

MINUTES October 23rd, 2023

START: 7:00 P.M.

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

ABSENT: COUNCILMAN GORHAM

Following a moment of silent prayer and a salute to our flag, Mayor Nicol opened the meeting in compliance with the Open Public Meetings Act and asked for a motion, made by Councilman Gianforte and seconded by Councilman Nolan to accept and file the Minutes of the October 9th, 2023 council meeting: all ayes. No nays. Councilman Garruzzo abstained. Approved.

Councilman Gianforte seconded by Councilman Nolan introduced Resolution 23-84 for passage of the consent agenda.

- A. To accept and authorize the submission of the Best Practice Inventory to the Department of Community Affairs.
- B. To accept and approve the revised Employment Practice Policy Manual and Employee Handbook.
- C. (see insertion)

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

Councilman Visceglia seconded by Councilman Shaak introduced Resolution 23-85 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 October 23rd, 2023, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilman Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor Nicol announced that the time had arrived for the introduction and passage on first reading of AN ORDINANCE TO AMEND AND SUPPLEMENT ORDINANCE NO. 1124 “AN ORDINANCE FIXING THE SALARIES AND COMPENSATIONS OF THE VARIOUS OFFICERS AND EMPLOYEES OF THE BOROUGH OF BRIELLE”

Councilman Shaak seconded by Councilman Nolan introduced Resolution 23-86 for passage on introduction and first 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 23-87 to authorize publication in the Coast Star for a hearing to be held at 7:00 pm on October 23rd, 2023, at Borough Hall. Vote: Councilman Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor Nicol called for committee reports. Councilman Gianforte having no report, Councilman Nolan cited the recreation's Flag Football & Chili Cook-Off event held Saturday October 21st, both events were a great success.

Turning to the Library, Councilman Nolan announced the return of the organic farmer's market on October 25th, along with the program Circle of Friends. Halloween, October 31st, features Bootastic Storytime. On November 2nd, from 5:00 to 7:00pm, the Library will host an event to honor Brielle and all Local Veterans.

Councilman Shaak advised that hydrant flushing would continue to mid-week and although the flushing was conducted overnight, residents might still experience slightly discolored water in the morning. Running the cold tap for a few minutes will clear the water.

No other council members having reports, Virginia Lofton, 407 South Street, questioned the reference to a public hearing and was advised that it pertained to the ordinance that had been introduced. Ms. Lofton also voiced a concern on behalf of the Garden Club regarding the flowers that had been removed from the planters outside of borough hall. The Club had planted and maintained them throughout the summer, and they could have lasted a few more weeks.

Councilman Shaak offered that the DPW was busy this time of year and may have acted hastily. He promised closer cooperation in the future and promised to assist with future plantings through public works.

There being no further public comment, Councilman Gianforte, seconded by Councilman Nolan introduced Resolution 23-88 to enable an Executive Session. Note: Councilman Shaak left the meeting due to a conflict.

Whereas, the Open Public Meetings Act permits the exclusion of the Public from a meeting in certain circumstances; and Whereas, the Borough Council of the Borough of Brielle is of the opinion that such circumstances currently exist. Now Therefore Be It Resolved, by the Borough Council of the Borough of Brielle, County of Monmouth, State of New Jersey, on October 23rd, 2023, as follows:

1. The Public shall be excluded from discussion of and action upon the hereinafter specified subject matters.
2. The general nature of the subject matter to be discussed is as follows:
"Litigation."
3. It is anticipated at this time that the above stated subject matters will be made public when the need for confidentiality no longer exists.

Vote: Councilman Garruzzo, Gianforte, Nolan & Visceglia; all ayes. No nays. Passed.

The Executive Session began at 7:10 p.m. and ended at 7:37p.m. The session was adjourned on a motion by Councilman Nolan, seconded by Councilman Gianforte.

Councilman Garruzzo, seconded by Councilman Gianforte introduced resolution 23-89 Vote: Garruzzo, Gianforte, Nolan & Visceglia; all ayes. No nays. Passed. (see insertion)

There being no further comments, the meeting was adjourned at 7:39pm on a motion by Councilman Gianforte, seconded by Councilman Nolan.

Approved: November 13th, 2023.

Carol Baran
Municipal Clerk

**CENTRAL JERSEY HEALTH INSURANCE FUND
RESOLUTION to RENEW**

WHEREAS, a number of public entities in the State of New Jersey have joined together to form the CENTRAL JERSEY HEALTH INSURANCE FUND, hereafter referred to as "the FUND", as permitted by N.J.S.A. 11:15-3, 17:1-8.1, and 40A:10-36 et seq., and;

WHEREAS, the FUND was approved to become operational by the Departments of Insurance and Community Affairs and has been operational since that date, and;

WHEREAS, the statutes and regulations governing the creation and operation of a joint health insurance fund, contain certain elaborate restrictions and safeguards concerning the safe and efficient administration of the public interest entrusted to such the FUND;

WHEREAS, the governing body of the Borough of Brielle, hereinafter referred to as "LOCAL UNIT" has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

NOW, THEREFORE, BE IT RESOLVED that the governing body of the LOCAL UNIT hereby agrees as follows:

- i. Renew membership with the FUND for the period outlined in the LOCAL UNIT's Indemnity and Trust Agreements.
- ii. Will participate in the following type (s) of coverage (s):
 - a.) Health Insurance and/or Dental Insurance and/or Prescription Coverage as defined pursuant to N.J.S.A. 17B:17-4, the FUND's Bylaws, and Plan of Risk Management.
- iii. Adopts and approves the FUND's Bylaws.
- iv. Execute an application for membership and any accompanying certifications.

BE IT FURTHER RESOLVED that the governing body of the LOCAL UNIT is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying membership in the FUND as required by the FUND's Bylaws, and to deliver these documents to the FUND's Executive Director with the express reservation that these documents shall become effective only upon:

- i. Approval of the LOCAL UNIT by the FUND.
- ii. Receipt from the LOCAL UNIT of a Resolution accepting assessment.

- iii. Approval by the New Jersey Department of Insurance and Department of Community Affairs.

Certification

The foregoing is a true copy of a resolution approved by the Mayor & Council of the Borough of Brielle this 23rd day of October, 2023.

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

Carol Baran
Municipal Clerk

Resolution No.: 23-89
Date: October 23, 2023

Resolution of the Borough of Brielle

Whereas, the Borough of Brielle is currently engaged in litigation, and

Whereas, the Mayor has appointed an Ad Hoc Subcommittee, consisting of members of the Council and of the Planning Board, to help to adjudicate this matter, and

Whereas, the Committee shall be meeting with the experts retained to advise them on this issue on Thursday, October 26th, 2023, and

Whereas, a need for action may emerge from this meeting and the Mayor & Council wish to expediate the resolution of this litigation.

Now Therefore Be It Resolved, that in the event the subcommittee, consisting of the duly appointed members of Council and of the Planning Board, recommend that the Planning Board undertake a preliminary investigation of areas designated as Block 66.01, Lots 1 and 2 on the official tax map of the Borough of Brielle, hereby designated the ***Study Area***, to determine if the ***Study Area*** is an area in need of redevelopment pursuant to the Local Redevelopment and Housing Laws.

Be It Further Resolved, that in the event such determination is made, the Borough Council authorizes the Planning Board to undertake such an investigation.

Moved By: Councilman Gianforte

Seconded: Councilman Nolan

Vote: Councilmen Garruzzo, Gianforte, Nolan & Visceglia

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Carol Baran
Municipal Clerk