

MINUTES: August 15th, 2022

START: 7:00 P.M.

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

ABSENT: NONE

Mayor Nicol opened the meeting in compliance with the Open Public Act and asked for a salute to our flag, followed by a moment of silent prayer, and a roll call.

There being no need for a work session, Mayor Nicol then asked for a motion to approve the Minutes of the July 11th, 2022, Meeting and the July 20th Special meeting. A motion was made by Councilman Shaak seconded by Councilman Nolan, all ayes, no nays. (Note: Councilman Gorham abstained.)

Councilman Garruzzo seconded by Councilman Visceglia introduced Resolution 22-72 for passage of the Consent Agenda.

Resolution:

- A. To approve a Block Party Application for Susan Lane August 20th, 2022
- B. To authorize a Veterans Tax Exemption for Block 24.01 Lot 23 as per the Tax Assessor.
- C. (see insertion)
- D. (see insertion)
- E. To adopt the July 31st, 2022 Revised Zoning Map
- F. (see insertion)
- G. To accept a proposal from H2M and authorize them to conduct a reexamination of the Housing Element of the Master Plan as it relates to current zoning ordinance
- H. (see insertion)
- I. To appoint David Bakardjiev to the list of Assistant Prosecutors and to remove Brian M Bartlett
- J. (See insertion)

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

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 22-73 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 15th, 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.

Mayor Nicol then announced that the time had arrived for a hearing and further consideration “AN ORDINANCE BY THE MAYOR AND COUNCIL AMENDING THE BOROUGH OF BRIELLE CODE OF ORDINANCES TO REPEAL CHAPTER 19 FLOOD DAMAGE PREVENTION; TO ADOPT A NEW CHAPTER 19 FLOODPLAIN MANAGEMENT; TO ADOPT FLOOD HAZARD MAPS; TO DESIGNATE A FLOODPLAIN ADMINISTRATOR; AND PROVIDING SEVERABILITY AND AN EFFECTIVE DATE”.

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

The Administrator explained that the ordinance implemented the new Floodplain Management regulations and adopted the new Flood Hazard Maps in compliance with Federal, State and County requirements.

Ms. Amy Gallagher, 528 Harris Avenue asked if there would be implications regarding flood insurance for her home as she does not currently have a policy. The Administrator advised that he didn’t think so based on the prior maps.

Ms. Kathryn Dolan, 541 Harris Avenue, disagreed and stated that she had seen the maps and Harris Avenue was now included.

Ms. Dolan also raised the issue of Debbie’s Creek and the existence of a municipal “paper street” that she felt contributed to the change in the maps.

Ms. Dolan also cited a drainage issue at 600 Union Avenue that impacted on her property.

The Council stated that they would investigate the matter and see if any remedial action was possible.

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

Councilman Shaak seconded by Councilman Nolan introduced Resolution 22-74 for passage on final reading of the foregoing ordinance. Vote: Councilman Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Shaak seconded by Councilman Nolan introduced Resolution 22-75 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilman Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye, no nays. Passed.

Mayor Nicol then read a Proclamation declaring August 31st, 2022 as Overdose Awareness Day. 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, 2022 be designated as Overdose Awareness Day in the Borough of Brielle.

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

Councilman Nolan noted that Brielle Recreation was preparing for the Brielle Day Dash scheduled for Friday September 9th. Turning to the Library, he reminded the public of the SSI workshop on 8/16. Councilman Nolan also cited that the Library would hold a Movie Matinee on 8/24 @ 1:00pm Jaws. Midday Book Club @ 1:00pm on 8/22 and Cook Book Club meets @ 5:30pm on 8/30 and the 100th Celebration scheduled for 9/22.

Councilman Garruzzo had no report.

Councilman Shaak was pleased to announce the curb-to-curb paving of Higgins Avenue slated to begin this evening. He thanked Councilman Nolan for his assistance with New Jersey Natural Gas and Kieley, Inc. in bringing this about.

Councilman Gorham & Councilman Visceglia having no reports, the meeting was opened to the public

Joe Szewczyk, 329 Fisk Avenue complained to council of what he perceived as “targeting” as he had received a summons for a violation from Code Enforcement without prior notice; he stated that he remediated the problem as soon as he received the summons.

Mr. Szewczyk proceeded to give a vivid description of his various encounters with his tenants and noted that neither his realtors nor Code Enforcement had assisted him with this problem. The discussion centered on his overall dissatisfaction with the Borough handling of his problems.

The end result was that Councilman Garruzzo offered to review the code enforcement issues with the Chief of Police and Attorney Montenegro explained that Council could not simply forgive the summons. Mr. Szewczyk would be required to appear in court and explain the situation and the fact that he had cured the violation to the Judge and ask that the summons be dismissed.

The Attorney also advised that he could make a civil complaint regarding the tenants and take them to court. Mr. Szewczyk said he was in the process of doing that.

He also voiced a concern over a recent delay in receiving a Certificate of Occupancy and asked for the remission of the fee. Councilman Garruzzo stated that the fee could not be remitted, but he would also investigate that complaint with code enforcement and the police.

There being no further public comment, the meeting was adjourned at 7:35pm on a motion by Councilman Shaak seconded by Councilman Gianforte.

Approved: September 12th, 2022

Carol Baran
Municipal Clerk

Resolution No.: 22-72-C
Date: August 15th, 2022

Resolution For Renewal Of Membership In The Monmouth Municipal Joint Insurance Fund

WHEREAS, Brielle is a member of the Monmouth Municipal Joint Insurance Fund

WHEREAS, said renewed membership terminates as of December 31, 2022 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. Brielle 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.

Vote: Councilman Garruzzo, Gorham, Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays.
Passed. Absent: None. None abstained.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, August 15th, 2022.

Witness my hand and seal of the Borough of Brielle this 16th day of August 2022.

Mayor

Date

Attest

Date

Resolution No.: 22-72-D
Date: August 15th, 2022

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

Whereas, the Governing Body of the Borough of Brielle is of the opinion that it is an essential component of good governance to sponsor recreational, social and cultural activities that benefit the residents of Brielle, and

Whereas, the Mayor & Council, their agencies and various boards and commissions conduct such activities on municipal property, and

Whereas, some of these activities may require a Special Permit in compliance with the provisions of Ordinance No. 1108, adopted on August 16, 2021, and

Whereas, the Mayor & Council are of the opinion that such municipal sponsored events should not be subject to such provisions.

Now Therefore Be It Resolved, that the Borough Administrator be empowered to review each activity that is sponsored by a governmental agency directly or indirectly associated with the incorporated Borough of Brielle and grant an exemption from the provisions of Ordinance 1108 if he believes that the sponsoring agency is a bona-fide member of the municipal family and such action is consistent with the Governing Body's goal of fostering activities which are a benefit to the residents of the community.

Moved By: Councilman Garruzzo

Seconded By: Councilman Visceglia

Vote: Councilmen: Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia. All Aye. No Nays.

Abstained: None

Absent: None

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Carol Baran
Municipal Clerk

Resolution For Approving Insertion of Special Item of Revenue - Clean Communities Grant

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 \$ 12,314.18 from the State of New Jersey and wishes to amend its 2022 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the 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 2022 in the sum of \$ 12,314.18 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:

Clean Communities Grant

pursuant to provisions of Statute, and

BE IT FURTHER RESOLVED that a like sum of \$ 12,314.18 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:

Clean Communities Grant -

Other Expenses

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

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Carol Baran
Municipal Clerk

Resolution No.: 22-72-H
Date: August 15th, 2022

WHEREAS, there are old escrow accounts where the work/inspections are done and a refund can be issued:

Block 81.01, Lot 9, 414 Melrose Avenue Owner Frank Angello \$ 2,311.00

NOW, THEREFORE, BE IT RESOLVED that the amount listed above be refunded and a check drawn, as shown above, to close out these accounts.

Moved By: Councilman

Seconded By: Councilman

Vote: Councilmen : Garruzzo, Gianforte, Gorham, Nolan & Shaak. All Aye. No Nays.

Abstained: None

Absent: Councilman Visceglia

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Carol Baran
Municipal Clerk