

MINUTES: May 23rd, 2022

START: 6:00 P.M.

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

ABSENT: NONE

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 May 9th, 2022 meeting. A motion was made by Councilman Gianforte seconded by Councilman Shaak, all ayes, no nays.

Councilman Garruzzo seconded by Councilman Nolan, introduced Resolution 22-54 for passage of the Consent Agenda.

Resolution:

- A. To approve a Special Event Permit for a Block Party, Jeanne Lane, September 24th, 2022
- B. (see insertion)
- C. (see insertion)
- D. (see insertion)
- E. (see insertion)
- F. (see insertion)
- G. (see insertion)
- H. (see insertion)
- I. (see insertion)
- J. (see insertion)
- K. To authorize a Special Event Permit for Car Show sponsored by Surf Corvette Club, June 5th (Rain Date June 12th) in Waterman's Tavern parking lot.
- L. (see insertion)
- M. (see insertion)
- N. To authorize four residents of Fisk Avenue to submit one \$100.00 fee to cover four separate encroachment permits. Including a hold-harmless agreement.

Vote: Council Members Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed. (Councilman Garruzzo abstained on resolutions B through H. Councilman Gianforte abstained on resolution I. Councilman Visceglia abstained on resolutions C, F and I)

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 22-61 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 May 23rd, 2022, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

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

Councilman Nolan advised that the North vs. South competition was on for June 4th and promises to be a great day featuring volleyball, softball, basketball, and tug of war. Over seven hundred residents have entered the competition. The Pickle Ball courts would soon open as punch list items were now being addressed. The construction of new kayak racks will be continuing over the next three weekends.

New Jersey Natural Gas has been repairing trenches along Higgins Avenue and hoped to complete the job before Memorial Day.

Turning to the Library cited the Medicare Seminar on May 24th, Paint & Sip on May 26th and Author Steve Berry on June 7th.

Councilman Garruzzo had no report, but he praised the Fire Company's "Wet Down" on Saturday noting that it was well attended, and the "kids" had a great time.

Councilmen Shaak, Gorham & Visceglia having no reports, the Municipal Clerk advised that no public comment had been received from by either e-mail or regular mail Brielle prior to the meeting.

Mayor Nicol then cited his attendance at events at the Brielle Sports Club and the Wet Down on Saturday. At both events he was approached by residents who praised the beauty of the Borough and how well kept it was. Mayor Nicol tipped his hat to the D.P.W. for a job well done.

The Mayor then announced that the Council intended to return to "in-person" meetings on June 27th barring some new covid developments. The Administrator advised that proper public notice would be given, and the room would be made ready.

The meeting was adjourned at 6:17pm on a motion by Councilman Shaak seconded by Councilman Visceglia.

Approved: June 13th, 2022

Carol Baran
Municipal Clerk

Resolution No.:22-60-B
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-010-008, and

Whereas, the application is complete, the \$2,225.00 fee due the Borough of Brielle and the \$200.00 fee due to the State of New Jersey, Division of Alcoholic Beverage Control have been received, and all municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received.

Now therefore be it resolved, that the application of RPVR, Inc. T/A Due Amici for premises located at 420 Higgins Avenue, Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue the license for the license year July 1st, 2022 through June 30th, 2023.

Certification

The foregoing is a true copy of a Resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, May 23rd, 2022.

Witness my Hand and Seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk

Resolution No.:22-60-C
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-008-001,
and

Whereas, the application is complete, the \$2,225.00 fee due the Borough of Brielle and the \$200.00 fee due to the State of New Jersey, Division Of Alcoholic Beverage Control have been received, and all municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received.

Now therefore be it resolved, that the application of Manasquan River Golf Club, for premises located at 847 Riverview Drive (PO Box 505), Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue the license for the license year July 1st, 2022 through June 30th, 2023.

Certification

The foregoing is a true copy of a Resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held on May 23rd, 2022.

Witness my Hand and Seal of the Borough of Brielle this 24th day of May 2022.

SEAL

Carol Baran
Municipal Clerk

Resolution No.:22-60-D
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, Hoffman's Restaurant, LLC., with premises located at 622 Green Avenue, has made application for the renewal of Seasonal Liquor License #1308-34-003-006, for the license Period July 1st, 2022 through November 15th, 2022, and May 1st, 2023 to June 30th, 2023, and

Whereas, the application being complete, \$1,650.00 fee paid to the Borough of Brielle, \$200.00 fee due to The State Of New Jersey Division Of Alcoholic Beverage Control having been paid.

Now therefore be it resolved, that the Municipal Clerk is hereby authorized to issue said license, subject to the following conditions:

1. Amplified outdoor music shall be prohibited on the Hoffman's Restaurant property. This prohibition shall include both live Musicians and DJs.
2. Valet Parking shall be provided when the adjacent parking lot at Hoffman's Marina is utilized.

This condition No. 2 was agreed upon by the applicant.

A violation of these condition may result in suspension or revocation of the license.

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Witness my Hand and Seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk

Resolution No.:22-60-E
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-004-008,
and

Whereas, the application is complete, the \$2,225.00 fee due the Borough of Brielle and the \$200.00 fee due to the State of New Jersey, Division of Alcoholic Beverage Control have been received, and all municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received.

Now therefore be it resolved, that the application of Brenda's III, LLC, T/A Waterman's Tavern for premises located at 403 Higgins Avenue, Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue the license for the license year July 1st, 2022 through June 30th, 2023.

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at a meeting held on May 23rd, 2022.

Witness my hand and seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk

Resolution No.:22-60-F
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-31-013-001, and

Whereas, the application is complete, the \$75.00 fee due the Borough of Brielle has been waived, the \$200.00 fee due to the State of New Jersey, division of alcoholic beverage control received, and all municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received.

Now therefore be it resolved, that the application of Brielle Fire Company Inc. T/A Brielle Fire Company for premises located at 509 Longstreet & Cardeza Avenues, Brielle, NJ is hereby approved and the municipal clerk is authorized to issue the license for the license year July 1st, 2022 through June 30th, 2023.

Certification

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Witness my Hand and Seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-005-004, and

Whereas, the application is complete, the \$2,225.00 fee due the Borough of Brielle and the \$200.00 fee due to the State of New Jersey, Division of Alcoholic Beverage Control have been received, and all municipal requirements have been met, and

Whereas, The Governing Body has been made aware of noise concerns at this location and the holders of the license have agreed to the imposition of conditions to address these concerns.

Now therefore be it resolved, that the following conditions are hereby imposed on license #1308-33-005-004, Ship Wreck, LLC T/A Ship Wreck Grill:

1. All doors & windows shall be kept closed whenever any live music is played
2. Regarding the use of the deck area, all conditions imposed by the Brielle Planning Board regarding the limitation of service on the deck, as stated in their resolution (8/9/95) and further memorialized in the municipal resolution 96-46-E which authorized a place-to-place transfer to permit utilization of the deck, shall be incorporated into this resolution as addendum #1
3. In the event there is any modification of the conditions imposed by the Planning Board, the Municipal resolution shall mirror these conditions, but it shall be the applicant's responsibility to advise the Governing Body of any such change to ensure that the exact language is incorporated into addendum # 1.

Now therefore be it resolved, that application of Shipwreck Inn, LLC T/A Ship Wreck Grill for premises located at 720 Ashley Avenue Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue said license for the license year July 1st, 2022 through June 30th, 2023.

Certification

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Witness my Hand and Seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk

Resolution No.:22-60-H
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-44-007-004, and

Whereas, the application is complete, the \$1,620.00 fee due to the Borough of Brielle and the \$200.00 fee due to The State of New Jersey, Division of Alcoholic Beverage Control, have been received and all other municipal requirements have been meet, and

Whereas, no objections to the renewal of this license have been received

Now therefore be it resolved that the application of Jonathon Ron Beverage Corporation T/A JRs Bevco for premises located at 629 Higgins Avenue Brielle, New Jersey, is hereby approved and the Municipal Clerk is hereby authorized to issue said license for the license period July 1st, 2022 through June 30th, 2023.

CERTIFICATION

The foregoing is a true copy of a resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held on the 23rd day of May 2022.

Witness my Hand and Seal of the Borough of Brielle this 24th day of May 2022.

SEAL

Carol Baran
Municipal Clerk

Resolution No.:22-60-I
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, an application has been received for the renewal of Club License #1308-31-014-001, and

Whereas, the application is complete, the \$75.00 municipal fee has been paid, and the \$200.00 fee due to the A.B.C. has been paid, and all municipal requirements have been met, and

Whereas, no objections to granting this license have been received.

Now Therefore Be It Resolved, that the application of Manasquan River Yacht Club, for premises located at 405 Riverview Lane Brielle, New Jersey is hereby approved, and the Municipal Clerk is authorized to issue the license for the License year July 1st, 2022 through June 30th, 2023.

Certification

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Witness my Hand and Seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk

Resolution No.: 22-60-J
Date: May 23rd, 2022

BE IT RESOLVED that the Borough of Brielle retain the services of Bonnie R. Peterson, Esq.
1201 SW Central Avenue Seaside Park, NJ 08752 as Alternate Borough Prosecutor.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council
held on Monday, May 23rd, 2022.

Witness my hand and seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk

Resolution No.:22-60-L
Date: May 23rd, 2022

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-011-013, and

Whereas, the application is complete, the \$2,225.00 fee due to the Borough of Brielle and the \$200.00 fee due to The State of New Jersey, Division of Alcoholic Beverage Control, have been received and all other municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received

Now therefore be it resolved that the application of CD & CM Holdings, LLC, T/A La Mondina for premises located at 110 Union Avenue (Route #71), Brielle, New Jersey, is hereby approved and the municipal clerk is hereby authorized to issue said license for the license period July 1st, 2022 through June 30th, 2023.

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Carol Baran
Municipal Clerk

Urging the Swift Passage of S-330 which restores Energy Tax Receipts

WHEREAS, taxes on gas and electric utilities were originally collected by the host municipalities to be used for local purposes and to compensate the public for the use of their rights of way; and

WHEREAS, when the State made itself the collection agent for these taxes, it promised to dedicate the proceeds to municipal property tax relief; since, just as municipalities collect property taxes for the benefit of school districts, counties, and other entities, the State is supposed to collect Energy Taxes for the benefit of municipal governments; and

WHEREAS, for years, though, State budget makers have diverted funding from Energy Taxes to fund State programs; and instead of being spent on local programs and services and used to offset property taxes, the money has been spent as successive Legislatures and Administrations have seen fit; and

WHEREAS, the diversion of dedicated energy tax receipts to the State's General Fund further jeopardizes this critical property tax relief funding in future years; and

WHEREAS, by reducing Consolidated Municipal Property Tax Relief Act (CMPTRA), which is also comprised of revenues that should be returned to municipalities, State Budget makers have been able to continue collecting Energy Taxes, while keeping additional revenue that should have been returned to provide property tax relief; and

WHEREAS, the cumulative impact of years of underfunding has left many municipalities with serious needs and burdensome property taxes; and

WHEREAS, local elected officials are in the best position to decide the best use of these resources, which were always intended to fund local programs and services; and

WHEREAS, Senator Singleton and Senate President Scutari have introduced legislation (S-330) that will restore, over a five-year period, Energy Tax Receipts to municipalities;

NOW, THEREFORE, BE IT RESOLVED, that the governing body of the borough of Brielle in the County of Monmouth urges the Legislature to swiftly pass this legislation and Governor Murphy sign the legislation prior to passage of the FY2023 State budget; and

BE IT FURTHER RESOLVED that a copy of this Resolution is forwarded to Senator Singer, Assemblymen Kean and Thompson, Senate President Scutari, Assembly Speaker Coughlin, Governor Murphy, and the League of Municipalities.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, May 23rd, 2022.

Witness my hand and seal of the Borough of Brielle this 24th day of May 2022.

Carol Baran
Municipal Clerk