

- A. VFW Raffle License #1077
- B. South Jersey Cancer Fund Raffle License #1078

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. 13 OF 2024

**AN ORDINANCE SUPPLEMENTING CHAPTERS 127 AND 210 OF THE CODE OF
THE CITY OF BRIGANTINE CONCERNING BULKHEAD PERMIT FEES AND TO PERMIT
THE WAIVER OF FEES IN EMERGENCY SITUATIONS**

WHEREAS, the City of Brigantine established fees for bulkhead permitting; and

WHEREAS, from time-to-time a natural disaster or other emergency condition may occur causing property owners to face immediate need to replace or repair conditions upon their property which pose a threat to both their property and surrounding properties; and

WHEREAS, such residents may not be prepared for the financial impact of such events; and

WHEREAS, the City desires to establish a process where the Council, by resolution, may waive certain local construction fees on a limited bases, as a means of relieving this portion of a financial burden to our property owners in their time of need; and

NOW, THEREFORE, BE IT ORDAINED AND ENACTED, by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey that Chapters 127 and 210 of the Code of the City of Brigantine be and is hereby amended and supplemented as follows:

Section One. Amendments to Chapter 127 entitled “Bulkheads”

Chapter 127-1 of the City Code entitled “Bulkheads” is amended and supplemented to add new paragraphs “O” through “P” to read as follow:

O. Permit fees for new and replacement bulkheads and bulkhead repair shall be established at Section 210-37(B) of the City Code. When construction occurs to more than twenty percent of the bulkhead, it shall be considered a replacement project instead of a repair project.”

P. The City, may waive said fees through the process outlined in Chapter 210-37(A) of the City Code.

Section Two. Amendments to Chapter 210-37 entitled “Fee Enumerated.”

Chapter 210-37 of the City Code entitled “Fees Enumerated” is amended and supplemented to add new read as follows:

New paragraph

“A. The City Council may, by Resolution, temporarily waive local permit fees as enumerated in such Resolution, when the need for such permit is created by a natural event, public emergency or disaster beyond the control of the property owner. Said Resolution shall specifically identify which local ordinance permit

fees are being waived, the time limitation for applying for the fee, the location(s) of the City where the waiver applies if limited to a particular section and any other relevant information necessary to effectuate the waiver.”

Amendment to Existing 210-37.

The existing language in 210-37 is renumbered as paragraph “B” and the below fees for bulkhead permits are to be incorporated alphabetically into the fee schedule.

License, Permit or Service	Fee
...	
Bulkhead Permits	
New or Replacement Project (more than 20% of Bulkhead)	\$600
Minor Repair (replacement of up to 20% of Bulkhead)	\$300
...	

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. This Ordinance shall take effect upon passage and publication according to law.

ACTION ON INTRODUCTION:

Motion made by: _____

Motion seconded by: _____

VOTE:

Deputy Mayor Bew:	Yes	No	Abstain	Not Present
Councilman Lettieri:	Yes	No	Abstain	Not Present
Councilman Haney:	Yes	No	Abstain	Not Present
Councilman DeLucry:	Yes	No	Abstain	Not Present

Councilman Kane:	Yes	No	Abstain	Not Present
Councilman Riordan:	Yes	No	Abstain	Not Present
Mayor Sera:	Yes	No	Abstain	Not Present

ACTION ON ADOPTION (after public hearing)

Motion made by: _____

Motion seconded by: _____

VOTE:

Deputy Mayor Bew:	Yes	No	Abstain	Not Present
Councilman Lettieri:	Yes	No	Abstain	Not Present
Councilman Haney:	Yes	No	Abstain	Not Present
Councilman DeLucry:	Yes	No	Abstain	Not Present
Councilman Kane:	Yes	No	Abstain	Not Present
Councilman Riordan:	Yes	No	Abstain	Not Present
Mayor Sera:	Yes	No	Abstain	Not Present

CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Brigantine City Council held on August 21, 2024 and adopted after a public hearing at a meeting of the Brigantine City Council held on September 4, 2024.

Lynn Sweeney, RMC
City Clerk

Councilman Haney:	Yes	No	Abstain	Not Present
Councilman DeLucry:	Yes	No	Abstain	Not Present
Councilman Kane:	Yes	No	Abstain	Not Present
Councilman Riordan:	Yes	No	Abstain	Not Present
Mayor Sera:	Yes	No	Abstain	Not Present

ACTION ON ADOPTION (after public hearing)

Motion made by: _____

Motion seconded by: _____

VOTE:

Deputy Mayor Bew:	Yes	No	Abstain	Not Present
Councilman Lettieri:	Yes	No	Abstain	Not Present
Councilman Haney:	Yes	No	Abstain	Not Present
Councilman DeLucry:	Yes	No	Abstain	Not Present
Councilman Kane:	Yes	No	Abstain	Not Present
Councilman Riordan:	Yes	No	Abstain	Not Present
Mayor Sera:	Yes	No	Abstain	Not Present

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I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Brigantine City Council held on August 21, 2024 and adopted after a public hearing at a meeting of the Brigantine City Council held on September 4, 2024.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
ORDINANCE NO. 15 OF 2024**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BRIGANTINE TO
AMEND CHAPTER 39 OF THE CITY CODE REGARDING THE BRIGANTINE
GARDEN CLUB ADVISORY BOARD**

WHEREAS, the City of Brigantine (the City) is a municipal entity organized and existing under the laws of the State of New Jersey and located in Atlantic County; and

WHEREAS, The Mayor and City Council created the Brigantine Garden Club Advisory Board via Ordinance 16-2019 to assist in the identification and development of gardening related programs, with a focus on areas of environmental responsibility, conservation, and education; and

WHEREAS, the Advisory Board requests amends to the Code;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey as to read as follows:

§ 39-1 Creation.

Pursuant to N.J.S.A. 40A:69A-89, the Brigantine Garden Club Advisory Board (hereinafter the “Garden Club” or “Advisory Board”) is hereby created and established. This Board is not a Shade Tree Commission pursuant to N.J.S.A. 40:64-1, et seq., and is not intended to have the powers of a Commission.

§ 39-2 Powers and Duties.

The Garden Club shall act in an advisory capacity to the City Council and provide the following:

- A. Recommend, plan, and organize the planting and maintenance of the City-owned flowerbeds and parks and perform the planting of flowers and shrubs in said places.
- B. Submit an annual report to the City Council regarding its activities over the prior twelve (12) months, and, if requested, appear before the City Council for the discussion of same.
- C. In order to accomplish the above purposes, the Board shall hold public meetings and encourage volunteers to participate in its projects. The names of these volunteers shall be submitted to the City Manager by the secretary on an annual basis or when volunteers change.

§ 39-3 Membership.

The Garden Club Advisory Board shall consist of nine (9) members with at least one (1) member being a City Council person and one member being the City’s Director of Public Works. Except for the Director of Public Works, each member shall be a resident of Brigantine. These members shall be selected at a public Garden Club meeting in October by members and volunteers. The appointments of Advisory Board members shall be made by City Council as soon as practicable after the board’s selection process. The newly appointed members shall then select the Board’s

officers at the final Advisory Board Meeting of the Year. The officer position will be: two co-chairs, secretary, and treasurer, and will include three additional at-large Board members.

§ 39-4 Term of appointment.

The term of members of the Board shall be for a one-year period. A person may serve for successive years if re-selected and re-appointed by Council. The term limit of service is three consecutive terms; after one year off, a board member may be permitted to return, subject to the above restriction.

§39-5 Vacancies.

Any vacancy created other than by expiration of a term shall be filled by a vote of the Board and approval by City Council.

§ 39-6. Compensation.

No member of the Advisory Board shall receive any compensation for being a member.

§ 39-7. Funding.

The City Council may, if necessary, appropriate funds for use by the Board to meet its stated purposes. Its expenses shall not exceed the funds appropriated by the City Council. The fiscal year will adhere to the City of Brigantine calendar year of January 1 to December 31.

§39-8 Donations.

The City and the Board are permitted to accept donations, fees, and grants on behalf of the Brigantine Garden Club for the purposes of assisting with the beautification of the city, and promoting environmental responsibility, conservation, and education. Such money shall be held in Trust by the City designated to the Garden Club Trust Fund in accordance with N.J.S.A. 40A:4-39 and in accordance with N.J.S.A. 40A:5-29.

§39-9 Organization and administration.

- A. The Garden Club shall provide for its own internal organizational rules and procedures as it deems desirable. However, no rule or procedure shall be inconsistent with any federal, state, or local statute or regulation.
 1. The Garden Club may recruit community volunteers to assist on projects. The names of the volunteers shall be submitted to the City Manager on an annual basis or when volunteers change. No volunteer shall be considered or have any rights of an employee of the City of Brigantine.
 2. The Garden Club volunteers engaged in activity authorized herein or directed by Council and/or the Superintendent of Public Works shall be extended insurance coverage by the City of Brigantine through the Atlantic County Municipal Joint Insurance Fund. The insurance coverage provided herein, does not establish an obligation on the part of the City to indemnify or hold harmless the Garden Club

volunteers nor provide any compensation in excess of the amounts provided by the ACMJIF.

B. Procedures of the Brigantine Garden Club

1. The Club shall ensure accurate and complete minutes of each Board and general meeting are prepared and approved by the Board and forwarded to City Council. Treasurer's reports are also to be approved on a timely basis.
2. Any actions recommended by the Garden Club shall be submitted in a timely manner to the City Manager. Such reports and actions, recommended by the Garden Club, shall not be effective until reviewed by the Director of Public Works, who is then required to submit said reports and actions to the City Manager in a timely manner. The Club shall conduct its activities and meetings in accordance with all applicable federal, state, and local statutes and regulations, which shall include, but not be limited to, the Local Government Ethics Law, the Open Public Meetings Act and the Open Public Records Act.
3. The Garden Club with the Volunteers shall meet monthly at 265 42nd St. S Brigantine, NJ on the first Monday of the month commencing March until October of each year except when a holiday falls on the first Monday. In the event of a holiday, the meeting will then be held the second Monday of that month. Meetings are open to the public. The Garden Club may call special meetings of the volunteers with notice to them sent electronically including the purpose of each special meeting.
4. The Garden Club shall establish volunteer committees to accomplish its stated purposes.
5. The Garden Club shall adhere to the City of Brigantine purchase- ordering process for all purchases requested by volunteers. Failure to do so can result in lack of payment to the volunteer.

C. Duties of the Officers

1. Co-Chairs (2) - The Co-Chairs are responsible for ensuring that the members and the volunteers are aware of and fulfill their governing responsibilities, comply with applicable laws, conduct Advisory Board business effectively and efficiently and are accountable for their performance to the City of Brigantine. Co-Chairs shall give proper notice of any meetings and are responsible for timely distribution of materials such as agendas, etc. to the appropriate parties and shall conduct meetings in the absence of one Co-Chair. For the Board and Club to function effectively, the co-chair system must work. If the Board by vote determines that the co-chair system does not work, it may amend the ordinance by reverting to the previous system of president/vice-president. In an emergency regarding lack of officers, as determined by the board, the 3-term-limit restriction on current officers may be waived.

2. Secretary- The secretary shall keep minutes of Board and public meetings and make them available to members, volunteers, and City Council. The secretary shall be knowledgeable of the Club's records and related materials, providing advice and resources to the Board on topics such as government issues, amendments to the state law, etc., that will assist them in fulfilling their duties. As the custodian of the Club's records, the secretary is responsible for maintaining accurate documentation and meeting any legal requirements. The secretary is responsible for reviewing and updating documents as necessary and ensuring old documents are stored safely and readily accessible. The secretary, or the corresponding appointee, shall acknowledge notes of appreciation and donations, etc., listing them for the Board and at a general meeting on a timely basis.
3. Treasurer – The treasurer is responsible for drafting and presenting the annual budget to the Advisory Board and the City of Brigantine, preparing, and presenting a treasurer's report at each Advisory Board meeting, and working closely with the City's Dept. of Public Works on Advisory Board and volunteer needs, expenses, etc.

D. Committees

All committees for special projects are responsible for a written report to the Advisory Board about their plans and progress on an agreed-upon schedule.

1. The Garden Club shall appoint a North End and a South End Bed Tender Coordinator to oversee designated specific beds within the City of Brigantine. The coordinators assign the city beds as the beds become available. The Bed Tender Coordinators will submit the name and address of the volunteer Bed Tender to the Secretary to be submitted to the City of Brigantine.
2. Garden Awards Committee

The Advisory Board will seek volunteers for the garden awards. The volunteers will promote the Brigantine Garden Club through distribution of the awards to residents beautifying the city for a job well done.

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. This Ordinance shall take effect upon passage and publication according to law.

ACTION ON INTRODUCTION:

Motion made by: _____

Motion seconded by: _____

VOTE:

Deputy Mayor Bew:	Yes	No	Abstain	Not Present
Councilman Lettieri:	Yes	No	Abstain	Not Present
Councilman Haney:	Yes	No	Abstain	Not Present
Councilman DeLucry:	Yes	No	Abstain	Not Present
Councilman Kane:	Yes	No	Abstain	Not Present
Councilman Riordan:	Yes	No	Abstain	Not Present
Mayor Sera:	Yes	No	Abstain	Not Present

ACTION ON ADOPTION (after public hearing)

Motion made by: _____

Motion seconded by: _____

VOTE:

Deputy Mayor Bew:	Yes	No	Abstain	Not Present
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CERTIFICATION

I HEREBY CERTIFY that the foregoing is a true copy of the ordinance that was introduced after first reading at a meeting of the Brigantine City Council held on August 21, 2024 and adopted after a public hearing at a meeting of the Brigantine City Council held on September 4, 2024.

Lynn Sweeney, RMC
City Clerk

CITY OF BRIGANTINE

RESOLUTION 2024-148

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF GENERAL IMPROVEMENTS BONDS, SERIES 2024A, OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$16,000,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the City of Brigantine, in the County of Atlantic, New Jersey (the "City"), authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of general improvement bonds in the aggregate principal amount of \$16,000,000 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
26-2018	\$1,843,000	Design and construction of streetscape projects, finally adopted December 5, 2018.	10 years
12-2019	\$330,000	Various capital improvements, finally adopted August 7, 2019.	19 years

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
07-2022	\$2,375,000	Supplemental appropriation for the reconstruction of the public works building, finally adopted April 20, 2022.	20 years
17-2022	\$1,615,000	Acquisition of a ladder fire truck, finally adopted November 2, 2022.	10 years
20-2022	\$930,000	Northend Beach replenishment project, finally adopted December 21, 2022.	10 years
06-2023	\$1,900,000	Beach replenishment project, finally adopted May 3, 2023.	10 years
16-2023	\$7,007,000	Various capital improvements, finally adopted November 1, 2023.	16.62 years
TOTAL	\$16,000,000		

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 14.56 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds, Series 2024A" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 hereof have not

been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law and are all purposes for which no deduction may be taken in any annual or supplemental debt statement.

Section 5. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYS:

CITY OF BRIGANTINE

RESOLUTION 2024-149

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF SCHOOL BONDS, SERIES 2024C (SCHOOL BOND RESERVE ACT, P.L. 1980, c. 72), OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$7,400,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the City of Brigantine, in the County of Atlantic, New Jersey (the "City"), authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of school bonds in the aggregate principal amount of \$7,400,000 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
06-2018	\$750,000	School improvements, finally adopted March 7, 2018.	10 years
19-2021, as amended by 18-2023	\$6,650,000	Various projects at the Brigantine Community School, finally adopted December 15, 2021, as amended on December 20, 2023.	15 years

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
TOTAL	\$7,400,000		

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 14.49 years.

b. The Bonds of the combined issue shall be designated "School Bonds, Series 2024C (School Bond Reserve Act, P.L. 1980, c. 72)" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

Section 5. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYS:

CITY OF BRIGANTINE
RESOLUTION 2024-150

RESOLUTION PROVIDING FOR THE COMBINATION OF CERTAIN ISSUES OF WATER-SEWER UTILITY BONDS, SERIES 2024B, OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, INTO A SINGLE ISSUE OF BONDS AGGREGATING \$7,000,000 IN PRINCIPAL AMOUNT.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

Section 1. Pursuant to the provisions of N.J.S.A. 40A:2-26(f), the Bonds of the City of Brigantine, in the County of Atlantic, New Jersey (the "City"), authorized pursuant to the bond ordinances of the City heretofore adopted and described in Section 2 hereof shall be combined into a single and combined issue of water-sewer utility bonds in the aggregate principal amount of \$7,000,000 (the "Bonds").

Section 2. The principal amount of Bonds authorized by each bond ordinance to be combined into a single issue as above provided, the bond ordinances authorizing the Bonds described by reference to the number, the improvement description and the date of adoption, and the period or average period of usefulness determined in each of the bond ordinances are respectively as follows:

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
13-2019, as supplemented by 11-2022	\$1,825,000	Various water and sewer utility improvements, finally adopted August 7, 2019, as supplemented on August 17, 2022.	39.16 years

Bond Ordinance Number	Principal Amount of Bonds	Description of Improvement and Date of Adoption of Bond Ordinance	Useful Life
15-2023	\$5,175,000	Improvements to the water utility system, finally adopted November 1, 2023.	28.32 years
TOTAL	\$7,000,000		

Section 3. The following matters are hereby determined with respect to the combined issue of Bonds:

a. The average period of usefulness, computed on the basis of the respective amounts of Bonds presently authorized to be issued pursuant to each of the bond ordinances and the respective periods or average period of usefulness therein determined, is not less than 31.14 years.

b. The Bonds of the combined issue shall be designated "Water-Sewer Utility Bonds, Series 2024B" and shall mature within the average period of usefulness herein determined.

c. The Bonds of the combined issue shall be sold and issued in accordance with the provisions of the Local Bond Law applicable to the sale and issuance of bonds authorized by a single bond ordinance and, accordingly, may be sold with other issues of bonds.

Section 4. The following additional matters are hereby determined, declared, recited and stated:

a. None of the Bonds described in Section 2 hereof have been sold or issued heretofore, and the several bond ordinances described in Section 2 hereof have not been rescinded and now remain in full force and effect as authorizations for the respective amounts of Bonds set opposite the descriptions of the bond ordinances in Section 2 hereof.

b. The several purposes or improvements authorized by the respective bond ordinances described in Section 2 hereof are purposes for which bonds may be issued lawfully pursuant to the Local Bond Law.

Section 5. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYS:

CITY OF BRIGANTINE

RESOLUTION 2024-151

RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$30,400,000 GENERAL OBLIGATION BONDS, SERIES 2024, CONSISTING OF \$16,000,000 GENERAL IMPROVEMENT BONDS, SERIES 2024A, \$7,000,000 WATER-SEWER UTILITY BONDS, SERIES 2024B, AND \$7,400,000 SCHOOL BONDS, SERIES 2024C (SCHOOL BOND RESERVE ACT, P.L. 1980, c. 72), OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AND PROVIDING FOR THEIR SALE.

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, AS FOLLOWS:

Section 1. The \$16,000,000 General Improvement Bonds, Series 2024A (the "General Improvement Bonds"), of the City of Brigantine, in the County of Atlantic, New Jersey (the "City"), referred to and described in the resolution adopted by the City Council pursuant to the Local Bond Law of the State of New Jersey on August 21, 2024, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2024A, of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$16,000,000 in Principal Amount" and the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "General Improvement Bonds, Series 2024A". The General Improvement Bonds shall mature in the principal amounts on September 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2025	\$ 880,000	2031	\$1,440,000
2026	1,040,000	2032	1,440,000

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2027	1,120,000	2033	1,440,000
2028	1,200,000	2034	1,520,000
2029	1,280,000	2035	1,520,000
2030	1,360,000	2036	1,760,000

Section 2. The \$7,000,000 Water-Sewer Utility Bonds, Series 2024B (the "Water-Sewer Utility Bonds"), of the City referred to and described in the resolution adopted by the City Council pursuant to the Local Bond Law of the State of New Jersey on August 21, 2024, and entitled, "Resolution Providing for the Combination of Certain Issues of Water-Sewer Utility Bonds, Series 2024B, of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$7,000,000 in Principal Amount" and the bond ordinances referred to therein, each in all respects duly approved and published as required by law, shall be issued as "Water-Sewer Utility Bonds, Series 2024B". The Water-Sewer Utility Bonds shall mature in the principal amounts on September 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2025	\$385,000	2031	\$630,000
2026	455,000	2032	630,000
2027	490,000	2033	630,000
2028	525,000	2034	665,000
2029	560,000	2035	665,000
2030	595,000	2036	770,000

Section 3. The \$7,400,000 School Bonds, Series 2024C (School Bond Reserve Act, P.L. 1980, c. 72) (the "School Bonds"; and together with the General Improvement Bonds and the Water-Sewer Utility Bonds, the "Bonds"), of the City referred to and described in the resolution adopted by the City Council pursuant to the Local Bond Law of the State of New Jersey on August 21, 2024, and entitled, "Resolution Providing for the Combination of Certain Issues of School Bonds, Series 2024C (School Bond Reserve Act, P.L. 1980, c. 72), of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$7,000,000 in Principal Amount" and the bond ordinances referred to therein, each in all

respects duly approved and published as required by law, shall be issued as "School Bonds, Series 2024C (School Bond Reserve Act, P.L. 1980, c. 72)". The School Bonds shall mature in the principal amounts on September 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2025	\$ 900,000	2029	\$1,100,000
2026	940,000	2030	1,230,000
2027	980,000	2031	1,250,000
2028	1,000,000		

Section 4. The General Improvement Bonds and the Water-Sewer Utility Bonds shall be subject to redemption prior to their stated maturity in accordance with their respective Notice of Sale, and the School Bonds shall not be subject to redemption prior to their stated maturities in accordance with their respective Notice of Sale, both attached hereto as Exhibit A (collectively, the "Notices of Sale").

Section 5. Pursuant to N.J.S.A. 40A:2-26(g), the City hereby designates the Chief Financial Officer to adjust the actual principal amounts of the Bonds. Any such adjustment shall not exceed 10% of the principal for any maturity of the Bonds with the aggregate adjustment to maturity not to exceed 10% of the principal for the overall Bond issue.

Section 6. At the discretion of the City's Chief Financial Officer, to the extent an original issue premium is received as part of the bid, it may be applied to any purpose permitted under the Internal Revenue Code of 1986, as amended (the "Code"), including the costs of other capital projects previously authorized.

Section 7. The General Improvement Bonds shall be twelve in number, with one certificate being issued for each year of maturity, and shall be numbered GIB-1 to GIB-12, inclusive. The Water-Sewer Utility Bonds shall be twelve in number, with one certificate being issued for each year of maturity, and shall be numbered WSUB-1 to WSUB-12, inclusive. The School Bonds shall be seven in number, with one certificate being issued for each year of maturity, and shall be numbered SB-1 to SB-7, inclusive. The School Bonds are entitled to the

benefits of the New Jersey School Bond Reserve Act, N.J.S.A. 18A:56-17 *et seq.* (P.L. 1980, c. 72, approved July 16, 1980, as amended by P.L. 2003, c. 118, approved July 1, 2003.)

Section 8. The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the fifteenth day of March and September in each year until maturity or prior redemption, if applicable, commencing on March 15, 2025, at a rate or rates per annum, expressed in a multiple of 1/8 or 1/20 of 1%, proposed by the successful bidder in accordance with the Notices of Sale.

Section 9. The Bonds shall be executed by the manual or facsimile signatures of the Mayor and the Chief Financial Officer under the official seal (or facsimile thereof) affixed, printed, engraved or reproduced thereon and attested by the manual signature of the City Clerk.

Section 10. (a) The Bonds will be issued in fully registered form. One certificate shall be issued for the aggregate principal amount of the Bonds of each series maturing in each year. Both principal of and interest on the Bonds will be payable in lawful money of the United States of America. Each certificate will be registered in the name of Cede & Co., as nominee for The Depository Trust Company, Brooklyn, New York, which will act as securities depository (the "Securities Depository"). The certificates will be on deposit with the Securities Depository. The Securities Depository will be responsible for maintaining a book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants will be responsible for maintaining records recording the beneficial ownership interests in the Bonds on behalf of individual purchasers. Individual purchases may be made in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof through book-entries made on the books and records of the Securities Depository and its participants.

(b) The principal of and interest on the Bonds will be paid to the Securities Depository by the City on the respective maturity dates and due dates and will be credited on the respective maturity dates and due dates to the participants of the Securities Depository as

listed on the records of the Securities Depository as of each next preceding March 1 and September 1 (the "Record Dates" for the Bonds).

Section 11. The Bonds shall be substantially in the following form with such additions, deletions and omissions as may be necessary for the City to market the Bonds and/or in accordance with the requirements of the Securities Depository:

[Form of Bond begins on next page]

REGISTERED
NUMBER A. _____

REGISTERED
\$ _____

UNITED STATES OF AMERICA
STATE OF NEW JERSEY
COUNTY OF ATLANTIC

CITY OF BRIGANTINE

B. _____

REGISTERED OWNER:	Cede & Co.
PRINCIPAL AMOUNT:	\$ _____
DATED DATE:	September 24, 2024
MATURITY DATE:	September 15, 20__
RATE OF INTEREST PER ANNUM:	____%
INTEREST PAYMENT DATES:	March 15 and September 15
INITIAL INTEREST PAYMENT DATE:	March 15, 2025
RECORD DATES:	March 1 and September 1
CUSIP NUMBER:	109025 ____

CITY OF BRIGANTINE, a body politic and corporate of the State of New Jersey (the "City"), hereby acknowledges itself indebted and for value received promises to pay to the REGISTERED OWNER, or registered assigns, on the MATURITY DATE, upon presentation and surrender of this bond, the PRINCIPAL AMOUNT, and to pay interest on such sum from the DATED DATE until it matures at the RATE OF INTEREST PER ANNUM specified above semiannually on the INTEREST PAYMENT DATES in each year until maturity, commencing on the INITIAL INTEREST PAYMENT DATE. Principal of and interest due on this bond will be paid to the REGISTERED OWNER by the City or its designated paying agent and will be credited to the participants of The Depository Trust Company ("DTC") as listed on the records of DTC as of the RECORD DATES next preceding the respective INTEREST PAYMENT DATES. The principal of and interest on this bond are payable in lawful money of the United States of America.

This bond is not transferable as to principal or interest except to an authorized nominee of DTC. DTC shall be responsible for maintaining the book-entry system for recording the interests of its participants or the transfers of the interests among its participants. The participants are responsible for maintaining records regarding the beneficial ownership interests in the bonds on behalf of individual purchasers.

[The bonds of this issue maturing prior to September 15, 2032 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after September 15, 2032 are redeemable at the option of the City, in whole or in part, on any date on or after September 15, 2031 at 100% of the principal amount outstanding (the "Redemption Price"), plus interest accrued to the date of redemption upon notice as required herein.

Notice of redemption shall be given by mailing by first class mail in a sealed envelope with postage prepaid to the registered owners of the bonds not less than 30 days nor more than 60 days prior to the date fixed for redemption. Such mailing shall be to the owners of such bonds at their respective addresses as they last appear on the registration books kept for that purpose by the City or a duly appointed bond registrar. Any failure of the securities depository to advise any of its participants or any failure of any participant to notify any beneficial owner of any notice of redemption shall not affect the validity of the redemption proceedings. If the City determines to redeem a portion of the bonds prior to maturity, the bonds to be redeemed shall be selected by the City; the bonds to be redeemed having the same maturity shall be selected by the securities depository in accordance with its regulations.

So long as Cede & Co., as nominee for DTC, is the registered owner of the Bonds, the City shall send redemption notices only to Cede & Co.

If notice of redemption has been given as provided herein, the bonds or the portion thereof called for redemption shall be due and payable on the date fixed for redemption at the Redemption Price, together with accrued interest to the date fixed for redemption. Interest shall cease to accrue on the bonds after the date fixed for redemption and no further interest shall accrue beyond the redemption date. Payment shall be made upon surrender of the bonds redeemed.]

[The bonds are not subject to redemption prior to their stated maturities.]

C. _____

The full faith and credit of the City are hereby irrevocably pledged for the punctual payment of the principal of and interest on this bond according to its terms.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of New Jersey to exist, to have happened or to have been performed precedent to or in the issuance of this bond exist, have happened and have been performed, and that the issue of bonds of which this is one, together with all other indebtedness of the City, is within every debt and other limit prescribed by such Constitution or statutes.

IN WITNESS WHEREOF, the CITY OF BRIGANTINE has caused this bond to be executed in its name by the manual or facsimile signatures of its Mayor and its Chief Financial Officer, its corporate seal to be hereunto imprinted or affixed, this bond and the seal to be attested by the manual signature of its City Clerk, and this bond to be dated the Dated Date as specified above.

CITY OF BRIGANTINE

[SEAL]

By: [executed upon issuance]
Mayor

ATTEST:

By: [executed upon issuance]
City Clerk

By: [executed upon issuance]
Chief Financial Officer

[End of Form of Bond]

Section 12. In each of the General Improvement Bonds, the following language should be inserted in the places indicated by the corresponding letter in form of the General Improvement Bonds.

A. GIB-__.

B. GENERAL IMPROVEMENT BOND, SERIES 2024A

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the City duly adopted August 21, 2024, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2024A, of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$16,000,000 in Principal Amount" and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

Section 13. In each of the Water-Sewer Utility Bonds, the following language should be inserted in the places indicated by the corresponding letter in form of the Water-Sewer Utility Bonds.

A. WSUB-__.

B. WATER-SEWER UTILITY BOND, SERIES 2024B

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the City duly adopted August 21, 2024, and entitled, "Resolution Providing for the Combination of Certain Issues of Water-Sewer Utility Bonds, Series 2024B, of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$7,000,000 in Principal Amount" and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

Section 14. In each of the School Bonds, the following language should be inserted in the places indicated by the corresponding letter in form of the School Bonds.

A. SB-__.

B. SCHOOL BOND, SERIES 2024C (SCHOOL BOND RESERVE ACT, P.L. 1980, c. 72)

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey, a resolution of the City duly adopted August 21, 2024, and entitled, "Resolution Providing for the Combination of Certain Issues of School Bonds, Series 2024C (School Bond Reserve Act, P.L. 1980, c. 72), of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$7,400,000 in Principal Amount" and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

Section 15. (a) The Bonds shall be sold on September 10, 2024, or such other date as may be determined by the Chief Financial Officer, via the "PARITY Electronic Bid System" ("PARITY") upon the terms and conditions set forth and described in the Notices of Sale for the Bonds. The Notices of Sale shall be posted on PARITY.

(b) Pursuant to N.J.S.A. 40A:2-34, the City hereby designates the Chief Financial Officer to sell and award the Bonds in accordance with the Notices of Sale with such changes as to date or the terms as deemed advisable or necessary by Phoenix Advisors, LLC, the City's Municipal Advisor, and McManimon, Scotland & Baumann, LLC, the City's Bond Counsel, to access effectively the market for the sale of the Bonds, and such Chief Financial Officer shall report in writing the results of the sale to this City Council as required by law. The Chief Financial Officer is hereby authorized and directed, consistent with the terms of the Notices of Sale, to retain the good faith deposit of the successful bidder and to return immediately such good faith deposits, whether by wire or check, to the unsuccessful bidders.

Section 16. The Notices of Sale shall be substantially in the forms attached hereto as Exhibit A with such additions, deletions and omissions as may be necessary for the City to market the Bonds, including in accordance with the requirements of the Securities Depository and PARITY. The Summary Notices of Sale shall be substantially in the forms attached hereto as Exhibit B with such additions, deletions and omissions as may be necessary for the City to market the Bonds (the "Summary Notices of Sale"), including in accordance with the requirements of the Securities Depository and PARITY. The City Clerk is hereby directed to arrange for the publication of the Notices of Sale in the forms provided herein in The Press of Atlantic City or such other authorized newspaper of the City, such publication to be not less than seven days prior to the date of sale, and any actions taken by the City Clerk prior to the date of adoption of this resolution in connection with the publication of the Notices of Sale are hereby ratified, confirmed and approved. McManimon, Scotland & Baumann, LLC is hereby directed to arrange for the publication of the Summary Notices of Sale in the forms provided herein in The Bond Buyer, a financial newspaper published and circulating in the City of New York, New York, such publication to be not less than seven days prior to the date of sale.

Section 17. The Bonds shall have printed thereon a copy of the written opinion with respect to the Bonds that is to be rendered by the law firm of McManimon, Scotland & Baumann, LLC, complete except for omission of its date.

Section 18. The law firm of McManimon, Scotland & Baumann, LLC is hereby authorized to arrange for the printing of the Bonds and the Official Statement to be prepared by McManimon, Scotland & Baumann, LLC, Phoenix Advisors, LLC and City officials. The Mayor and the Chief Financial Officer are hereby authorized to execute any certificates necessary in connection with the distribution of the Official Statement. Such Official Statement may be distributed in preliminary form and deemed final for purposes of Rule 15c2-12 of the Securities and Exchange Commission on behalf of the City by the Chief Financial Officer or by the Mayor. Final Official Statements shall be delivered to the purchaser of the Bonds within the earlier of

seven business days following the sale of the Bonds or to accompany the purchaser's confirmations that request payment for the Bonds.

Section 19. The City hereby covenants that it will comply with any conditions subsequent imposed by the Code in order to preserve the exemption from taxation of interest on the Bonds, including the requirement to rebate all net investment earnings on the gross proceeds above the yield on the Bonds, if necessary.

Section 20. The Chief Financial Officer is hereby authorized to make representations and warranties, to enter into agreements and to make all arrangements with The Depository Trust Company, Brooklyn, New York, as may be necessary in order to provide that the Bonds will be eligible for deposit with the Securities Depository and to satisfy any obligation undertaken in connection therewith.

Section 21. In the event that the Securities Depository may determine to discontinue providing its service with respect to the Bonds or is removed by the City and if no successor securities depository is appointed, the Bonds that were previously issued in book-entry form shall be converted to registered bonds in denominations of \$5,000 or any integral multiple of \$1,000 in excess thereof. The beneficial owners under the book-entry system, upon registration of the Bonds held in the beneficial owners' names, will become the registered owners of the registered bonds. The City shall be obligated to provide for the execution and delivery of the registered bonds in certificated form.

Section 22. Solely for purposes of complying with Rule 15c2-12 of the Securities and Exchange Commission, as amended and interpreted from time to time (the "Rule"), and provided that the Bonds are not exempt from the Rule and provided that the Bonds are not exempt from the following requirements in accordance with paragraph (d) of the Rule, for so long as the Bonds remain outstanding (unless the Bonds have been wholly defeased), the City shall provide for the benefit of the holders of the Bonds and the beneficial owners thereof:

(a) On or prior to September 30 of each year, beginning September 30, 2025, electronically to the Municipal Securities Rulemaking Board's Electronic Municipal Market Access ("EMMA") system or such other repository designated by the Securities and Exchange Commission to be an authorized repository for filing secondary market disclosure information, if any, annual financial information with respect to the City, consisting of the audited financial statements (or unaudited financial statements if audited financial statements are not then available, which audited financial statements will be delivered when and if available) of the City and certain financial information and operating data, consisting of (i) City and overlapping indebtedness, including a schedule of outstanding debt issued by the City, (ii) property valuation information and (iii) tax rate, levy and collection data. The audited financial information will be prepared in accordance with generally accepted accounting principles as modified by governmental accounting standards as may be required by New Jersey law.

(b) If any of the following events occur regarding the Bonds, a timely notice not in excess of ten business days after the occurrence of the event sent to EMMA:

- (1) Principal and interest payment delinquencies;
- (2) Non-payment related defaults, if material;
- (3) Unscheduled draws on debt service reserves reflecting financial difficulties;
- (4) Unscheduled draws on credit enhancements reflecting financial difficulties;
- (5) Substitution of credit or liquidity providers, or their failure to perform;
- (6) Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds, or other material events affecting the tax status of the Bonds;
- (7) Modifications to the rights of holders of the Bonds, if material;
- (8) Bond calls, if material, and tender offers;
- (9) Defeasances;
- (10) Release, substitution or sale of property securing repayment of the Bonds, if material;
- (11) Rating changes;
- (12) Bankruptcy, insolvency, receivership or similar event of the City;
- (13) The consummation of a merger, consolidation or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive

- agreement relating to any such actions, other than pursuant to its terms, if material;
- (14) Appointment of a successor or additional trustee or the change of name of a trustee, if material;
 - (15) Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights or other similar terms of a Financial Obligation, any of which affect holders of the Bonds, if material; and
 - (16) Default, event of acceleration, termination event, modification of terms or other similar events under a Financial Obligation of the City, if any such event reflects financial difficulties.

The term "Financial Obligation" as used in subparagraphs (b)(15) and (b)(16) above means a (i) debt obligation, (ii) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation or (iii) guarantee of (i) or (ii); *provided, however*, that the term "Financial Obligation" shall not include municipal securities as to which a final official statement has been provided to the Municipal Securities Rulemaking Board consistent with the Rule.

(c) Notice of failure of the City to provide required annual financial information on or before the date specified in this resolution shall be sent in a timely manner to EMMA.

If all or any part of the Rule ceases to be in effect for any reason, then the information required to be provided under this resolution, insofar as the provisions of the Rule no longer in effect required the provision of such information, shall no longer be required to be provided.

The Chief Financial Officer shall determine, in consultation with Bond Counsel, the application of the Rule or the exemption from the Rule for each issue of obligations of the City prior to their offering. Such Chief Financial Officer is hereby authorized to enter into additional written contracts or undertakings to implement the Rule and is further authorized to amend such contracts or undertakings or the undertakings set forth in this resolution, provided such amendment is, in the opinion of nationally recognized bond counsel, in compliance with the Rule.

In the event that the City fails to comply with the Rule requirements or the written contracts or undertakings specified in this resolution, the City shall not be liable for monetary damages. The sole remedy is hereby specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 23. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYS:

CITY OF BRIGANTINE

RESOLUTION NO. 2024-____

RESOLUTION AUTHORIZING SECOND AMENDMENT TO MUNICIPALLY SPONSORED AFFORDABLE HOUSING AGREEMENT

WHEREAS, the City of Brigantine (the “City”) is the owner of the property known as Block 2901, Lot 5 on the Tax Maps of the City of Brigantine (“Property”); and which is more commonly known as the Civic Center property located at 100 31st Street South; and

WHEREAS, Volunteers of America Delaware Valley Property, Inc. (“VOADV”) is purchasing the property for use as part of the City’s Third Round affordable housing obligation; and

WHEREAS, on February 15, 2023, the Parties entered into a Municipally Sponsored Affordable Housing Agreement (the “Purchase Agreement”), under which VOADV agreed to purchase the Property from the City; and

WHEREAS, on February 13, 2024, the Parties entered into a First Amendment to the Purchase Agreement, wherein the Approval Contingency Period (as defined in the Purchase Agreement) and the Financing Period (as defined in the Purchase Agreement) was extended to September 1, 2024; and

WHEREAS, VOADV has requested (i) an extension of the Approval Contingency Period through October 31, 2024, limited to solely obtaining approvals from the New Jersey Department of Community Affairs and (ii) the extension of the Financing Period through December 31, 2024; and

WHEREAS, the City is willing to grant VOADV such extensions set forth above pursuant to the terms and conditions contained in the Second Amendment to the Purchase Agreement attached hereto.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey that the City shall enter into and authorize the execution of a Second Amendment to Purchase Agreement with VOADV, according to the terms and conditions substantially similar to those contained in the Second Amendment to Purchase Agreement attached hereto.

BE IT FURTHER RESOLVED, by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey that the City does hereby ratify and approve any and all acts of the City performed in connection with the Purchase Agreement prior to the date hereto.

CERTIFICATION

I, Lynn Sweeney, City Clerk of the City of Brigantine, do hereby certify that the above Resolution was considered and adopted by the City Council of the City of Brigantine at a regularly advertised meeting held on August __, 2024.

Lynn Sweeney, RMC, City Clerk

[SEAL]

RESOLUTION NO. 2023 -153

THE CITY OF BRIGANTINE AUTHORIZING AWARD OF CONTRACT FOR
DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR THE EMERGENCY GENERATORS TO
ROBERT'S ENGINEERING GROUP LLC

WHEREAS, the City Council of the City of Brigantine did solicit proposals from the pool of engineers for the above project; and

WHEREAS, Robert's Engineering was the lowest responsible bidder; and

WHEREAS, funds are available for the project, and the City Engineer has reviewed the bid and recommends award of the project; 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 21st day of August, 2024:

1. The contract for Planning, Design and Construction Management Services for the six emergency generators be awarded to Robert's Engineering Group LLC, for \$95,000.00.
2. Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account # C-06-14-013-101
3. This resolution shall take effect immediately.

CITY OF BRIGANTINE

Lynn Sweeney, RMC
City Clerk

Albert Stanley
Chief Financial Officer

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

**CITY OF BRIGANTINE
RESOLUTION 2024-**

GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT

WHEREAS, N.J.S.A.40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and

WHEREAS, the Annual Report of Audit for the year 2023 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A.40A:5-6, and a copy has been received by each member of the governing body; and

WHEREAS, R.S.52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and

WHEREAS, the Local Finance Board has promulgated N.J.S.A.5:30-6.5, a regulation requiring that the governing body of each municipality shall, by resolution, certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled, “Comments and Recommendations”; and

WHEREAS, the members of the governing body have personally reviewed, as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled “Comments and Recommendations”, as evidenced by the group affidavit form of the governing body attached hereto; and

WHEREAS, such resolution of certification shall be adopted by the governing body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.S.A.5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S.52:27BB-52, to wit:

R.S.52:27BB52 a local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year, or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the City Council of the City of Brigantine, hereby states that it has complied with N.J.S.A.5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

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 August 21, 2024.

Lynn Sweeney, RMC
City Clerk



New Jersey Office of the Attorney General
 Division of Consumer Affairs
 Legalized Games of Chance Control Commission
 124 Halsey Street, 6th Floor, P.O. Box 46000
 Newark, New Jersey 07101
 (973) 273-8000

Application No. RA 1078
 Identification No. 58-4-3/561

Application for a Raffle License

Submit four (4) copies of this application to the Municipal Clerk's office in the municipality where the games will be conducted.

Please print clearly.

Name of municipality: BRIGANTINE

Part A - General

1. Name of applying organization: SOUTH JERSEY CANCER FUND
- 2a. Street address of headquarters: P.O. Box 1084 BRIGANTINE, NJ 08203
- b. Mailing address (if different):

3. A license is requested to conduct raffles of the kind stated on the date, or on each of the dates, and during the hours listed (use a separate application for each type of raffle).

Date	Hours	Date	Hours
<u>9/16/2024</u>	<u>5p-9p</u>		

4a. Address of place where raffles will be played: THE COVE RESTAURANT

b. Does the applicant own the premises or regularly occupy them for its general purposes? Yes No

5. If raffles equipment is to be rented, attach a statement by the raffles equipment lessor to this application on Form 13.

Part B - Schedule of Expenses

The items of expense intended to be incurred or paid in connection with the games listed in this application, the names and addresses of the persons to whom each item is to be paid, and the purpose for which each item is to be paid, are:

Item of Expense	Name and address of supplier	Purpose
	<u>N/A</u>	