

MINUTES NOVEMBER 27<sup>th</sup>, 2023

START: 7:00 P.M.

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

ABSENT: COUNCILMAN SHAAK

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 Shaak and seconded by Councilman Visceglia to accept and file the Minutes of the November 13<sup>th</sup>, 2023 council meeting: all ayes. No nays. Councilman Gorham abstained. Approved.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 23-98 for passage of the consent agenda.

- A. To authorize the National Multiple Sclerosis Society to conduct their annual Coast the Coast event on May 11, 2024.
- B. To authorize the Mayor & Clerk to submit an application to modernize respiratory protection equipment, in the amount of \$74,997.30, to the Department of Community Affairs.
- C. To appoint Patrolman Brett Barilari as an Acting Sergeant effective this date.
- D. To declare an emergency re: water main break Union Lane.

Prior to the vote, Councilman Garruzzo informed the assembly that Brett Barilari began his career as a Class II Special Officer in January of 2016, and he became a patrolman in July 2017. He has an associate degree in criminal justice and a Certification as a Defensive Tactics Instructor. In July 2019 he was certified as a K-9 Handler and he has worked effectively with his canine companion, Nero, in narcotics investigations that led to the seizure of large amounts of cash and drugs ranging from cocaine and heroin to fentanyl. They have also assisted in tracking missing persons. Mr. Barilari is a valued member of our Police, and I am pleased to announce his promotion.

Chief Olsen was recognized, and he stated that, in 2019, when he decided to reinstate the Canine Unit, Brett was the first officer to approach him to serve in that capacity. He came out first in the interview process and the job was his. His performance has been exceptional. Although it made the Chief feel “old” when he found himself promoting an individual that he had hired years ago, he was confident that Brett was a capable officer with all the qualities required for a leadership position. The Chief then presented Sergeant Barilari with his Certificate of Rank.

Mayor Nicol interjected that whenever he encountered other Police Chiefs, he always told them that they had the second-best department in the state, as Brielle was first. He congratulated Sergeant Barilari and praised the entire department for their service to the residents of Brielle.

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

Councilman Visceglia, seconded by Councilman Gorham introduced Resolution 23-99 TO PAY 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 November 27<sup>th</sup>, 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 & Visceglia; all ayes. No nays. Passed.

Mayor Nicol announced that the time had arrived for a hearing and further consideration of ‘AN ORDINANCE TO AMEND CHAPTER TWENTY, SECTION SIX, SUBSECTION SEVEN (20.6-7) OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “LAND USE FEES”.

On a motion by Councilman Nolan, seconded by Gianforte, the hearing was opened.

The Administrator explained that the ordinance increased Planning Board application fees to ensure that the cost of the review process was offset by the application fee.

There was no public comment.

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

Councilman Garruzzo, seconded by Councilman Nolan, introduced Resolution 23-100 for passage on final reading of the foregoing ordinance. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes. No nays. Passed.

Councilman Gianforte, seconded by Councilman Nolan, introduced Resolution 23-101 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilman Garruzzo, Gianforte, Nolan, & Visceglia; all aye. No nays. Passed.

Mayor Nicol announced that the time had arrived for a hearing and further consideration of ‘AN ORDINANCE TO AMEND CHAPTER ONE OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “GENERAL”.

The hearing was opened on a motion by Councilman Nolan, seconded by Councilman Gianforte

The Administrator stated the ordinance would increase the minimum and maximum general penalty fees to keep them comparable to those in state statute.

There being no public comment the hearing was closed on a motion by Councilman Gorham, seconded by Councilman Visceglia.

Councilman Garruzzo, seconded by Councilman Visceglia, introduced Resolution 23-102 for passage on final reading. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Visceglia aye. No nays. Passed.

Councilman Gianforte, seconded by Councilman Visceglia, introduced Resolution 24-103 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then announced that the time had arrived for committee reports and recognized Councilman Gianforte who had no report.

Councilman Nolan cited the numerous notable programs offered by the Library and recommended visiting their website for full details. Councilman Nolan reminded the public that on Saturday, December 2<sup>nd</sup>, the Library and Board of Recreation would hold their Second Annual Holiday in the Park from 2:00pm to 6:00pm, topped off by the Christmas Tree Lighting at Brielle Park.

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

The Chair recognized Eagle Scott, Finnian Callahan, a member of Troop 63, a graduate of Brielle Elementary and currently enrolled at Manasquan High School, who advised the Council of his proposal to construct a bench and to provide a ADA Compliant swing in Brielle Park. He had been working with the Recreation Department and they endorsed his project. He was currently raising funds to cover the estimated cost of \$749.00. He noted the lack of benches in the area of the tennis courts, but he would coordinate the placement of the bench with the Recreation Department. Personal experience led him to believe that the swing would be beneficial to the disabled community as his sister is autistic and she would have greatly benefited from such a swing when she was younger.

Councilman Nolan cited Mr. Callahan's active participation in activities such as the clean-up of Roberts Swamp Brook and he knew that the Board of Recreation was solidly behind the program. The Council endorsed the project.

As there was no further public comments the public portion was adjourned at 7:13:pm on a motion by Councilman Garruzzo, seconded by Councilman Gorham.

There being no further public comment, Councilman Gianforte, seconded by Councilman Nolan introduced Resolution 23-104 to enable an Executive Session.

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 November 27, 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, Gorham, Nolan & Visceglia.; all ayes. No nays. Passed.

The Executive Session began at 7:22 p.m. and ended at 8:25 p.m. The session was adjourned on a motion by Councilman Nolan seconded by Councilman Gianforte.

The meeting was then opened to the public. There being no public comment, the meeting was adjourned at 8:26 p.m. on a motion by Councilman Gianforte, seconded by Councilman Visceglia.

Next meeting: December 18<sup>th</sup>, 2023.

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Carol Baran  
Municipal Clerk

Borough of Brielle

Whereas, the Brielle Fire Company desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$ 74, 997.30 to carry out a project to modernize respiratory protection equipment for volunteer firefighters in Brielle, New Jersey 08730.

Be it therefore RESOLVED,

- 1) that the Brielle Fire Company does hereby authorize the application for such a grant; and,
- 2) recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant agreement from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement; and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of funds pursuant to the terms of the agreement between the Brielle Fire Department and the New Jersey Department of Community Affairs.

Be it further RESOLVED that the persons whose names, titles, and signatures appear below are authorized to sign the application, and that they or their successors in said titles are authorized to sign the agreement, and any other documents necessary in connection therewith:

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Carol Baran  
Municipal Clerk

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Thomas B Nicol  
Mayor

Moved By: Councilman Garruzzo  
Seconded: Councilman Nolan  
Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Visceglia

**Certification**

The foregoing is a true copy of a resolution approved by the Mayor & Council of the Borough of Brielle this 27<sup>th</sup> day of November, 2023.

Witness my hand and seal of the Borough of Brielle this 28<sup>th</sup> day of November.

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Carol Baran  
Municipal Clerk

Resolution No.: 23-98-C  
Date: November 27<sup>th</sup>, 2023

Resolution of the Borough of Brielle

Whereas, An examination for the position of Sergeant was given by the Brielle Police Department, and

Whereas, Patrolman Brett Barilari has demonstrated the ability and qualifications required to be promoted to the rank of Sergeant, and it has been determined that he is the most qualified candidate to fill the upcoming vacancy of the Sergeant Position.

Now Therefore Be It Resolved, that effective this date Brett Barilari is appointed to the rank of Acting Sergeant, and he shall continue in that position until such time as the current holder of that position is officially separated from service with the Borough of Brielle Police Department. On that date he shall cease to be "acting" and shall take the rank of Sergeant.

Moved By: Councilman Garruzzo

Seconded By: Councilman Nolan

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes.  
None abstained. Councilman Shaak Absent. Passed

Certification

The foregoing is a true copy of a resolution adopted by the Brielle Mayor & Council at a meeting held on November 27<sup>th</sup>, 2023.

Witness my hand and seal of the Borough of Brielle this 28<sup>th</sup> day of November, 2023.

SEAL

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Carol Baran  
Municipal Clerk

Resolution No.: 23-98-D  
Date: November 27<sup>th</sup>, 2023

**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:

Water main Break on Union lane

4. The emergency occurred on November 25<sup>th</sup> @ approximately 8:30 pm.
5. 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
6. It is requested that a Purchase Order be issued without public advertisement for bids, pursuant to the above cited statute.
7. 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  
Business Administrator

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Jeff Weiss  
Department Head

**CERTIFICATION**

I, Carol Baran, 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 27<sup>th</sup> day of November 2023.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 28<sup>th</sup> day of November 2023.

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Carol Baran  
Municipal Clerk