

Borough of Brielle

FEBRUARY 25, 2019

May 15 2019

February 25th, 2019

MINUTES FEBRUARY 25th, 2019 WORK SESSION START: 7:30 PM

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

ABSENT: NONE

Mayor Nicol announced that any member of the public wishing to audio or video record a Council Meeting must give notice to the Borough Clerk prior to the meeting being recorded.

Mayor Nicol opened the Work Session in compliance with the Open Public Meetings Act and recognized the Administrator who had no report, but he requested authorization to add three separate resolutions to the consent agenda to permit the approved CDBG application, in the amount of \$136,210.00 to go forward. The first authorized execution of the agreement, the second asserts that we do not use excessive force against individuals engaged in non-violent civil rights demonstrations and the third affirms that we will not use any federal funds for lobbying. Council gave their authorization.

There being no questions from Council or the public, the work session was adjourned at 7:32 p.m. on a motion by Councilman Gianforte seconded by Councilman Nolan.

MINUTES FEBRUARY 25th, 2019 START: 7:33 P.M.

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

ABSENT: NONE

Following the announcement on recording devices, Mayor Nicol asked for a moment of silent prayer, a salute to the flag and a roll call.

Mayor Nicol then asked for a motion to approve the Minutes of the February 11th Regular Meeting. A motion was made by Councilman Gianforte seconded by Councilman Nolan, all aye; no nays. Passed. (Note: Councilman Gorham, Shaak & Visceglia abstained).

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-25 for passage of the Consent Agenda.

Resolution:

- A. (see insertion)
- B. To amend the Employee Handbook and Personnel Policy re: sick and vacation time.
- C. (see insertion)
- D. (see insertion)
- E. (see insertion)
- F. (see insertion)

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

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 19-26 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 February 25th, 2019, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Council members Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia: all aye. No nays. Passed

Mayor Nicol then announced that the time for the introduction and passage on first reading of "AN ORDINANCE TO AMEND CHAPTER FOURTEEN OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "FIRE PREVENTION & SAFETY".

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-27 for passage on first reading of the foregoing ordinance. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan,

Shaak & Visceglia; all aye. No nays. Passed.

Councilman Garruzzo seconded by Councilman Gianforte introduced Resolution 19-28 to authorize publication in the Coast Star for a hearing to be held at 7:30pm on March 11th, 2019, at Borough Hall. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

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

Councilman Nolan advised the public that the Library's One Hundred Days Until the Centennial Celebration observance on February 20th had been rescheduled to February 27th due to weather and was now 93 days before the event.

Councilman Garruzzo announced the return of the canine unit. A dog and all the training was being donated. Officers had submitted their resumes and Patrolman Brett Barilari had been selected. Councilman Garruzzo added that the Borough already had the vehicle and equipment available to restart the unit by next week.

Councilmen Shaak, Gorham & Visceglia having no reports the meeting was open to public comment.

There being no public comment, the meeting was closed on a motion by Councilman Gianforte seconded by Councilman Nolan at 7:36pm.

Approved: March 11th, 2019

Thomas F. Nolan
Municipal Clerk

Resolution No.: 19-25-A
Date: February 25th, 2019

RESOLUTION OF THE BOROUGH OF BRIELLE

Whereas, the Borough is entering into a lease/purchase agreement with Ford Motor Credit Company-Municipal Finance for the lease/purchase of a 2019 Ford Police Interceptor at a cost of \$37,594.75 (24 payments @ \$1,681.24 per payment), and

Whereas, Ford Motor Credit Company requires a resolution to state who shall be assigned by the Borough of Brielle to execute the documents related to this transaction.

Now Therefore Be It Resolved, that the Business Administrator/Municipal Clerk of the Borough of Brielle, Thomas F. Nolan, be authorized to sign and execute all documents related to this transaction and any future transactions between the Borough of Brielle and Ford Motor Credit Company-Municipal Finance, and Be It Further Resolved, that the Chief Municipal Finance Officer, John Antonides, certify that funds are available for this transaction in the 2019 Temporary Budget and that this appropriation shall be included in the 2019 Municipal Budget upon adoption, and

Be It Further Resolved, that the Business Administrator shall provide Ford Motor Credit Company-Municipal Finance with a copy of the Borough's Annual Financial Statement and Municipal Audit as soon as these documents are available.

Moved By: Councilman Garruzzo

Seconded: Councilman Nolan

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; All Aye; no Nays. Passed

Certification

The foregoing is a true copy of a Resolution passed by the Mayor & Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, February 25th, 2019.

Witness my Hand and Seal of the Borough of Brielle this 26th day of February 2019.

Carol Baran
Deputy Clerk

Resolution No.:19-22-C
Date: February 25th, 2019

WHEREAS, there exists a Tax Title Lien on property located at Block 107.04 Lot 7, 1109 Aileen Road, lien purchased by Culmac Capital II LLC, and

WHEREAS, payment for redemption in the amount of \$8,098.57 has been received by the borough,

NOW, THEREFORE, BE IT RESOLVED that 2 checks be drawn payable to Culmac Capital II LLC in the amount of \$8,098.57 for lien redemption and \$10,000.00 for return of premium bid at sale to enable cancellation of this lien.

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Witness my Hand and Seal of the Borough of Brielle this 26th day of February 2019.

Thomas Nolan
Municipal Clerk

Resolution No.:19-22-D
Date: February 25th, 2019

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO EXECUTE A PROJECT AGREEMENT WITH MONMOUTH COUNTY FOR PERFORMANCE AND DELIVERY OF FISCAL YEAR 2018 COMMUNITY DEVELOPMENT PROJECTS

WHEREAS, certain federal funds are potentially available to Monmouth County under the Housing and Community Development Act of 1974, as amended; and

WHEREAS, the County of Monmouth expects to receive an allocation for Fiscal Year 2018 from the United States Department of Housing and Urban Development; and

WHEREAS, the County of Monmouth has submitted its Annual Plan for Fiscal Year 2018 to the U.S. Department of Housing and Urban Development, which included a project hereinafter referred to as ADA Improvements to Borough Hall with a grant allocation of \$136,210.00.

WHEREAS, the Borough of Brielle hereby met all the requirements for the release of funds to begin incurring costs for this project; and

WHEREAS, the Borough of Brielle has filed with the Monmouth County Community Development Program an acceptable timetable for completion and expenditure of grant funds, which is included as an appendix to the Project Agreement.

NOW, THEREFORE, BE IT ORDAINED, that the Mayor and Municipal Clerk are hereby authorized to execute with the County of Monmouth the attached Project Agreement on behalf of the Borough of Brielle.

Certification

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Witness my Hand and Seal of the Borough of Brielle this 26th day of February 2019.

Thomas Nolan

Municipal Clerk

Resolution No.:19-22-E

Date: February 25th, 2019

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR TO SIGN A
CERTIFICATION PROHIBITING THE USE OF EXCESSIVE FORCE AND A CERTIFICATION PROHIBITING THE USE
OF FEDERAL FUNDS FOR LOBBYING

WHEREAS, certain federal funds are potentially available to Monmouth County through the Housing and
Community Development Act of 1974, as amended; and

WHEREAS, the United States Department of Housing and Urban Development has allocated funding to the
County of Monmouth for Fiscal Year 2018; and

WHEREAS, the County is making some of these funds available to certain participating municipalities and
non-profit agencies; and

WHEREAS, it is required that the Borough of Brielle execute a Project Agreement with Monmouth County to
undertake a project known as ADA Improvements to Borough Hall and

WHEREAS, the U.S. Department of Housing and Urban Development is requiring that the Mayor of the
Borough of Brielle sign additional certifications in order to receive these funds; and

WHEREAS, the Borough of Brielle has adopted a policy prohibiting the use of excessive force by its law
enforcement agency (police force) within its jurisdiction against any individuals engaged in non-violent civil
rights demonstrations; and

WHEREAS, a copy of that policy is attached to and made part of this resolution.

NOW, THEREFORE, BE IT ORDAINED, that the Borough of Brielle has met the conditions of receiving a Fiscal
Year 2018 allocation by adopting a policy prohibiting the use of excessive force and by not using federal funds
for lobbying or by disclosing that funds have been used for lobbying.

BE IT FURTHER RESOLVED, that the Mayor of the Borough of Brielle is hereby authorized to sign the attached
certifications which will become part of the Fiscal Year 2018 Project Agreement.

Certification

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meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, February 25th, 2019.

Witness my Hand and Seal of the Borough of Brielle this 26th day of February 2019.

Thomas Nolan
Municipal Clerk
Resolution No.:19-22-F
Date: February 25th, 2019

COMMUNITY DEVELOPMENT BLOCK GRANT RESOLUTION AUTHORIZING THE MAYOR AND CLERK TO
EXECUTE A PROJECT AGREEMENT WITH MONMOUTH
COUNTY FOR CERTIFICATION REGARDING LOBBYING
FOR FISCAL YEAR 2018

FOR: Borough of Brielle

Certification for Contracts, Grants, Loans, and Cooperative Agreements

The Undersigned certifies, to the best of his or her knowledge and belief, that:

(1) No Federal appropriated funds have been paid or will be paid, by or on behalf of the undersigned, to any
person for influencing or attempting to influence an officer or employee of any agency, a Member of
Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with
the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the
entering into of any cooperative agreement, and the extension, continuation, renewal, amendment or
modification of any Federal contract, grant, loan, or cooperative agreement.

(2) If any funds other than Federal appropriated funds have been paid or will be paid to any person for
influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer
or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract,
grant, loan or cooperative agreement, the undersigned shall complete and submit Standard Form-LLL,

"Disclosure Form to Report Lobbying," in accordance with its instructions.

(3) The undersigned shall require that the language of this certification be included in the award document for all sub-awards at all tiers (including subcontracts, sub-grants, and contracts under grants, loans and cooperative agreements) and that all sub-recipients shall certify and disclose accordingly.

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

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Witness my Hand and Seal of the Borough of Brielle this 26th day of February 2019.

Thomas Nolan
Municipal Clerk