

MINUTES AUGUST 14th, 2023

START: 7:00 P.M.

PRESENT: MAYOR NICOL, COUNCILMEN GARRUZZO, GIANFORTE, GORHAM, NOLAN AND VISCEGLIA, ATTORNEY MONTENEGRO & ADMINISTRATOR NOLAN.

ABSENT: COUNCILMAN SHAAK

Mayor Nicol opened the meeting in compliance with the Open Public Meetings Act followed by a silent prayer, a salute to the flag and roll call. Mayor Nicol read a proclamation re: Danny Tobin.

Mayor Nicol asked for a motion to approve the Minutes of the July 10th, 2023 Meeting. A motion was made by Councilman Gianforte seconded by Councilman Nolan, all ayes, no nays. Approved.

Councilman Garruzzo, seconded by Councilman Nolan introduced Resolution 23-70 for passage of the consent agenda.

- A. To authorize the Brielle Library to park military vehicles on the grass for the period 11/1 to 11/3/23 as part of a Veterans Day Observance.
- B. (see insertion)
- C. To memorialize given for a clothing drive held in the Borough Hall Parking Lot on August 4, 2023.
- D. To authorize the Jersey Shore Runners Club to conduct their annual RunAPalooza race event through Brielle on April 27, 2024.
- E. (see insertion)
- F. To authorize the Mayor & Clerk to execute the Commodity Resale Agreement with Monmouth County.

Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes. No nays. Passed.

Councilman Visceglia seconded by Councilman Gorham, introduced Resolution 23-71 For Payment of Bills. Be It Resolved that the following bills be paid, and that the Mayor or President of Council be authorized to draw orders on the Chief Finance Officer for payment of the bills of August 14th, 2023, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then announced that the time had arrived for the introduction and passage on first reading of 'AN ORDINANCE TO AMEND CHAPTER SEVEN OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "VEHICLES AND TRAFFIC"'.

Councilman Garruzzo, seconded by Councilman Gianforte introduced Resolution 23-72 for passage and introduction of the foregoing ordinance on first reading. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes. Passed.

Councilman Garruzzo, seconded by Councilman Nolan, introduced Resolution 23-73 to authorize publication in the Coast Star for a hearing to be held on September 11, 2023, at 7:00pm, at Borough Hall. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then read a Proclamation.

Whereas, the Borough of Brielle has been formed in compliance with the applicable statutes, and

Whereas, it is fitting and proper for a municipal corporation to recognize those issues that pose a direct threat to the well-being of the community, and

Whereas, the Opioid Crisis and the efforts being made to combat it by the Prevention Coalition of Monmouth County are worthy of such recognition, and

Whereas, the Coalition has worked tirelessly to raise awareness and end the stigma associated with such addiction while, at the same time, both honoring the lives lost and celebrating those in recovery,

Whereas, such selfless work is indeed worthy of commemoration

Now Therefore Be Proclaimed, that August 31st, 2023 be designated as Overdose Awareness Day in the Borough of Brielle

Mayor Nicol then called for committee reports and recognized Councilman Gianforte, who had no report. Councilman Nolan who noted that the Recreation Summer Program had finished and was a great success. The Commission was now gearing up for the Brielle Dash on September 8. The Library's summer reading program continues through August 23, Harry Potter Movie Night will be August 22nd and the Cook Book Club meets on the 24th. The Environmental Commission would have a letter in the Coast Star concerning the need to preserve Nienstedt Island and to be cognizant of the need to be environmentally conscious when visiting the Island.

Councilman Garruzzo advised the public of Chief Olsen's concerns over the increased summer population, and he urged residents to lock their doors and motor vehicles.

Councilman Visceglia and Gorham having no reports the meeting was opened to the public and the Chair recognized Jeanne Thoma 123 Ashley Avenue who inquired about a recent Coast Star article and the reference to the Fair Share Housing Plan and the Borough's obligation of fourteen units.

Attorney Montenegro explained that the issue was currently a component of on-going litigation and he had advised Council against any discussion of the matter at this time.

J Lorenzo 927 Woodview Road voiced a concern over the limitation on the number of trash cans permitted by the contract. He felt that with a once-a-week collection two cans was inadequate. In the course of the discussion, it was noted that the borough was in year one of a five-year contract, but individual residents could negotiate with the contractor for an additional collection at their cost.

William Folker 719 Howell Drive cited his familiarity with the COAH Issue and asked if the Plan had been adopted. The Administrator informed him that the Planning Board had adopted a Fair Share Housing Plan.

Dave Eareckson 301 Old Bridge Road voiced his concerns over the housing issue and in a series of questions, noted that despite the recommendations of the Master Plan, the Borough took no action regarding COAH and implied that they were not at the mercy of on-going builder's remedy suits.

Attorney Montenegro refrained from going into any detail on the litigation and the Borough's response as he believed a settlement could dictate how and when the implanting ordinances required for the Fair Share Housing Plan would be codified, but he assured the public that they would have an opportunity for input at the ordinance hearing.

Eareckson noted that Brielle was one of only two municipalities in the state without a Fair Share Housing Plan.

Folker 719 Howell Drive interjected that Brielle was not unique and the COAH numbers had changed repeatedly since the initial adoption. As Eareckson had pointed out the 2000 obligation number was 179 and by 2016 it had risen to 340.

The Council assured the residents that collectively they all had the best interest of the community in mind as they proceeded with the litigation.

Attorney Montenegro added that Brielle had retained the services of the Surenian Law Firm and they were experts in defending municipalities in these matters.

Eareckson was again recognized on the issue of safety and cited young bicyclers as a major problem in particular on Riverview Drive. After an exchange of anecdotal examples, Councilman Garruzzo stated that he would address the issue with Chief Olsen as to increased enforcement but added that it would result in tickets being issued and the parents would not be appreciative of the effort. Eareckson said he supported strict enforcement as a lesson had to be taught.

Lorenzo was again recognized, and he asked why there was no parking on Osprey Point Drive as there was no parking all along the street as a water access easement was located there.

Mayor Nicol explained that the residents requested no parking and pointed out that there were parking spots across Riverview Drive by 911 Park. Lorenzo noted that the road was treacherous to cross. Lorenzo asked why residents could not be given a permit to park there and the Administrator explained that permit parking was no longer permitted by NJDOT.

There being no further questions the public portion was closed on a motion by Councilman Garruzzo seconded by Councilman Gorham. The meeting was adjourned at 7:43 p.m. on a motion by Councilman Gianforte seconded by Councilman Visceglia.

Approved: September 11th, 2023

Carol Baran
Municipal Clerk

Resolution No.: 23-70-B
Date: August 14th, 2023

**BOROUGH OF BRIELLE CERTIFICATION OF REQUEST FOR EMERGENCY
PURCHASES TO BE FILED WITH THE BOROUGH ADMINISTRATOR &
CERTIFIED PURCHASING AGENT**

The undersigned Department Head certifies as follows:

1. An emergency condition exists in the Borough Hall.
2. This condition constitutes an emergency affecting the immediate health, safety or welfare of the public.
3. The nature of the condition is as follows:

Tree removal. Tree had fallen across Bradley Avenue

4. The emergency occurred July 15th @ approximately 5:45 pm.
5. It is necessary to invoke N.J.S.A. 40a:11-6 in order to obtain the immediate delivery of the materials, supplies or performance of the service described in the attached requisition (see attached). The estimated cost of furnishing the materials, supplies or services is
6. It is requested that a Purchase Order be issued without public advertisement for bids, pursuant to the above cited statute.
7. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Thomas Nolan
Business Administrator

Jeff Weiss
Department Head

CERTIFICATION

I, Carol Baran, do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the 14th day of August 2023.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15th day of August 2023.

Carol Baran
Municipal Clerk

Resolution No.: 23-70-E
Date: August 14th, 2023

Resolution of the Borough of Brielle

Whereas, the Borough of Brielle is in receipt of two Utility Engineering and Construction Agreements, received from the State of New Jersey Department of Transportation, for the verification, design, protection and/or relocation of certain public works facilities, and

Whereas, the agreements are designated as UECA-06-SH BRIDGE-163120 (Water) and UECA-07-SH BRIDGE-163120 (Sewer), and

Whereas, each agreement requires execution by a Municipal Official and the Governing Body wished to designate the Business Administrator and Municipal Clerk to sign on behalf of the Borough, and

Whereas, NJDOT requires four copies of each agreement, complete with the Vendor Identification Verification and UECA Amendment and the Buy American Commitment Letter, and

Whereas, the Mayor & Council believe that execution of said agreements is necessary in order to preserve the integrity of the municipal water and sewer service.

Now Therefore Be It Resolved, that the Business Administrator & Clerk are hereby authorized to execute both agreement UECA-06-SH BRIDGE-163120 (water) and UECA-07-SH BRIDGE- 163120 (sewer), along with the required additional documents to include, but not be limited to the Vendor Identification Verification and Buy American Commitment Letter.

Certification

I, Carol Baran, Municipal Clerk of the Borough of Brielle do hereby certify that the foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at a meeting held on August 14th, 2023.

Witness my hand and seal of the Borough of Brielle this 15th day of August, 2023.

SEAL

Carol Baran
Municipal Clerk