

MINUTES MAY 22nd, 2023

START: 7:00 P.M.

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

ABSENT: COUNCILMEN GIANFORTE AND NOLAN

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

Mayor Nicol asked for a motion to approve the Minutes of the May 8th, 2023 Meeting. A motion was made by Councilman Garruzzo seconded by Councilman Shaak, all ayes, no nays.

Councilman Garruzzo, seconded by Councilman Shaak introduced Resolution 23-54 for passage of the consent agenda.

- A. To grant a Special Permit to Surf Corvette Club for an event at the Whiskey Lounge on June 4th, 2023 (Rain date June 11th, 2023). **(Pulled at applicant's request).**
- B. To authorize the Mayor & Clerk to execute Service Agreement Amendment #5 re: calculation of annual flows and the extension of the contract to March 1, 2054.
- C. To authorize the release of escrow funds in the amount of \$2,285.00 re: Block 43.01, Lot 1.
- D. To declare an emergency re: remediation of mold, bacteria and odors at Borough Hall and to authorize Greenworks Environmental, LLC. To undertake the work at an estimated cost of \$55,000.00.
- E. To authorize the replacement of the roof, gutters and soffits at Borough Hall at an estimated cost of \$132,149.00 through the Omnia Partners Cooperative Purchasing Agreement #R180901 or alternately by public bid. **(Carry to June 22 meeting).**
- F. To authorize the execution of an agreement with Meghan Ann Bennett of Dilworth Paxson, LLP, as Bond Counsel for the Borough of Brielle.

Vote: Councilman Garruzzo, Gorham, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Visceglia seconded by Councilman Gorham, introduced Resolution 23-55 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 22nd, 2023, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilman Garruzzo, Gorham, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor then announced that the time had arrived for the introduction and passage on first reading of "Bond Ordinance providing for improvements to Borough Hall, appropriating \$500,000 therefor and authorizing the issuance of \$475,000 bonds and notes to finance a portion of the

costs thereof, authorized in and for the Borough of Brielle, in the County of Monmouth, New Jersey”.

Councilman Garruzzo, seconded by Councilman Shaak introduced Resolution 23-56 for passage on first reading of the foregoing ordinance. Vote: Councilman Garruzzo, Gorham, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Shaak, seconded by Councilman Garruzzo, introduced Resolution 23-57 to authorize publication in the Coast Star for a hearing to be held on June 12, 2023 at 7:00pm at Borough Hall. Vote: Councilman Garruzzo, Gorham, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then called for committee reports and recognized Councilman Garruzzo who had no report.

Councilman Shaak noted that Green Avenue was substantially complete. Punch list items should be addressed by the end of the week. Councilman Shaak also noted that sometime after Memorial Day, Post, Club and Scott roads were slated for paving.

Gorham and Visceglia having no reports the meeting was open to the public.

Janet Hendrick, 615 Leslie Avenue, noted that she had received her sample ballot and saw that Councilman Garruzzo was running for Mayor. She asked how his vacated seat would be filled.

Councilman Garruzzo, in conjunction was Republican Committee Chairman, Mayor Nicol explained that, since the seat being vacated was held by a member of the Republican Party, the vacancy would be filled by a Republican for the unexpired term. The Republican Committee would submit three names for consideration by the Council. The resumes would be reviewed, and a selection made. Had Councilman Garruzzo been a Democrat, the Democratic Committee would have followed the same procedure.

In response to an inquiry by Mr. George Franklin, 719 Howell Drive, Councilman Garruzzo explained that there would be a year left on his term as of January 1 and the selected candidate would then run in the primary if they wished to continue in office.

Virginia Lofton, 407 South Street, raised the issue of storage at the Curtis House and the potential hazard posed by senior members of the Bayberry Garden Club having to climb a steep and narrow staircase to access storage on the second floor. Ms. Lofton was requesting space on the ground floor to avoid potential injury.

Her concerns were shared and echoed by Ms. Lapham, 714 Howell Drive and Ms. O'Brien, 916 Hilltop Drive. Municipal Clerk Carol Baran explained that the Public Works Department had attempted to alleviate special problems and clutter through recent renovations, but Councilman

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Shaak advised that he would discuss this issue with the Public Works Superintendent with an eye to remediating the problem.

There being no further discussion the meeting was adjourned at 7:19 pm on a motion by Councilman Shaak seconded by Councilman Gorham.

Approved: June 12th, 2023

Carol Baran
Municipal Clerk

Resolution No.: 23-54-F
Date: May 22nd, 2023

BOROUGH OF BRIELLE COUNTY OF MONMOUTH STATE OF NEW JERSEY

RESOLUTION AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH MEGHAN ANN BENNETT OF DILWORTH PAXSON LLP, AS BOND COUNSEL FOR THE BOROUGH OF BRIELLE

WHEREAS on January 3, 2023 Meghan Ann Bennett of GluckWalrath LLP was appointed as Bond Counsel; and

WHEREAS on June 1 2023, Meghan Ann Bennett, Esq. of GluckWalrath LLP will become affiliated with the firm of Dilworth Paxson LLP; and

WHEREAS the governing body desires to amend the appointment of Bond Counsel and to enter into an agreement to reflect the affiliation of Meghan Ann Bennett with Dilworth Paxson LLP.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Brielle, County of Monmouth, State of New Jersey, as follows:

Effective June 1st, 2023, Meghan Ann Bennett of the law firm Dilworth Paxson LLP is hereby retained for the provision of bond counsel services for the balance of the one-year term ending December 31st, 2023, pursuant to an agreement that shall include the same terms, fees and conditions of the agreement previously authorized on January 3rd, 2023 for the calendar year 2023.

The Mayor is hereby authorized to execute and the Borough Clerk to attest to, respectively, the execution of said agreement with Meghan Ann Bennett of the law firm of Dilworth Paxson LLP.

This resolution shall take effect June 1st, 2023.

That a certified copy of this resolution shall be forwarded by the Borough Clerk to the Chief Financial Officer and to Meghan Ann Bennett.

Moved By: Councilman Garruzzo

Seconded By: Councilman Shaak

Vote: All Ayes. No Nays.

Abstained: None

Absent: Councilmen Gianforte and Nolan

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, May 22nd, 2023.

Witness my hand and seal of the Borough of Brielle this 23rd day of May 2023.

Carol Baran
Municipal Clerk

Resolution No.: 23-54-C
Date: May 22nd, 2023

WHEREAS, there was an escrow account for variance relief for 632 Cedarcrest Drive, and,

WHEREAS, the work is completed,

NOW, THEREFORE, BE IT RESOLVED that the balance be refunded back to Robert & Deborah Pellicane, the owners for Block 43.01 Lot 1, in the amount of \$2,285.20 to close out this escrow account #7205.

Moved By: Councilman Garruzzo

Seconded By: Councilman Shaak

Vote: All Aye. No Nays.

Abstained: None

Absent: Councilmen Gianforte and Nolan

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