

# ***Borough of Brielle***

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**FEBRUARY 11, 2019**

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May 15 2019

**February 11th, 2019**

MINUTES FEBRUARY 11th, 2019 WORK SESSION START: 7:30 PM

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

ABSENT: COUNCILMEN GORHAM, SHAAK AND VISGELIA

Mayor Nicol announced that any member of the public wishing to audio or video record a Council Meeting must give notice to the Borough Clerk prior to the meeting being recorded.

Mayor Nicol opened the Work Session in compliance with the Open Public Meetings Act and recognized the Administrator who had no report, but he asked to add a resolution to the consent agenda to ensure municipal compliance with the new NJDEP water quality guidelines.

Councilman Gianforte added that the quality of our drinking water was a vital concern he believed that it was a positive step to undertake the Assets Management Plan.

There being no questions from Council or the public, the work session was adjourned at 7:32 p.m. on a motion by Councilman Gianforte seconded by Councilman Nolan.

MINUTES FEBRUARY 11th, 2019 START: 7:33 P.M.

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

ABSENT: COUNCILMEN GORHAM, SHAAK AND VISGELIA

Following the announcement on recording devices, Mayor Nicol asked for a moment of silent prayer, a salute to the flag and a roll call.

Mayor Nicol then asked for a motion to approve the Minutes of the January 28th Regular Meeting. A motion was made by Councilman Gianforte seconded by Councilman Nolan, all aye; no nays. Passed. (Note: Councilman Nolan abstained).

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-21 for passage of the Consent Agenda.

Resolution:

- A. (see insertion)
- B. (see insertion)
- C. (see insertion)
- D. (see insertion)
- E. (see insertion)
- F. To accept a proposal from H2M, in the amount of \$12,900.00, to comply with a NJDEP mandated requirement to undertake an Asset Management Plan by April 19th, 2019 as part of the Borough's WQAA (Water Quality Accountability Act) compliance.

Vote: Councilmen Garruzzo, Gianforte & Nolan; all aye, No nays. Passed

Councilman Visceglia seconded by Councilman Shaak introduced Resolution 19-22 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 February 11th, 2019, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Council members Garruzzo, Gianforte & Nolan: all aye. No nays. Passed

Mayor Nicol then announced that the time for a hearing and further consideration of "AN ORDINANCE TO AMEND CHAPTER FOURTEEN OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "FIRE PREVENTION &

SAFETY”.

The hearing was opened on a motion by Councilman Gianforte seconded by Councilman Nolan.

The Administrator explained that the ordinance simply eliminated all references to the Brielle Fire Bureau to bring the ordinance into compliance with the new Inter-Local Agreement with Sea Girt.

The hearing was closed on a motion by Councilman Gianforte seconded by Councilman Nolan.

Councilman Garruzzo seconded by Councilman Nolan, introduced Resolution 19-23 for passage on final reading of the foregoing ordinance. Vote: Councilmen Garruzzo, Gianforte & Nolan; all aye. No nays. Passed.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-24 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte & Nolan; all aye. No nays. Passed.

The Mayor then called for committee reports and recognized Councilman Gianforte who had no report.

Councilman Nolan advised the public that the Library would conduct a One Hundred Days Until the Centennial observance on February 20th. Wine and cheese would be served.

Councilman Nolan also noted that plans were underway to upgrade the path between Borrie and Woodland Avenue.

Councilman Garruzzo having no report, the meeting was open to the public. There being no public comment, the meeting was closed on a motion by Councilman Gianforte seconded by Councilman Nolan at 7:36pm.

Approved: February 25th, 2019

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-21-A  
Date: February 11th, 2019

RESOLUTION OF THE BOROUGH OF BRIELLE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CONCERNING THE VOTING REQUIREMENTS FOR PASSAGE OF A RESOLUTION.

WHEREAS, pursuant to N.J.S.A. 40A:60-5(e), the voting requirements for passage of an ordinance, or appointment of a subordinate officer of the borough, are specifically provided for in the statute; and WHEREAS, there is no such statutory provision concerning the voting requirements for passage of a borough resolution; and

WHEREAS, the Governing Body wishes to confirm its past practice regarding the voting requirements for passage of a resolution; and

WHEREAS, the past practice of the Governing Body has always been to require the affirmative vote of a majority of a quorum to pass a borough resolution; and

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Brielle hereby declares that the affirmative vote of a majority of a quorum is needed to pass a borough resolution, with the mayor only voting in the case of a tie.

#### CERTIFICATION

The foregoing is a true copy of a resolution approved by the Brielle Mayor & Council at a meeting held on February 11th, 2019.

Witness my hand and seal of the Borough of Brielle this 12th day of February 2019.

SEAL

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-21-B  
Date: February 11th, 2019

#### RESOLUTION OF THE BOROUGH OF BRIELLE

WHEREAS, On February 1st, 2019 a water main break occurred on Union Lane, east of State Highway 71, and on February 4th, 2019 a second break occurred on Borrie Avenue between Morgan Parkway & South Street, and

WHEREAS, the breaks resulted from cold weather caused by a polar vortex and could not Have reasonably been foreseen, and

WHEREAS, both breaks required immediate attention and there was no opportunity to solicit quotes for the performance of this work.

NOW, THEREFORE BE IT RESOLVED, that an Emergency is hereby declared relative to the work performed to fix these water main breaks.

#### CERTIFICATION

The foregoing is a true copy of a resolution approved by the Brielle Mayor & Council at a meeting held on February 11th, 2019.

Witness my hand and seal of the Borough of Brielle this 12th day of February 2019.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.:19-22-C  
Date: February 11th, 2019

WHEREAS, there is an Escrow Accounts for variance work done at the following property that is completed and a refund can be done to close this out:

Block 30.01 Lot 11 523 Borrie Avenue, owned by Jason & Laura York, \$1,440.60

NOW, THEREFORE, BE IT RESOLVED that the amount of \$1,440.60 be refunded and a check be drawn as shown above to officially close out this account.

#### CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, February 11th, 2019.

Witness my hand and seal of the Borough of Brielle this 12th day of February 2019.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.:19-22-D  
Date: February 11th, 2019

WHEREAS, there exists a Tax Title Lien on property located at Block 65.01 Lot 16, 616 Cherokee Lane, lien purchased by Christiana T C/F First Trust Bank, and

WHEREAS, payment for redemption in the amount of \$34,596.86 has been received by the borough,

NOW, THEREFORE, BE IT RESOLVED that 2 checks be drawn payable to Christiana T C/F in the amount of \$34,596.86 for lien redemption and \$24,700.00 for return of premium bid at sale to enable cancellation of this lien.

Certification

The foregoing is a true copy of a Resolution passed by the Mayor & Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, February 11th, 2019.

Witness my Hand and Seal of the Borough of Brielle this 12th day of February 2019.

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Thomas Nolan  
Municipal Clerk

Resolution No.:19-22-E  
Date: February 11th, 2019

WHEREAS, there exists a Tax Title Lien on property located at Block 7.01 Lot 11 310 Lenni Lenape Trail purchased by Pro Cap 7LLC

WHEREAS, payment for redemption in the amount of \$1,052.10 has been received by the borough,

NOW, THEREFORE, BE IT RESOLVED that 2 checks be drawn payable to Pro Cap 7 LLC in the amount of \$1,052.10 for lien redemption and \$100.00 for return of premium bid at sale to enable cancellation of this lien.

Certification

The foregoing is a true copy of a Resolution passed by the Mayor & Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, February 11th, 2019.

Witness my Hand and Seal of the Borough of Brielle this 12th day of February 2019.

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Thomas Nolan  
Municipal Clerk