

November 25, 2013
Brigantine, New Jersey

A Council meeting was held this date in Council Chambers at 6:00 P.M. with Mayor Guenther presiding.

Present: Simpson, McClay, Picardi, DeLucry, Pullella, Guenther
Absent: Kern

Mayor Guenther led the flag salute after which Councilman Picardi Kern offered a brief prayer.

Mayor Guenther read the statement pertaining to the Open Public Meetings Act.

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Public Comment on Agenda Items Only

John Pucci of Sheridan Square discussed the bill list and specifically questioned who is the labor counsel for Brigantine and asked how much he was paid. City Manager Blumenthal stated that it is Eric Bernstein and the check was for his October billing in the amount of \$8,110.15. Mr. Pucci asked how much of that amount was specifically for the Cox lawsuit. Ms. Blumenthal said that Mr. Pucci would need to OPRA that information as she did not have the actual numbers with her. Mr. Pucci said that he would be interested in knowing the total cost to the City that specific lawsuit has cost. Mr. Pucci also felt that the handwritten amounts listed at the bottom of the bill list should be incorporated into the computer program.

Norman Weiner of 600 East Beach Avenue asked if Mr. Bernstein attends all of the labor negotiation meetings and felt it was costing the taxpayers too much money. Mr. Weiner also questioned Parker McCay's bill and asked if any of that cost was associated with the Cox lawsuit. Ms. Blumenthal did not have the breakdown of costs in front of her but said that amount would be very minimal. Mr. Weiner asked if the appeal of the judge's decision would end up costing the taxpayers additional money. Ms. Blumenthal said that it was discussed at the last executive session and it was decided to move forward with the appeal process.

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Councilman Picardi moved, seconded by Councilman Pullella to approve the Requisition List, Operating Expenses and Payroll.

Roll Call: Simpson, McClay, Picardi, DeLucry, Pullella, Guenther: All "Yes".

Motion Carried.

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Councilman Picardi moved, seconded by Councilwoman McClay to adopt the following resolution.

RESOLUTION 2013-149

AUTHORIZING THE ISSUANCE OF \$588,385 IN AGGREGATE PRINCIPAL AMOUNT OF SPECIAL EMERGENCY NOTES FOR THE PAYMENT OF CONTRACTUALLY REQUIRED SEVERANCE LIABILITIES FOR RETIREMENT OF EMPLOYEES

Bond Counsel Joel Fleishman explained that this resolution allows the City to proceed with the sale of the notes.

Roll Call: McClay, Picardi, DeLucry, Pullella: All "Yes".
Simpson, Guenther: All "No".

Motion Carried.

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Councilman DeLucry moved, seconded by Councilman Picardi to adopt the following resolution.

RESOLUTION 2013-150

AUTHORIZING THE ISSUANCE OF \$1,465,000 IN AGGREGATE PRINCIPAL AMOUNT OF TAX APPEAL REFUNDING NOTES FOR THE PURPOSE OF FUNDING REVENUE LOSSES ASSOCIATED WITH TAX CREDITS GRANTED TO TAXPAYERS FOR OVERPAYMENT IN PREVIOUS QUARTERS IN 2013

Joel Fleishman, Esq. who is the City’s Bond Counsel, explained that is pursuant to Ordinance 14 of 2014 from November 6th, where upon the Local Finance Board authorized a five year payback on that note and this resolution is authorizing the City to proceed with the sale of that note.

Roll Call: Simpson, McClay, Picardi, DeLucry, Pullella, Guenther: All “Yes”.

Motion Carried.

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Councilman Picardi moved, seconded by Councilwoman McClay to adopt the following resolution.

RESOLUTION 2013-151

AUTHORIZING THE FINANCING OF AMOUNTS OWING TO TAXPAYERS FROM TAX APPEALS FOR TAXES LEVIED THROUGH THE ISSUANCE OF TAX APPEAL REFUNDING BONDS OR NOTES

Mr. Fleishman explained that this Resolution flows from the same ordinance mentioned in Resolution 2013-150, saying that the Local Finance Board’s approval conditions are that the City cannot hire or create any new positions in 2014, without the approval of the of the Director of Local Government Services.

Roll Call: Simpson, McClay, Picardi, DeLucry, Pullella, Guenther: All “Yes”.

Motion Carried.

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Public Comment

Gregg Knight of 1308 Ray Avenue updated Council on his sculpture project. Mr. Knight then announced he wanted to create a statue for the Jack’s Triangle Fountain. Council decided to have Mr. Knight meet with the Garden Club and the Cultural Arts to discuss all possible options.

Rich DeLeon, President of the Brigantine P.B.A. asked if Council had made a decision of whether the Director of Public Safety position was going to be made permanent or not. Mayor Guenther responded that he was not in favor of the Public Safety Director Position. Ms. Blumenthal commented that there was a petition going around to change the form of government to a commissioner form and she suggested waiting to see the outcome of the petition prior to making any decisions; saying that she will leave it as an executive session discussion item. Mayor Guenther commented that he felt it was a topic for general discussion. Ms. Blumenthal stated that she would refer the matter to the City Solicitor.

John Pucci of 100 Sheridan Square questioned if having a Police Chief now is going to affect Mr. Howard’s salary and job duties. Ms. Blumenthal stated that the City does not have a chief and that the case is still in the appeal process, so it does not affect Mr. Howard. Mr. Pucci asked for clarification of the budget meeting that is to take place Wednesday. Ms. Blumenthal explained that this was a budget hearing for the Department Heads to formally hand in their

budgets for their departments. Mr. Pucci commented on the Gregg Knight sculpture proposal, saying that should be an invitation for all other artists to present their ideas. Mr. Pucci then commended City Engineer Ed Stinson for his wealth of knowledge, saying that Mr. Stinson was very helpful at the last BrigStrong Meeting.

Norm Weiner of 600 East Beach Avenue commented on a bill list item, asking for clarification on checks to Fleishman Daniels and Parker McCay. Ms. Blumenthal commented that these firms work on ongoing projects therefore bill monthly.

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Councilman Pulella moved, seconded by Councilman Simpson to adjourn the meeting.

There being no further business to discuss the meeting was adjourned at 6:03 P.M.

Mayor Philip Guenther

Lynn Sweeney, RMC
City Clerk