

MINUTES: April 25th, 2022

START: 6:05 P.M.

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

ABSENT: COUNCILMEN GARRUZZO

Mayor Nicol announced that this meeting was being held virtually in compliance with Executive Order No. 103 and was being recorded.

There being no need for a work session, Mayor Nicol then read the compliance statement and the Regular Council Meeting was opened, after a pledge of allegiance to our flag. Mayor Nicol asked for a roll call.

Mayor Nicol then asked for a motion to approve the Minutes of the April 11th, 2022 meeting. A motion was made by Councilman Gianforte seconded by Councilman Shaak, all ayes, no nays. (Councilman Visceglia abstained)

Mayor Nicol then announced that the time had arrived for a hearing on the 2022 Municipal Budget. The hearing was opened on a motion by Councilman Shaak seconded by Councilman Gorham.

Councilman Visceglia explained that the budget called for \$8,057,692.80 to support the operational costs of the Borough. There would be no increase to the municipal tax rate.

There being no further comments the budget hearing was closed on a motion by Councilman Gianforte seconded by Councilman Gorham.

Councilman Shaak seconded by Councilman Nolan introduced Resolution 22-45 for passage of the 2022 municipal budget (see insertion). Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Nolan seconded by Councilman Gorham, introduced Resolution 22-46 for passage of the Consent Agenda.

Resolution:

A. (see insertion)

Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 22-47 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 April 25th, 2022, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. Passed.

Mayor Nicol then announced that the time had arrived for the hearing and further consideration of “BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENT AND THE ACQUISITION OF CAPITAL EQUIPMENT, APPROPRIATING \$989,250.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$608,000.00 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED INM AND FOR THE BOROUGH OF BRIELLE, IN THE COUNTY OF MONMOUTH, NEW JERSEY”.

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

The Administrator explained that the ordinance would enable the Borough to implement the capital portion of the 2022 municipal budget. \$608,000.00 would be raised by bonds or notes and the balance was being provided by grants from NJDOT.

There being no comment from the public or members of council, the hearing was closed on a motion by Councilman Shaak seconded by Councilman Visceglia.

Councilman Shaak seconded by Councilman Nolan introduced Resolution 22-48 for passage on final reading of the foregoing ordinance. Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Shaak seconded by Councilman Gianforte introduced Resolution 22-49 to authorize publication in the Coast Star in accordance with Local Bond Law. Vote: Council Members Gianforte, Gorham, Nolan, Shaak & 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 FOUR OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “GENERAL LICENSING”.

Councilman Shaak seconded by Councilman Nolan introduced Resolution 22-50 for passage on introduction and first reading of the foregoing ordinance. Vote: Council Members Gianforte, Gorham, Nolan Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Visceglia seconded by Councilman Gianforte, introduced Resolution 22-51 to authorize publication in the Coast Star for a hearing to be held by virtual means on

May 9th, 2022 @ 6:00pm. Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye, no nays. Passed.

Mayor announced that the time had arrived for the introduction and passage on first reading of 'AN ORDINANCE TO AMEND CHAPTER SIXTEEN OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "STREETS & SANITATION"'.

Councilman Shaak seconded by Councilman Gianforte introduced Resolution 22-52 for passage on introduction and first reading of the foregoing ordinance. Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Shaak seconded by Councilman Gianforte introduced Resolution 22-53 to authorize publication in the Coast Star for a hearing to be held by virtual means on May 9th, 2022 @ 6:00pm. Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then read the following proclamation (Insert).

Whereas, The State legislature has designated the last Friday in April as Arbor Day, and **Whereas**, it is the purpose of this designation to encourage the planting of shade and forest trees, to encourage the harvesting of forest crops by approved conservation measures, and to encourage the protection of forests from the scourge of devastating fires, insects, and diseases that destroy the beauty and usefulness of our woodlands as well as endangering the wildlife that inhabit them, and

Whereas, public endorsement of the foregoing measures, through the observance of Arbor Day, will help to preserve the natural resources of our forests and ensure that this heritage endures for future generations.

Now Therefore, Be it Proclaimed, that Friday, April 29th, 2022 be observed as Arbor Day in the Borough of Brielle, and the Governing Body hereby urges all Brielle residents to plant one or more trees in honor of the day and to actively participate in all sponsored Arbor Day activities within the Borough of Brielle.

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

Nolan advised that the new Librarian, Mary Beth Pilla, was familiarizing herself with the operation. Councilman Nolan also noted that the Pickle Board Courts had been painted and were ready for play. Sign-ups were on-line. The annual North vs. South competition would be held on June 6th from 9:00am to 4:00pm.

Councilman Shaak pointed out that NJ Transit had mobilized on the Green Avenue site and work on the railroad crossing would begin soon. The work would take about a week and be completed before Memorial Day weekend.

Page 28

Councilman Shaak also reminded the public that Bulk Pick-up would begin May 9th and run through the week on the regular day of individual collection.

Councilmen Visceglia and Gorham having no reports, the meeting was opened to the public.

The Administrator having already noted that no public comments on the agenda items had been received either by mail or e-mail

The meeting was adjourned at 6:15pm on a motion by Councilman Shaak, seconded by Councilman Garruzzo.

Approved: May 9th, 2022

Carol Baran
Municipal Clerk

Resolution No.: 22-45
Date: April 25th, 2022

Be It Resolved, by the Borough Council of the Borough of Brielle, County of Monmouth that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated and the sums therein set forth as appropriations, and authorization of the amount of \$8,507,692.80 for municipal purposes.

Vote: Council Members Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays.

Absent: Councilman Garruzzo. None abstained. Passed.

CERTIFICATION

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at a meeting held on April 25th, 2022.

Witness my hand and seal of the Borough of Brielle this 26th day of April 2022.

ATTEST:

Carol Baran
Municipal Clerk

Resolution No.: 22-46-A
Date: April 25th, 2022

A RESOLUTION URGING THE NEW JERSEY LEGISLATURE TO AMEND THE BUDGET CAP LAW TO APPROPRIATE FUNDS FOR INCREASING INSURANCE COSTS

WHEREAS, pursuant to N.J.S.A. 40A:4-45, et al, a municipality is required to limit any increase in its levy to 2.0% and any increase in appropriations to 2 1/2% or the cost-of-living adjustment, whatever is less, over the prior year's final appropriations subject to certain exceptions; and
WHEREAS, all local public entities, including participating municipalities in the Municipal Excess Liability Joint Insurance Fund (MEL), has incurred an estimated \$50 million in COVID related worker's compensation claims and it is anticipated that these costs will continue to increase as a result of long-term COVID cases; and
WHEREAS, a 2021 New Jersey Department of Labor decision regarding worker's compensation funding has generated increased costs to the members of the MEL by over 10% in order to cover claims that were previously funded by the State pension system; and
WHEREAS, a recent amendment to the sexual molestation statute of limitations will increase total liability costs for members of the MEL system by an estimated amount of 6% in 2023; and
WHEREAS, the frequency of weather-related catastrophic claims and corresponding impacts are anticipated to increase property insurance costs by over 10% per year; and
WHEREAS, cyber liability events throughout the country have resulted in twice the amount of premium costs in 2022 and such costs are expected to accelerate at a pace far greater than the rate of inflation; and
WHEREAS, these increasing costs, regulations, policy decisions and environmental impacts are occurring when many other items and costs in municipal budgets are also increasing at an inflationary rate; and
NOW THEREFORE BE IT RESOLVED by the Governing Body of the (NAME OF MUNICIPALITY) that N.J.S.A. 40A:4-45 be amended to provide that appropriations in the first three years after the effective date of (this amendment) for liability insurance, worker's compensation insurance, cyber insurance, and property insurance be exempt from the Appropriation CAP and the Levy CAP.

BE IT FURTHER RESOLVED that a copy of this resolution shall be sent to the New Jersey Legislative representative for the Borough of Brielle.

CERTIFICATION

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at a meeting held on April 25th, 2022.

Witness my hand and seal of the Borough of Brielle this 26th day of April 2022.

ATTEST:

Carol Baran
Municipal Clerk