

MINUTES NDECEMBER 18<sup>th</sup>, 2023

START: 7:00 P.M.

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

ABSENT: NONE

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 27<sup>th</sup>, 2023 council meeting: all ayes. No nays. Councilman Gorham abstained. Approved.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 23-105 for passage of the consent agenda.

- A. (see insertion)
- B. (see insertion)
- C. (see insertion)
- D. (see insertion)
- E. To empower the Borough Administrator to take any and all steps necessary to ensure the effective governance of the Borough of Brielle during the Sine Die period.
- F. To renew the professional service contract with Surenian, Edwards, Buzak & Nolan, LLC for the period 1/1/24 to 12/31/24.
- G. (see insertion)
- H. To renew the professional service contract with KMA Associates for the provision of Affordable Housing Planning Services through 2024.

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

Councilman Visceglia, seconded by Councilman Gorham introduced Resolution 23-106 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 December 18<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, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then read the annual Christmas Resolutions.

**Whereas**, The Borough of Brielle has been formed in accordance with applicable statutes, and

**Whereas**, Chapter VII of the code of the Borough of Brielle entitled “traffic” is silent on the subject of sleighs and Reindeer, and

Whereas, The necessities of the Holiday season demand clarification of this deficiency.

Now therefore be it resolved, that sleighs and reindeer shall be permitted to land on rooftops in the Borough of Brielle during the period December 24<sup>th</sup> through December 25<sup>th</sup> (inclusive), and

Be it further resolved, that no parking citations shall be issued to operators of the aforementioned vehicles provided that they fit the following description: “Little”, “Old” “Lively” & “Quick” & can produce valid identification that their name is “Saint Nick”.

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

Whereas, the governing body of the Borough of Brielle seeks to ensure the well-being of all its residents, and

Whereas, it is in the best interests of the aforesaid Brielle residents, that there be a white Christmas.

Now therefore be it resolved, that there shall be snow in the Borough of Brielle during the period December 24<sup>th</sup> through December 25<sup>th</sup>, 2023, and

Be it further resolved, that the Borough Clerk shall forward a copy of this resolution to the appropriate "implementing" agencies.

Councilman Gianforte deferred to Council-President Shaak who read the following proclamation (insert).

Whereas, Thomas B. “Tucker” Nicol has been Mayor of Brielle since January 1<sup>st</sup>, 1991, and

Whereas, Thomas B. Nicol is the longest serving mayor in the history of Brielle, having served in this capacity for thirty-two years, and

Whereas, Thomas B. Nicol previously served as a Councilman from March 26<sup>th</sup>, 1984 until December 31<sup>st</sup>, 1990, and

Whereas, this combined period of public service total almost forty years of commitment to the government and people of Brielle, and

Whereas, such a record of service is inherently worthy of public recognition.

Now Therefore, Be it Proclaimed, Thomas B. Nicol is hereby declared to be the first ever Brielle Mayor to elevated to the position of Mayor Emeritus, and

Be it Further Resolved that December 18<sup>th</sup>, 2023 be declared as Thomas B. Nicol Day throughout the Borough of Brielle.

Councilman Garruzzo then presented Mayor Nicol with a plaque that read:

***Thomas B. Nicol (1991-2023) Mayor Emeritus***

***In recognition of your years of selfless service.***

Municipal Clerk Baran presented the Mayor with a card from her fellow employees, along with two framed copies of his Christmas Resolutions.

Individual council members then shared their thoughts on the Mayor's long and outstanding career. Councilman Gianforte, Nolan and Garruzzo praised his service to the community and thanked him for their positions on the various boards and commissions where they honed their professional skills that enriched their respective experiences on council.

Councilman Shaak cited the Mayor's unheralded acts such as collecting trash that was missed in his own vehicle and taking residents in need shopping. For this public service he thanked the Mayor.

Councilman Gorham noted thirty-five years of friendship and his appreciation for the Mayor involving him in public affairs when he moved to Brielle 25 years ago.

Councilman Visceglia echoed the sentiments of his colleagues and added his praise to the mayor's long and fruitful record.

The meeting was open to the public, and PBA President Brandon Cusack presented the Mayor with a card from the Brielle PBA. And thanked him for all he has done over the years for public safety.

Attorney Montenegro cited his thirty-five years of working for the mayor and spoke of how he benefited from his direction and his professionalism.

There being no further comments the meeting was adjourned at 7:14pm on a motion by Councilman Gianforte, seconded by Councilman Visceglia.

Next meeting: January 2<sup>nd</sup>, 2024.

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Carol Baran  
Municipal Clerk

**TEMPORARY BUDGET**

**BOROUGH OF BRIELLE**

Whereas, N.J.S. 40a:4-19 of the revised statutes of New Jersey provides that, when any contracts, commitments or payments are to be made prior to the adoption of the municipal budget, the governing body shall, by resolution, adopted prior to January 31st of the fiscal year, make appropriations for the period between the beginning of the fiscal year and the adoption of the budget, and

Whereas, the date of this resolution is prior to the first thirty-one days of January 2024, and

Whereas, one quarter (25%) of the total appropriations made in the 2023 municipal budget, excluding appropriations made for interest and debt redemption charges & capital improvement fund in said budget is the sum of \$3,184,564.59.

Now therefore be it resolved, that the following temporary appropriations (the aggregate amount of which does not exceed the amount shown in the preamble above), in the amount of \$2,797,500.00 be made and a certified copy of this resolution be transmitted to the chief finance officer for their records.

APPROPRIATIONS	AMOUNT
GENERAL GOVERNMENT	
ADMINISTRATIVE & EXECUTIVE	
SALARIES & WAGES	\$ 92,000.00
OTHER EXPENSES	\$ 16,500.00
EMERGENCY MANAGEMENT	
OTHER EXPENSES	\$ 750.00
ASSESSMENT OF TAXES	
SALARIES & WAGES	\$ 10,500.00
OTHER EXPENSES	\$ 2,500.00
COLLECTION OF TAXES	
SALARIES & WAGES	\$ 32,000.00
OTHER EXPENSES	\$ 3,000.00
LEGAL SERVICES	\$ 50,000.00
BOROUGH HISTORIAN	\$ 150.00

MUNICIPAL COURT	
SALARIES & WAGES	\$ 12,500.00
MUNICIPAL PROSECUTOR	\$ 6,500.00
ENGINEERING SERVICES	\$ 30,000.00
BUILDINGS & GROUNDS	
OTHER EXPENSES	\$ 30,000.00
PLANNING BOARD	
SALARIES & WAGES	\$ 2,700.00
OTHER EXPENSES	\$ 5,000.00
FINANCIAL SERVICES	\$ 22,000.00
SHADE TREE COMMISSION	
OTHER EXPENSES	\$ 2,500.00
ENVIRONMENTAL COMMISSION	
OTHER EXPENSES	\$ 500.00
MERCANTILE INSPECTION	
SALARIES & WAGES	\$ 1,000.00
OTHER EXPENSES	\$ 150.00
INSURANCE	
OTHER INSURANCE PREMIUMS	\$50,000.00
WORKMANS COMPENSATION	\$126,000.00
GROUP INSURANCE	\$255,000.00
PUBLIC SAFETY	
FIRE COMPANY	
OTHER EXPENSES	\$ 11,250.00
POLICE	
SALARIES & WAGES	\$642,000.00
OTHER EXPENSES	\$ 35,000.00
VECHICLE PURCHASE/LEASE	\$ 30,000.00
SICK TIME PURCHASE OPTION	\$ 15,000.00
STREETS & ROADS	
SALARIES & WAGES	\$120,000.00
OTHER EXPENSES	\$ 25,000.00
STREET LIGHTING (SEE UTILITIES)	
VEHICLE MAINTENANCE	\$ 12,500.00

SANITATION

GARBAGE & TRASH REMOVAL CONTRACTUAL	\$102,000.00
OTHER TRASH EXPENSES (INCLUDES RECYCLING OTHER)	\$ 80,000.00

HEALTH & WELFARE

BOARD OF HEALTH SALARIES & WAGES	\$ 900.00
OTHER EXPENSES	\$ 100.00
HEALTH SERVICES CONTRACTUAL	\$ 17,500.00

BOARD OF RECREATION COMMISSIONERS SALARIES & WAGES	\$ 10,000.00
OTHER EXPENSES	\$ 8,000.00

MUNICIPAL LAND USE	\$ 7,000.00
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AID TO LIBRARY	\$ 45,000.00
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ZONING OFFICER SALARIES & WAGES	\$ 7,000.00
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DOG REGULATION CONTRACTUAL	\$ 3,500.00
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CAPITAL IMPROVEMENTS

CAPITAL IMPROVEMENT FUND	\$ 50,000.00*
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STATUTORY EXPENDITURES

CONTRIBUTION TO SOCIAL SECURITY	\$115,000.00
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DEBT SERVICE

RECYCLING PROGRAM

RECYCLING SALARIES & WAGES	\$ 60,000.00
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UTILITIES	\$ 60,000.00
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APPROPRIATIONS

## WATER UTILITY EXPENSES

### OPERATING EXPENSES

SALARIES & WAGES	\$ 95,000.00
OTHER EXPENSES	\$ 55,000.00
N.J.S.W.S.A.	\$ 52,000.00
SMRSA	\$160,000.00
SOUTH EAST MONMOTH M.U.A.	\$155,000.00
CAPITAL OUTLAY	\$ 5,000.00
GROUP INSURANCE	\$ 5,500.00
CONTRIBUTION TO SOCIAL SECURITY	\$ 7,500.00
DEBT SERVICE NJIT	\$166,000.00*

TOTAL	\$2,909,000.00
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LESS EXCEPTIONS	\$216,000.00
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TOTAL	\$2,693,000.00
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## INTER-LOCAL AGREEMENTS

DISPATCH SERVICES	\$25,000.00
MANASQUAN MUNICIPAL COURT INTER-LOCAL	\$30,000.00
CONSTRUCTION CODE SERVICES	\$15,000.00
FIRE CODE ENFORCEMENT & INSPECTION	\$12,000.00
SEA GIRT/WATER UTILITY OPERATIONS	\$22,500.00
TOTAL	\$2,797,500.00

RESOLUTION OF THE BOROUGH OF BRIELLE

WHEREAS, the Governing Body of the Borough of Brielle has introduced and adopted a Salary Ordinance No. 1130 that established Salary ranges for the various Officers & Employee of the Borough of Brielle to be effective January 1<sup>st</sup>, 2024, and

WHEREAS, the Salary Ordinance established a range for salaries, but the Local Fiscal Affairs Law requires that the actual compensation of each individual employee must be approved by the Governing Body. Part-Time workers will be governed solely by the rates established in the Salary Ordinance.

NOW THEREFORE BE IT RESOLVED, that the following salaries shall constitute the base salaries For the following employees:

Chief	\$211,679.00 +
Captain	\$196,679.00
Lieutenant	\$183,349.00
Sergeant	\$171,971.00
Sergeant	\$170,491.00
Sergeant	\$171,461.00
Sergeant	\$168,491.00
Sergeant	\$168,491.00
Patrolman	\$157,296.00
Patrolman	\$ 99,650.00
Patrolman	\$ 98,250.00
Patrolman	\$ 83,024.00
Patrolman	\$ 76,774.00
Patrolman	\$ 65,025.00
Patrolman	\$ 64,525.00
Patrolman	\$ 64,149.00
Patrolman	\$ 56,211.00
Patrolman	\$ 53,025.00
Probationary Patrolman	\$ 50,400.00
Police Administrative Assistant	\$ 69,870.00
Detective	\$ 600.00
Crime Prevention Officer	\$ 500.00
Borough Administrator	\$125,280.00

Deputy Administrator	\$ 2,000.00
Borough Clerk	\$78,000.00
Deputy Clerk	\$72,000.00
Chief Financial Officer	\$32,000.00
Deputy Financial Officer	\$ 1,000.00
Tax Collector	\$85,500.00
Assessor of Taxes	\$41,500.00
Water/Sewer Collector	\$42,250.00
Purchaser/Clerk Financial Services	\$4,500.00
Clerk Financial Services	\$12,500.00
Deputy Election Official	\$1,250.00
Board of Recreation Secretary	\$ 4,500.00
Clerk Financial Services	\$9,000.00
Clerk Financial Services	\$14,500.00
Registrar	\$1,500.00
Deputy Registrar(s)	\$750.00
Mayor	\$5000.00
Council Member	\$4,500.00
Municipal Judge	\$46,238.00
Mercantile Officer	\$2,500.00
Zoning Officer	\$21,100.00
Planning Board Secretary(s)	\$5,250.00
Water Utility Operator	\$18,000.00
Representative to MRCC #1	\$2,500.00
Superintendent Public Works	\$120,000.00
Recycling/Clean Communities Coordinator	\$2,500.00
Assistant Recycling Coordinator	\$1,500.00
Safety Coordinator	\$2,500.00
Assistant Safety Coordinator	\$1,000.00
#Public Works Driver/ Laborer	\$72,438.00
#Public Works Driver/ Laborer	\$55,500.00
#Public Works Driver/ Laborer	\$45,500.00
#Public Works Driver/ Laborer	\$40,500.00
#Recycling Driver/Laborer	\$72,438.00
#Recycling Driver/Laborer	\$55,500.00
#Recycling Driver/Laborer	\$40,500.00
#Recycling Driver/Laborer	\$40,500.00
#Water Utility Working Foreman	\$97,000.00
#Streets Working Foreman	\$97,000.00

Recreation Director

\$16,000.00

+ Subject to Multi-year contract

- Subject to an Annual Contract to be signed by the Employee and Mayor. And attested to by the Municipal Clerk for salaries in compliance with the foregoing Resolution.

Resolution No.: 23-105-C  
Date: December 18<sup>th</sup>, 2023

WHEREAS, there was an escrow account for variance relief for 30 Crescent Drive and,

WHEREAS, the work has been completed,

NOW, THEREFORE, BE IT RESOLVED that the balance of this account be refunded back to Alan Cancro, the owner for Block 61 Lot 3, in the amount of \$430.00 to close out this escrow account #7118.

Moved By: Councilman Garruzzo

Seconded By: Councilman Nolan

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

Nays. Abstained: None Absent: None

#### CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, December 18<sup>th</sup>, 2023.

Witness my hand and seal of the Borough of Brielle this 19<sup>th</sup> day of December 2023.

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Carol Baran  
Municipal Clerk

Resolution No.: 23-105-D  
Date: December 18<sup>th</sup>, 2023

Whereas, NJSA:40A58 provides for making transfers between 2023 Budget Appropriation Accounts during the months of January, November & December, and  
Whereas, it has become necessary at this time to expend funds in excess of the sums appropriated for the purposes specified in the 2023 Budget, and  
Whereas, the Governing Body may, by resolution, transfer an existing excess to an appropriation deemed insufficient.

Now Therefore Be It Resolved, (no less than 2/3's of the full membership of the Governing Body affirmatively confirming), that the following transfers be made between appropriation accounts in the 2023 Budget.

Current:

From:	Streets & Roads S/W	\$42,135.00
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Total		\$42,135.00
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To:	Legal O/E	\$10,000.00
	Administration & Executive S/W	\$32,135.00

Moved By: Councilman Garruzzo Seconded By: Councilman Nolan. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak and Visceglia: All Aye. No Nays. Absent: None Abstained: None

### **CERTIFICATION**

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council, at a meeting held on December 18<sup>th</sup>, 2023.

Witness my hand and seal of the Borough of Brielle this 19<sup>th</sup> day of December 2024.

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Carol Baran  
Municipal Clerk

Resolution directing the Brielle land use board to investigate whether the property located at 628 Higgins Avenue designated block 66.01, lots 1 & 2 on the Brielle tax map, meet the criteria for designation as a non-condemnation area in need of redevelopment.

**WHEREAS**, the Local Redevelopment and Housing Law ("LRHL"), N.J.S.A.40A-12A-1 et. seq., authorizes municipalities to determine whether certain parcels of land located within their boundaries constitute areas in need of redevelopment, pursuant to enumerated criteria set forth in said statute at N.J.S.A. 40A-12A-5; and

**WHEREAS**, the LRHL at N.J.S.A.40A-12A-5 provides that before making such a designation, the governing body of the municipality must direct the Municipal Planning Board, which in this case is the Borough of Brielle Planning/Zoning Board (the "Board"), to conduct an investigation into whether the parcel in question meets one or more of the criteria set forth in the LRHL for designation as an area in need of redevelopment ("AINR" or "area in need"); and

**WHEREAS**, the LRHL at N.J.S.A.40A-12A-6 also requires the governing body to specify whether the area being investigated will be a condemnation area in need of redevelopment or a non-condemnation area in need of redevelopment; and

**WHEREAS**, the Mayor & Council of the Borough of Brielle, County of Monmouth, wishes to have the Board investigate the area compromising the property located at 628 Higgins Avenue and designated on the Borough Tax Map as Block 66.01, Lots 1 & 2 ( the "Study Area") and produce a report containing its findings as to whether the Study Area meets one or more of the criteria set forth in N.J.S.A.40A-12A-5, and to make a recommendation to the Mayor & Council as to whether all or a portion of the Study Area should be designated as a non-condemnation area in need of development;

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

1. The preamble of this resolution is hereby incorporated as if more fully set forth herein.
2. The Planning/Zoning Board is hereby directed to conduct a preliminary investigation of the area comprising the property located at 628 Higgins Avenue and designated on the Borough tax map as Block 66.01 Lots 1 & 2 in accordance with the requirements set forth in N.J.S.A. 40A:12A-6, in order to determine whether the Study Area constitutes a non-condemnation area in need of redevelopment.
3. More specifically, the Board is directed to prepare a map showing the boundaries of the proposed redevelopment area and location of the parcels of property included therein, with a statement setting forth its findings; and to hold a duly noticed public hearing for the purpose of presenting the results of its investigation, hearing from all persons who are interested in, or would be affected by, the determination that the Study Area is a non-condemnation area in need of redevelopment and receiving into the record any objections

to such determination that the proposed property be designated as a non-condemnation area in need of redevelopment.

4. After completing its hearing on the matter, the Board shall make a recommendation to the Mayor & Council as to whether all or a portion of the Study Area should be designated as a non-condemnation area in need of redevelopment.
5. The Borough Clerk shall cause a copy of this resolution to be transmitted forthwith to the chair and administrative officer of the Planning/Zoning Board.
6. This resolution shall take effect immediately.

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Thomas B Nicol  
Mayor

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Carol Baran  
Municipal Clerk

Adopted: December 18<sup>th</sup>, 2023