean Avenue, a/k/a/ Block 1002, Lot 2 (hereinafter the “Property Owners”) received approval from the Brigantine Planning Board for variance relief to construct renovations to their home, including an expanded garage, second and third floor decks; and

**WHEREAS**, the variance approval is memorialized in detail in Brigantine Planning Board Resolution dated March 25, 2020 for Application No. 4-2020, attached hereto as Exhibit “A” and made a part hereof;

**WHEREAS**, the proposed improvements permitted by the approved variance, will encroach into the City’s right of way; and

**WHEREAS**, the Property Owners and the City wish to enter into a Revocable License Agreement, (hereinafter the “Agreement”) in the form substantially as attached hereto, to effectuate the variance approval by the Brigantine Planning Board on March 25, 2020 permitting the encroachments; and

**WHEREAS**, the City Council has reviewed the proposed Revocable License Agreement, and its attachments including a metes and bounds description, a proposed license plan prepared by Arthur W. Ponzio Co. dated May 12, 2020, and the Planning Board Resolution for Application 4-2020, and wishes to authorize execution of the Agreement.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and City Council of the City of Brigantine that the Mayor, City Manager are authorized to execute the attached Revocable License Agreement with Adam and Donna Schechter, Property Owners of 1200 Ocean Avenue, Block 1002, Lot 2,

DATE: \_\_\_\_\_

\_\_\_\_\_  
LYNN SWEENEY, RMC  
CITY CLERK

4829-3608-8274, v. 1

CITY OF BRIGANTINE  
RESOLUTION #

TREE AND DEBRIS REMOVAL SERVICES AT VARIOUS CITY LOCATIONS

**WHEREAS**, the Public Works department has a need for tree and debris removal services at various City locations; 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**, John W. Doring Jr., Superintendent of Public Works and Dennis Krause, QPA, City Purchasing Agent have reviewed up-coming projects and recommended that Hell Fighters Tree Removal, 6657 West Jersey Avenue, Egg Harbor Twp., NJ 08234 be awarded an alternative non-advertised method of award for tree and debris removal services as determined by the needs of the City of Brigantine; and

**WHEREAS**, Hell Fighters Tree Removal has completed and submitted a Business Registration Certificate (BRC), a Business Entity Disclosure Certification which certifies that Hell Fighters Tree Removal 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 that the contract 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 Hell Fighters Tree Removal for tree and debris removal services. 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 Public Works Current Fund Accounts #0-01-26-302-299 and #0-01-26-302-216. Estimated expenditures for 2020 should not exceed \$36,000.00.



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 2<sup>nd</sup> day of December 2020

CITY OF BRIGANTINE

\_\_\_\_\_  
Lynn Sweeney, RMC  
City Clerk

\_\_\_\_\_  
Roxanne Tosto  
Chief Financial Officer

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

RESOLUTION 2020 –

WHEREAS, it has been determined by the Brigantine C.E.R. that the individual(s) as indicated on the attached Schedule "A" Summer Basketball Program Cancelled

WHEREAS, it is the desire of the Council of the City of Brigantine to have these payment(s) Returned to the respective individuals.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine, County of Atlantic, State of New Jersey, that:

1. The Financial Department is hereby authorized to refund the amounts shown to the respective applicants as presented in Schedule "A".
2. Copies of the resolution shall be sent to the Director of the C.E.R.

Schedule A

REFUNDS

Summer Basketball Program Cancelled

Alyssa Hemberger	\$50.00
103 Woods Rd.	
Absecon, NJ 08201	

<b>TOTAL</b>	<b>\$50.00</b>
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**CITY OF BRIGANTINE  
RESOLUTION 2020-**

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

**WHEREAS**, it appears from the records that Lisa Gordon of Premier Estates & Appraisals, LLC P.O. Box 250, Moorsetown, NJ 08057 purchased yard sale permit for the weekend of August 1<sup>st</sup> and 2<sup>nd</sup>, 2020 prior to the City deeming that weekend to be a permit free weekend; and

**WHEREAS**, Ms. Gordon paid a permit fee of \$12.00.

**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 \$12.00 to Lisa Gordon of Premier Estates & Appraisals, LLC P.O. Box 250, Moorsetown, NJ 08057
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 December 2, 2020.

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE  
RESOLUTION NO.**

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and

WHEREAS, the City of Brigantine has received an award of \$123,900.00 from New Jersey Department of Community Affairs (DCA), Local Government Emergency Fund (LGEF) Grant and wishes to amend its 2020 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, hereby requests that Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2020 in the sum of .....\$123,900.00

Which now is available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated  
with Prior Written Consent of the Director of the

Division of Local Government Services:

State and Federal Revenues Off-set with  
Appropriations:

BE IT FURTHER RESOLVED that the like sum of .....\$123,900.00  
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from CAPS

DCA-Local Government Emergency Fund (LGEF) Grant

BE IT FURTHER RESOLVED, that the City Clerk will forward a certified copy electronically to the Chief Financial Officer who will file request electronically with the Division of Local Government Services for approval.



Jack Braconnier  
Endurance Coach  
[www.JackBrac.com](http://www.JackBrac.com)

Dear Mr. Bennet,

We would like to request an event license for Sunday, December 13<sup>th</sup> for a super sprint triathlon starting at 7am-8:30am.

We had so much fun hosting the event last year that we wanted to try to grow the event and do it again. We will be working with the Brigantine Aquatic Center again for the swim. Robin Taylor, the owner of the Brigantine Aquatic Center and I have already created an agreement for rental that morning.

Given COVID-19 we will be following the state guidelines of social distancing and having waves of participants to space everyone out as needed for safety purposes. We will have every race participant fill out a COVID-19 waiver the morning of the race to ensure no one is racing with any signs or symptoms, has come in contact with anyone that has been positive with COVID-19 or has traveled recently.

The great thing about the super sprint triathlon is that the race in total takes an hour even for the last finisher to cross the line. It will be a 125 yard swim, 5 mile bike and 1 mile run course.

Below I listed out the details of the event as well as a course map. This race will need minimal road closures. I anticipate less than 50 people for this race. Kristen Kochenour will be the race director that morning.

We will be obtaining event insurance as we did last year per Brigantine's guidelines and will send you verification of the insurance.

Please let us know if we can provide further information prior to your meeting for the event license.

#### **Event Details:**

**Name: Super Sprint Triathlon**

**Race Website:**<http://www.jackbrac.com/brigantine-super-sprint-triathlon.html>



Jack Braconnier  
Endurance Coach  
[www.JackBrac.com](http://www.JackBrac.com)

## **WHERE AND WHEN**

The race will take place on Sunday, December 13th - 7:00 am sharp.  
All events start and finish at the Brigantine Aquatic Center

## **EVENTS**

### **Triathlon Distances**

125 yard swim (Indoors in pool), 5 mile bike(2 loops), 1 mile run

5:30-7:00 am check-in, packet pickup and race day registration

- 6:30 am pre-race briefing
- 7:00 am races start(2-4 waves based on # of entrants)

\*\*We will be keeping in mind social distancing guidelines of the state of New Jersey during the race and limiting the number of participants per wave\*\*

The swim is in the indoor pool at the Aquatic Center. The bike and run will be contested on roads though Brigantine. The course is flat and fast.