

# ***Borough of Brielle***

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**AUGUST 12, 2019**

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September 13 2019

**August 12th, 2019**

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MINUTES August 12th, 2019 WORK SESSION START: 7:30 PM

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

ABSENT: NONE

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 then opened the Work Session in compliance with the Open Public Meetings Act and recognized the Administrator who had no report but asked to add two resolutions to the consent agenda. The first would authorize the preparation of plans and specifications and construction administration for the ADA improvements to Borough Hall. The second is a Chapter 159 Resolution to permit the use of grant money.

The Chair then recognized Councilman Garruzzo who announced the promotion of Special Officer Dante Brown to the rank of Probationary Patrolman. Councilman Garruzzo advised that Dante joined the Department as a Class II Officer on July 23rd, 2018. Prior to joining the Brielle Police Department, Officer Brown had been employed by the Asbury Park Police Department for a period of five years as a Class I and a Class II Officer.

Officer Brown was raised in Neptune Township by his parents, Cynthia and Winston Brown. He has a sister Monae. Officer Brown graduated from the Monmouth County Police Department as a Class II Special Officer on May 23rd, 2017. Officer Brown also holds an Associate Degree in Criminal Justice from Brookdale Community College.

Retired Chief Michael Palmer being present he noted how, upon the recommendation of Eugene Delo of the Asbury Park Police Department he interviewed Dante for the position of Class II Special, He pointed out that Brielle is a demanding place to work and expectations run high, but Dante rose to the occasion. Chief Palmer did remind Patrolman Brown to always keep his smile.

Chief Olsen welcomed Dante to the Brielle family and echoed Chief Palmer as to the demand the department placed on its officers. We demand more and expect more. Officers must show professionalism, pride and integrity and Dante exhibited those virtues. The Chief noted that Brielle was the best department in the state and with Dante's promotion; it just got better.

Chief Olsen thanked the Mayor & Council for their support of the promotion, and he welcomed Dante's Parents to the Brielle Family.

Mayor Nicol offered that Dante's parents had done a great job in raising him and noted that he had been a resident of Neptune Township for twenty-three years prior to moving to Brielle.

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Patrolman Brown was recognized, and he thanked the Mayor & Council, Chief Olsen for their support and in providing him with this opportunity.

Councilman Shaak then referenced the events of July 1st when the Brielle First Aid Squad, where he serves as Captain, received a call. At first it was received as a seizure, but a second call advised that CPR was in progress. Upon arrival, the Squad found that Michael Franzoni was engaged in CPR.

Mr. Franzoni had heard a commotion and responded, the man in distress was a stranger, but without hesitation he remembered his CPR training and sprang into action, calling 911, and then commencing CPR. Thanks to his efforts the patient revived and was taken to the hospital where he unfortunately passed on, but Michael's efforts had given him a chance.

Councilman Shaak then read a Proclamation (see insertion) Family and friends, retired Sergeant Murphy from

Manasquan and Ms. Zantucci, join Michael for a commemorative photograph.

There being no questions from Council or the public, the work session was adjourned at 7:50 p.m. on a motion by Councilman Gianforte seconded by Councilman Nolan.

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MINUTES August 12th, 2019 START: 7:51 P.M.

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

ABSENT: NONE

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 July 15th, Regular Meeting. A motion was made by Councilman Gianforte seconded by Councilman Nolan; all aye; no nays. Passed. (Note: Councilman Shaak abstained)

Councilman Garruzzo seconded by Councilman Shaak introduced Resolution 19-69 for passage of the Consent Agenda.

Resolution:

- A. (See insertion)
- B. (See insertion)
- C. (See insertion)
- D. (See insertion)
- E. (See insertion)
- F. To renew the Shared service Agreement with Monmouth County re: Records Management.
- G. (See insertion)
- H. (See insertion)
- I. To authorize the Boy Scouts to conduct a clean-up of Nienstedt Island, Sept. 21 & 22, 2019
- J. (See insertion)
- K. (See insertion)
- L. To accept a proposal for professional services ADA Improvements to Borough Hall, Design, Construction Administration & Construction Inspection in an aggregate amount of \$19,900.00.
- M. (See insertion)

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

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 19-66 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 July 15th, 2019, as reviewed by the Finance Committee and as listed on the Resolution and the Page 63

Computer Bill List amended thereto. Vote: Council Members Garruzzo, Gianforte, Gorham, Nolan & Visceglia: all aye. No nays. Passed

The Mayor then called for committee reports and recognized Councilman Gianforte who had no report but cited the elevation of two Eagle Scouts Ian Walsh & Paddy Brennan at the Fire House on Sunday.

Councilman Nolan noted that the Library will be conducting a painting contest to determine decorations for the four panels on the wall running along the right front side of the building. The contest is open to all students, individual or team, with a September 29th deadline for draft drawings. Paintings must be completed by October 31st.

Councilman Nolan also thanked Mayor & Council for authorizing the Island Clean-up by the Scouts.

Councilman Garruzzo advised that National Night Out had been a success with increased participation. He thanked Councilman Visceglia for his work "behind the grill". The Marine Unit continues to be busy. The

department also ran a vehicle inspection check point, in partnership with the State Motor Vehicle Commission. Of forty vehicles inspected to ensure compliance by removing dangerous vehicles from the road and promoting safe driving practices, eight failed and fourteen summonses were issued. There was also one arrest for possession of a controlled dangerous substance and possession of drug paraphernalia.

On August 21st another pedestrian safety operation will be held on State Highway #71. Pedestrians will also be spoken to ensure that they are also following the law and crossing properly. Pedestrians should always use the designated marked crosswalks and never cross in the middle of an intersection.

The "Drive Sober or Get Pulled Over" campaign will be conducted from August 8th to September 2nd. The event highlights an effort that is in effect year around.

Councilman Shaak advised that the Mamie Moon Memorial Walk connecting Borrie and Woodland Avenues had been completed and would be a boon for area residents. Councilman Shaak also noted that the Union Lane project was on schedule and would be completed before the beginning of the school year.

Councilman Gorham & Visceglia having no reports the meeting was opened for public comment.

Charlotte Madison, 206 Homestead Road, cited an on-going problem with the dumpster at Hoffman's Landing. Despite her complaints to Code Enforcement and the Municipal Court, she had been told by the Judge, via letter, that there was no probable cause for action, despite her photographs and outline of the problem of the dumpster door being continually left open, contrary Page 64

to Borough Ordinance, and obvious health hazard caused by spilled trash. She had been referred to Zoning. She asked for direction.

The matter was referred to Attorney Montenegro who would contact the municipal court and attempt to provide a course of action.

There being no further comments, the meeting was closed on a motion by Councilman Gianforte, seconded by Councilman Garruzzo at 7:56pm.

Approved: September 9th, 2019

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Thomas F. Nolan  
Municipal Clerk.

Resolution No.: 19-69-A

Date: August 12th, 2019

**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 Public Works Department.
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:

Repair of a sink hole at 616 Borrie avenue, that resulted from a water main break, the repair of a water main at 616 Cedarcrest drive on June 18th, 2019, the repair of a sink hole on Fisk avenue and on Cedarcrest drive, July 29th, 2019.

4. 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

5. It is requested that a Purchase Order be issued without public advertisement for bids, pursuant to the above cited statute.

6. 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.

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Thomas Nolan Department Head  
Business Administrator

CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.  
In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of August 2019.

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Thomas F. Nolan  
Municipal Clerk  
Resolution No.: 19-69-B  
Date: August 12th, 2019

RESOLUTION FOR RENEWAL OF MEMBERSHIP IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND

WHEREAS, Brielle Borough is a member of the Monmouth Municipal Joint Insurance Fund; and  
WHEREAS, said renewed membership terminates as of December 31st, 2019 unless earlier renewed by agreement between the Municipality and the Fund; and

WHEREAS, the Municipality desires to renew said membership;

NOW THEREFORE, be it resolved as follows:

1. The Brielle Borough agrees to renew its membership in the Monmouth Municipal Joint Insurance Fund and to be subject to the Bylaws, Rules and Regulations, coverages, and operating procedures thereof as presently existing or as modified from time to time by lawful act of the Fund.
2. The Mayor and Clerk shall be and hereby are authorized to execute the agreement to renew membership annexed hereto and made a part hereof and to deliver same to the Monmouth Municipal Joint Insurance Fund evidencing the Municipality's intention to renew its membership.

This Resolution agreed to this 12th day of August 2019 by a vote of:

Affirmative

Negative

CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.  
In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of August 2019.

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Thomas F. Nolan  
Municipal Clerk  
  
Resolution No.: 19-69-C  
Date: August 12th, 2019

Resolution of the Borough of Brielle

Whereas, Dante Brown has demonstrated the ability and qualifications required to serve as a Probationary Police Officer,

Now Therefore Be It Resolved, that Dante Brown is appointed a Probationary Patrolman for the Borough of Brielle, effective as of August 12th, 2019.

Vote: Council members Garruzzo, Gorham, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed.  
Absent: None

#### CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.  
In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of August 2019.  
SEAL

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-69-D  
Date: August 12th, 2019

#### 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:

4. An emergency condition exists in the Public Works Department.
5. This condition constitutes an emergency affecting the immediate health, safety or welfare of the public.
6. The nature of the condition is as follows:  
Storm damage Birch Drive & Teaberry Lane on July 22, 2019. Lighting strikes and strong winds impacted the trees and they had to be removed to enable JCP&L crews to restore power.
7. 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
8. It is requested that a Purchase Order be issued without public advertisement for bids, pursuant to the above cited statute.
9. 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 Department Head  
Business Administrator

#### CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.  
In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of August 2019.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-69-E  
Date: August 12th, 2019

Borough of Brielle

Resolution: Approval to submit a grant application and execute a grant contract with the New Jersey Department of Transportation for the Improvements to Union Lane — Phase III project.  
NOW, THEREFORE, BE IT RESOLVED that Council of Borough of Brielle formally approves the grant application for the above stated project.  
BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to submit an electronic grant application identified as MA2020 Improvements to Union Lane — Phase III 00441 to the New Jersey Department of Transportation on behalf of Borough of Bridle.

BE IT FURTHER RESOLVED that the Mayor and Clerk are hereby authorized to sign the grant agreement on behalf of Borough of Brielle and that their signature constitutes acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Certified as a true copy of the Resolution adopted by the Council On this 12th day of August 2019

CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of August 2019.

\_\_\_\_\_  
Thomas F. Nolan

Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

ATTEST and AFFIX SEAL \_\_\_\_\_  
(Clerk) (Presiding Officer)

Resolution No.: 19-69-G

Date: August 12th, 2019

A RESOLUTION URGING LEGISLATORS TO TAKE ACTION TO OPPOSE AND SEEK CHANGES TO THE REAUTHORIZATION OF THE NATIONAL FLOOD INSURANCE PROGRAM (NFIP)

Whereas, floods are one of the most common and most destructive natural disasters in the United States, and

Whereas, the National Flood Insurance Act authorizes a National Flood Insurance program (NFIP), and Whereas, the NFIP is a program created by Congress to mitigate future flood losses across the United States and to further provide access to affordable flood insurance protection for property owners, and

Whereas, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the increasing costs of repairing damage to buildings and their contents caused by floods, and

Whereas, New Jersey is third among states in total value of claims paid and fourth in the number of NFIP policies enforced, and

Whereas, five hundred and fifty-two communities in New Jersey participate in NFIP, and

Whereas, NFIP maintains a significant role in providing financial protection against flood events to New Jersey property owners, and

Whereas, the NFIP is set to expire on September 30, 2019, and

Whereas, on June 12th the House Financial Services Committee unanimously passed legislation to reauthorize and reform the NFIP, known as H.R. 3167, and

Whereas, the proposed reauthorization provides for the following unacceptable terms, the increase of rates to primarily homeowners up to 18% annually until they reach their actuary rate (meaning that every four years, premiums may double), the increase of rates to secondary homeowners up to 25% annually, until they reach their actuary rate (every three years premiums may double), the increase to risk/premiums to communities that have higher construction/replacement costs, the implementation of risk rating 2.0 mapping which results in higher premiums the closer you live to the water, and an increase to the cost of compliance limits that is still insufficient to meet actual numbers.

NOW THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Brielle finds the current rate schedule to be unacceptable and a detriment to the public interests and it urges its legislators to take all necessary action to ensure that the reauthorization of NFIP provide affordable rates to property owners.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution be forwarded to the Borough's Congressional Delegation.

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at a meeting held on August 12th, 2019.

Witness my hand and seal of the Borough of Brielle this 13th day of August 2019.

SEAL

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-69-H

Date: August 12th, 2019

#### Drive Sober or Get Pulled Over Statewide Crackdown

WHEREAS, approximately one-third of all fatal traffic crashes in the United States involve impaired drivers; and

WHEREAS, impaired driving crashes killed 10,874 people in the United States in 2017; and

WHEREAS, impaired driving crashes cost the United States almost \$44 Billion a year; and

WHEREAS, during the past five years New Jersey's roadways experienced 36,778 crashes and 679 fatalities involving impaired drivers; and

WHEREAS, an enforcement crackdown is planned to combat impaired driving; and

WHEREAS, the summer season and the Labor Day Holiday in particular are traditionally a time of social gatherings which include alcohol; and

WHEREAS, the State of New Jersey, Division of Highway Safety, has asked law enforcement agencies throughout the state to participate in the Drive Sober or Get Pulled Over Statewide Crackdown; and

WHEREAS, the project will involve increased impaired driving enforcement from August 16th through September 2nd, 2019; and

WHEREAS, an increase in impaired driving enforcement and a reduction in impaired driving will save lives on our roadway;

THEREFORE, BE IT RESOLVED THAT, the Borough of Brielle declares its support for the Drive sober Or Get Pulled Over 2019 Statewide Crackdown from August 16th through September 2nd, 2019 and pledges to increase awareness of the dangers of drinking and driving.

#### CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of August 2019.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-69-J

Date: August 12th, 2019

#### Borough of Brielle

Whereas, the Borough of Brielle advertised for bids for the provision of #2 diesel fuel on July 25th, 2019, and

Whereas, the lowest responsible bidder was Taylor Oil, at a price per gallon of .2700 as the adder over the posted New Jersey Contract Fuel & Gas Summaries" as posted on the New Jersey State Treasury web site, and

Whereas, the Bid Bond & Consent of Surety were found to be in order.

Now Therefore Be It Resolved, that the bid received from Taylor Oil Company, 77 Second Street, Sommerville, New Jersey 08876, is hereby accepted, and a contract for the Period January 1st, 2020 through December 31st, 2021, is hereby awarded.

#### CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of

August 2019.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-69-K  
Date: August 12th, 2019

Borough of Brielle

Whereas, the Borough of Brielle advertised for bids for the provision of gasoline on July 25th, 2019, and

Whereas, the lowest responsible bidder was Taylor Oil, at a price per gallon of .2700 as the adder over the posted New Jersey Contract Fuel & Gas Summaries" as posted on the New Jersey State Treasury web site, and

Whereas, the Bid Bond & Consent of Surety were found to be in order.

Now Therefore Be It Resolved, that the bid received from Taylor Oil Company, 77 Second Street, Sommerville, New Jersey 08876, is hereby accepted, and a contract for the Period January 1st, 2020 through December 31st, 2021, is hereby awarded.

#### CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.  
In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of August 2019.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-69-M  
Date: August 12th, 2019

Resolution approving Insertion of Special Item of Revenue

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and WHEREAS, the Borough of Brielle has received a grant of \$2,276.00 from FM Global and wishes to amend its 2019 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Brielle hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2019 in the sum of \$2,276.00 which is now available as a revenue from:

#### MISCELLANEOUS REVENUES

Special Items of General Revenue Anticipated with Prior Written Consent of the

Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:

FM Global Fire Prevention Grant



pursuant to provisions of Statute, and  
BE IT FURTHER RESOLVED that a like sum of \$2,276.00  
be and the same is hereby appropriated under the caption of:  
GENERAL APPROPRIATIONS

(a) Operations Excluded from 5% CAPS  
State and Federal Programs Off-Set by Revenues  
FM Global Fire Prevention Grant  
Other Expenses

BE IT FURTHER RESOLVED that the CFO electronically file this Resolution with the Director of Local  
Government Services.

CERTIFICATION

I, Thomas F. Nolan 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 12th day of August 2019.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 13th day of  
August 2019.

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Thomas F. Nolan  
Municipal Clerk