

June 5, 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, Kern, Guenther
Absent: Pullella

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

Heavenly Father sometimes we simply have to ask why. We know that there's a grand plan but we still have to ask why. Why would you need Jim Holl in your house more than we need him in ours? Certainly there are no fires to fight; for sure there are no wars up there with you. Perhaps you were simply anxious to have this wonderful, gentle man a little closer to you. Chief Holl was certainly special, not just to his family and friends locally but to the thousands of lives he touched as a fire fighter, emergency medical technician, flight nurse, instructor, teacher and Air Force Colonel. We weep especially because he gave everyone the benefit of the doubt. He was able to communicate effectively and focus on the big picture. He could ask for help and he knew how to follow through. He believed that education was a life long activity. And he knew how to say thank you when he received help. All of Brigantine will miss him; we grieve along with his wife Maureen, daughter Meghan, son James and his parents. Our thoughts and prayers are with them. Please bow our heads for a moment of silence for our dear friend Jim Holl.

Lord, grant peace to the Holl Family, the City of Brigantine and the United States of America.

Amen.

Mayor Guenther stated that it was obvious to everyone that James Holl was committed to a life of service with the Brigantine Fire Department as a firefighter and an EMT. He was without a doubt a professional that always had the best interests of this community at heart; having worked his way through the ranks and professionalized the Brigantine Fire Department, his contributions will live on in this department forever. His legacy is a department that is professional, its caring, its compassionate, its innovative and it is one that sticks together as a unit and one that is without a doubt committed to providing the best level of service to the people of Brigantine. Chief Holl had that impact on this department and it was clear to me that during a time of incredible stress when he was at the command of the fire department during Super Storm Sandy that he was able to bring out the best in each and every member of that department, he was able to tap their talents, he was able to deal with multiple situations in a professional and compassionate way and I was with him when he had to make the decision to send men into a 70 mph wind in small boats and then ask them to come back and he knew it was in your hearts that you weren't coming back quickly because you were still doing our jobs. Jim Holl was a lifelong resident, he was a proud father and husband and an individual who installed the values that I just spoke about not only in the fire department, but he lived those values in everyday life and certainly his wife Maureen, his daughter Meghan and his son James will remember him as a great father and a great husband. The City of Brigantine will remember him as a great public servant. So, it is without doubt that we take this action tonight and appoint him as the Fire Chief, because there was never any doubt in my mind or in the mind of everyone in the Fire Department and the community that he was in fact the Chief and he was the person who was making the Brigantine Fire Department function so well. So at this time, I would ask Council to take the time for a unanimous roll call to appoint James Holl the Fire Chief.

CITY OF BRIGANTINE
RESOLUTION 2013-68

APPOINT JAMES HOLL TO FIRE CHIEF

Mayor Guenther offered his condolences the extended Holl Family on behalf of the entire City Council and said they should know that Brigantine is a better place because of Jim Holl and said that all of us are better people for having known him.

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

Motion Carried.

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Mayor Guenther thanked all the Fire Department members in attendance, saying how he understands they are all dealing with the sudden loss of Chief Holl and that he would be proud of how they have responded and the way they are supporting each other and the Holl Family.

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

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

CITY OF BRIGANTINE
RESOLUTION 2013-69

ACKNOWLEDGING TERMS OF AGREEMENT WITH
SOUTH JERSEY POWER COOPERATIVE

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

Motion Carried.

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

CITY OF BRIGANTINE
RESOLUTION 2013-70

COMMUNICATIONS SITE LEASE AGREEMENT BETWEEN CITY AND
SPRINT SPECTRUM, LP

City Manager Jennifer Blumenthal explained that the terms for this lease are for three consecutive five year periods.

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

Motion Carried.

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

RESOLUTION 2013-71
AMENDMENT OF
RENEWAL OF LAGUNA GRILL & RUM BAR LIQUOR LICENSE

Police Captain Ray Cox explained that since the new ownership last May, they have had very few disturbance calls and said that he had spoken to one of the new owners regarding the removal of the license conditions and the police department has no objection to this. Councilman DeLucry suggested that the current liquor license conditions be removed due to the new ownership and have the “slate wiped clean”. Mayor Guenther commented that the prior restrictions were based on issues at the establishment and he feels that most should stay. After discussion of each condition, it was decided that two restrictions will remain.

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

Motion Carried.

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By voice resolution, Council voted to adopt Resolution 2013-71 as amended with the first two conditions remaining.

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

Motion Carried.

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Councilman Kern moved, seconded by Councilman Simpson to adopt the following resolution.

RESOLUTION 2013-72
RENEWAL OF ST. GEORGES PUB LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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Councilman Kern moved, seconded by Councilman Simpson to adopt the following resolution.

RESOLUTION 2013-73
RENEWAL OF ANDRE’S ITALIAN RESTAURANT LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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

RESOLUTION 2013-74
RENEWAL OF THE CELLAR LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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

RESOLUTION 2013-75
RENEWAL OF ST. GEORGES PUB LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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

RESOLUTION 2013-76
RENEWAL OF OCEAN BEVERAGE LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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

RESOLUTION 2013-77
RENEWAL OF AMERICAN LEGION LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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

RESOLUTION 2013-78
RENEWAL OF BRIGANTINE YACHT CLUB LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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

RESOLUTION 2013-79
RENEWAL OF BRIGANTINE ELKS LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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

RESOLUTION 2013-80
RENEWAL OF BRIGANTINE VFW LIQUOR LICENSE

Captain Cox explained there were no concerns with this renewal.

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

Motion Carried.

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Manager/Council Committee Discussion: Dog Park

Ms. Blumenthal discussed the cost involved with sound proofing the current dog park or the relocation of the park.

Public Comment

Brielle, a dog park patron spoke in favor of the dog park; and expressed her concerns regarding ticks at the North End and Golf Course area; since she and her dog have contracted Lyme Disease.

A resident of the Condo Association that is located next to the dog park; expressed his concerns with the current location; saying that it is too close to the homes.

Tony Trusea a resident of Brigantine who resides ten feet from the entrance to the dog park; complained about the noise and explained that his dog barks constantly because of the other dogs. He questioned the legality of having the dog park located so close to the homes.

Ms. Blumenthal commented on the costs associated with relocating the park. Superintendent of Public Works Ernie Purdy said that he had done a cost estimate years ago, when the residents put together a petition.

Lynn Mauger of 1005 E. Beach Ave. spoke in favor of the dog park.

Sue Wick of 100 45th Street South said that she was on the dog park committee from the beginning; saying that from the beginning the gates and fencing were to be movable when a new location could be found.

Ms. Blumenthal suggested that they compile more information and get back to Council.

Mayor Guenther commented that he was disappointed that the miniature golf course was not open on Memorial Day and asked if Ms. Blumenthal knew when the new management company would be opening it. Ms. Blumenthal said that he was working on getting it opened as soon as possible.

Councilman DeLucry commented that he would like to see more discussion on the relocation of the park and would like input from all groups. Ms. Blumenthal said she would send letters to the homeowners association and to the current permit holders; so they can contact her with suggestions and comments.

A resident of Club Drive asked for clarification of where the possible beach location would be. Mr. Purdy told her it was the old catamaran beach, located at Dolphin Drive and explained that it was an unguarded beach. This resident then expressed her concerns and said she was not in favor of this location.

Anne Phelps spoke in favor of the dog park being relocated to the beach.

Donna Grady of 134 44th Street said that if there was this much discussion about the placement of the current dog park it might not have ever been put in the location. She then asked if there was ever any discussion on the current location. Mayor Guenther commented that at the time it seemed like a good idea and that it was the Dog Park Committee’s suggestion.

A resident of 44th Street South asked for clarification regarding the placement of the current dog park, saying that the fence is too close to the houses. He further stated that a resident could not build a fence that close to another resident's property so why should it have been done for the dog park.

Ms. Blumenthal discussed the sale of property. Councilman Kern asked how the City would establish value of property. Mr. Scerni commented that the State Statute regarding sale procedures differs between buildable or non-buildable lots and Councilman DeLucry commented that there should be a policy to establish procedures for each piece and felt that there should be restrictions. Mr. Scerni stated that State Statute dictates the rules and then it is up to Council as far as their digression regarding restrictions. He further commented that to have the conversation in the abstract is difficult; it would be easier if there was an actual property that was being discussed and added that the City does not have to sell any parcel just because it was requested.

Councilman Kern left the meeting.

Consent Agenda

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

RESOLUTION 2013-77
RENTAL INSPECTION FEE REFUND

RESOLUTION 2013-78
DUMPSTER PERMIT FEE REFUND

Risley Road Block Party Request
Fire Dept. Blood Drive Request
Brigantine PBA Annual Lt. Bill O'Brien Memorial Bicycle Rodeo Request
Festival of the Wind Request
PTA Craft Fair Request
Rams Movie Night Request

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

Motion Carried.

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Public Comment

Frank Gramkowski of 401 37th Street thanked the town for the upcoming Festival of the Wind event; saying that as a kite flyer he is grateful for the opportunity to participate in such an event.

Mike Feely of the Beachcomber News spoke about the upcoming Festival of the Wind event, saying there will be other events at the Community Center that include kite making that are open to the public.

Marion Gaudinski of 107 21st Street South spoke about the passing of Fire Chief James Holl saying she hopes that the family finds comfort in knowing Jim will be missed.

Close of Public Comment

Councilman Simpson asked Mr. Purdy to check on a property that has a raccoon problem. Mr. Purdy said he was taking care of the problem. Councilman Simpson asked Police Captain Cox to look into the traffic pattern at Washington and Heald, saying he has received numerous complaints.

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

There being no further business to discuss the meeting was adjourned at 9:00 P.M.

Mayor Philip Guenther

Lynn Sweeney, RMC
City Clerk