

Absent:

**AGENDA
CITY OF BRIGANTINE
COUNCIL MEETING
DECEMBER 1, 2021
5:00 P.M. – Public Portion**

1. Flag Salute
 2. Opening Prayer
 3. Open Public Meetings Act Announcement
 4. Resolution 2021-199 Re: Executive Session ____ P.M.
- Topics to be Discussed:

M: S: RC: MC:

5. Return from Executive Session _____ P.M.

M: S: RC: MC:

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

M: S: RC: MC:

7. Approval of Council Meeting Minutes for 11/3/21

M: S: RC: MC:

8. Swearing In Ceremony of Council At Large Neil Kane
9. Brigantine Community School 6th Grade Gifted and Talented Project Presentation
10. Boat Parade Awards
11. Recognition of Sustainable Jersey Award Recipients: John Doring and Jeanette Kessler
12. Public Comments on Agenda Items Only
13. Best Practice Discussion
14. Ordinance No. 19 of 2021- Introduction – Brigantine Community School Capital Projects Bond Ordinance

M: S: RC: MC:

15. Ordinance No. 20 of 2021 – Introduction - Removal of Handicap Parking Space at 725 Sheridan Blvd.

M: S: RC: MC:

16. Ordinance No. 21 of 2021 – Introduction – Amendment Brigantine Farmer’s Market Fee Schedule

M: S: RC: MC:

17. Resolution 2021-205 Re: Real Estate Tax Refunds

M: S: RC: MC:

18. Resolution 2021-206 Re: Construction Permit Refund

M: S: RC: MC:

19. Resolution 2021-207 Re: Cancellation of Outstanding Checks

M: S: RC: MC:

20. Resolution 2021-208 Re: Award of Contract – Police Vehicle

M: S: RC: MC:

21. Resolution 2021-209 Re: Award of Contract – Portable Sanitation Units

M: S: RC: MC:

22. Resolution 2021-210 Re: Award of Contract – Rock Salt

M: S: RC: MC:

23. Resolution 2021-211: Authorizing Purchase of Public Safety Communications Equipment with Vendor Tactical Public Safety

M: S: RC: MC:

24. Resolution 2021-212: Architectural Services with SOSH Architects for Brigantine Golf Links Club House

M: S: RC: MC:

25. Resolution 2021-213: Chapter 159 Drive Sober or Get Pulled Over Holiday 2021

M: S: RC: MC:

26. Resolution 2021-214: Transfer Resolution

M: S: RC: MC:

27. Resolution 2021-215: Award of Contract: Revitalization of West Brigantine Avenue from 30th Street to 35th Street

M: S: RC: MC:

28. Resolution 2021-216: Authorizing Entry into and Execution of a Redevelopment Agreement with Conditional Redeveloper for the Bayside Marina Redevelopment Area Located at Block 5702, Lots 7, 7.01, 7.02, 8 and 9

M: S: RC: MC:

29. Consent Agenda

A. VFW Pull Tab Raffle License #948

M: S: RC: MC:

30. Council Manager/Committee Discussion:

31. Public Comments

32. Council Comments

33. 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.

BOND ORDINANCE OF THE CITY OF BRIGANTINE, IN THE
COUNTY OF ATLANTIC, NEW JERSEY, PROVIDING FOR
VARIOUS CAPITAL PROJECTS AT THE BRIGANTINE
COMMUNITY SCHOOL AND AUTHORIZING THE
ISSUANCE OF \$7,264,150 BONDS OR NOTES OF THE CITY
TO FINANCE THE COST THEREOF.

RECITAL

WHEREAS, The Board of Education of the City of Brigantine in the County of Atlantic, New Jersey (the "Board of Education") has determined by resolution duly adopted on November 22, 2021, that it is necessary to raise the aggregate amount of \$7,264,150 for the capital projects described herein and has delivered a copy of the resolution to each member of the Board of School Estimate (the "Board of School Estimate"); and

WHEREAS, the Board of School Estimate has fixed and has determined by resolution duly adopted on November 29, 2021, that it is necessary to raise the aggregate amount of \$7,264,150 for the capital projects specified in the resolution of the Board of Education and has delivered a certificate to that effect to the Board of Education and to the City Council of the City of Brigantine, in the County of Atlantic, New Jersey (the "City"); and

WHEREAS, the City hereby determines to finance the capital projects to be undertaken by the issuance of school bonds or temporary notes of the City; now, therefore,

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 capital projects in the principal amount of \$7,264,150 described in Section 3 of this bond ordinance shall be undertaken by The Board of Education of the City of Brigantine, in the County of Atlantic, New Jersey pursuant to the provisions of Title 18A, Education, of the New Jersey Statutes ("Title 18A"), and specifically N.J.S.A. 18A:24-11 applicable to Type I school districts.

Section 2. In order to finance the cost of the capital projects, negotiable bonds are hereby authorized to be issued in the principal amount of \$7,264,150 pursuant to Title 18A and this bond ordinance adopted in accordance with the procedures required by N.J.S.A. 40:49-1 *et seq.* Each of the bonds shall be designated "School Bond" and shall contain a recital that it is issued pursuant to Title 18A, Education, of the New Jersey Statutes.

Section 3. The capital projects hereby authorized for which the bonds or temporary notes are to be issued is to provide for various capital projects at the Brigantine Community School, consisting of roof, interior doors, hardware and generator replacement and the relocation of the ventilator, including all work and materials necessary therefor and incidental thereto and further including all related costs and expenditures incidental thereto.

Section 4. In anticipation of the issuance of the bonds, negotiable temporary notes or loan bonds are hereby authorized to be issued pursuant to and within the limitations prescribed by N.J.S.A. 18A:24-3. The chief financial officer of the City or such other financial officer designated by resolution for this purpose (both being hereafter referred to in this section as the "chief financial officer") is hereby authorized to issue temporary notes or loan bonds of the City. All temporary notes or loan bonds issued hereunder shall mature at such time as may be determined by the chief financial officer; provided that no temporary note or loan bond 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 temporary notes or loan bonds 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 temporary notes or loan bonds issued pursuant to this ordinance, and the chief financial officer's signature on the temporary notes or loan bonds shall be conclusive evidence as to all such determinations. All temporary notes or loan bonds issued hereunder may be renewed from time to time subject to the provisions of N.J.S.A. 18A:24-3. The chief financial officer is hereby authorized to sell part or all of the temporary notes or loan bonds 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 City Council at the meeting next succeeding the date when any sale or delivery of the temporary notes or loan bonds pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the temporary notes or loan bonds 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 purpose authorized herein is 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 capital projects described in Section 3 of this bond ordinance is not a current expense. It is an improvement that the City may lawfully undertake as a school capital project in accordance with N.J.S.A. 18A:24-5.

(b) The maximum period of maturity is 15 years for the bonds authorized for the capital project authorized herein in accordance with N.J.S.A. 18A:24-5.

(c) The Supplemental Debt Statement required by N.J.S.A. 18A:24-16 and 17 has been duly prepared and filed in the office of the City Clerk and in the office of the Secretary of the Board of Education, 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. The \$7,264,150 obligations authorized herein shall be included for purposes of calculating the net school debt of the school district of the City pursuant to N.J.S.A. 18A:24-19 but shall be deducted from the gross debt of the City pursuant to N.J.S.A. 40A:2-44.

Section 7. The City hereby makes the following covenants and declarations with respect to obligations determined to be issued by the Chief Financial Officer on a tax-exempt basis. The City hereby covenants that it will comply with any conditions subsequent imposed by the Internal Revenue Code of 1986, as amended (the "Code"), in order to preserve the exemption from taxation of interest on the notes, including, if necessary, the requirement to rebate all net investment earnings on the gross proceeds above the yield on the notes. The chief financial officer is hereby authorized to act on behalf of the City to deem the obligations authorized herein as bank qualified for the purposes of Section 265 of the Code, when appropriate. 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 cost of the purpose described in Section 3 of this bond ordinance. This Section 7 is a declaration of intent within the meaning and for purposes of Treasury Regulations §1.150-2 or any successor provisions of federal income tax law.

Section 8. Any grant moneys received for the purpose or improvement described in Section 3 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 real 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 or as otherwise provided by N.J.S.A. 40:49-27.

**CITY OF BRIGANTINE
ORDINANCE NO of 2021**

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

WHEREAS, state statute 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 a handicap parking space that is no longer needed; and

WHEREAS, the space 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 space as a designated handicap space within the City of Brigantine:

NAME OF STREET

MacDermott Place

LOCATION

Twenty (20) foot area
on the side street (MacDermott
Place) of the property
located at 726 Sheridan Blvd.

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 space as a handicap parking space 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: December 1, 2021

ADOPTION:

ATTEST:

VINCE SERA, MAYOR

LYNN SWEENEY, RMC
CITY CLERK

CITY OF BRIGANTINE

ORDINANCE . . . OF 2021

**AN ORDINANCE OF THE CITY COUNCIL
OF THE CITY OF BRIGANTINE AMENDING CHAPTER 210-37, ARTICLE II OF
THE CODE OF THE CITY OF BRIGANTINE
AS IT RELATES TO FEES**

WHEREAS, the City of Brigantine is permitted by its police power to establish certain fees for services within the City of Brigantine; and

WHEREAS, the City Council of the City of Brigantine desires to amend its fee schedule to provide for certain fees.

**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. §210-37 is hereby amended and supplemented as follows:

Brigantine Farmers Market – Fee Schedule – Vendor Participation Fees:

Growers/Produce/Agricultural Vendors

for first 10 x 10 space

If paid by April 15 of current year for \$300

Summer Markets (Memorial Day – Labor
Day)

Fall Markets per space \$25 per market

All Other Vendors for first 10 x 10 space

if paid by April 15 of current year for
Summer Markets (Memorial Day – Labor \$350
Day) and **includes** two Fall Markets

All Vendors – if paid after April 15 of \$500
current year for first 10 x 10 space

Second space 10 x 10 \$150

Third space 10 x 10 \$100

Pop up Space, per week \$35

Sponsors:

Gold \$500

Silver \$250

Friend of the Market \$100

Section 2. Chapter 210 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.

ATTEST:

BRIGANTINE CITY COUNCIL

Lynn Sweeney, City Clerk

Vince Sera, Mayor

RESOLUTION

2021-

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
4502	18		Comunale, Richard & Bonnie	2021-04	1757.40
106	8		Wanderlust Ocean View LLC Corelogic	2021-04	5458.85
304	4		Vaganos, Steve & Tina Corelogic	2021-04	1047.73
402	16		Butterly, Mathew Jr. & Nanei Corelogic	2021-04	1256.03
606	1.02	C0102	Evenchen, Daniel & Martinez Corelogic	2021-04	580.06
705	1.28	C0321	Hertz, Laurans & Patricia Corelogic	2021-04	1353.20
2302	2		Shapiro, Scott & Marci Corelogic	2021-04	5027.13
2401	3		Biddle, Richard & Marissa	2021-04	4412.23
2604	9		Fay, Williams & Nadia Corelogic	2021-04	1258.18
2802	20		Kneeland, John & Nancy Corelogic	2021-04	1932.85
3703	7		Sparks, Gregory Corelogic	2021-04	774.00
4101	24.01	C101P	Angelone, Sharon & Francis Corelogic	2021-04	806.25
4203	2		Collins, Michael & Leslie Corelogic	2021-04	1512.74
4502	3		Weil, Paul & Meredith Corelogic	2021-04	1690.33
4705	34		Bonomo, Matthew & Michele Corelogic	2021-04	1209.59
4901	12		Martinez, Wendy Corelogic	2021-04	1396.64
5401	42		Pyatt, K & Constance, B First National Bank of America	2021-04	1510.15

CITY OF BRIGANTINE
OVERPAYMENT REFUNDS

BLOCK	LOT	QUAL	NAME	YEAR-QRT	AMOUNT
5702	6		George, Jon & Shelley Corelogic	2021-04	4272.48
6003	11		Kaphan, Mark & Taboga, Kimberly Corelogic	2021-04	1369.55
6703	16		Rydesky, Edward & Carrie Corelogic	2021-04	2127.20
404	15.06	C0006	Spitalny, Jane Sewer	2022-01	185.00

RESOLUTION 2021 –

THE COUNCIL OF THE CITY OF BRIGANTINE RESOLVES THAT:

WHEREAS, the City of Brigantine has, pursuant to various ordinances, a set fee schedule for Brigantine Permits; and

WHEREAS, it appears from the records that Ocean Breeze PM LLC, 135 Devon Rd, Somers Point, New Jersey 08244, applied for a construction permit #2021-215, Block 703, Lot 1.04, 321 6TH Street So., Brigantine, New Jersey; and

WHEREAS, it appears from the record that Ocean Breeze PM LLC withdrew the construction permit and is entitled to a refund of \$1,252.00 (One Thousand, Two hundred and Fifty-two Dollars); and

WHEREAS, pursuant to Section 5:23-2.26 & 2.27 of the Uniform Construction Code adopted by the State of New Jersey, Ocean Breeze PM LLC is entitled to a refund of \$1,252.00 (One Thousand, Two hundred and Fifty-two Dollars).

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

5. The City Financial Officers are hereby directed to refund the sum of \$1,252.00 to Ocean Breeze PM LLC.
6. 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 _____

LYNN SWEENEY, RMC, CITY CLERK

CITY OF BRIGANTINE
RESOLUTION NO.
2021-

CANCELLATION OF OUTSTANDING CHECKS

WHEREAS, there exists several outstanding checks in various accounts of the City of Brigantine; and

WHEREAS, it has been determined that there are outstanding checks that should be canceled.

NOW, THEREFORE, BE IT RESOLVED, by the Governing Body of the City of Brigantine, County of Atlantic, that the following outstanding checks be and are hereby cancelled to the cash balances of the City of Brigantine.

	Ck No.	Amount
Disbursement Account	12296	\$ 53.91
	12298	240.00
	12630	48.00
	12632	48.00
	13115	200.00
Total Disbursement Account		<u>\$ 589.91</u>

RESOLUTION NO. 2021-209

A RESOLUTION OF THE CITY OF BRIGANTINE
AUTHORIZING THE PURCHASE OF ONE 2022 DODGE CHARGER
FROM APPROVED CRANFORD POLICE CO-OP VENDOR, HERTRICH FLEET SERVICES

WHEREAS, the City of Brigantine Police Department, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29c, may by resolution and without advertising for bids, purchase any goods or services under the Cranford Co-op, in which we are members; and

WHEREAS, the City of Brigantine Police Department has the need to purchase one (1) 2022 Dodge Charger, AWD vehicle utilizing the Cranford Co-Op (#47-CPCPS), totaling \$29,283.00; and

WHEREAS, the City of Brigantine intends to enter into a contract with Hertrich Fleet Services through this resolution which shall be subject to all the conditions applicable to the Cranford Police Co-Op (#47-CPCPS).

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council for the City of Brigantine, County of Atlantic, and State of New Jersey, that the City Purchasing Agent is hereby authorized to purchase one (1) 2022 Dodge Charger, AWD vehicle, pursuant to all conditions of the Cranford Co-Op (#47CPCPS).

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 Police Current Fund account #1-01-25-240-254 (\$29,283.00).

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 1st day of December, 2021.

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 AWARD OF BID FOR PORTABLE SANITATION UNITS

WHEREAS, the city duly advertised for and accepted sealed bids on November 18, 2021 for Portable Sanitation Units; and

WHEREAS, three bids were received and Caprioni Portable Toilets, Inc., 188 Head of The River Road, Woodbine, NJ 08270 was the lowest responsible bid; 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 Caprioni Portable Toilets, Inc. based on their low bid.

BE IT FURTHER RESOLVED that Roxanne Tosto, Chief Financial Officer of the City of Brigantine, certifies that there are adequate funds available for 2021 Utility Rented Bathroom Facilities Line # 1-09-55-502-298. Estimated expenditures for 2021 should not exceed \$60,000.00 excluding any emergent conditions.

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 1st day of December 2021.

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. 2021-

RESOLUTION AUTHORIZING THE AWARD OF A BID
TO ATLANTIC SALT INC FOR THE
PURCHASE OF ROCK SALT THROUGH THE
ATLANTIC COUNTY COOPERATIVE

WHEREAS, Pursuant to advertising for sealed bids to be publicly opened and read supplying Rock Salt to members of the Atlantic County Cooperative, a low bid of \$71.50/Ton was submitted by Atlantic Salt Inc., 134 Middle Street, Suite 210, Lowell, MA 01852, said being the lowest responsible bid.

NOW, THEREFORE, BE IT RESOLVED by the Municipal Council for the City of Brigantine, County of Atlantic and State of New Jersey, that James Bennett, City Administrator is hereby authorized to enter into a Contract with the said Vendor, on behalf of the City of Brigantine, for the sum not to exceed the Atlantic County Cooperative contract firm fixed price and to do whatever is necessary to provide the service and materials as set forth in the bid specifications for the period of November 1, 2021 through August 31, 2021.

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 Capital Trust Fund Account T-03-09-360-018. Estimated expenditures for 2021 should not exceed \$66,206.00 excluding any emergent condition.

Certified to be a true copy of a Resolution adopted by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey, on the 1st day of December 2021.

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. 2021-
THE CITY OF BRIGANTINE

A RESOLUTION AUTHORIZING THE PURCHASE OF PUBLIC SAFETY
COMMUNICATIONS EQUIPMENT WITH APPROVED STATE CONTRACT
VENDOR TACTICAL PUBLIC SAFETY

WHEREAS, the City of Brigantine Police Department, pursuant to N.J.S.A. 40A:11-12a and N.J.A.C. 5:34-7.29c, may by resolution and without advertising for bids, purchase any goods or services under the State of New Jersey Cooperative Purchasing Program for any state contracts entered into on behalf of the state by the Division of Purchase and Property in the Department of the Treasury; and

WHEREAS, the City of Brigantine Police Department has the need to purchase new Public Safety Communication workstations, computer, hardware and software and licenses utilizing State contracts; and

WHEREAS, the City of Brigantine intends to purchase said equipment through this resolution, which shall be subject to all the conditions applicable to the current New Jersey State Contracts, A83924 and A83932; and;

NOW, THEREFORE BE IT RESOLVED by the Municipal Council of the City of Brigantine, County of Atlantic and State of New Jersey authorizes the Purchasing Agent to purchase the Public Safety Communication Equipment from approved New Jersey State Contract Vendors, pursuant to all conditions of the individual State contracts; 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 Police Current Fund Line# 0-01-25-240-269 (\$5,816.40), the OEM Current Fund Line# 1-01-25-252-240 (\$10,000.00), Police Capital Equipment Bond# C-04-19-012-504 (\$38,081.60) and Capital Equipment Line# 1-01-44-710-702 (\$124,368.00) totaling \$178,266.00.

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 1st day of December, 2021.

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 #2021-

ARCHITECTURAL SERVICES
BRIGANTINE GOLF LINKS CLUBHOUSE

WHEREAS, the city has a need for a structural evaluation of the Brigantine Golf Links Clubhouse; and

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

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

WHEREAS, Jim Bennett, City Manager, John W. Doring Jr., Superintendent of Public Works, Matt Doran, City Engineer and Dennis Krause, QPA, City Purchasing Agent have reviewed the evaluation and recommendations and concluded that SOSH Architects, 1020 Atlantic Avenue, Suite 200, Atlantic City NJ 08401 receive an alternative non-advertised method of award for the evaluation and the structural design recommendations of the Golf Links Clubhouse Project as determined by the needs of the City of Brigantine; and

WHEREAS, SOSH Architects has completed and submitted a Business Registration Certificate (BRC), a Business Entity Disclosure Certification which certifies that SOSH Architects 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 that an alternative method award with SOSH Architects for evaluation and the structural design recommendations. 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 Current Fund Account# 1-01-26-304-299. Estimated expenditures for 2021 should not exceed \$19,500.00.

**CITY OF BRIGANTINE
RESOLUTION NO. 2021-**

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 \$2,400.00 from Atlantic County Office of Highway Safety (sub-grantee) for Drive Sober or Get Pulled Over Holiday 2021 and wishes to amend its 2021 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 2021 in the sum of\$2,400.00

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\$2,400.00
be and the same is hereby appropriated under the caption of:

General Appropriations:

Operations Excluded from CAPS

Drive Sober or Get Pulled Over Holiday 2021

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.

**CITY OF BRIGANTINE
RESOLUTION 2021-
2021 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 2021 budget appropriations as follows:

CURRENT FUND	FROM	TO
PW-Golf Course-Sal & Wages	\$ 5,000.00	
PW-Golf Course-OE		\$ 5,000.00
Utility-Fuel		25,000.00
PW-Streets & Roads- Sal& Wages	10,000.00	
PW-Buildings & Grounds-Sal & Wages	10,000.00	
PW-Vehicle Mtce-Sal & Wages	5,000.00	
 Total- Current Fund	 \$ 30,000.00 =====	 \$ 30,000.00 =====

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 December 1, 2021.

Lynn Sweeney, RMC, City Clerk

RESOLUTION NO.

A RESOLUTION BY THE CITY OF BRIGANTINE
AUTHORIZING THE AWARD OF CONTRACT TO
CHARLES MARANDINO LLC FOR THE STREETScape REVITALIZATION PROJECT
WEST BRIGANTINE AVENUE FROM 30TH STREET SOUTH TO 35TH STREET SOUTH

WHEREAS, the City Council of the City of Brigantine authorized the acceptance of proposals on October 7, 2021 for the "Streetscape Revitalization Project, West Brigantine Avenue from 30th Street South to 35th Street South"; and

WHEREAS, (4) bids were received and Charles Marandino LLC, PO Box 20, Milmay NJ 08340, with a base bid in the amount of \$813,590.00 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 Charles Marandino 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 the Phase 3 Streetscapes Capital Line#: C-04-18-026-102 in the amount of \$813,590.00

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 1st day of December, 2021

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. 2021-

**“A RESOLUTION OF THE CITY COUNCIL
OF THE CITY OF BRIGANTINE
AUTHORIZING ENTRY INTO AND EXECUTION OF A REDEVELOPMENT
AGREEMENT WITH CONDITIONAL REDEVELOPER FOR
THE BAYSIDE MARINA REDEVELOPMENT AREA LOCATED AT
BLOCK 5702, LOTS 7, 7.01, 7.02, 8 AND 9,
IN THE CITY OF BRIGANTINE”**

WHEREAS, the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq., as amended and supplemented (“Redevelopment Law”), provides a process for municipalities to participate in the redevelopment and improvement of areas in need of rehabilitation or redevelopment; and

WHEREAS, Brigantine Marina and Paddle Club, LLC c/o M. Sean Scarborough, Owner, owns a parcel of property located at 4401 Atlantic-Brigantine Boulevard, Block 5702, Lots 7, 7.01, 7.02, 8, and 9, (the “Property”); and

WHEREAS, pursuant to Resolution 2021-141, the City accepted a recommendation of the Brigantine Planning Board to designate the Property at Block 5702, Lots 7, 7.01, 7.02, 8 and 9 as a non-condemnation area in need of redevelopment; and

WHEREAS, thereafter, the City authorized the preparation of a Redevelopment Plan for the area comprised of the Property, and referred to as The Bayside Marina Redevelopment Area, (the “Redevelopment Plan”), and

WHEREAS, the Mayor and City Council reviewed the Redevelopment Plan and adopted the Bayside Marina Redevelopment Plan on August 18, 2021 pursuant to Ordinance No. 18-2021;

WHEREAS, pursuant to Resolution No. 2021-165, the City designated Brigantine Marine and Paddle, LLC as the Conditional Redeveloper (hereinafter “Conditional Redeveloper”) of the Bayside Marina Redevelopment Area located on Block 5702, Lots 7, 7.01, 7.02, 8 and 9, in the City of Brigantine, and, further, authorized the negotiation of a Redeveloper’s Agreement with Brigantine Marine and Paddle, LLC, c/o M. Sean Scarborough; and

WHEREAS, since that time, the City and Conditional Redeveloper proceeded with negotiations of a Redeveloper’s Agreement; and

WHEREAS, at this time, the City and Conditional Redeveloper have completed the negotiations and wish to execute such Redeveloper’s Agreement.

NOW, THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of Brigantine that the Mayor and City Council are hereby authorized to enter into and execute a Redeveloper’s Agreement with BRIGANTINE MARINE AND PADDLE CLUB, LLC c/o M. Sean Scarborough.

DATE: December 1, 2021

LYNN SWEENEY, RMC
CITY CLERK

4895-2029-5428, v. 1

4895-2029-5428, v. 1
4895-2029-5428, v. 1