

Absent:

**AGENDA
CITY OF BRIGANTINE
COUNCIL MEETING
AUGUST 3, 2022
5:00 P.M. – Public Portion**

1. Flag Salute
 2. Opening Prayer
 3. Open Public Meetings Act Announcement
 4. Resolution 2022-160 Re: Executive Session _____ P.M.
- Topics to be Discussed:

M: S: RC: MC:

5. Return from Executive Session _____ P.M.
6. Approval of 7/13/22 Council Meeting Minutes

M: S: RC: MC:

- ## 7. Approval of Requisition List, Operating Expenses and Payroll

M: S: RC: MC:

- ## 8. Public Comment on Agenda Items Only

9. Ordinance No. 10 of 2022 – Public Hearing and Adoption
Amending Chapter 198, Section 99 of the Code of Brigantine to Provide for Ribbon
Style Driveway Surfacing for Residential Single Family and Two-Family Dwellings
for the Park

M: S: RC: MC:

- ## 10. Ordinance No. 11 of 2022 – Introduction Bond Ordinance

M: S: RC: MC:

11. Ordinance No. 12 of 2022 – Introduction
Amending Chapter 105 of the Code of the City of Brigantine

M: S: RC: MC:

12. Ordinance No. 13 of 2022 – Introduction
Amending Chapter 235 of the Code of the City of Brigantine as it Relates to Peddling
and Soliciting

M: S: RC: MC:

13. Ordinance No. 14 of 2022 – Introduction
Amending City Code Chapter 284-39, Schedule III, One Way Streets

M: S: RC: MC:

14. Resolution 2022-161 Re: Chapter 159
2022 Safe and Secure Communities Grant

M: S: RC: MC:

15. Resolution 2022-162 Re: Chapter 159
DMHAS Youth Leadership Grant: Municipal Alliance

M: S: RC: MC:

16. Resolution 2022-163 Re: Authorizing an Application for the American Rescue Plan
Firefighter Grant from the New Jersey Department of Community Affairs

M: S: RC: MC:

17. Resolution 2022-164 Re: Operation, Maintenance & Management of the City's
Portable Water System Including Three Water Towers

M: S: RC: MC:

18. Resolution 2022-165 Re: Authorizing a Concession Agreement with VIPLY LLC for
the Electronic Sales and Distribution of Beach Tags

M: S: RC: MC:

19. Resolution 2022-166 Re: Equipment and Supplies for the City Beach Patrol

M: S: RC: MC:

20. Resolution 2022-167 Re: Authorizing Brigantine Emergency Operation Plan

M: S: RC: MC:

21. Resolution 2022-168 Re: Chapter 159

2022 Drive Sober or get Pulled Over

M: S: RC: MC:

22. Resolution 2022-169 Re: Award of Contract – Sodium Hypochlorite Solution

M: S: RC: MC:

23. Resolution 2022-170 Re: Award of Contract – Drainage Improvements along Ocean Drive West

M: S: RC: MC:

24. Resolution 2022-171 Re: Award of Contract – Removal and Replacement of Existing Roof at City Hall

M: S: RC: MC:

25. Consent Agenda

- A. Brigantine Elks Raffle License #974
- B. Brigantine Elks Raffle License #975
- C. Women's Surf Fishing Club of NJ Tournament Request
- D. Brigantine Elks Bayfest Noise Ord. Variance Request
- E. Atlantic Cove Block Party Request

M: S: RC: MC:

26. Council Manager/Committee Discussion:

27. Public Comments

28. Council Comments

29. 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. 10 OF 2022

**“AN ORDINANCE AMENDING CHAPTER 198, SECTION
88 TO PROVIDE FOR RIBBON STYLE DRIVEWAY
SURFACING FOR RESIDENTIAL SINGLE FAMILY AND
TWO-FAMILY DWELLINGS”**

WHEREAS, the Municipal Code of the City of Brigantine (the “City”) in Chapter 198, referred to as the “Municipal Land Use Ordinance of the City of Brigantine” guides the use and development of all the lands of the City of Brigantine; and

WHEREAS, Section 198-88, Standard improvements, sets forth the requirements for all off-street parking areas; and

WHEREAS, the City Council of the City of Brigantine wishes to amend the requirements in Section 198-88 to permit ribbon style driveways comprised of hard surface material divided by grass or other permeable materials for residential single-family and two-family dwellings.

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

Section 1. **§198-88. Standard improvements** is hereby amended as follows:

- A. Surfacing. All parking spaces, driveways and aisles shall be paved with a dustless durable, asphaltic or portland concrete all-weather surface or as approved by the Municipal Engineer.
- (1) Residential single-family and two-family dwellings are permitted to provide ribbons of hard surface material divided by grass or other permeable materials in order to allow more absorption of stormwater runoff.

Section 2. All other provisions contained in §198-88 shall remain in full force and effect.

Section 3. Repealer, Severability, and Effective Date.

- A. Repealer. Any and all Ordinances inconsistent with the terms of this Ordinance are hereby repealed to the extent of any such inconsistencies.
- B. Severability. In the event that any clause, section, paragraph or sentence of this Ordinance is deemed to be invalid or unenforceable for any reason, then the City Council hereby declares its intent that the balance of the Ordinance

not affected by said invalidity shall remain in full force and effect to the extent that it allows the City to meet the goals of the Ordinance.

- C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

ATTEST:

CITY OF BRIGANTINE

LYNN SWEENEY, CITY CLERK

MAYOR VINCE SERA

CITY OF BRIGANTINE

ORDINANCE NO. 11 OF 2022

BOND ORDINANCE PROVIDING A SUPPLEMENTAL APPROPRIATION OF \$1,825,000 FOR IMPROVEMENTS TO REMOTE WATER METERS AND RELATED IMPROVEMENTS IN AND BY THE CITY OF BRIGANTINE, IN THE COUNTY OF ATLANTIC, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$1,825,000 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 has heretofore been authorized to be undertaken by the City of Brigantine, in the County of Atlantic, New Jersey (the "City") as a general improvement. For improvements to the remote water meters described in Section 3(b), there is hereby appropriated the supplemental amount of \$1,825,000, such sum being in addition to \$975,000 of the \$1,557,000 appropriated therefor by Section 3(b) of Bond Ordinance #13-2019 of the City, finally adopted August 7, 2019 (the "Original Bond Ordinance"). No down payment is required as the purpose authorized herein is deemed self-liquidating and the bonds and bond anticipation notes authorized herein are deductible

from the gross debt of the City, as more fully explained in Section 6(e) of this bond ordinance

Section 2. In order to finance the additional cost of the improvement or purpose, negotiable bonds are hereby authorized to be issued in the principal amount of \$1,825,000 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 heretofore authorized and the purpose for the financing of which the bonds are to be issued is improvements to the remote water meters, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto, as described in Section 3(d) of the Original Bond Ordinance.

(b) The estimated maximum amount of bonds or bond anticipation notes to be issued for the improvement or purpose is \$2,800,000, including \$975,000 of the \$1,557,000 authorized by Section 3(b) of the Original Bond Ordinance and the \$1,825,000 bonds or bond anticipation notes authorized herein.

(c) The estimated cost of the improvement or purpose is \$2,800,000, including \$975,000 of the \$1,557,000 appropriated by Section 3(b) of the Original Bond Ordinance and the \$1,825,000 appropriated herein.

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 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 39.16 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 \$1,825,000, and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,434,000 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. Of this amount, \$1,234,000 was estimated for these items of expense in the Original Bond Ordinance and an additional \$200,000 is estimated therefor herein

(e) This bond ordinance authorizes obligations of the City solely for purposes described in N.J.S.A. 40A:2-7(h). The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from the gross debt of the City pursuant to N.J.S.A. 40A:2-44(c).

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: August 3, 2022

Adoption:

Lynn Sweeney, RMC City Clerk

Vincent Sera, Mayor

CITY OF BRIGANTINE

ORDINANCE 12-2022

**AN ORDINANCE OF THE CITY OF BRIGANTINE AMENDING AND
SUPPLEMENTING CHAPTER 105, ARTICLE V OF THE CODE OF THE CITY OF
BRIGANTINE ENTITLED
“AUTOMOBILES AND OTHER VEHICLES”**

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

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Governing Body is authorized to enact and amend ordinances as deemed necessary for the preservation of the public health, safety and welfare and as may be necessary to carry into effect the powers and duties conferred and imposed upon the City by law; and

WHEREAS, Chapter 105, Article V of the Code of the City of Brigantine, entitled “Automobiles and Other Vehicles” regulates and governs the licensing and operation of vehicles on City beaches; and

WHEREAS, the Mayor and City Council have determined it to be in the best interest of the public health, safety and welfare to supplement and amend Chapter 105, Article V in regard to four-wheel drive permits to require that such vehicles shall have current registration and insurance for that specific vehicle, and that Fleet or “Dealer” registrations and insurance will not be accepted; and

WHEREAS, the Mayor and City Council have further determined that it is in the best interest of the public health to prohibit the operation of all-terrain vehicles (ATV), Side by Side (SxS) Vehicles, Low Speed Vehicles (LSV), Utility Task Vehicles (UTV) or motorcycles within the municipal beaches and recreational areas on City beaches.

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

Section 1. Chapter 105, Article V, §4B(1) of the Code of the City of Brigantine, entitled “Automobile permits.” is hereby amended to read as follows:

B. Automobile permits.

- (1) Four-wheel drive permit. No person shall operate a motor vehicle upon or within the municipal beaches and recreational areas without first obtaining a permit in accordance with this chapter. Permits shall only be issued for trucks, sport-utility vehicles (SUV) and crossover utility vehicles (CUV) with four-wheel drive capability, which have passed inspection by the Motor Vehicle Commission of the State of New Jersey for the current year or by the equivalent department or agency of the state in which the vehicle is permitted, and which have registration and

insurance for that specific vehicle. Fleet or “Dealer” registrations and insurance will not be accepted. No permit shall be issued to all-terrain vehicles (ATV), Side by Side (SxS) vehicles, Low Speed vehicles (LSV), utility task vehicles (UTV) or motorcycles, and operation of such within the municipal beaches and recreational areas is prohibited.

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

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

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

CITY OF BRIGANTINE

ORDINANCE NO. 13 of 2022

**“AN ORDINANCE TO AMEND CHAPTER 235,
PEDDLING AND SOLICITING OF THE CITY CODE
OF THE CITY OF BRIGANTINE”**

WHEREAS, the Brigantine Municipal Code regulates peddling and soliciting within the City of Brigantine in Chapter 235; and

WHEREAS, the City Council of the City of Brigantine wishes to amend Chapter 235 to clarify the regulation of peddling and soliciting within the City;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BRIGANTINE IN THE COUNTY OF ATLANTIC, STATE OF NEW JERSEY, THAT Chapter 235, entitled “Peddling and Soliciting” is hereby amended and supplemented to include the following:

**ARTICLE II
Canvassers and Solicitors**

Section 1. Registration required.

No person, except as provided herein, shall canvass, solicit, distribute circulars or other matter, or call from door to door or place to place in the City of Brigantine without first registering with the Chief of Police or, in his absence, the officer in charge of the Police Department.

Section 2. Scope.

For the purpose of this article, a canvasser or solicitor shall also be deemed to be one who is not in the business of selling goods, but one who makes surveys for research purposes, analysis, opinion polls, rating data and any such similar work by which of its nature involves a door-to-door or place-to-place activity, and shall include persons going from door to door or place to place for the purpose of contributions, donations or alms for any persons or organization.

Section 3. Purpose.

The purpose of this article is to prevent fraud, crime and unethical and dishonest business practices, and for the general protection, health and welfare of the residents of the City of Brigantine.

Section 4. Application information.

Each registrant shall, at the time of registering, file with the Chief of Police an application in writing which shall give the following information:

- A. Name, age and physical description of applicant.
- B. Complete permanent home and local address of applicant.
- C. Name and address of the organization or person for whom solicitation is being made.
- D. Description of the nature of the business and the goods, services or wares to be sold, and sufficient information to determine whether or not the business he is to transact is interstate or intrastate commerce.
- E. Two photographs of the applicant which shall be approximately 2 1/2 inches by 2 1/2 inches in size showing the head and shoulders of the applicant in a clear and distinguishing manner.
- F. The days, dates and route of his business in the City of Brigantine (which shall be between the hours of 9:00 a.m. and 5:00 p.m.).
- G. A statement as to whether or not the applicant has been convicted of a crime, misdemeanor or disorderly conduct offense, where and when so convicted, the nature of the offense and the penalty, if any.
- H. The make, model, year, color and license plate number of automobiles used by the applicant during the period of solicitation within the City, and the number of his driver's license and the state of issuance.
- I. Each applicant for registration shall present a completed criminal background check (from a company such as IdentoGo) with a date of no more than sixty (60) days prior to application. The report must cover the five years preceding the application, and in the event that the report reveals any prior convictions for crimes or offenses which in the judgment of the Chief of Police would negatively impact the safety of the public, the Chief of Police shall disapprove the application. The registration shall be valid for sixty (60) days from the date of the approval of the application.

Section 5 . Registration certificate.

Each registrant shall carry the registration certificate at all times when in the City and shall exhibit it to any citizen or police officer upon request. At the conclusion of each day's canvassing or soliciting, the registration card shall be deposited with the Chief of Police.

Section 6. Appeal upon denial of application.

In the event an application for canvassing or soliciting is disapproved by the Chief of Police for reasons of reported unethical business practices or a previous conviction of a crime, the applicant may appeal to the City Council, which shall set a time and place for a hearing, which hearing shall be held within 10 days or next available Council Meeting after appeal is taken by the applicant. At such hearing the applicant will be given an opportunity to present his reasons why the license should be issued. The decisions of the City Council shall be final.

Section 7. Hours.

No person subject to the provisions of this article shall canvass, solicit or distribute circulars or other matter except during the hours of 9:00 a.m. and 5:00 p.m., Monday through Saturdays.

Section 8. Nonprofit groups exempt.

Any person or organization canvassing or soliciting individually or on behalf of a nonprofit organization with respect to any political, electoral, religious, community, charitable or other public interest shall be exempt from the registration requirements of this article. Such persons or organizations may, but are not obligated or required to, provide to the Chief of Police a statement, in writing, giving the following information:

- A. Names of solicitors and purpose or cause for which solicitation is being made;
- B. Name and address of the organization; and
- C. Names and addresses of all individuals who will be soliciting, canvassing or distributing literature in the City.

DRAFT

CITY OF BRIGANTINE

ORDINANCE NO. 14 OF 2022

**“AN ORDINANCE TO AMEND THE CITY CODE OF THE
CITY OF BRIGANTINE CHAPTER 284-39, SCHEDULE III,
ONE-WAY STREETS”**

WHEREAS, the City of Brigantine has established traffic regulations and controls within the City; and

WHEREAS, the City of Brigantine seeks to provide safe passage and proper traffic flow through the streets of the City through its traffic regulations and controls; and,

WHEREAS, this ordinance is to implement changes to achieve a better traffic flow and a safer traffic pattern for the City through its traffic regulations and controls.

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

Section 1. The following sections shall be amended as follows:

§284-39. Schedule III: One-Way Streets.

The following amendment shall be made to Schedule III:

Name of Street	Direction of Travel	Location
Unnamed Street (31 st one-half alley Between 31 st and 32 nd Streets)	East	Eastbound from Bayshore Avenue to Revere Boulevard along one-half alley between 31 st and 32 nd Streets

Section 2. Chapter 284-39, Schedule III shall remain in full force and effect to the extent not modified herein.

Section 3. Repealer, Severability, and Effective Date.

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

C. Effective Date. This Ordinance shall take effect upon proper passage in accordance with the law.

**CITY OF BRIGANTINE
RESOLUTION NO. 2022-**

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

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

WHEREAS, the City of Brigantine has received an award of \$16,200.00 from The Department of Law & Public Safety, Division of Criminal Justice for the 2022 Safe and Secure Communities Grant and wishes to amend its 2022 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, hereby requests that Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of \$16,200.00

Which now is available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with

Appropriations:

2022 Safe and Secure Communities Grant

BE IT FURTHER RESOLVED that the like sum of\$16,200.00
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from CAPS

2022 Safe and Secure Communities Grant

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

RESOLUTION NO. 2022-

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

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

WHEREAS, the City of Brigantine has received notice of an award of \$3,124.38 for the fiscal year 2023 and the period of July 1, 2022 through June 30, 2023 from the County of Atlantic, State of New Jersey and wishes to amend its 2022 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, hereby requests that Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of\$3,124.38

Which now is available as revenue from:

Miscellaneous Revenues:

Special Items of General Revenue Anticipated
With Prior Written Consent of the Director of the
Division of Local Government Services:

State and Federal Revenues Off-set with

Appropriations:

DMHAS Youth Leadership Grant-Municipal Alliance
(July 1, 2022-June 30, 2023)

BE IT FURTHER RESOLVED that the like sum of\$ 3,124.38

Be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from CAPS

DMHAS Youth Leadership Grant- Municipal Alliance
(July 1, 2022-June 30, 2023)

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

RESOLUTION 2022- 163

Of the

City of Brigantine

**Authorizing an application for the
American Rescue Plan Firefighter Grant from the
New Jersey Department of Community Affairs**

WHEREAS, the New Jersey Department of Community Affairs (NJDCA) has introduced a new \$10 million competitive grant that supports local and regional fire department firefighters by ensuring that they have proper fire protection, cleaning, and sanitization equipment; and

WHEREAS, ensuring that firefighters are properly protected against the combined threats of the COVID-19 virus and the strain of emergency fire requests is vital given the current stress on communities confronting the pandemic.; and

WHEREAS, access to funding to purchase the appropriate gear, clothing, and equipment is critical for mental and physical health, particularly for those fire departments with limited operating budgets and large numbers of volunteers; and

WHEREAS, this grant program does not require a local match; and

WHEREAS, the City of Brigantine desires to apply for and obtain a grant from NJDCA for approximately \$42,900 to complete a project to purchase firefighting equipment.

NOW THEREFORE, BE IT RESOLVED,

- 1) that the governing body of the City of Brigantine, State of New Jersey, hereby supports and authorizes this application, and
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the City of Brigantine and NJDCA.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit a grant application on behalf of the City of Brigantine, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith.

CITY OF BRIGANTINE
RESOLUTION NO. 2022 –
WORK CHANGE ORDER #1

OPERATION, MAINTENANCE & MANAGEMENT OF THE CITY'S PORTABLE
WATER SYSTEM INCLUDING THREE WATER TOWERS

WHEREAS, the City of Brigantine did award a contract for the Operation, Maintenance and management of the City's Roosevelt Water Tower in the amount of \$1,702,426.00; and

WHEREAS, in accordance with the correspondence and attachments from Utility Service Company dated July 1, 2022, the existing steel roof support beams need to be replaced, copies of which are attached hereto and made a part hereof, a Change Order #1 in the amount of \$65,100.00; 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 contract between Utility Service Company and the City of Brigantine, be amended to \$1,767,526.00 a net increase in the amount of \$65,100.00.

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 Capital Account #C-06-19-013-202.

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 3rd day of August 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.

A RESOLUTION OF THE CITY OF BRIGANTINE
AUTHORIZING A CONCESSION AGREEMENT WITH VIPLY LLC FOR THE
ELECTRONIC SALES AND DISTRIBUTION OF BEACH TAGS

WHEREAS, the City duly advertised for and accepted sealed proposals on July 28, 2020 for the implementation of an electronic beach badge system; and

WHEREAS, the term of the contract is for twelve (12) months and the specifications provide that the City can exercise (2) one-year extensions; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine authorizes the second and final option year contract extension for the electronic sales and distribution of beach tags be granted to VIPLY LLC.

BE IT FURTHER RESOLVED that the implementation of the electronic beach system is at no cost to the City and all fees associated for beach tags will be passed on to the consumer.

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 3rd day of August 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-

EQUIPMENT AND SUPPLIES
FOR THE CITY BEACH PATROL

WHEREAS, the City of Brigantine has a need for equipment and supplies to service beach patrol; and

WHEREAS, it is determined in the best interest of the City of Brigantine to acquire said services as needed; and

WHEREAS, Dennis Krause, QPA, City Purchasing Agent has determined and certified in writing that the value of these services will exceed \$17,500.00; and

WHEREAS, John Doring, Public Works Superintendent and Dennis Krause, QPA, City Purchasing Agent have reviewed the required equipment and supplies needed and recommended that Marine Rescue Products, Inc., P.O. Box 3484, Newport, RI 02840 be awarded an alternative non-advertised method of award for equipment and supplies as determined by the needs of the City of Brigantine; and

WHEREAS, Marine Rescue Products, Inc. has completed and submitted a Business Registration Certificate (BRC) and a Business Entity Disclosure Certification which certifies that Marine Rescue Products, Inc. has not made any contributions to a political or candidate committee for an elected office in the City of Brigantine in the previous one year period, and will prohibit them from making any contributions through the projected time of completion; and

WHEREAS, the vendor has provided information demonstrating its compliance with the provisions of N.J.S.A. 19:44A-20.5, regarding political contributions; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine, New Jersey that an alternative method award with Marine Rescue Products, Inc. for equipment and supplies. A copy of the Business Entity Certification and Determination of Value shall be on file with this resolution in the City Clerk's Office.

BE IT FURTHER RESOLVED that Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in the 2022 Beach Patrol various line items. Estimated expenditures for 2022 should not exceed \$43,000.00

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 3rd day of August 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 NO. 2022-**

BE IT RESOLVED, that the City Council of the City of Brigantine hereby authorizes the adoption of the Brigantine Emergency Operations Plan.

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
August 3, 2022.

Lynn Sweeney, RMC
City Clerk

**CITY OF BRIGANTINE
RESOLUTION NO. 2022-**

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

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

WHEREAS, the City of Brigantine has received an award of \$3,840.00 from Atlantic County Office of Highway Safety (sub-grantee) for the 2022 Drive Sober or Get Pulled Over Campaign and wishes to amend its 2022 Budget to include this amount as revenue.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Brigantine, in the County of Atlantic, State of New Jersey, hereby requests that Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2022 in the sum of\$3,840.00

Which now is available as revenue from:

Miscellaneous Revenues:

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

Appropriations:

BE IT FURTHER RESOLVED that the like sum of\$3,840.00
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from CAPS
2022 Drive Sober or Get Pulled Campaign

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

RESOLUTION NO. 2022-

A RESOLUTION OF THE CITY OF BRIGANTINE
AUTHORIZING AWARD OF BID FOR SODIUM HYPOCHLORITE SOLUTION

WHEREAS, the City duly advertised for and accepted sealed bids on July 28, 2022 for Sodium Hypochlorite Solution for the City's pumping stations; and

WHEREAS, the term of the contract is for twelve (12) months and the specifications provide that the City can exercise (2) one-year extensions; and

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine authorizes award of contract to Miracle Chemical Company based on their low bid.

BE IT FURTHER RESOLVED that Roxanne Tosto, Chief Financial Officer of the City of Brigantine, does hereby certify that there are adequate funds available in the 2020 Utility Fund for Chemicals #2-09-55-502-219. Estimated expenditures for 2022 should not exceed \$80,000.00. Funds for future calendar years are contingent upon the adoption of the Local Municipal Budgets and shall be charged to the appropriate accounts when purchase orders are issued.

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 3rd day of August 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 THE AWARD OF CONTRACT TO MOUNT CONSTRUCTION COMPANY
FOR DRAINAGE IMPROVEMENTS ALONG OCEAN DRIVE WEST

WHEREAS, the City Council of the City of Brigantine authorized the acceptance of proposals on July 19, 2022 for "Drainage Improvements Along Ocean Drive West"; and

WHEREAS, (7) bids were received and the low bidder was Mount Construction Company, 427 S. White Horse Pike, Berlin, NJ 08009, with a base bid in the amount of \$1,091,750.00 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 Mount Construction Company 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 Capital account C-04-19-012-202 in the amount of \$1,091,750.00

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 3rd day of August 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-
THE CITY OF BRIGANTINE

A RESOLUTION AUTHORIZING THE AWARD OF CONTRACT TO
BOARDWALK CONSTRUCTION LLC FOR THE REMOVAL & REPLACEMENT
OF EXISTING ROOF AT BRIGANTINE CITY HALL

WHEREAS, the city duly advertised for and accepted sealed bids on July 21, 2022 for the Removal and Replacement of the Roofing System at the Brigantine City Hall; and

WHEREAS, (3) bids were received and the lowest bidder was Boardwalk Construction LLC, 711 N. Main Street, Unit #4, Pleasantville, NJ 08232, with a total bid in the amount of \$76,044.00 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 Boardwalk Construction LLC 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 Capital Fund # C-04-19-012-403 in the amount of \$76,044.00.

Certified to be a true copy of a Resolution adopted by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, on the 3rd day of August 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					