

**AGENDA  
CITY OF BRIGANTINE  
COUNCIL MEETING  
September 17, 2025  
5:00 P.M. – Public Portion**

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Fran Masino Proclamation
5. Resolution 2025-203: Executive Session \_\_\_\_\_ P.M.  
Topics to be Discussed:
6. Return from Executive Session \_\_\_\_\_ P.M.
7. Approval of 9/3/25 Council Meeting Minutes
8. Approval of Bill Requisition List
9. Public Comment on Agenda Items Only
10. Resolution 2025-204 Contract Award: Miracle Chemical Co. for Sodium Hypochlorite
11. Resolution 2025-205 Contract Award: Independent Disposal for Dumpster Services
12. Resolution 2025-206 Contract Award: Northeast Electrical for Electrical Services
13. Resolution 2025-207 Contract Award: Settembrino Architects for Golf Clubhouse Design
14. Resolution 2025-208 Lease Extension: Golf Carts with Golf Cart Services Inc.
15. Resolution 2025-209 Contract Award: Gridless Power for Promenade Camera
16. Resolution 2025-210 Contract Award: TKE Elevator for Hydraulic Jack Repair
17. Resolution 2025-211 Contract Award: Skyline Roofing for Pump House Reconstruction

18. Resolution 2025-212 Contract Award: Gridless Power for Community Center Cameras
19. Resolution 2025-213 Contract Award: DeMaio's LLC for Fuel Tank Replacement
20. Resolution 2025-214 Labor Agreement: City of Brigantine & Teamsters Local 676 Supervisors
21. Resolution 2025-215 Bond Form & Sale: General Obligation Bonds (Series 2025A & 2025B)
22. Resolution 2025-216 Bond Consolidation: General Improvement Bonds (Series 2025A)
23. Resolution 2025-217 Resolution opposing NJDEP's proposed NJPACT REAL coastal regulations
24. Consent Agenda
  - A. Elks Raffle #1124
  - B. VFW Raffle #1125
  - C. Heart of Surfing - Adaptive Skateboarding
  - D. Halloween Parade
  - E. Waterman's Tournament
25. Council Manager/ Committee Discussion:
26. Public Comments:
27. Council Comments:
- 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  
RESOLUTION 2025-204**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING THE AWARD OF A CONTRACT TO MIRACLE CHEMICAL COMPANY,  
INC. FOR SODIUM HYPOCHLORITE SOLUTION**

**WHEREAS**, The City current contract for the Sodium Hypochlorite Solution is set to expire and;

**WHEREAS**, the City held a publicly advertised bid for services and;

**WHEREAS**, the City received one bid, for services with Miracle Chemical Company Inc. being the lowest responsible bidder and;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic, and State of New Jersey, that a contract is hereby awarded to Miracle Chemical Company, Inc. 1151B NJ 33 Farmingdale, NJ 07727 to provide Sodium Hypochlorite Solution on an as needed basis pursuant to the proposed rates in the bid packet \$3.84 per gallon and 30,000- gallon increments and:

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account # 5-09-55-502-219

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17<sup>th</sup> day of September, 2025

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-205**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING THE AWARD OF A CONTRACT TO INDEPENDENT DISPOSAL AND  
DUMPSTER SERVICE LLC AT A RATE OF \$215.00 PER PULL PLUS TAX ON AN AS-  
NEEDED BASIS**

**WHEREAS,** The City contract for box containers and dumpster service is set to expire and;

**WHEREAS,** the City formally advertised for public bidding pursuant to state statutes October 24, 2024 and;

**WHEREAS,** the City contract with Independent Disposal and Dumpster Service LLC has an option for a one- year extension and;

**WHEREAS,** the City will utilize the one-year option with the same rates as the original agreement;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, to award an extension of contract to Independent Disposal and Dumpster Service LLC, located at 155 S. Manheim Avenue Egg Harbor, NJ 08215 for \$215.00 per pull plus tax, on as needed basis, for one year, with an option for one additional one-year term;

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account # 5-01-26-306-202.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17th day of September, 2025

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-206**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING THE AWARD OF A CONTRACT TO NORTHEAST ELECTRICAL FOR  
ELECTRICAL SERVICES**

**WHEREAS**, The City contract for electrical services is set to expire and;

**WHEREAS**, the City held a publicly advertised bid for services and;

**WHEREAS**, the City received four bids for services with Northeast Electrical being the lowest responsible bidder and;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, to award a contract to Northeast Electrical LLC, located at 402 Airport Road, Williamstown, NJ 08094 for Electrical Services on an as needed basis pursuant to the proposed rates in the bid packet ;

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account # 5-01-26-302-216

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17<sup>th</sup> day of September, 2025

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-207**

**A RESOLUTION OF THE CITY OF BRIGANTINE, NEW JERSEY AUTHORIZING THE  
AWARD OF CONTRACT TO SETTEMBRINO ARCHITECTS TO PERFORM  
PROFESSIONAL ARCHITECTURAL SERVICES IN CONNECTION WITH THE DESIGN  
AND CONCEPTION OF THE NEW CLUBHOUSE AT THE BRIGANTINE GOLF LINKS  
FOR AN AMOUNT NOT TO EXCEED \$1,000,000.00**

**WHEREAS**, there exists the need for professional architectural services in connection with the design and conception of a new clubhouse at the Brigantine Golf Links; and

**WHEREAS**, the City of Brigantine wishes to contract the services of a certified architect to perform design and conception plans; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)(a)(i), provides for the award of professional services, without engaging in the bidding process, to a person(s) authorized by law to practice a recognized profession; and

**WHEREAS**, the Local Public Contracts Law, N.J.S.A. 40A:11-2 declares that a "professional service" means services performed by 1) a person authorized by law to practice a recognize profession, 2) whose practice is regulated by law, 3) and the performance of which services requires knowledge of an advanced type in a field of learning acquired by a prolonged formal course of specialized instruction and study; and

**WHEREAS**, pursuant to the New Jersey Local Unit "Pay to Play Law, N.J.S.A. 19:44A-20.4 et seq., the City has sought qualified professionals namely New Jersey licensed architects to provide the services through the use of a "non fair and open process," as defined in N.J.S.A. 19:44A-20.7; and

**WHEREAS**, Albert Stanley, the City Chief Financial Officer, has determined and certified in writing that the value of the services will exceed \$17,500.00, that document being entitled "Certificate of Value"; and

**WHEREAS**, the anticipated term of this Contract is one year or less; and

**WHEREAS**, the proposal submitted by Settembrino Architects meets the selection criteria articulated in the RFP and has demonstrated that it possesses the appropriate qualifications to complete the project; and

**WHEREAS**, the City Council deems it in the best interests of the City to award a Contract to Settembrino Architects. to provide the services delineated in the proposal and wishes to provide its approval to the award of contract; and

**WHEREAS**, such award of contract shall be made as a non fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5, and

**WHEREAS**, Settembrino Architects has completed and submitted to the City, the following documents in accordance with the New Jersey Local Unit "Pay to Play" Laws (N.J.S.A. 19:44A-20.4 et. seq ):

1. Political Contribution Disclosure Form (submitted at least 10 days prior to the adoption of this Resolution)
2. Stockholder Disclosure Certification

and acknowledges that the statutory terms and conditions relating to the Political Contribution Disclosure including the possible need to file an annual disclosure statement with the New Jersey Election Law Enforcement Commission are contained as separate provisions within the City Professional Services Agreement which Settembrino Architects will be required to sign; and

**WHEREAS**, the proposal of Settembrino Architects. sets forth the following cost for services:  
\$ 1,000,000.00

**WHEREAS**, the amount for Settembrino will not exceed \$1,000,000.00; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A: 11-1 et seq.) requires that the resolution authorizing the award of contract for "Professional Services," without competitive bids and the contract itself, must be available for public inspection;

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey as follows:

1. An award of contract for professional architectural for design and conception of plans of new clubhouse at the Brigantine Golf Links, as described in the City Professional Services Agreement attached hereto, is hereby made to Settembrino Architects, located at 37 E Washington Avenue Atlantic Highlands, NJ 07716, as follows:
  - (a) \$1,000,000.00
  - (b) The amount of fees to be paid to Settembrino Architects. shall not exceed \$1,000,000.00
2. The mayor is hereby authorized and directed to execute the Professional Services Agreement attached hereto, with Settembrino Architects

**BE IT FURTHER RESOLVED**, that the Business Disclosure Entity Certification, Determination of Value Certification, Political Contribution Disclosure Form and Stockholder Disclosure Certification referenced hereinabove be placed on file with this resolution; and

**BE IT FURTHER RESOLVED** that this Contract is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a) of the Local Public Contracts Law because these services are rendered or performed by a person authorized by law to practice a recognized profession; and

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account # C-04-24-012-701

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17th day of September, 2025

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer



**CITY OF BRIGANTINE  
RESOLUTION 2025-208**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING THE EXTENSION OF GOLF CART LEASES AND NEW CARTS WITH  
GOLF CARTS SERVICES INCORPORATED IN THE AMOUNT OF \$7,647.96**

**WHEREAS**, the City of Brigantine'S current lease for golf carts with Golf Carts Services Inc. is due to expire and;

**WHEREAS**, an extension of the current lease for one year with new carts is an option; and

**WHEREAS**, the City is to lease without public bidding in the amount of \$7,647.96 per month for a new fleet of 68 carts; and

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that an extension of the current lease with Golf Cart Services Inc for a new fleet of 68 golf carts be extended for one-year; and

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Accounts # 5-01-26-304-295

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17th day of September, 2025

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-209**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING A CONTRACT WITH GRIDLESS POWER FOR AN OUTDOOR  
MULTISENSOR CAMERA AT THE PROMENADE**

**WHEREAS**, the City of Brigantine is in need of an outdoor multisensor camera to monitor the activity at the promenade;

**WHEREAS**, Gridless Power provided the City with a quote in accordance with OMNIA Contract #R250206 which the City of Brigantine is a member of;

**WHEREAS**, the City is to enter a contract with Gridless Power in the amount of \$12,136.50;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a contract be executed with Gridless Power, 7905 Browning Road, Suite 104, Pennsauken, NJ 08109;

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account #C-04-24-012-103;

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17<sup>th</sup> day of September, 2025.

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-210**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING A CONTRACT WITH TKE ELEVATOR CORPORATION TO REPLACE  
THE HYDRAULIC JACK PACKING & OIL CHANGE AT THE COMMUNITY CENTER  
IN THE AMOUNT OF \$31,145.00**

**WHEREAS**, the City of Brigantine Community Center's elevator is in need of replacement of the hydraulic jack packing & oil;

**WHEREAS**, TKE Corporation Inc., is on Sourcewell Contract #080420-TKE;

**WHEREAS**, the City is to enter a contract with TKE Corporation Inc., in the amount of \$31,145.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a contract be executed for TKE Elevator Corporation, 250 King Manor Drive, King of Prussia, PA 19406;

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Accounts #C-04-24-012-800;

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17<sup>th</sup> day of September, 2025.

CITY OF BRIGANTINE

\_\_\_\_\_  
Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

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

**CITY OF BRIGANTINE  
RESOLUTION 2025-111**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING A CONTRACT WITH SKYLINE ROOFING & SIDING LLC FOR  
RECONSTRUCTION OF ROOSEVELT BLVD PUMP HOUSE IN THE AMOUNT OF  
\$21,365.00**

**WHEREAS**, the City of Brigantine Water & Sewer Department, Roosevelt Blvd Pump House is in need of reconstruction;

**WHEREAS**, the City of Brigantine Water and Sewer Department has solicited three quotes;

**WHEREAS**, the City intends to enter into a contract with the lowest responsible bidder, Skyline Roofing & Siding LLC in the amount of \$21,365.00;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a contract be executed with Skyline Roofing & Siding LLC, 115 32<sup>nd</sup> Street South, Brigantine NJ 08203;

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Account #C-04-19-012-405;

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17<sup>th</sup> day of September, 2025.

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-212**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING A CONTRACT WITH GRIDLESS POWER TO INSTALL OUTDOOR &  
INDOOR MULTISENSOR CAMERAS AT THE COMMUNITY CENTER**

**WHEREAS**, the City of Brigantine, Community Center are in need of indoor & outdoor multisensor cameras to monitor the activity within in the public building;

**WHEREAS**, Gridless Power provided the City with a quote in accordance with OMNIA Contract #R250206, of which which the City of Brigantine is a member of;

**WHEREAS**, the City intends to enter into a contract with Gridless Power in the amount of \$115,550.25;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a contract be executed for Gridless Power, 7905 Browning Road, Suite 104, Pennsauken, NJ 08109;

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Accounts #C-04-24-012-800;

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17<sup>th</sup> day of September, 2025.

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-213**

**A RESOLUTION BY THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING A CONTRACT WITH DEMAIO'S INC FOR THE REPLACEMENT OF  
THE ABOVE GROUND STORAGE TANKS FOR FUEL AT THE GOLF LINKS**

**WHEREAS**, the City of Brigantine underwent an inspection at the Golf Links with DeMaio's Inc., for the inspection of the aboveground storage tanks;

**WHEREAS**, the aboveground storage tanks at the Golf Links had a combination of fuel & water found in the tanks interstitial space;

**WHEREAS**, the City intends contract with DeMaio's LLC., which is on New Jersey State Contract #A42261, in the amount of \$70,900.00 for the replacement of above ground tanks;

**NOW, THEREFORE, BE IT RESOLVED** by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that a contract be executed with DeMaio's LLC., 543 Columbia Road, Egg Harbor City, NJ 08215;

**BE IT FURTHER RESOLVED** that Albert Stanley, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in Accounts #C-04-24-012-800;

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 17<sup>th</sup> day of September, 2025.

CITY OF BRIGANTINE

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Christine Murray  
Acting City Clerk

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Albert Stanley  
Chief Financial Officer

**CITY OF BRIGANTINE  
RESOLUTION 2025-214**

**A RESOLUTION OF THE CITY OF BRIGANTINE, NEW JERSEY  
AUTHORIZING EXECUTION OF AN AGREEMENT BETWEEN THE CITY OF  
BRIGANTINE AND TEAMSTERS LOCAL 676 SUPERVISORS**

**BE IT RESOLVED**, by the Municipal Council of the City of Brigantine, County of Atlantic, State of New Jersey, that the City Manager is hereby authorized to execute the agreement between the City of Brigantine and Teamsters Local 676 Supervisors, as negotiated and agreed upon, for the term and conditions set forth therein.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic, State of New Jersey, on the 17th day of September, 2025.

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Christine Murray  
Acting City Clerk

**CITY OF BRIGANTINE  
RESOLUTION 2025-215**

**RESOLUTION DETERMINING THE FORM AND OTHER DETAILS OF \$12,900,000  
GENERAL OBLIGATION BONDS, SERIES 2025, CONSISTING OF \$11,000,000  
GENERAL IMPROVEMENT BONDS, SERIES 2025A, AND \$1,900,000 WATER-  
SEWER UTILITY BONDS, SERIES 2025B, 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 \$11,000,000 General Improvement Bonds, Series 2025A, 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 September 17, 2024, and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2025A, of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$11,000,000 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" (the "General Improvement Bonds"). The General Improvement Bonds shall mature in the principal amounts on October 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2026	\$605,000	2032	\$ 990,000
2027	715,000	2033	990,000
2028	770,000	2034	990,000
2029	825,000	2035	1,045,000
2030	880,000	2036	1,045,000



<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2031	935,000	2037	1,210,000

Section 2. The \$1,900,000 Water-Sewer Utility Bonds, Series 2025B, of the City referred to and described in Bond Ordinance #15-23, finally adopted November 1, 2023, and entitled, "Bond Ordinance Providing for Various Improvements to the Water Utility System in and by the City of Brigantine, in the County of Atlantic, New Jersey, Appropriating \$7,112,000 Therefor and Authorizing the Issuance of \$7,112,000 Bonds or Notes of the City of Finance the Cost Thereof", in all respects duly approved and published as required by law, shall be issued as "Water-Sewer Utility Bonds" (the "Water-Sewer Utility Bonds"; and together with the General Improvement Bonds, the "Bonds"). The Water-Sewer Utility Bonds shall mature in the principal amounts on October 15 as follows:

<u>Year</u>	<u>Principal Amount</u>	<u>Year</u>	<u>Principal Amount</u>
2026	\$110,000	2032	\$170,000
2027	130,000	2033	170,000
2028	140,000	2034	170,000
2029	150,000	2035	170,000
2030	160,000	2036	180,000
2031	170,000	2037	180,000

Section 3. The Bonds shall be subject to redemption prior to their stated maturity in accordance with the Notice of Sale attached hereto as Exhibit A (the "Notice of Sale").

Section 4. 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 5. 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.

Section 6. The Bonds shall be dated their date of issuance and shall bear interest payable semiannually on the fifteenth day of April and October in each year until maturity or prior redemption, if applicable, commencing on April 15, 2026, 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 Notice of Sale.

Section 7. 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 Acting City Clerk.

Section 8. (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 April 1 and October 1 (the "Record Dates" for the Bonds).

Section 9. 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. \_\_\_\_\_

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REGISTERED OWNER:	Cede & Co.
PRINCIPAL AMOUNT:	\$ _____
DATED DATE:	October 29, 2025
MATURITY DATE:	October 15, 20__
RATE OF INTEREST PER ANNUM:	____%
INTEREST PAYMENT DATES:	April 15 and October 15
INITIAL INTEREST PAYMENT DATE:	April 15, 2026
RECORD DATES:	April 1 and October 1
CUSIP NUMBER:	109025 ____

CITY OF BRIGANTINE, a public body corporate and politic 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 October 15, 2033 are not subject to redemption prior to their stated maturities. The bonds of this issue maturing on or after October 15, 2033 are redeemable at the option of the City, in whole or in part, on any date on or after October 15, 2032 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.

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 Acting 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]  
Acting City Clerk

By: [executed upon issuance]  
Chief Financial Officer

[End of Form of Bond]

Section 10. In each of the General Improvement Bonds, the following language should be inserted in the places indicated by the corresponding letter in the form of the General Improvement Bonds.

A. GIB-\_\_.

B. GENERAL IMPROVEMENT BOND

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 September 17, 2025 and entitled, "Resolution Providing for the Combination of Certain Issues of General Improvement Bonds, Series 2025A, of the City of Brigantine, in the County of Atlantic, New Jersey, Into a Single Issue of Bonds Aggregating \$11,000,000 in Principal Amount" and the various bond ordinances referred to therein, each in all respects duly approved and published as required by law.

Section 11. In each of the Water-Sewer Utility Bonds, the following language should be inserted in the places indicated by the corresponding letter in the form of the Water-Sewer Utility Bonds.

A. WSUB-\_\_.

B. WATER-SEWER UTILITY BOND

C. This bond is one of an authorized issue of bonds issued pursuant to the Local Bond Law of the State of New Jersey and Bond Ordinance #15-23 of the City finally adopted November 1, 2023 and entitled, "Bond Ordinance Providing for Various Improvements to the Water Utility System in and by the City of Brigantine, in the County of Atlantic, New Jersey, Appropriating \$7,112,000 Therefor and Authorizing the Issuance of \$7,112,000 Bonds or Notes of the City of Finance the Cost Thereof", in all respects duly approved and published as required by law.

Section 12. (a) The Bonds shall be sold on October 15, 2025, 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 Notice of Sale for the Bonds. The Notice 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 Notice of Sale with such changes as to date or the terms as deemed advisable or necessary by Phoenix Advisors, a division of First Security Municipal Advisors, Inc., 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 Notice 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 13. The Notice of Sale shall be substantially in the form 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 Notice of Sale shall be substantially in the form attached hereto as Exhibit B with such additions, deletions and omissions as may be necessary for the City to market the Bonds (the "Summary Notice of Sale"), including in accordance with the requirements of the Securities Depository and PARITY. The Acting City Clerk is hereby directed to arrange for the publication or electronic posting of the Notice of Sale in the form

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 Acting City Clerk prior to the date of adoption of this resolution in connection with the publication of the Notice of Sale are hereby ratified, confirmed and approved. McManimon, Scotland & Baumann, LLC is hereby directed to arrange for the publication of the Summary Notice of Sale in the form 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 14. The Bonds shall have attached thereto 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. Alternatively, the Bonds may be accompanied by the signed legal opinion or a copy thereof.

Section 15. The Chief Financial Officer is hereby authorized to use original issue premium on the Bonds to provide for one or more of the following: (i) to reduce the principal amount of the Bonds, provided that the total amount of Bond proceeds, inclusive of any original issue premium, is not less than \$12,900,000; (ii) to pay interest on the Bonds until completion of the construction and acquisition of the projects being funded by the Bonds, plus 6 months; (iii) to pay the interest due on any bond anticipation notes being refunded with the proceeds of the Bonds; (iv) to provide for the costs associated with the authorization, sale and issuance of the Bonds, or (v) to provide for the costs of capital projects to be undertaken by the City, provided such capital projects and the expenditure of such funds are for a tax-exempt purpose.

Section 16. 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, a division of First Security Municipal Advisors, Inc., 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 17. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended, 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 18. 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 19. 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 20. 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, 2026, 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 of the City, 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 specifically limited to specific performance of the Rule requirements or the written contracts or undertakings therefor.

Section 21. This resolution shall take effect immediately.

The foregoing resolution was adopted by the following vote:

AYES:

NAYS:

## CERTIFICATE

I, Christine Murray, Acting City Clerk of the City of Brigantine, in the County of Atlantic, New Jersey (the "City"), **HEREBY CERTIFY** that the foregoing annexed extract from the minutes of a meeting of the governing body of the City duly called and held on September 17, 2025 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the City this \_\_\_\_ day of September, 2025.

---

Christine Murray, Acting City Clerk

[SEAL]

Exhibit A

Notice of Sale

To be published in *The Press of Atlantic City*  
and

To be posted on [www.munihub.com](http://www.munihub.com)

**NOTICE OF SALE**  
**\$12,900,000\***  
**GENERAL OBLIGATION BONDS, SERIES 2025**  
**CONSISTING OF:**  
**\$11,000,000\* GENERAL IMPROVEMENT BONDS, SERIES 2025A**  
**AND**  
**\$1,900,000\* WATER-SEWER UTILITY BONDS, SERIES 2025B**  
**OF THE CITY OF BRIGANTINE, IN THE**  
**COUNTY OF ATLANTIC, NEW JERSEY**  
**(Book-Entry-Only Bonds)/(Callable)/(Not-Bank Qualified)**

**SUMMARY**

ISSUER:	City of Brigantine, in the County of Atlantic, New Jersey
PAR AMOUNT:	\$12,900,000*
SECURITY:	General obligations of the City
TAX-EXEMPT:	Yes
RATING:	S&P rating to be assigned
TYPE OF SALE:	Electronic proposals via PARITY Electronic Bid System (PARITY) of I-Deal, LLC ("I-Deal"). See "Bidding Details" herein.
AGENT:	PARITY – Electronic proposals will be received via the PARITY Electronic Bid System ("PARITY") of I-Deal
SALE DATE & BID TIME:	October 15, 2025 until 11:00 a.m. local time, at which time they will be publicly opened, received and announced. Award by 3:00 p.m.
DATED DATE:	Date of Delivery
DELIVERY DATE:	October 29, 2025
INTEREST PAYMENT DATES:	April 15 and October 15, commencing April 15, 2026
CALL DATE:	October 15, 2032 @ par for Bonds maturing on or after October 15, 2033
MINIMUM BID:	\$12,900,000 (Par)
MAXIMUM BID:	\$13,545,000 (Par plus 5% original issue premium)
BID SECURITY:	<b><u>Good Faith Check or wire transfer in the amount of \$258,000 received by the City (prior to bidding)</u></b>
BASIS OF AWARD:	True Interest Cost
LEGAL OPINION:	McManimon, Scotland & Baumann, LLC, Roseland, New Jersey
OFFERING STATEMENT:	Preliminary Official Statement available at <a href="http://www.munihub.com">www.munihub.com</a>

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\*Preliminary, subject to change



## NOTICE

NOTICE IS HEREBY GIVEN that bids will be received by the City of Brigantine, in the County of Atlantic, New Jersey (the "City"), for the purchase of \$12,900,000\* original principal amount of the City's General Obligation Bonds, Series 2025, consisting of \$11,000,000\* General Improvement Bonds, Series 2025A, and \$1,900,000\* Water-Sewer Utility Bonds, Series 2025B (together, the "Bonds"). **All Bids (as defined below) must be submitted in their entirety via "PARITY Electronic Bid System" (PARITY) prior to 11:00 a.m., New Jersey time, on October 15, 2025 (the "Sale Date"). To bid, Bidders (as defined below) must have submitted a good faith check or wire transfer, payable to the City, in the amount of \$258,000 by no later than 10:00 a.m. on the Bid Date (see Bidding Details below).**

### Preliminary and Final Official Statement

The City's Preliminary Official Statement (the "POS") is available for viewing in electronic format on MuniHub's website located at [www.munihub.com](http://www.munihub.com). In addition, broker-dealers registered with the Financial Industry Regulatory Authority and dealer banks with The Depository Trust Company ("DTC") clearing arrangements may either: (a) print out a copy of the POS on their own printer or (b) at any time prior to the Sale Date, elect to receive a photocopy of the POS in the mail by requesting it by calling the City's bond counsel, Matthew D. Jessup, Esq., of McManimon, Scotland & Baumann, LLC ("Bond Counsel"), 75 Livingston Avenue, Roseland, New Jersey 07068 (telephone no. 973-622-4850), or attention of Heather Thompson, Paralegal (telephone no. 973-622-5027), or the City's Municipal Advisor, Phoenix Advisors, a division of First Security Municipal Advisors, Inc. (the "Municipal Advisor"), Sherry L. Tracey, 625 Farnsworth Avenue, Bordentown, New Jersey 08505 (telephone no. 609-291-0130). All Bidders must review the POS and certify that they have done so prior to participating in the bidding.

The POS is deemed by the City to be final, as of its date, for purposes of Securities and Exchange Commission Rule 15c2-12(b)(1) under the Securities Exchange Act of 1934, except for the omission of information concerning the offering price(s), interest rate(s), selling compensation, aggregate principal amount of the Bonds and any other terms or provisions to be determined from the successful Bid(s) or depending on such matters, and the identity of the underwriter(s). The POS is, however, subject to such further revisions, amendments and completion in a Final Official Statement (the "Final Official Statement") as may be necessary.

The City, at its expense, will make available to the winning Bidder a reasonable number of Final Official Statements within seven (7) business days following the date of acceptance of the Bid.

### Types of Bids Allowed

Subject to the Bid requirements described below, Bids for the Bonds must be submitted on an "All-or-None" ("AON") basis for the entire amount of \$12,900,000\*. There will be only one CUSIP assigned to each annual maturity of the issue. First, a Bidder must submit a conforming Bid for the entire issue, and if such Bid is accepted by the City, the Bidder will be required to purchase the entire issue in accordance with such Bid.

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\*Preliminary, subject to change



### **Interest Payment Dates; Description of the Bonds**

The Bonds will be dated their date of delivery and will bear interest from such date payable semiannually on each April 15 and October 15, commencing on April 15, 2026. Interest shall be computed on the basis of a 30-day month/360-day year.

### **Principal Amortization**

The Bonds shall mature on October 15 as set forth in the following table:

<u>Year</u>	<u>General Improvement Bonds*</u>	<u>Water-Sewer Utility Bonds*</u>	<u>Total Principal Amount*</u>
2026	\$ 605,000	\$110,000	\$ 715,000
2027	715,000	130,000	845,000
2028	770,000	140,000	910,000
2029	825,000	150,000	975,000
2030	880,000	160,000	1,040,000
2031	935,000	170,000	1,105,000
2032	990,000	170,000	1,160,000
2033	990,000	170,000	1,160,000
2034	990,000	170,000	1,160,000
2035	1,045,000	170,000	1,215,000
2036	1,045,000	180,000	1,225,000
2037	1,210,000	180,000	1,390,000

\*Preliminary, subject to change

The City may, and expects to, after the receipt and opening of Bids, adjust the maturity schedule of the Bonds; *provided, however*, that (i) no maturity schedule adjustment shall exceed 10% upward or downward of the principal for any maturity as specified herein, and (ii) the aggregate adjustment to the maturity schedule shall not exceed 10% upward or downward of the aggregate principal amount of Bonds, as specified herein, and the aggregate principal amount of Bonds, as adjusted, will not exceed \$12,900,000. The dollar amount bid by the winning Bidder shall be adjusted to reflect any adjustments in the aggregate principal amount of the Bonds to be issued. The adjusted Bid price will reflect changes in the dollar amount of the underwriter's discount and the original issue premium or discount, but will not change the per bond underwriter's discount, as calculated from the original Bid, and the initial public offering prices required to be delivered to the City, as stated herein.

### **Book-Entry-Only**

The Bonds will be issued in book-entry-only form, initially in the name of Cede & Co., as nominee for DTC. Purchasers will not receive certificates representing their interests in the Bonds. Individual purchases will be in the principal amount of \$5,000 or any integral multiple of \$1,000 in excess thereof. Payments of principal, interest and redemption premium, if any, will be made by the paying agent to DTC for subsequent disbursement to DTC participants to then be remitted to the beneficial owners of the Bonds.

## **Redemption Provisions**

The Bonds maturing prior to September 15, 2033 are not subject to redemption prior to their stated maturities. The Bonds maturing on or after September 15, 2033 are redeemable at the option of the City, in whole or in part, on any date on or after September 15, 2032 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 redeemed 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.

## **Terms of PARITY**

Each electronic proposal must be submitted via PARITY. No Bidder will see any other Bidder's Bid, nor will any Bidder see the status of its Bid relative to other Bids (e.g., whether its Bid is a leading Bid). To the extent any instructions or directions set forth on PARITY conflict with this Notice of Sale, the terms of this Notice of Sale shall control. For further information about PARITY, potential Bidders may contact PARITY at I-Deal at (212) 404-8102. The City may, but is not obligated to, acknowledge its acceptance in writing of any Bid submitted electronically via PARITY. If a Bid submitted electronically via PARITY is accepted by the City, the terms of this Notice of Sale and the information that is electronically transmitted via PARITY shall form a contract, and the winning Bidder shall be bound by the terms of such contract.

PARITY is not an agent of the City, and the City shall have no liability whatsoever based on any Bidder's use of PARITY, including, but not limited to, any failure by PARITY to correctly or timely transmit information provided by the City or information provided by the Bidder.

The City may choose to discontinue use of electronic bidding via PARITY by issuing a notification to such effect via The Municipal Market Monitor News Service, or by other available means, no later than 9:30 a.m., Eastern Time, on the Sale Date.

Once the Bids are communicated electronically via PARITY to the City, each Bid will constitute an official proposal for the Bonds and shall be deemed to be an irrevocable offer to purchase the Bonds on the terms provided in this Notice of Sale. For purposes of submitting all proposals for the Bonds, the time as maintained on PARITY shall constitute the official time.

Each Bidder shall be solely responsible to make necessary arrangements to access PARITY for purposes of submitting its Bid in a timely manner and in compliance with the requirements of this Notice of Sale. Neither the City nor i-Deal shall have any duty or obligation to provide or assure access to any Bidder, and neither the City nor i-Deal shall be responsible for the proper operation of, or have any liability for any delays or interruptions of, or any damages caused by, PARITY. The City is using PARITY as a communication mechanism, and not as the City's agent, to conduct the electronic bidding for the Bonds. By using PARITY, each Bidder agrees to hold the City harmless for any harm or damages caused to such Bidder in connection with its use of PARITY for bidding on the Bonds.

### **Bidding Details**

Bidders should be aware of the following bidding details associated with the sale of the Bonds:

- (1) BIDDERS MUST SUBMIT A GOOD FAITH CHECK OR WIRE TRANSFER IN THE AMOUNT OF \$258,000 PAYABLE TO THE CITY NO LATER THAN 10:00 A.M. ON THE SALE DATE. HOWEVER, BIDDERS ARE ENCOURAGED TO SUBMIT CHECKS OR WIRES ON THE DAY PRIOR TO THE SALE DATE TO ASSURE RECEIPT OF PAYMENT BY THE CITY AT THE FOLLOWING ADDRESS:**

**Albert Stanley  
Chief Financial Officer  
City of Brigantine  
1417 West Brigantine Avenue  
Brigantine, NJ 08203**

**BIDDERS SUBMITTING GOOD FAITH CHECKS SHOULD ALSO ENCLOSE A RETURN ENVELOPE FOR USE BY THE CITY. BIDDERS SUBMITTING A WIRE SHOULD CONTACT THE CITY'S MUNICIPAL ADVISOR, SHERRY L. TRACEY (TELEPHONE NO. 609-291-0130), TO OBTAIN THE WIRE INSTRUCTIONS.**

**UNSUCCESSFUL BIDDERS SUBMITTING THE GOOD FAITH DEPOSIT BY WIRE TRANSFER SHALL, NO LATER THAN THE CLOSE OF BUSINESS ON THE SALE DATE OF THE BONDS, PROVIDE THE CHIEF FINANCIAL OFFICER IN WRITING WITH WRITING INSTRUCTIONS FOR THE RETURN OF SUCH UNSUCCESSFUL BIDDER'S GOOD FAITH DEPOSIT. IN THE EVENT THAT THE CITY FAILS TO RETURN ANY GOOD FAITH WIRES IN A TIMELY FASHION, THE CITY SHALL NOT BE LIABLE FOR MONETARY DAMAGES, REMEDY BEING HEREBY SPECIFICALLY LIMITED TO SPECIFIC PERFORMANCE.**

- (2) All Bids must be submitted on PARITY. No telephone, facsimile or personal delivery Bids will be accepted.**

- (3) All Bids for the Bonds must be submitted on an AON basis. Bidders may change and submit Bids as provided for herein, but a submitted Bid may not be withdrawn.
- (4) Bidders may bid to purchase Bonds from the City with a bid premium in an amount not in excess of five percent (5.00%) of the par amount of the Bonds, representing a bid price of not in excess of \$13,545,000. No Bid will be considered if the Bid is to purchase Bonds at a price less than 100% of the principal amount thereof. The City may, and expects to, after the receipt and opening of Bids, adjust the maturity schedule of the Bonds as set forth in more detail under "Principal Amortization" above.
- (5) Each proposal submitted must name the rate or rates of interest per annum to be borne by the Bonds and the rate or rates named must be multiples of 1/8 or 1/20 of 1%. The difference between the highest and lowest interest rates named in the Bid shall not exceed two percent (2%) per annum. Not more than one rate may be named for Bonds of the same maturity. There is no limitation on the number of rates that may be named. Each proposal submitted must state the purchase price, which must be not less than par. The Bonds will be awarded to the Bidder on whose Bid the total loan may be made at the lowest true interest cost ("TIC"). Such TIC shall be calculated as described below. No proposal shall be considered that offers to pay an amount less than the principal amount of Bonds offered for sale or under which the total loan is made at a TIC higher than the lowest TIC to the City under any legally acceptable proposal. The purchaser must also pay an amount equal to the interest on the Bonds accrued to the date of payment of the purchase price, if applicable.
- (6) Bidders are only permitted to submit Bids for the Bonds during the bidding period.

## **Definitions**

"Bid"	any confirmed purchase offer received by PARITY on or before the proposal submission deadline.
"Bidder"	any firm registered and approved for participation in the sale.
"True Interest Cost (TIC)"	true interest cost shall be computed in each instance by determining the interest rate, compounded semiannually, necessary to discount the debt service payments to the date of the bonds and to the price bid, excluding interest accrued to the Delivery Date. The TIC serves as the basis for awarding bonds to the winning Bidder.
"Winning Bid"	any purchase offer made by a Bidder and received by PARITY that, at the end of the bidding time period, results in the lowest TIC that is acceptable to the City.

## **Bid Procedure and Basis of Award**

Subject to the right reserved by the City to reject any or all Bids, the Bonds will be sold to the Bidder whose Bid produces the lowest TIC for the City and otherwise complies with the Notice of Sale.

Bids must remain valid until at least 3:00 p.m., prevailing time, on the Sale Date, and if accepted by the City, prior to such time, shall be irrevocable except as otherwise provided in the Notice of Sale. Upon selection of the winning Bidder, the City will execute an award certificate to award the Bonds and will promptly communicate with the winning Bidder by telephone, e-mail or facsimile.

## **Bid Security and Method of Payment for Bonds**

A good faith deposit (the "Deposit") in the form of a certified or cashier's check or wire transfer (wiring instructions can be obtained from the City's Municipal Advisor) in the amount of \$258,000, payable to the order of the City, is required for each Bid to be considered. If a check is used, it must be a certified treasurer's or cashier's check and must be provided to the City prior to 10:00 a.m. on the Sale Date for Bids to be submitted. If a wire transfer is used, such wire must be received by the City prior to 10:00 a.m. on the Sale Date. Each Bidder accepts responsibility for delivering such check or wire on time and the City is not responsible for any check or wire that is not received on time. No interest on the Deposit will accrue to the winning Bidder. The Deposit will be applied to the purchase price of the Bonds. In the event the winning Bidder fails to honor its accepted Bid, the Deposit will be retained by the City. Award of the Bonds to the winning Bidder or rejection of all Bids is expected to be made within two hours after opening of the Bids, but such winning Bidder may not withdraw its proposal until after 3:00 p.m. on the Sale Date and then only if such award has not been made prior to the withdrawal. The balance of the purchase price shall be paid in federal funds by wire transfer to the City on or about the Delivery Date.

## **Right to Reject Bids; Waive Irregularities**

The City reserves the right to reject any and all Bids and, to the extent permitted by law, to waive any irregularity or informality in any Bid.

## **Information Required from the Winning Bidder**

By making a Bid for the Bonds, the winning Bidder(s) agrees: (a) to provide to the City, in writing, immediately upon being unofficially awarded the Bonds, a written confirmation of the Bid, which shall include the purchase price, reoffering yield(s) and other related information necessary for completion of the Final Official Statement by the Municipal Advisor and by Bond Counsel; (b) to disseminate to all members of the underwriting syndicate copies of the Final Official Statement; (c) to promptly file a copy of the Final Official Statement with the Municipal Securities Rulemaking Board; and (d) to take any and all other actions necessary to comply with applicable Securities and Exchange Commission and Municipal Securities Rulemaking Board rules governing the offering, sale and delivery of the Bonds to alternate purchasers.

## **Establishment of Issue Price for the Bonds**

In the event the City receives at least three (3) Bids for the Bonds, then the issue price for the Bonds shall be established based on the reasonably expected initial offering prices of the Bonds as of the Sale Date (the "Expected Offering Prices"). The Expected Offering Prices shall

consist of the prices for each maturity of the Bonds used by the winning Bidder in formulating its Bid to purchase the Bonds. The winning Bidder shall be required to deliver on the Delivery Date a certificate to such effect and to provide to the City, in writing, the Expected Offering Prices as of the Sale Date.

In the event the City receives fewer than three (3) Bids for the Bonds, then the issue price for the Bonds shall be established based on the following method as selected by the winning Bidder on the Sale Date:

**10% Sold:** The issue price for the Bonds shall be established based on the first price at which at least 10% of each maturity of the Bonds was sold to the Public (as defined below). The winning Bidder shall be required to deliver on the Delivery Date a certificate to such effect and to provide to the City, in writing, evidence satisfactory to Bond Counsel to the City of such sales prices for each maturity of the Bonds. In the event that the winning Bidder has not sold at least 10% of each maturity of the Bonds to the Public as of the Delivery Date (each, an "Unsold Maturity"), the winning Bidder shall (i) provide to the City, in writing, on the Delivery Date, the Expected Offering Prices for each Unsold Maturity and a certificate regarding same and (ii) have a continuing obligation to provide to the City, in writing, evidence satisfactory to Bond Counsel to the City of the first price at which at least 10% of each Unsold Maturity is sold to the Public, contemporaneous with each such sale, until at least 10% of all such Unsold Maturities have been sold to the Public.

**Hold-the-Price:** The issue price for the Bonds shall be established based on the initial offering price of the Bonds to the Public as of the Sale Date, provided that the winning Bidder shall, in writing, (i) confirm that the Underwriters have offered or will offer the Bonds to the public on or before the Sale Date at the offering price or prices set forth in the Bid submitted by the winning Bidder and (ii) agree, on behalf of the Underwriters participating in the purchase of the Bonds, that the Underwriters will neither offer nor sell the Bonds to any person at a price that is higher than the initial offering price to the Public during the period starting on the Sale Date and ending on the earlier of: (1) the close of the fifth (5th) business day after the sale date or (2) the date on which the Underwriters have sold at least 10% of the Bonds to the Public at a price that is no higher than the initial offering price to the Public.

Public means any person (including an individual, trust, estate, partnership, association, company or corporation) other than an Underwriter (as defined herein) or a related party to an Underwriter. The term "related party" generally means any two or more persons who have greater than 50% common ownership, directly or indirectly. Underwriter means (i) any person that agrees pursuant to a written contract with the Issuer (or with the lead underwriter to form an underwriting syndicate) to participate in the initial sale of the Bonds to the Public, and (ii) any person that agrees pursuant to a written contract directly or indirectly with a person described in clause (i) of this paragraph to participate in the initial sale of the Bonds to the Public (including a member of a selling group or a party to a third-party distribution agreement participating in the initial sale of the Bonds to the Public).

### **Delivery of the Bonds**

The Bonds will be delivered on or about the Delivery Date (UNLESS A NOTICE OF A CHANGE IN THE DELIVERY DATE IS PUBLISHED ON MUNIAUCTION NOT LATER THAN 2 HOURS PRIOR TO ANY ANNOUNCED DATE FOR RECEIPT OF BIDS) in New York City at DTC against payment of the purchase price therefor (less the amount of the good faith deposit) in federal funds.



There will also be furnished the usual closing papers, including (1) a certificate signed by the officials who signed the Bonds stating that no litigation of any kind is now pending or, to their knowledge, threatened to restrain or enjoin the issuance or delivery of the Bonds, or in any manner questioning the proceedings and authorization under which the Bonds are issued or affecting the validity of the Bonds, and (2) a certificate signed by the City relating to the Final Official Statement.

### **CUSIP Numbers**

It is anticipated that CUSIP identification numbers will be printed on the Bonds. The City's Municipal Advisor will timely apply for CUSIP identification numbers with respect to the Bonds as required by MSRB Rule G-34. CUSIP Global Service's charge for the assignment of CUSIP identification numbers shall be the responsibility of and shall be paid for by the winning bidder. The winning bidder will be responsible for notifying CUSIP Global Services of any changes in structure and shall add or cancel CUSIP identification numbers as needed to the final structure. The City will assume no obligation for the assignment or printing of such numbers on the Bonds or for the correctness of such numbers, and neither the failure to print such numbers on the Bonds nor any error with respect thereto shall constitute cause for a failure or refusal by the winning bidder to accept delivery of and make payment for the Bonds.

### **Legal Opinion**

The approving opinion of McManimon, Scotland & Baumann, LLC, Bond Counsel to the City, will be furnished without cost to the winning Bidder.

### **Postponement**

The City reserves the right to postpone, from time to time, the date and time established for receipt of Bids. **ANY SUCH POSTPONEMENT WILL BE PUBLISHED OR POSTED BEFORE 10:00 A.M. ON THE SALE DATE.** If any date fixed for the receipt of Bids and the sale of the Bonds is postponed, an alternative sale date will be announced via PARITY at least 48 hours prior to such alternative sale date. On any such alternative sale date, any Bidder may submit a Bid for the purchase of the Bonds in conformity in all respects with the provisions of the Notice of Sale, except for the date of sale and except for the changes announced on PARITY at the time the sale date and time are announced.

### **Additional Information**

For further information relating to the Bonds, reference is made to the POS prepared for and authorized by the City. The Notice of Sale and the POS may be viewed on MuniHub's website located at [www.munihub.com](http://www.munihub.com). However, the City makes no assurance or representation with respect to the form of the Notice of Sale and the POS on MuniHub, and no investment decision should be made in reliance thereon. Printed copies of the POS and the Notice of Sale may be obtained from Bond Counsel at the address and phone number stated above.

For additional information relating to the sale, please contact PARITY at (212) 404-8102. Additional information relating to the financing by the City can be obtained by contacting the undersigned Chief Financial Officer at 609-266-7600 or at [astanley@brigantinebeachnj.com](mailto:astanley@brigantinebeachnj.com) or the City's Municipal Advisor.

CITY OF BRIGANTINE  
By: Albert Stanley, Chief Financial Officer

Dated: September \_\_, 2025



**Exhibit B**

**(Summary Notice of Sale to be Published in The Bond Buyer)**

## **SUMMARY NOTICE OF SALE**

**\$12,900,000\***  
**GENERAL OBLIGATION BONDS, SERIES 2025**  
**CONSISTING OF:**  
**\$11,000,000\* GENERAL IMPROVEMENT BONDS, SERIES 2025A**  
**AND**  
**\$1,900,000\* WATER-SEWER UTILITY BONDS, SERIES 2025B**  
**OF THE**  
**CITY OF BRIGANTINE, IN THE**  
**COUNTY OF ATLANTIC, NEW JERSEY**  
**(Book-Entry-Only Bonds)/(Callable)/(Not Bank-Qualified)**

### **SUMMARY**

Dated:	Date of Delivery – On or about October 29, 2025
Bid Date and Time:	October 15, 2025 at 11:00 a.m. and award by 3:00 p.m.
Type of Sale:	PARITY
Interest:	Multiple Interest Rates – multiples of 1/8 or 1/20 of 1%
Legal Opinion:	McManimon, Scotland & Baumann, LLC, Roseland, NJ
Bid Security:	Good faith check or wire transfer must be received by the City by 10:00 a.m. prior to bidding in the amount of \$258,000
Limitation on Premium:	\$13,545,000 (Par plus 5% original issue premium)
Maturity Schedule:	October 15 as set forth in the following table:

<u>Year</u>	<u>General Improvement Bonds*</u>	<u>Water-Sewer Utility Bonds*</u>	<u>Total Principal Amount*</u>
2026	\$ 605,000	\$110,000	\$ 715,000
2027	715,000	130,000	845,000
2028	770,000	140,000	910,000
2029	825,000	150,000	975,000
2030	880,000	160,000	1,040,000
2031	935,000	170,000	1,105,000
2032	990,000	170,000	1,160,000
2033	990,000	170,000	1,160,000
2034	990,000	170,000	1,160,000
2035	1,045,000	170,000	1,215,000
2036	1,045,000	180,000	1,225,000
2037	1,210,000	180,000	1,390,000

\* Preliminary, subject to change

Preliminary Official Statement, Notice of Sale and other details available at [www.munihub.com](http://www.munihub.com).

**CITY OF BRIGANTINE  
RESOLUTION 2025-216**

**RESOLUTION PROVIDING FOR THE COMBINATION OF  
CERTAIN ISSUES OF GENERAL IMPROVEMENT BONDS,  
SERIES 2025A, OF THE CITY OF BRIGANTINE, IN THE  
COUNTY OF ATLANTIC, NEW JERSEY, INTO A SINGLE  
ISSUE OF BONDS AGGREGATING \$11,000,000 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 \$11,000,000 (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:

Principal Amount of Bonds	Number of Ordinance	Description of Improvement and Date of Adoption of Ordinance	Useful Life
\$4,000,000	16-2023	Various capital improvements, finally adopted November 1, 2023.	16.62 years
\$7,000,000	12-2024	Various capital improvements, finally adopted August 7, 2024.	13.50 years

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 14.63 years.

b. The Bonds of the combined issue shall be designated "General Improvement Bonds, Series 2025A" 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:

## CERTIFICATE

I, Christine Murray, Acting City Clerk of the City of Brigantine, in the County of Atlantic, New Jersey (the "City"), **HEREBY CERTIFY** that the foregoing annexed extract from the minutes of a meeting of the governing body of the City duly called and held on September 17, 2025 has been compared by me with the original minutes as officially recorded in my office in the Minute Book of the governing body and is a true, complete and correct copy thereof and of the whole of the original minutes so far as they relate to the subject matters referred to in the extract.

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the corporate seal of the City this \_\_\_\_ day of September, 2025.

---

Christine Murray, Acting City Clerk

[SEAL]

**CITY OF BRIGANTINE  
RESOLUTION 2025-217**

**RESOLUTION OPPOSING THE PROPOSED “PROTECTING AGAINST  
CLIMATE THREAT (PACT)/RESILIENT ENVIRONMENTS AND LANDSCAPE  
(REAL)” RULES**

WHEREAS, on July 14, 2025, the New Jersey Department of Environmental Protection announced intent to amend the NJ PACT REAL regulations; and

WHEREAS, on July 21, 2025, the changes to the NJ PACT REAL regulations were published in the New Jersey Register and a 60-day comment period commenced; and

WHEREAS, the City of Brigantine opposes the amended coastal rules proposed by the State of New Jersey. These rules will impact the availability of affordable housing, result in environmental equity issues, deter economic development, impose an unnecessary layer of State regulation, potentially require New Jersey homeowners to obtain flood insurance; and have other harmful impacts on the residents and businesses in New Jersey; and

WHEREAS, the City of Brigantine acknowledges that climate change and sea level rise are a documented risk to the coastal zone of New Jersey and its barrier island communities, requiring thoughtful and well-reasoned response from all levels of government; and

WHEREAS, the City of Brigantine continues to respond to the threat of tidal flooding/major coastal storms by practicing the highest standards of coastal resiliency and floodplain management in all critical infrastructure and building projects, while also providing the necessary support to our local communities in the approach, duration, and wake of major coastal storms; and

WHEREAS, the City of Brigantine is extremely disappointed in the level of transparency during this rule making process. The coastal municipalities and counties were not included in the stakeholder meeting when these rules were being formulated. Finally, when we were afforded the opportunity to meet with NJDEP staff we were told that a detailed economic impact analysis that studies the impact of these rules on local communities would be provided, to date this analysis has not been distributed. Also, the responses to the 2,965 comments on the initial rules were to be made public; and

WHEREAS, historically, new rules issued by the NJDEP have always been promulgated pursuant to legislation through the typical legislative process; and

**WHEREAS, in this case, like the NJDEP's recently proposed Shore Protection Rule, there is no legislation that authorized the NJDEP to require more stringent requirements than the federal regulations that are now in place; and**

**WHEREAS, NJDEP uses a year 2100-time horizon and the 17th percentile chance of occurrence as the basis for these regulations. Science has demonstrated that the brightest minds cannot predict with accuracy the impacts of sea level rise over twenty years let alone seven-five years which is the basis of the published regulations. This is supported by the fact that municipal master planning efforts project twenty years in the future due to uncertainties. These regulations should be applied incrementally based on twenty year projects; and**

**WHEREAS, by creating a new flood zone (inundation risk zone or IRZ) with strict development standards, expanding existing flood zones (climate adjusted flood elevation or CAFE), and creating new 3 percent impervious coverage limits (CAFRA Critical Environmental Areas), thousands of prime developable acres of land will be either undevelopable or much harder to develop. This will impact major projects and hurt rateables. Given that the most restrictive development limits are on lands closer to the water, the rule would impact some of the state's most valuable lands; and**

**WHEREAS, these rules as currently written do not consider the economic impact these new standards may have on the ratables, real-estate values, development, and redevelopment statewide, but especially in Atlantic County where we have more than \$8 billion in annual tourism spending according to the New Jersey Division of Tourism. Tourism is the largest industry in Atlantic County; and**

**WHEREAS, the proposed rules also do not account for the impact these higher regulatory building standards will impose on historic structures and historic districts in the City of Brigantine, throughout Atlantic County, and State of New Jersey; and**

**WHEREAS, the State of New Jersey must also consider the burden these new rules will have on coastal municipalities, especially within their local construction offices, due to the additional duties and responsibilities of enforcing these higher regulatory standards that will likely result in the need to hire additional staff or enter additional public/private contracts; and**

**WHEREAS, these rules will also increase construction costs and impact the feasibility for public infrastructure projects with the minimum construction height requirements for new roads in excess of Base Flood Elevation, will be infeasible and unachievable given the path and location of the project; and**

**WHEREAS, despite the burden these rules will inevitably play on our coastal towns, the State of New Jersey has not mentioned any plan for a State budget appropriation to assist coastal towns statewide with the additional duties and functions imposed through the proposed NJPACT REAL regulations; and**



WHEREAS, the proposed expansion of flood hazard areas will also create additional financial burdens for lower and middle class property owners living in the City of Brigantine by imposing more restrictive building standards accompanied by engineering assessments and alternatives analyses within the newly expanded regulated areas and may also potentially result in higher insurance premiums given the expansion of the inundation risk zone and increase of the regulated flood hazard area limits by 4 feet vertically; and

WHEREAS, the proposed NJPACT REAL regulations are based Science and Technical Advisory Panel Report (2019 STAP Report) entitled, "New Jersey Rising Seas and Changing Coastal Storms," projecting sea level rise for the year 2100 exceeding 5.1 feet, which has a probability of occurrence of approximately 17%; and

WHEREAS, since the 2019 STAP Report several key studies on sea level rise were issued as was the International Panel on Climate Change (IPCC) Assessment that addressed sea level rise. The more recent studies do not support the idea of a 5.1 foot sea level rise as being likely. The IPCC and all the newer scientific reports predict that worldwide sea level rise this century will be 0-2 feet; and

WHEREAS, municipalities are required to prepare Master Plans for a 20-year planning horizon, and the City of Brigantine strongly recommends a similar time horizon for rules based on sea level rise projections; and

WHEREAS, the City of Brigantine, like a lot of Counties and Municipalities nationwide, are experiencing a housing crisis due in part to the high cost of housing, and these requirements will significantly increase the cost of housing, making it difficult if not impossible to provide affordable housing for the region's workforce; and

WHEREAS, the NJDEP's proposed expansion of flood hazard areas limits the potential capacity of mixed income housing development and even prohibits development in most coastal areas where there is already statutory affordable housing obligations imposed through fair share housing laws, especially as inland development centers are being reduced in size via the State Planning process; and

WHEREAS, the proposed coastal regulations will create an Environmental Justice issue since local residents will be deterred from improving their homes because they will have to elevate 6 feet above BFE which they cannot afford when they improve their homes above 50 percent of its value, hence those in most need of shelter will witness the deterioration of their homes and be forced to relocate; and

WHEREAS, the Federal Emergency Management Agency is also in the process of preparing detailed updates to the flood insurance rate maps (FIRMS) that take into account many factors of risk including sea level rise; and

WHEREAS, the State of New Jersey has historically used these maps to guide public policy, and therefore, the City of Brigantine urges the State to differ to the

superseding governing body, in this instance FEMA, and wait until the new FIRMS have been posted before expanding flood hazard areas through a streamlined State authorization; and

WHEREAS, with the expansion of state regulatory flood zones will come requirements by banks for homeowners to purchase costly flood insurance. Thousands of residents who are currently living outside the existing federal flood zone will now be thrust into a new state expanded flood zone with the potential that they will be forced to purchase flood insurance; and

WHEREAS, while recognizing the importance of addressing climate change, as stated previously, the City of Brigantine believes that a more gradual and balanced approach is necessary to target incremental adjustments over time in order to mitigate the potential negative impacts that these radically changing rules will have on the coastal towns of New Jersey; and

WHEREAS, it is imperative that the State of New Jersey consider the disproportionate burden resulting from the implementation of such stringent regulatory standards that will challenge the people of New Jersey living, working, and visiting in the coastal zones.

NOW, THEREFORE, BE IT RESOLVED, the City of Brigantine strongly recommends the following:

1. The City of Brigantine recommends that the State abandon the NJPACT REAL rule making process and start anew with a process that includes the Legislature and local officials and a focus on a comprehensive approach to fund infrastructure improvements as well as regulatory changes based on a twenty-year time horizon.
2. The City of Brigantine recommends a comprehensive and independent analysis of the potential economic and social impacts of the proposed regulations.
3. The City of Brigantine recommends that these regulations be based on a 20-year timeframe that is adjusted over time to reflect sea level rise and resiliency measures, rather than based on a 75-year projection.
4. The City of Brigantine recommends that the State of New Jersey consider the inclusion of a budgetary appropriation to assist towns with the implementation of these rules and further, appropriate funding to implement a State grant program to support coastal resiliency projects that will inevitably incur greater costs due to the higher regulatory standards that include significantly higher elevation requirements for new roads.

5. The City of Brigantine recommends that the State of New Jersey follow the same practice as FEMA and prepare detailed flood maps, and further hold public engagement sessions across the State, so that communities and residents can clearly understand how these regulations will impact their areas and properties.
6. The City of Brigantine hereby orders copies of this Resolution, be transmitted to Governor Phil Murphy; Lieutenant Governor Tahesha Way; Advisor to Governor Murphy Diane Gutierrez-Scaccetti; Senate President Nicholas P. Scutari; Assembly Speaker Craig J. Coughlin; Senate Environment Committee Chair Bob Smith; Assembly Environment Committee Chair James J. Kennedy; the Office of Legislative District 2's Senator Vince Polistina, Assemblyman Don Guardian, and Assemblywomen Claire Swift; the New Jersey Association of Counties (NJAC); New Jersey Business and Industry Association (NJBIA); and the New Jersey League of Municipalities (NJLM) to convey the (name of government agency)'s concerns and recommendations.
7. The City of Brigantine hereby orders copies of this Resolution be submitted as public comment on the NJ Register to serve as the municipality's official comments to the NJDEP's proposed NJPACT REAL rules.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic, State of New Jersey, on the 17th day of September, 2025.

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Christine Murray  
Acting City Clerk



# CITY OF BRIGANTINE

## Memorandum

### Consent Agenda – September 17, 2025 Council Meeting

Event	Day of Week	Time & Date
Heart of Surfing – Adaptive Skateboarding	Saturday	October 4, 11, 18 and November 1, 8, 15, 2025 10:30-Noon
VFW Raffle #1125	Friday	October 10, 2025 5PM
Republican Club Halloween Parade	Sunday	October 26, 2025 at 1:00 PM
Elks Raffle #1124	Saturday	December 6, 2025 4-11PM
Waterman's Tournament		September through December 31, 2025