

Absent:

1. Flag Salute
2. Opening Prayer
3. Open Public Meetings Act Announcement
4. Recognition of Carter Doorley
5. Triathlon Discussion – Sari Carroll
6. Resolution 2022-214 Re: Executive Session \_\_\_\_\_P.M.

Topics to be Discussed:

7. Return from Executive Session \_\_\_\_\_ P.M.  
8. Approval of 10/19/2022 Council Meeting Minutes

## 9. Approval of Requisition List, Operating Expenses and Payroll

10. Public Comment on Agenda Items Only
11. Best Practices Discussion – Roxanne Tosto
12. Bond Ordinance No. 17 of 2022 – Public Hearing and Adoption  
Acquisition of a Ladder Fire Truck

### 13. Ordinance No. 18 of 2022 – Introduction

14. Resolution 2022-215 Re: Authorizing the Award of Contract for the Purchase of Memorial Park Benches

M:                      S:                      RC:                      MC:

15. Resolution 2022-216 Re: Authorizing Award of Contract for Planning, Reconstruction and Design Engineering Services for Beachfront Parking Lots

M: S: RC: MC:

16. Resolution 2022-217 Re: Authorizing Award of Contract for Emergency Water Main Replacement on Roosevelt and Quay

M: S: RC: MC:

17. Resolution 2022-218 Re: Authorizing Settlement Agreement with a Former Employee

M: S: RC: MC:

18. Resolution 2022-219 Re: Adopting Amended 2022 Spending Plan Fair Share Housing

M: S: RC: MC:

19. Resolution 2022-220 Re: 2022 Budget Appropriations Transfer

M: S: RC: MC:

20. Resolution 2022-221 Re: Authorizing Mayor and Clerk to Execute a Federal Aid Agreement with the N.J.D.O.T.

M: S: RC: MC:

21. Resolution 2022-222 Re: Surplus Municipal Property Sale-Govdeals

M: S: RC: MC:

22. Consent Agenda

A. VFW Raffle License #984

M: S: RC: MC:

21. Council Manager/Committee Discussion:

22. Public Comments

23. Council Comments

24. Adjourn \_\_\_\_\_ P.M.

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

CITY OF BRIGANTINE

ORDINANCE NO. 17 OF 2022

BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A LADDER FIRE TRUCK IN AND BY THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY, APPROPRIATING \$1,700,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,615,000 BONDS OR NOTES OF THE CITY TO FINANCE PART OF THE COST THEREOF.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

Section 1. The improvement described in Section 3(a) of this bond ordinance is hereby authorized to be undertaken by the City of Brigantine, in the County of Atlantic, New Jersey (the "City") as a general improvement. For the improvement or purpose described in Section 3(a), there is hereby appropriated the sum of \$1,700,000, including the sum of \$85,000 as the down payment required by the Local Bond Law. The down payment is now available by virtue of provision for down payment or for capital improvement purposes in one or more previously adopted budgets.

Section 2. In order to finance the cost of the improvement or purpose not covered by application of the down payment, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,615,000 pursuant to the Local Bond Law. In anticipation of the issuance of the bonds, negotiable bond anticipation notes are hereby

authorized to be issued pursuant to and within the limitations prescribed by the Local Bond Law.

Section 3. (a) The improvement hereby authorized and the purpose for the financing of which the bonds are to be issued is the acquisition of a ladder fire truck, including all related costs and expenditures necessary therefor and incidental thereto.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is as stated in Section 2 hereof.

(c) The estimated cost of the improvement or purpose is equal to the amount of the appropriation herein made therefor.

Section 4. All bond anticipation notes issued hereunder shall mature at such times as may be determined by the chief financial officer; provided that no bond anticipation note shall mature later than one year from its date, unless such bond anticipation notes are permitted to mature at such later date in accordance with applicable law. The bond anticipation notes shall bear interest at such rate or rates and be in such form as may be determined by the chief financial officer. The chief financial officer shall determine all matters in connection with bond anticipation notes issued pursuant to this bond ordinance, and the chief financial officer's signature upon the bond anticipation notes shall be conclusive evidence as to all such determinations. All bond anticipation notes issued hereunder may be renewed from time to time subject to the provisions of the Local Bond Law or other applicable law. The chief financial officer is hereby authorized to sell part or all of the bond anticipation notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of

delivery thereof. The chief financial officer is directed to report in writing to the governing body at the meeting next succeeding the date when any sale or delivery of the bond anticipation notes pursuant to this bond ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the bond anticipation notes sold, the price obtained and the name of the purchaser.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby amended to conform with the provisions of this bond ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. The following additional matters are hereby determined, declared, recited and stated:

(a) The improvement or purpose described in Section 3(a) of this bond ordinance is not a current expense. It is an improvement or purpose that the City may lawfully undertake as a general improvement, and no part of the cost thereof has been or shall be specially assessed on property specially benefitted thereby.

(b) The period of usefulness of the improvement or purpose within the limitations of the Local Bond Law, according to the reasonable life thereof computed from the date of the bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Clerk, and a complete executed

duplicate thereof has been filed in the office of the Director of the Division of Local Government Services in the Department of Community Affairs of the State of New Jersey. Such statement shows that the gross debt of the City as defined in the Local Bond Law is increased by the authorization of the bonds and notes provided in this bond ordinance by \$1,615,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$100,000 for items of expense listed in and permitted under N.J.S.A. 40A:2-20 is included in the estimated cost indicated herein for the purpose or improvement.

Section 7. The City hereby declares the intent of the City to issue bonds or bond anticipation notes in the amount authorized in Section 2 of this bond ordinance and to use the proceeds to pay or reimburse expenditures for the costs of the purposes described in Section 3(a) of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of the Treasury Regulations.

Section 8. Any grant moneys received for the purpose described in Section 3(a) hereof shall be applied either to direct payment of the cost of the improvement or to payment of the obligations issued pursuant to this bond ordinance. The amount of obligations authorized but not issued hereunder shall be reduced to the extent that such funds are so used.

Section 9. The chief financial officer of the City is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the City and to execute such disclosure document on behalf of the City. The chief financial officer is further

authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the City pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the City and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the City fails to comply with its undertaking, the City shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

Section 10. The full faith and credit of the City are hereby pledged to the punctual payment of the principal of and the interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the City, and the City shall be obligated to levy *ad valorem* taxes upon all the taxable property within the City for the payment of the obligations and the interest thereon without limitation of rate or amount.

Section 11. This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

Introduction: October 19, 2022

Adoption: November 2, 2022

Lynn Sweeney, City Clerk

Vince Sera, Mayor



CITY OF BRIGANTINE  
ORDINANCE NO. 18 of 2022

ORDINANCE OF THE CITY OF BRIGANTINE, IN THE  
COUNTY OF ATLANTIC, NEW JERSEY PROVIDING FOR  
THE CANCELLATION OF \$44,061.22 IN BOND PROCEEDS  
NOT NEEDED FOR THEIR ORIGINAL PURPOSES AND TO  
TRANSFER SUCH PROCEEDS TO THE CAPITAL FUND  
BALANCE FOR FUTURE CAPITAL PROJECTS AND THE  
CANCELLATION OF A \$4,391.28 APPROPRIATION NOT  
NEEDED FOR ITS ORIGINAL PURPOSE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE, IN  
THE COUNTY OF ATLANTIC, NEW JERSEY (not less than two-thirds of all members thereof  
affirmatively concurring) AS FOLLOWS:

Section 1. Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that certain bond proceeds in the aggregate amount of \$44,061.22 provided for in the various ordinances listed below are no longer needed for the purposes referenced therein. The City of Brigantine, in the County of Atlantic, New Jersey (the "City") desires, therefore, to cancel the following bond authorizations:

<u>Bond Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Cancelled</u>
12 of 1997	Construction, repair, renovation and expansion of school facilities at the Middle and Elementary Schools, finally adopted August 20, 1997.	\$706.92
Section 3(c) of 14 of 2010	Improvements to the computer and security systems at Brigantine Municipal Hall, finally adopted September 1, 2010.	\$2,025.22

27 of 2010	Improvements to the City's storm water sewer system, finally adopted December 15, 2010.	\$3,251.74
Section 3 (a) of 10 of 2013	Various municipal roadway improvements, finally adopted September 18, 2013.	\$29,235.41
Section 3 (d) of 10 of 2013	Construction of various improvements to the City's recreation fields and public buildings, finally adopted September 18, 2013.	\$1,330.00
Section 3 (e) of 10 of 2013	Purchase of new equipment for the Fire Department, finally adopted September 18, 2013.	\$1,207.28
Section 3 (f) of 10 of 2013	Purchase of new equipment for the Police Department, finally adopted September 18, 2013	\$2,024.52
12 of 2017	Re-appropriate for capital improvements and projects, adopted April 19, 2017.	\$4,100.26
13 of 2017	Re-appropriate for water and sewer utility improvements and projects, adopted April 19, 2017.	\$146.96
9-2019	Purchase of an ambulance, finally adopted May 15, 2019.	\$32.91

Section 2. The aggregate amount of \$44,061.22, which represents the funded debt authorizations in the bond ordinances listed in the above referenced chart and made available pursuant to N.J.S.A. 40A:2-39, is hereby transferred to the Capital Fund Balance for future capital projects.

Section 3. The appropriation in the amount of \$4,391.28 provided for in the ordinance listed below is no longer needed for the purpose referenced therein. The City desires, therefore, to cancel the following appropriation:

<u>Ordinance Number</u>	<u>Improvement Description and Date of Adoption</u>	<u>Amount to be Cancelled</u>
5 of 2017	Purchase of new upgraded radios and related equipment for the Police and Fire Department, adopted March 1, 2017.	\$4,391.28

Section 4. The amount of \$4,391.28, which represents the appropriation in the ordinance referenced in the above referenced chart, is hereby cancelled.

Section 5. The City hereby certifies that it has adopted a capital budget or a temporary capital budget, as applicable. The capital or temporary capital budget of the City is hereby

amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. To the extent that the purposes authorized herein are inconsistent with the adopted capital or temporary capital budget, a revised capital or temporary capital budget has been filed with the Division of Local Government Services.

Section 6. This ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

RESOLUTION NO.  
THE CITY OF BRIGANTINE

A RESOLUTION OF THE CITY OF BRIGANTINE AUTHORIZING THE AWARD OF CONTRACT TO  
GLOBAL INDUSTRIAL FOR THE PURCHASING OF MEMORIAL PARK BENCHES UTILIZING THE OMNIA  
PARTNERS NATIONAL COOPERATIVE

**WHEREAS**, the city became a member of the national cooperative Omnia National Cooperative in March 2022.

**WHEREAS**, Global Industrial is a selected vendor of the Omnia Cooperative able to provide Memorial Park Benches utilizing Cooperative pricing which precludes the need for quotes or public bidding and;

**WHEREAS**, Global Industrial is able to provide a cooperative price \$13,227.49 for 25 benches including shipping 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 purchasing agent to execute the purchase of 25 Memorial Park Benches under the Omnia Cooperative

**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 Recreation Trust account # T-03-09-220-018 in the amount of \$13,227.49.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 2<sup>nd</sup> day of November 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					

RESOLUTION NO.2022-

A RESOLUTION BY THE CITY OF BRIGANTINE AUTHORIZING  
AWARD OF CONTRACT FOR PLANNING RECONSTRUCTION AND DESIGN ENGINEERING SERVICES  
FOR BEACHFRONT PARKING LOTS LOCATED 16<sup>TH</sup>, 17<sup>TH</sup> STREET SOUTH AND 26<sup>TH</sup>, 27<sup>TH</sup> STREET  
SOUTH, AND 34<sup>TH</sup>, 35<sup>TH</sup> STREET SOUTH AND OCEAN AVENUE

**WHEREAS**, the Beach Front Parking Lots are in need of reconstruction by various streets and;

**WHEREAS**, requests for quotes were sent to the City pool of engineers and;

**WHEREAS**, Doran Engineering was the lowest responsible bidder for the project and;

**WHEREAS**, the quote for services received from Doran Engineering was \$24,900.00

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey on this 2nd day of November 2022:

1. The City of Brigantine enter into an agreement with Doran Engineering for engineering services for Reconstruction of Beachfront Parking Lots.
2. The contract is to be awarded not to exceed \$24,900.00
3. Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available not to exceed \$24,900 in the Capital Account # C-06-19-012-404
4. This resolution shall take effect immediately.

CITY OF BRIGANTINE

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

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

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

RESOLUTION NO.2022-

A RESOLUTION BY THE CITY OF BRIGANTINE AUTHORIZING  
AWARD OF CONTRACT FOR EMERGENCY WATER MAIN REPLACEMENT ON ROOSEVELT AND QUAY

**WHEREAS**, the Water Main on Roosevelt and Quay was determined faulty by the Department of Public Works in City of Brigantine and;

**WHEREAS**, the Water Main not functioning is a detriment to public safety and is in need of emergency repair; and

**WHEREAS**, Arthur R. Henry Inc. was capable and responsible to complete the repairs necessary to have the water main back in service; and

**WHEREAS**, the emergency work and equipment to repair the main totaled \$39,088.00 including subcontracting; and

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey on this 2nd day of November 2022:

1. The contract is for water main repair and replacement services for Roosevelt and Quay within the City of Brigantine
2. Arthur R. Henry, Inc. is awarded this contract on their proposal with a \$39,088.00 for water main repair and replacement on Roosevelt and Quay
3. Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available not to exceed \$39,088.00 in the Capital Account # C-06-19-013-203
4. This resolution shall take effect immediately.

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 NO. 2022-**

**BE IT RESOLVED**, that the City Council of the City of Brigantine hereby authorizes the execution of a settlement agreement with Mary Alice DeChristopher.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

This is to certify that the above is a true and  
Lawful copy of a resolution adopted by the  
City Council of the City of Brigantine,  
County of Atlantic, New Jersey at its meeting of  
November 2, 2022

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE**

**RESOLUTION NO. 2022-**

**RESOLUTION OF THE CITY OF BRIGANTINE OF COUNTY OF ATLANTIC, STATE  
OF NEW JERSEY, ADOPTING AMENDED 2022 SPENDING PLAN**

**WHEREAS**, on August 8, 2018, the Brigantine City Planning Board adopted a Housing Element and Fair Share Plan in furtherance of its Settlement Agreement with Fair Share Housing Center, regarding the City's Third-Round Affordable Housing Obligation; and

**WHEREAS**, the Brigantine City Planner prepared a Spending Plan, which is consistent with the Housing Element and Fair Share Plan and provided for the use of Affordable Housing Trust Funds in furtherance of the provision of affordable housing in the City of Brigantine; and

**WHEREAS**, by Resolution No. 2018-151, the City Council adopted the 2018 Spending Plan; and

**WHEREAS**, by Resolution No. 2018-193, the City Council adopted an amended 2018 Spending Plan; and

**WHEREAS**, it is now necessary to again amend the 2018 Spending Plan because the development fees collected by the City of Brigantine significantly exceed the amount projected in the approved Spending Plan (dated August 2018), requiring the Spending Plan to be amended to be in compliance with the applicable rules and regulations; and

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

1. The City of Brigantine hereby adopts and approves an Amended Spending Plan dated November 2022. Said Spending Plan is attached hereto and made a part hereof.



2. The City requests that the Court review and approve the Amended Spending Plan of November 2022.
3. A certified true copy of the Resolution shall be filed by the municipal clerk with Fair Share Housing Center.

**Adopted:**

**CERTIFICATION**

I, Lynn Sweeney, City Clerk of the City of Brigantine, do hereby certify that the above Resolution was considered and adopted by the City Council of the City of Brigantine at a regularly advertised meeting held on \_\_\_\_\_, 2022.

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Lynn Sweeney, RMC, City Clerk

[SEAL]

# **Affordable Housing Trust Fund Spending Plan**

**City of Brigantine / Atlantic County**

**November 2022**

## **INTRODUCTION**

The City of Brigantine has prepared a Housing Element and Fair Share plan that addresses its regional fair share of the affordable housing need in accordance with the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the Fair Housing Act (N.J.S.A. 52:27D-301) and the regulations of the Council on Affordable Housing (COAH) (N.J.A.C. 5:97-1 et seq. and N.J.A.C. 5:96-1 et seq.). A development fee ordinance creating a dedicated revenue source for affordable housing was approved by COAH on October 5, 2004 and adopted by the municipality on October 20, 2004. The development fee ordinance was later amended and then adopted by City Council on August 15, 2018 as part of the City's Third Round Final Judgment of Compliance and Repose of December 31, 2018. The Development Fee Ordinance establishes the City of Brigantine affordable housing trust fund for which this spending plan is prepared. In August of 2018, the City prepared a Spending Plan. This Spending Plan was approved by the Court as part of the City's Final Judgment of Compliance and Repose of December 31, 2018. The City is now amending its Spending Plan to account for substantial unanticipated additional development fees which have been collected since August of 2018.

As of July 1, 2022, the City of Brigantine has collected \$2,623,738.56, expended \$552,151.98, resulting in a balance of \$2,071,586.58. All development fees, payments in lieu of constructing affordable units on site, funds from the sale of units with extinguished controls, and interest generated by the fees are deposited in a separate interest-bearing affordable housing trust fund in the TD Bank for the purposes of affordable housing. These funds shall be spent in accordance with N.J.A.C. 5:97-8.7-8.9 as described in the sections that follow.

The City of Brigantine first petitioned COAH for substantive certification on September 7, 2004 and received prior approval to maintain an affordable housing trust fund on October 5, 2004.

## **1. REVENUES FOR CERTIFICATION PERIOD**

To calculate a projection of revenue anticipated during the period of Compliance and Repose, the City of Brigantine considered the following:

(a) Development fees:

1. Residential and nonresidential projects which have had development fees imposed upon them at the time of preliminary or final development approvals; \$2,530,244.59
2. All projects currently before the planning and zoning boards for development approvals that may apply for building permits and certificates of occupancy; and (see #3 below.)
3. Future development that is likely to occur based on historical rates of development. \$320,000.00

(b) Payment in lieu (PIL):

Actual and committed payments in lieu (PIL) of construction from developers as follows:

N/A

(c) Other funding sources:

No other funds have been or are anticipated to be collected.

(d) Projected interest:

Interest on the projected revenue in the municipal affordable housing trust fund at the current average interest rate of one percent. \$28,493.97

SOURCE OF FUNDS				PROJECTED REVENUES-HOUSING TRUST FUND - 2022 THROUGH 2025						
		2019	2020	2021	2022	2023	2024	2025	Total	
(a) Development fees:					80,000	80,000	80,000	80,000	\$320,000	
1. Approved Development		312,061.20	518,004.71	515,151.43						
2. Development Pending Approval										
3. Projected Development										
(b) Payments in Lieu of Construction										
(c) Other Funds (Specify source(s))										
(d) Interest – 1%		5,381.58	1,924.44	1,263.81	800	800	800	800	\$3,200	
<b>Total</b>		317,442.78	519,929.15	516,415.24	80,800	80,800	80,800	80,800	\$323,200	

The City of Brigantine projects a total of \$323,200.00 in revenue to be collected between July 1, 2022 and December 31, 2025. All interest earned on the account shall accrue to the account to be used only for the purposes of affordable housing.

## 2. ADMINISTRATIVE MECHANISM TO COLLECT AND DISTRIBUTE FUNDS

The following procedural sequence for the collection and distribution of development fee revenues shall be followed by the City of Brigantine:

(a) Collection of development fee revenues:

Collection of development fee revenues shall be consistent with the City of Brigantine's development fee ordinance for both residential and non-residential developments in accordance with COAH's rules and P.L.2008, c.46, sections 8 (C. 52:27D-329.2) and 32-38 (C. 40:55D-8.1 through 8.7). See Brigantine City Code Section 150-4 and Section 150-5.

(b) Distribution of development fee revenues:

The governing body shall adopt a resolution authorizing the expenditure of development fee revenues consistent with the approved spending plan. Once a request has been approved by resolution, the CFO shall release the requested revenue from the trust fund for the specific use approved in the governing body's resolution.

## 3. DESCRIPTION OF ANTICIPATED USE OF AFFORDABLE HOUSING FUNDS

(a) **Rehabilitation and new construction programs and projects (N.J.A.C. 5:97-8.7)**

The City of Brigantine will dedicate up to \$100,000.00 to a Market to Affordable Program for the sixth unit (see detailed descriptions in Fair Share Plan). An anticipated excess of \$119,391.05 will also be dedicated to the market to affordable program.

**Market to Affordable Program Total:** \$219,391.05 (This amount includes up to \$100,000.00 for the sixth unit and an anticipated excess of \$119,391.05)

**VOADV Project:** \$950,000.00 (This amount includes \$850,000.00 to VOADV (including \$350,000 for acquisition of Civic Center property from City) and \$100,000.00 for demolition and asbestos removal at Civic Center)

(b) **Affordability Assistance (N.J.A.C. 5:97-8.8)**

Projected minimum affordability assistance requirement:

Actual development fees through 7/1/22		\$2,530,244.59
Actual interest earned through 7/1/22	+	\$28,493.97
Other – Litigation settlement	+	\$65,000.00
Development fees projected 2022-2025	+	\$320,000.00
Interest projected 2022-2025	+	\$3,200.00
Less housing activity expenditures through 7/1/22	-	\$304,078.23
<b>Total</b>	=	<b>\$2,946,938.56</b>

30 percent requirement	x 0.30 =	\$884,081.57
Less Affordability assistance expenditures through 7/1/22	-	\$10,350.00
<b>PROJECTED MINIMUM Affordability Assistance Requirement through 12/31/2025</b>	=	\$873,731.57
<b>PROJECTED MINIMUM Very Low-Income Affordability Assistance Requirement through 12/31/2025</b>	÷ 3 =	\$291,243.86

The City of Brigantine will dedicate \$873,731.57 from the affordable housing trust fund to render units more affordable, including \$291,243.86 to render units more affordable to households earning 30 percent or less of median income by region, as follows:

Security deposit assistance, closing costs, down payment assistance and/or convert low income rental units to very low income units, low interest loans, rental assistance, assistance with homeowner's association or condominium fees and special assessments and assistance with emergency repairs and any other program contemplated by the City's June 2022 Affordability Assistance Manual prepared by Triad.

(c) **Administrative Expenses (N.J.A.C. 5:97-8.9)**

The City of Brigantine projects that \$302,154.72 will be available from the affordable housing trust fund to be used for administrative purposes. Projected administrative expenditures, subject to the 20 percent cap, are as follows:

Administrative costs may include the costs of salaries and benefits for municipal employees including the municipal housing liaison and support staff, or consultants' fees necessary to develop or implement municipal housing programs such as the preparation of amendments to the housing element and fair share plan, spending plan, the implementation of the affirmative marketing program, the costs of income qualifying households and of monitoring implementation.

<b>ADMINISTRATIVE EXPENSE CALCULATION</b>		
<b>Actual fees and interest thru 7/1/22</b>		<b>\$2,623,738.56</b>
<b>Projected Development Fees and interest 2022 thru 2025</b>	+	<b>\$323,200.00</b>
<b>Payments-In-Lieu of Taxes and other deposits thru 1/9/18</b>	+	<b>\$00.00</b>
<b>Less RCA expenditures thru 12/31/08</b>	-	
<b>Total For Admin. Calculation</b>	=	<b>\$2,946,938.56</b>
<b>20% Maximum for Admin Expense</b>	x .20	<b>\$589,387.71</b>
<b>Less Admin thru 7/1/22</b>	-	<b>\$237,723.75</b>
<b>Available for Admin 7/1/22 thru 12/31/2025</b>	=	<b>\$351,663.96</b>

#### 4. EXPENDITURE SCHEDULE

The City of Brigantine intends to use affordable housing trust fund revenues for the creation and/or rehabilitation of housing units. Where applicable, the creation/rehabilitation funding schedule below parallels the implementation schedule set forth in the Housing Element and Fair Share Plan and is summarized as follows.

Program <i>[Individually list programs and projects e.g. Rehab, Accessory Apartments, for-sale and rental municipally sponsored, etc].</i>	Number of Units Projected	Funds Expended and/or Dedicated	PROJECTED EXPENDITURE SCHEDULE 2022 -2025					Total
				2022	2023	2024	2025	
Market to Affordable	5 built (2 - prior round and 3-third round) 1 additional projected			Sixth unit Excess funding for after 6 <sup>th</sup> + unit				\$100,000.00
<b>VOADV</b>	5							\$119,391.05
Total Programs	9							\$950,000.00
								\$1,169,391.05
Affordability Assistance								\$873,731.57
Administration								\$351,663.96
<b>Total</b>	8							\$2,394,786.58

## **5. EXCESS OR SHORTFALL OF FUNDS**

Pursuant to the Housing Element and Fair Share Plan, the governing body of the City of Brigantine has adopted a resolution agreeing to fund any shortfall of funds required for implementing the Market to Affordable Program and the VOADV. In the event that a shortfall of anticipated revenues occurs, the City of Brigantine agreed to bond for any shortfall.

In the event of excess funds, any remaining funds above the amount necessary to satisfy the municipal affordable housing obligation will be used for the Market to Affordable Program. In the event of excess funds, the City intends to dedicate the funds towards emerging compliance mechanisms that have yet to be identified. This may include additional rehabilitation of existing deficient housing units.

## **6. BARRIER FREE ESCROW**

Collection and distribution of barrier free funds shall be consistent with the City of Brigantine's Affordable Housing Ordinance, Section B Accessible Townhouse Units and in accordance with N.J.A.C. 5:97-8.5.

## **SUMMARY**

The City of Brigantine intends to spend affordable housing trust fund revenues pursuant to N.J.A.C. 5:97-8.7 through 8.9 and consistent with the housing programs outlined in the adopted housing element and fair share plan.

The City of Brigantine has a balance of \$2,071,586.58 as of July 1, 2022 and anticipates an additional \$323,200.00 in revenues before the expiration of its Judgement of Compliance and Repose for a total of \$2,394,786.58. The municipality will dedicate \$219,391.05 towards its Market to Affordable Program and \$950,000.00 to the VOADV Project, \$873,731.57 to render units more affordable, and \$351,663.96 to administrative costs. The municipality will dedicate any excess funds toward the Market to Affordable Program.



<b>SPENDING PLAN SUMMARY</b>	
Balance as of July 1, 2022	\$2,071,586.58
<b>PROJECTED REVENUE 2022-2025</b>	
Development fees	+ \$320,000.00
Payments in lieu of construction	+ \$00.00
Other funds	+ \$00.00
Interest	+ \$3,200.00
<b>TOTAL REVENUE</b>	<b>= \$2,394,786.58</b>
<b>EXPENDITURES</b>	
Funds used for Rehabilitation	- \$00.00
Funds used for New Construction	
1. Market to Affordable	- \$100,000.00 (6 <sup>th</sup> unit)
2. VOADV	- \$950,000.00
3. Market to Affordable (excess after 6 <sup>th</sup> unit)	- \$119,391.05
4.	- \$
5.	- \$
6.	- \$
7.	- \$
8.	- \$
9.	- \$
10.	- \$
Affordability Assistance	- \$873,731.57
Administration	- \$351,663.96
Excess Funds for Additional Housing Activity	= \$
	- \$
	- \$
	- \$
<b>TOTAL PROJECTED EXPENDITURES</b>	<b>= \$2,394,786.58</b>
<b>REMAINING BALANCE</b>	<b>= \$0.00</b>

**CITY OF BRIGANTINE  
RESOLUTION 2022-  
2022 BUDGET APPROPRIATIONS TRANSFER**

**WHEREAS**, N.J.S.A. 40A-58 provides for appropriation transfers during the last two (2) months of the fiscal year, when it has been determined that it is necessary to expend for any of the purposes specified in the budget an amount in excess of the sum appropriated therefore, and when it has been further determined that there is an excess in any appropriation 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 2022 budget appropriations as follows:

<b>CURRENT FUND</b>	<b>FROM</b>	<b>TO</b>
Police -Sal & Wages	\$ 50,000.00	
Police-OE (Vehicle Purchase)		\$40,000.00
Police-OE(Misc.)		10,000.00
Beach Patrol-OE	15,000.00	
Beach Patrol-Sal & Wages		15,000.00
Beach Fee-Sal & Wages	15,000.00	
Beach Fee-OE		15,000.00
Public Defender		2,800.00
Administration-OE	12,800.00	
Legal Services-OE		10,000.00
 Total- Current Fund	 \$ 92,800.00 =====	 \$ 92,800.00 =====

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 November 2, 2022.

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Lynn Sweeney, RMC, City Clerk

**CITY OF BRIGANTINE  
RESOLUTION 2022-\_\_\_\_**

**A RESOLUTION AUTHORIZING THE MAYOR AND CLERK  
TO EXECUTE A FEDERAL AID AGREEMENT WITH THE NJDOT:**

**WHEREAS**, the Federal Highway Administration (FHWA) authorized funding up to an amount of \$1,241,562.72, for a Transportation Alternatives Project for the Lighthouse District Streetscape Improvement Program; and

**WHEREAS**, this authorization was based on the scope of work and budget agreed upon by the City of Brigantine and the NJDOT Division of Local Aid; and

**WHEREAS**, the scope of work in this authorization is for the Construction activities of this project; the Construction Management/Construction Inspection activities will be authorized separately; and

**WHEREAS**, it is necessary for the City to enter into an agreement with NJDOT for the administration of funding; and

**WHEREAS**, work cannot begin until this funding agreement is executed by NJDOT; and

**NOW, THEREFORE BE IT RESOLVED** by the City Council of the City of Brigantine, County of Atlantic and State of New Jersey on this 2<sup>nd</sup> day of November, 2022:

1. The Mayor and Clerk are authorized to execute the attached Federal Aid Agreement.
2. The Clerk is hereby directed to return four (4) original signed and sealed copies of the attached agreement with three (3) signed/Sealed Resolutions for execution by the Department of Transportation.
3. That the NJDOT will receive an initial billing (payment voucher) from the City for the design project no later than three (3) months after the initial billing by the contractor or design consultant, or six (6) months from award, whichever is first, and will receive subsequent billings in accordance with the terms of the agreement.

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 November 2, 2022.

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Lynn Sweeney, RMC  
City Clerk

**CITY OF BRIGANTINE  
RESOLUTION 2022-**

**WHEREAS**, the City of Brigantine wishes to purge surplus municipal property; and

**WHEREAS**, the City of Brigantine is permitted to sell such property if it is not claimed within six months; and

**WHEREAS**, the City of Brigantine shall conduct a sale of surplus municipal property online, the address of the website is govdeals.com. The surplus municipal property is being sold in an “as-is” condition without express or implied warranties.

All bidders must pre-register with GovDeals at govdeals.com. The successful bidder may be required to execute a hold harmless and indemnification agreement. The City of Brigantine reserves the right to accept or reject any bids submitted.

**THIS RESOLUTION SHALL TAKE EFFECT IMMEDIATELY.**

This is to certify that the above is a true and lawful copy of a resolution adopted by the City Council of the City of Brigantine, County of Atlantic, New Jersey at its meeting of November 2, 2022.

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Lynn Sweeney, RMC, City Clerk

# Asset Statuses

ID	Description	VIN/Serial	Miles/Hours	Year
90	2011 Ford Crown Victoria	2FABP7BV6BX112575	81,906 Miles	2011
109	Yamaha Jet Ski		0	
110	Bicycles		0	
111	1994 Case 721B Front End Loader	JEE0039534	0	1994
113	2000 Ford Crown Victoria	2FAFP71W9YX107178	0 Miles	2000
114	2009 Ford Crown Victoria	2FAHP71V79X124496	114,405 Miles	2009
115	1999 Chevrolet Blazer 4-Door 4WD	1GNDT13W3XK197671	72,890 Miles	1999
116	2006 Dodge Durango	1D4HB38NX6F147580	82,309 Miles	2006
117	2006 Dodge Durango	1D4HB38N26F156094	0 Miles	2006
118	2002 Ford F-350 SD	1FTWX33LX2EC27215	72,044 Miles	2002
119	1996 Ford Econoline	1FDKE30FXTHB30952	73,261 Miles	1996
120	1992 Ford Econoline	1FDKE30M1NHB60908	0 Miles	1992
121	2010 Polaris Ranger XP800	4XATH76A0A4195419	8,048 Miles	2010
122	2012 Polaris Ranger XP 800	4XATH76A5C4720736	6,763 Miles	2012
123	2008 Polaris Ranger XP700	4XARH68A584400972	5,460 Miles	2008
124	721C Front End Loader	JEE122849	0	1999
125	580M SERIES 2 Backhoe	N6C402028	0 Hours	2006
126	1988 Case 621B Front End Loader	JAK0020924	0	
127	2011 Chevrolet Tahoe	1GNSK2E00BR375433	124,312 Miles	2011
128	2009 Ford Crown Victoria	2FAHP71V09X139924	100,699 Miles	2009
129	Yamaha VX Sport	US-YAMA3272K112	0	
130	Yamaha VX Sport	US-YAMA23841809	0	
131	1986 Ford F600G	1FDNF60H5GVA22498	22,822 Miles	1986
132	2012 Chevrolet Tahoe	1GNSK2E00CR251101	150,525 Miles	2012
133	2008 Ford Crown Victoria	2FAFP71V78X132894	0 Miles	2008
134	2002 Chevrolet Blazer	1GNDT13W82K234738	64,610 Miles	2002
135	2003 Ford F-250 SD	1FTNF21L13ED58272	0 Miles	2003
136	1999 Toyota 4Runner	JT3HM84R5X0033010	0 Miles	1999
137	Polaris 330 Magnum	4XACD32A4627863	0	2005
138	YAMAHA 760 WAVEBLASTER	YAML5250C696	0	
139	JOHN DEERE 1600 TURBO SERIES 2	1TC1600TCCT100314	0	
140	1996 Honda Accord	1HGCD5639TA175217	151,694 Miles	1996
141	2004 Cadillac Deville	1G6KD54Y54U222996	0 Miles	2004
142	Lifeguard Boat	VDB00220J900	0	
143	Lifeguard Boat	VDB00135D494	0	
144	Lifeguard Boat	VDB00253J101	0	
145	FLINK SALT SPREADER	1120	0	
146	SWENSON SALT SPREADER		0	
147	Parking Booth on Trailer		0	

148 Parking Booth on Trailer			0
149 Yamaha VX Sport Wave Runner	US-YAMA23841009		0
150 2008 Ford Escape	1FMCU93178KE58804	117,848 Miles	2008
151 2007 Kawasaki KAF620JF	JK1AFCJ137B516812	0 Miles	2007
152 Club Car #1			0
153 Club Car #2			0
154 Toro Multi Pro 5600 Turf Sprayer			0
155 Jacobsen Textron LF 3400 Fairway Mower			0
156 Toro Groundsmaster 3500 D			0
157 AgriMetal 3 point Hitch Blower			0
158 Turfco Triwave 60 Overseeder			0
159 Verti Drain			0
160 Hitched Turf Roller			0
161 Hitched Field Rake with Roller			0
162 Planet Air Aerator HD50			0
163 2003 Ford Taurus	1FAFP52293G145475	103,874 Miles	2003
164 2011 Freightliner M2 106	1FVACXDT3BDAX2676	0 Miles	2011
165 29 VARIOUS BRANDS & SIZED BICYCLES			0
166 30 VARIOUS BRAND & SIZED BICYCLES			0
167 MALIBU TWO OCEAN KAYAK			0
168 RON JON SURFBOARD			0
169 23 Gallon Baller & Compressor			0 2000
170 Truckster Utility Vehicle	8.40562E+11		0 2005

Application No. RA 984  
Identification No. 58-7-30498

Please print clearly.

## Part A - General

- [illegible]

- ### Part B - Schedule of Expenses

[illegible]