Present: Absent:

AGENDA CITY OF BRIGANTINE COUNCIL MEETING MARCH 16, 2022 5:00 P.M. – Public Portion

2. 3.	Flag Salute Opening Prayer Open Public Meetings A Resolution 2022-61 Re: Topics to be Discussed:	ct Announcement Executive Session	P.M.			
	M:	S:	RC:	MC:		
5.	Return from Executive S	essionP.M.				
6.	Approval of 3/2/22 Coun	cil Meeting and Execu	tive Session Minutes			
	M:	S:	RC:	MC:		
7.	Approval of Requisition	List, Operating Expens	ses and Payroll			
	M:	S:	RC:	MC:		
8.	Public Comment on Ager	nda Items Only				
9.	Ordinance No. 5 of 2022 Removal of Handicapped	 Public Hearing and A Parking Spaces in Front 	Adoption ont of 311 and 313 28 th	Street South		
	M:	S:	RC:	MC:		
10.	O. Ordinance No. 6 of 2022 – Public Hearing and Adoption Vacating a Portion of an Alleyway at or Near Putnam Place near Beach Avenue					
	M:	S:	RC:	MC:		
	City Manager Budget Pre Resolution 2022-62- Intro		funicipal Budget			
	M:	S·	RC:	MC·		

13	Resolution 2022-63 Re:	Temporary Emergenc	y #2	
	M:	S:	RC:	MC:
14	Resolution 2022-64 Re:	Appropriation Reserve	e Transfer	
	M:	S:	RC:	MC:
15.	Resolution 2022-65 Re: Pump Station and Recons	Authorizing the Award struction of Intersection	of Contract for New S n at 12 th Street North	Storm Water
	M:	S:	RC:	MC:
16.	Resolution 2022-66 Re: I	Person to Person Liquo	or License Transfer	
	M:	S:	RC:	MC:
17.	Resolution 2022-67 Re: I	Real Estate Tax Refund	i	
	M:	S:	RC:	MC:
18.	Resolution 2022-68 Re:	Rental Inspection Fee	Refund	
	M:	S:	RC:	MC:
19.	Resolution 2022-69 Re: 1	Roadway Solicitation I	Permit – Brigantine PE	3A #204
	M:	S:	RC:	MC:
	Consent Agenda A. Clean Ocean Action E B. Stockton University C			
	M:	S:	RC:	MC:
22. 23.	Council Manager/Commi Public Comments Council Comments AdjournP.M.	tee Discussion:		

The City Council of the City of Brigantine reserves the right to consider, discuss and/or take any formal action upon resolutions or ordinances not appearing on the printed agenda.

CITY OF BRIGANTINE ORDINANCE NO. 5 OF 2022

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

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

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

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

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

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

NA.	ME OF STREET	•
311	28th Street South	

LOCATION

Twenty (20) foot area in front of the property located at 311 28th Street South

313 28th Street South

Twenty (20) foot area in front of the property located at 313 28th Street South

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

SECTION III: Severability

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

SECTION IV: Repealer

All ordinances or portions thereof inconsistent with this ordinance are hereby repealed to the extent of said inconsistency.
SECTION V: Effective Date

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

INTRODUCTION: March 2, 2022 ADOPTION:

VINCE SERA, MAYOR

ATTEST:

LYNN SWEENEY, RMC CITY CLERK

ORDINANCE NO. <u>6 of</u> 2022

VACATING A PORTION OF AN ALLEYWAY AT OR NEAR PUTNAM PLACE NEAR BEACH AVENUE BETWEEN BLOCK 6503, LOTS 11,12 AND 13 IN THE CITY OF BRIGANTINE

WHEREAS, N.J.S.A. 40:67-1b confers upon municipalities the authority to "vacate any public street, highway, lane, alley, or any part thereof...;" and

WHEREAS, a portion of an alleyway, located along Block 6503, in between Lots 11, 12 and 13, near Putnam Place and Beach Avenue, in the City of Brigantine, ("hereinafter the alleyway") as depicted on the Plan prepared by Matthew F. Doran, P.E., dated February 21, 2021, attached hereto as Exhibit "A" is no longer are needed for public purposes; and

WHEREAS, the area of the portion of the alleyway is further described in the Metes and Bounds Description, prepared by Matthew F. Doran, P.E., and is attached hereto as Exhibit "B"; and

WHEREAS, the Mayor and City Council of the City of Brigantine have reviewed the status of the alleyway, and the Mayor and Council of the City of Brigantine have determined that it is in the best interests of the City of Brigantine that the public's right, title and interest in, along, upon and over the lands hereinafter described be vacated, surrendered and extinguished.

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

Section 1. The public right, title and interest in, along and over a portion of the alleyway located along Block 6503, in between Lots 11, 12 and 13, near Putnam Place and Beach Avenue, in the City of Brigantine, as hereinafter described in the Plan entitled "Vacation of Alley: situate at Putnam Place & Beach Avenue" dated February 21, 2021, 2021, attached hereto as Exhibit "A", along with a metes and bounds description of the area to be vacated also prepared by Matthew F. Doran, P.A., and attached hereto as Exhibit "B", and incorporated herein by this reference thereto, be and the same hereby are vacated surrendered and extinguished.

Section 2. Nothing contained herein shall be deemed to vacate, surrender or extinguish any right or privilege of the City of Brigantine or of any public utility, telecommunications provider or cable television company to maintain, repair or replace any of their existing poles, wires, pipes, conduits, sewer mains, water mains or other existing facilities in, adjacent to, over or under the streets herein vacated or any part or parts thereof.

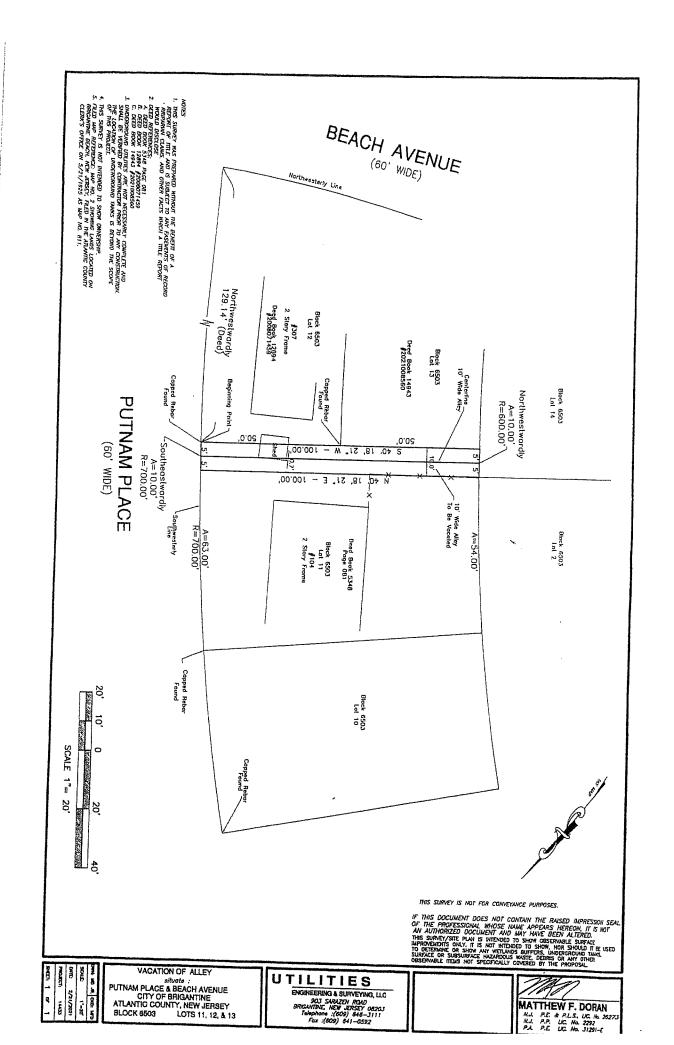
Section 3. If any portion of this Ordinance is determined to be invalid by a court of competent jurisdiction, that determination shall have no effect upon the remainder of this Ordinance, which shall remain valid and operable.

Section 4. All Ordinances or parts of Ordinances inconsistent with this Ordinance, to the extent of such inconsistencies only, be and the same hereby are repealed.

<u>Section 5.</u> This Ordinance shall take effect immediately upon final passage and publication as provided by law.

<u>Section 6.</u> As required by N.J.S.A. 40:67-21, upon this Ordinance becoming effective, the City Clerk shall file with the Atlantic County Clerk for recording a certified copy of this Ordinance, under seal of the City of Brigantine, together with a copy of the proof of publication of this Ordinance.

ATTEST:	CITY OF BRIGANTINE	
Lynn A. Sweeney, City Clerk	Vince Sera, Mayor	



UTILITIES ENGINEERING & SURVEYING, LLC

903 SARAZEN ROAD • BRIGANTINE, NJ 08203 (609) 517-1164 FAX (609) 641-0592

MATTHEW F. DORAN, P.E., P.L.S., P.P., C.M.E.

Metes & Bounds Description
Vacation of a 10' Wide Alley
Putnam Place
City of Brigantine

All that certain, tract or parcel of land and premises situate, in the City of Brigantine, County of Atlantic and State of New Jersey bounded and described as follows:

BEGINNING at the intersection of the Southwesterly line of Putnam Place (60 feet wide) with the Southeasterly line of a 10 foot wide alley, being 129.14 feet Northwestwardly of the Northwesterly line of Beach Avenue (60 feet) wide and extending; thence

- South 40 degrees 18 minutes 21 seconds West along the Southeasterly line of said 10 feet wide alley a distance of 100.00 feet more or less to a point in the division line between Lots 13 and 14 in Block 6503 as shown on the City of Brigantine Tax Map; thence
- 2. Northwestwardly along the division line between the Southwesterly line of said 10 feet wide alley and Lot 14 in Block 6503, along a curve to the left having a radius of 600.00 feet an arc distance of 10.00 feet to a point in the division line between the Northwesterly line of said alley and Lot 11 in Block 6503; thence
- North 40 degrees 18 minutes 21 seconds East along the Northwesterly line of said alley a distance of 100.00 feet more or less to a point in the Southwesterly line of Putnam Place; thence
- Southeastwardly along the Southwesterly line of Putnam Place along a curve to the right having a radius of 700.00 feet an arc distance of 10.00 feet to the point and place of BEGINNING.

MATTHEW F. DORAN, PE, PP, PLS

UTILITIES ENGINEERING & SURVEYING, LLC 903 SARAZEN ROAD, BRIGANTINE, NJ 08203

N.J. PE & PLS LIC. NO. 26273

609-646-3111

CITY OF BRIGANTINE RESOLUTION NO. 2022-

INTRODUCTION OF 2022 MUNICIPAL BUDGET

WHEREAS, it is necessary for the City of Brigantine to prepare an annual budget identifying all of the anticipated appropriations and revenues to support governmental operations for Calendar Year 2022; and

WHEREAS, N.J.S.A. 40A: 4-5 provides for the introduction of the annual Municipal Budget and N.J.S.A. 40A: 4-5.1 provides for the local budget date extension; and

WHEREAS, upon approval of the introduction, a public hearing will be scheduled for comments; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Brigantine that in accordance with aforementioned statute:

1. The City Council approves the introduction of the Calendar Year 2022 Municipal Budget of the City of Brigantine.

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

I, Lynn Sweeney, City Clerk of the City of Brigantine, do hereby certify that this is a true and lawful copy of the resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey on March 16, 2022.

Lynn Sweeney, RMC, City Clerk

CITY OF BRIGANTINE TEMPORARY EMERGENCY APPROPRIATION RESOLUTION

WHEREAS, an emergent condition has arisen in that the City of Brigantine is expected to enter into contracts, commitments or payments prior to the 2022 budget adoption and no adequate provision has been made in the 2022 temporary budget for the aforesaid purposes, and

WHEREAS, N.J.S.A. 40A::4-20 provides for the creation of an emergency temporary appropriation for said purposes, and

WHEREAS, the total emergency temporary appropriation resolutions adopted in the year 2022 pursuant to the provisions of Chapter 96, P.L.1951 (NJSA 40A:4-20) including this resolution totals \$ 5,207,182.74 for the Municipal Budget, and \$ 1,420,000.00 for the Water & Sewer Utility, and NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, (not less than two-thirds of all member therof affirmatively concurring) that in accordance with the provisions of NJSA 40A:4-20:

1. Emergency Temporary appropriations be and the same hereby made in the amount of as follows:

General Administration	Salaries & Wages	10,000.00
Mayor and Council	Salaries & Wages	5,000.00
Municipal Clerk	Salaries and Wages	5,000.00
	Other Expenes	5,000.00
Financial Administration	Salaries & Wages	10,000.00
	Other Expenses	5,000.00
	Annual Audit	10,000.00
Revenue Admin (T C)	Salaries & Wages	10,000.00
Tax Assessment Admin	Salaries & Wages	10,000.00
	Other Expenses	9,351.00
Legal Services	Other Expenses	25,000.00
Engineering Services	Other Expenses	25,000.00
Municipal Court	Salaries & Wages	10,000.00
Public Defender	Other Expenses	3,000.00
Planning Board	Salaries & Wages	2,500.00
	Other Expenses	5,000.00
Insurances	Group Insurance Plan for Employees	500,000.00
	Health Benefit Waiver	25,000.00
Fire Department	Salaries & Wages	360,000.00
	Other Expenses	20,000.00
Police Department	Salaries & Wages	250,000.00
	Other Expenses	65,635.00
OEM	Salaries & Wages	1,000.00
Streets & Roads	Salaries & Wages	15,000.00
	Other Expenses	20,000.00
Dept. of Public Works	Salaries & Wages	15,000.00
	Storm Water Management	3,000.00
	Other Expenses	5,000.00
Public Buildings & Grounds	Salaries & Wages	35,000.00
-	Other Expenses	15,000.00
Vehicle Expense	Salaries & Wages	10,000.00
<u>k</u>	Other Expenses	25,000.00
Golf Course	Other Expenses	100,000.00
		100,000.00

	Dog Regulations	Other Expenses	5,000.00
	Beach Patrol	Salaries & Wages	100,000.00
		Other Expenses	25,000.00
	Beach Fee Program	Salaries & Wages	30,000.00
		Other Expenses	10,000.00
	Parks & Playgrounds	Salaries & Wages	10,000.00
	Uniform Construction Code	Salaries & Wages	20,000.00
		Other Expenses	10,500.00
	Maintenance Agreements(Contrac	ctual)	25,000.00
	Grant-NJ DOT	FY 2022 Aid	325,000.00
	Utility Expenses and Bulk Purcha	ses	
		Electric	25,000.00
		Street Lighting	25,000.00
		Telephone	25,000.00
		Natural Gas	25,000.00
		Fuel	20,000.00
		Cable	4,000.00
	Statutory Expenses	Social Security/Umployment/Pension	150,000.00
		PERS Pension	514,418.11
		PFRS Pension	2,154,768.63
		Lifeguard Pension	15,000.00
		DCRP	1,500.00
	Fire Prevention Inspections	Salaries & Wages	10,000.00
		Other Expenses	6,510.00
	TOTAL CURRENT FUND		\$ 5,151,182.74
WATER & SEW	ER		
	Operating		
		Salaries & Wages	150,000.00
	Statutam: Erman	Other Expenses	500,000.00
	Statutory Expenses	Social Security System/Unemployment Pension	25,000.00
	TOTAL WATER & SEWER UT		\$ 820,000.00

^{2.} Said emergency temporary appropriations will be provided for in the 2022 budget.

CITY OF BRIGANTINE APPROPRIATION RESERVE TRANSFER RESOLUTION 2022-

WHEREAS, N.J.S.A. 40A-59 permits transfers of appropriation reserves from the preceding year to be made during the first three (3) months of the following fiscal year, when it has been determined that the appropriation reserve is insufficient to pay claims authorized or incurred during said preceding year which were chargeable to said appropriation and when it has been further determined that there is an excess in any appropriation reserve over and above the amount deemed to be necessary to fulfill the purpose of such appropriation.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey, that the Chief Financial Officer be and the same is hereby authorized to make transfers among the 2021 appropriation reserves as follows:

CURRENT FUND	FROM	TO
Fire-Sal & Wages Storm Reserve Accumulated Leave Reserve		\$ 100,000.00 50,000.00 50,000.00
Group Insurance	\$ 200,000.00	
Total Current	\$ 200,000.00	\$ 200,000.00

This is to certify that the above is a true and correct copy of a resolution passed by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey at their meeting held on March 16, 2022

Lynn Sweeney, RMC, City Clerk

RESOLUTION NO. 2022-

A RESOLUTION BY THE CITY OF BRIGANTINE AUTHORIZING THE AWARD OF CONTRACT TO C. ABBONIZIO CONTRACTORS FOR THE NEW STORM WATER PUMP STATION & RECONSTRUCTION OF INTERSECTION AT 12TH STREET NORTH

	WHEREAS,	the City (Council of the	City of E	3rigantine	authorized	the accepta	ince of p	roposals on	March
16	, 2022 for the "Ne	ew Storm	Water Pump §	Station a	nd Recon	struction of	Intersection	at 12th	Street North	"; and

WHEREAS, (3) bids were received and C. Abbonizio Contractors, 1850 Hurffville Road, Deptford NJ 08096, with a base bid in the amount of \$2,436,722.50 which was determined to be the lowest responsible bid; and

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, that the bid submitted by C. Abbonizio Contractors is hereby determined to be the lowest responsible bid and is accepted by the City subject to the execution of an Agreement, the posting of proper Performance Guarantees and insurance as required by the bid documents in forms acceptable to the Municipal Attorney; and

BE IT FURTHER RESOLVED that Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in the following General Capital Fund Improvement Authorizations for Storm Water Acct.# C-04-14-013-107 for \$1,919,701.64 and Acct. #C-04-19-012-201 for \$517,020.86.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 16th day of March, 2022.

CITY OF BRIGANTINE

Lynn Sweeney, RMC City Clerk
Roxanne Tosto Chief Financial Officer

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

CITY OF BRIGANTINE RESOLUTION 2022-

WHEREAS, Liquor Warehouse Corp., Inc., filed for a person-to-person transfer of Plenary Retail Distribution License #0103-44-007-003, heretofore issued to Twelve Eighteen Brigantine Corp. T/A Ocean Beverage for premises located at 1218 West Brigantine Avenue, Brigantine, NJ 08203; and

WHEREAS, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current license term; and

WHEREAS, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated there under, as well as pertinent local ordinances and conditions consistent with Title 33; and

WHEREAS, the applicant has disclosed and the issuing authority reviewed the source of all funds used in the purchase of the license and the licensed business and all additional financing obtained in connection with the licensed business;

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brigantine does hereby approve, effective March 16, 2022, the transfer of the aforesaid Plenary Retail Distribution License to Liquor Warehouse Corp., Inc. and does hereby direct the Municipal Clerk to endorse the license certificate to the new ownership as follows: "This license, subject to all its terms and conditions, is hereby transferred to Liquor Warehouse, Inc., effective March 16, 2022.

This is to certify that the above is a true and correct copy of a resolution adopted by the City Council of the City of Brigantine at their meeting held on March 16, 2022.

Lynn Sweeney, RMC City Clerk

RESOLUTION 2022-

WHEREAS, it has been determined by the Tax Collector that the taxpayers as indicated on the attached Schedule "A" are entitled to overpayment refunds and;

WHEREAS, it is the desire of the Council of the City of Brigantine to have these overpayments returned to the respective taxpayers;

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

- 1. The Tax Collector is hereby authorized to make overpayment refunds in the amount shown and to the taxpayers, as appears on Schedule "A" which made apart hereof.
- 2. Copies of the resolution to the Tax Collector

CITY OF BRIGANTINE OVERPAYMENT REFUNDS

BLOCK	LOT QUAL	NAME	YEAR-QRT	AMOUNT
6901	83	Jones, William & Patricia Wells Fargo	2022-01	984.13

RESOLUTION

THE COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

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

WHEREAS, it appears from the record that Sharon Oshidar, 54 Greenbrier Drive, Westampton, NJ 08060, owner of the property located at 323 44th Street South #8, (Block 3503 Lot7.08/C0008), has overpaid for rental registration in the amount of \$150.00 (One Hundred Fifty Dollars), resulting in an overpayment.

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

- 1) The City Financial Officers are hereby directed to refund the sum of \$150.00 (One Hundred Fifty Dollars) to the above mentioned property owner.
- 2) This resolution shall take effect immediately.

777
This is to certify that the above is a
true and lawful copy of a resolution
adopted by the city council of the
City of Brigantine, County of
Atlantic, New Jersey.
At its meeting of
-

Lynn Sweeney, RMC, City Clerk

CITY OF BRIGANTINE RESOLUTION 2022-

WHEREAS, the Brigantine Police Benevolence Association Local #204 have filed a Charitable Roadway Solicitation application with the City of Brigantine for the purpose of soliciting contributions at the intersection of Atlantic-Brigantine Blvd. (County Road 638) and Harbor Beach Blvd. on Saturday, April 2, 2022 and Sunday, April 3, 2022 between the hours of 8:00 A.M. and 4:00 P.M.; and

WHEREAS, said application has been reviewed and approved for granting by the City Manager of the City of Brigantine; and

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of Brigantine, County of Atlantic, State of New Jersey hereby grants the Brigantine Police Benevolence Association it's requested Charitable Roadway Solicitation application in order to solicit contributions at the intersection of Atlantic-Brigantine Blvd. (County Road 638) and Harbor Beach Blvd., Brigantine, NJ 08203.

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, State of New Jersey at its meeting of March 16, 2022.

Lynn Sweeney, RMC City Clerk