

# ***Borough of Brielle***

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**MAY 22, 2017**

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August 14 2017

**May 22nd, 2017**

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MINUTES MAY 22nd, 2017 WORK SESSION START: 7:30 PM

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

ABSENT: COUNCILMAN VISCEGLIA

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 convened the work session in compliance with the Open Public Meetings Act and recognized the Administrator, who had no report. However, he advised Council that, at the request of the applicant, Resolution 17-52-A authorizing a person-to-person transfer of the Sand Bar liquor license would be held until June 12th, 2017.

There being no questions from Council or from the public, there was no further discussion and the work session was adjourned at 7:33 pm on a motion by Councilman Gianforte seconded by Councilman Nolan.

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MINUTES MAY 22nd, 2017 START: 7:34 P.M.

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

ABSENT: COUNCILMAN VISCEGLIA

Following a moment of silent prayer, a salute to the flag and roll call, the Minutes of the May 8th regular meeting were approved on a motion by Councilman Shaak seconded by Councilman Nolan; all aye; no nays. Passed

Councilman Garruzzo seconded by Councilman Nolan, introduced Resolution 17-52 for Passage of the Consent Agenda.

Resolution:

- A. (carried to 6/12/17)
- B. (see insertion)
- C. (see insertion)
- D. (see insertion)
- E. To authorize the Business Administrator to issue the 2017 private swimming pool licenses
- F. To approve a name change from Jonathon Ron Liquors to JR's Bevco.
- G. To authorize the Tax Assessor to employ Realty Data Systems for services re: Added Assessment List.
- H. (see insertion)

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Shaak; all aye, No nays. Passed (Note: Councilman Garruzzo abstained on C,D,F & H. Councilman Shaak abstained on H.)

Councilman Shaak seconded by Councilman Nolan introduced Resolution 17-53 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, 2017, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Shaak: all aye. No nays. Passed (Note: Councilman Shaak was appointed to the Finance committee for purposes of this meeting).

Mayor Nicol then announced that the time had arrived for a hearing and further consideration of "AN ORDINANCE TO AMEND CHAPTER FIVE OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "ANIMAL

CONTROL”.

The hearing was opened on a motion by Councilman Shaak seconded by Councilman Gianforte.

The Administrator explained while Brielle currently did not have any pet shops, the ordinance would regulate the sale of dogs and cats to prevent the adverse impact of sales from “puppy mills”.

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

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 17-54 for passage on second and final reading. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak; all aye. No nays. Passed

Councilman Gianforte seconded by Councilman Garruzzo introduced Resolution 17-55 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak; all aye. No nays. Passed

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

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

The Administrator explained that the ordinance clarified the responsibility for an infraction of the police regulations to the person responsible whether the owner or the operator of the premises where the violation occurred.

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

Councilman Garruzzo seconded by Councilman Nolan, introduced Resolution 17-56 for passage on second and final reading of the foregoing ordinance. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak; all aye. No nays. Passed

Councilman Shaak seconded by Councilman Nolan, introduced Resolution 17-57 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak; all aye. No nays. Passed

Mayor Nicol then called for Committee Reports and recognized Councilman Gianforte who had no report.

Councilman Nolan noted that the North vs. South event was scheduled for June 3rd. In preliminary events, golf and bowling, the North had already been victorious. He urged all residents to attend as a good time was in the offering.

Councilman Nolan also informed the public of the Library’s June 3rd Open House to highlight local artists. Some fifty local artists are expected to participate in the event between the hours of 1:00pm and 4:00pm. On June 6th a Star Wars Invasion will be held.

Councilman Garruzzo had no report. Councilman Shaak advised the public that due to the need to concentrate on addressing the management of water pressure due to the Old Bridge Water Tank being out of service, water meters were being read later than usual and the due date of June 1st

would be extended to July 1st, with the same standard grace period.

Councilman Gorham having no report, the meeting was open to the public and the Chair recognized Mr. Edward Burke, 406 Union Lane.

Mr. Burke cited his on-going dissatisfaction with the condition of Brielle Road, Fisk Avenue and Evergreen Avenues. The streets were in poor condition and the DPW patching was inadequate; he urged Council to address this problem and he was critical of the Borough’s mowing state property at various locations when the roads were left in such a condition.

Mayor Nicol thanked him and promised to raise his concerns with Superintendent McArthur.

There being no further comment the meeting was adjourned at 7:45pm on a motion by Councilman Shaak, seconded by Councilman Garruzzo.

Approved: June 12th, 2017

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Thomas F. Nolan  
Municipal Clerk

Resolution No.:17-52-B  
Date: May 22nd, 2017

#### RESOLUTION OF THE BOROUGH OF BRIELLE

Whereas, the Governing Body of the Borough of Brielle is committed to providing Waterfront public access, and

Whereas, NJDEP Permit #1308-14-0001.1CAF & FWW150001 grants permission for Improvements to Brielle Beach including kayak racks, and

Whereas, the property owner of Blocks 48.01 and 49.01, Lots 6.01 and 3.01 respectively have NJDEP approval through permit #1308-16-0008.1 for improvements to Their property, and

Whereas, said approval is conditioned upon the property owner being able to achieve a certain level of waterfront public access, and

Whereas, the installation of a kayak rack by said property owner at Brielle Beach would fulfill the requirement for public access as stated in the NJDEP permit conditions

Now Therefore Be It Resolved, that the property owner is hereby authorized by the Governing Body of the Borough of Brielle to install a suitable kayak rack at Brielle Beach.

Moved By: Councilman Garruzzo  
Seconded: Councilman Nolan

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Shaak; all aye. No nays.  
Abstained: None  
Absent: Councilman Visceglia

#### Certification

The foregoing is a true copy of a Resolution passed by the Brielle Mayor & Council at a meeting held on May 22nd, 2017.

Witness my hand and seal of the Borough of Brielle this 23rd day of May, 2017.

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Thomas F. Nolan  
Municipal Clerk  
Resolution No.:17-52-C  
Date: May 22nd, 2017

#### BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of Liquor License #1308-33-001-008, and

Whereas, the application is complete and the \$2,225.00 fee due to the Borough and the \$200.00 fee due to the State of New Jersey Division of Alcoholic Beverage Control received, and all municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received

Now Therefore Be It Resolved, that the application of JP'S River House, Inc. for premises located at 1 Ocean Avenue, Brielle, New Jersey, is hereby approved and the Clerk is authorized to renew the license from July 1st, 2017 through June 30th, 2018, subject to the following conditions:

1. Alcoholic Beverage may be sold, served, delivered or consumed on the open exterior deck of the premises from 12:00 p.m. to 11:00 p.m., Sunday through Thursday, and from 12:00 p.m. to 1:00 a.m. on Friday.
2. Live entertainment may be permitted on Saturdays and Sundays from 1:30 P.M. to 12:00 a.m. (Midnight). Live entertainment shall be limited to a piano player, a guitar player or a band (not to exceed a duo). A Disc - Jockey shall not be permitted.
3. Controlled Background Music may be permitted in the above mentioned deck area during the hours of 12:00 p.m. to 10:00 p.m., Sunday through Thursday, and from 12:00 p.m. to 1:00 a.m. on Fridays and Saturdays, providing that said music is in compliance with the provisions of Chapter 3, Sections 3-1.1 through 3.1-11 of the Code of the Borough of Bridle entitled "Noise Control" and is compliance with all other Ordinances of the Borough.
4. A singer shall be permitted to entertain on the deck on Friday and Saturday evenings from 9:00 p.m. until 12:00 a.m. (Midnight) and on Sunday from 3:00 p.m. until 10:00 p.m. provided that such activity is in compliance with the provisions of Borough Ordinances.
5. No doors or windows can remain open while any live entertainment or background music is utilized on the deck.
6. On the Sunday prior to Memorial Day & on the Sunday prior to Labor Day, the deck may remain open until 1:00 a.m. The deck may also remain open until 1:00 a.m. on July 3rd. These exceptions are granted subject to the provisions of this resolution.

#### Certification

The foregoing is a true copy of a Resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, May 22nd, 2017.

Witness my Hand and Seal of the Borough of Brielle this 23rd day of May.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.:17-52-D Date: May 22nd, 2017

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-44-007-004, and

Whereas, the application is complete, the \$1,650.00 fee due to the Borough of Brielle and the \$200.00 fee due to The State of New Jersey, Division of Alcoholic Beverage Control, have been received and all other municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received

Now therefore be it resolved that the application of Jonathon Ron, Inc. T/A Jonathon Ron Liquors for premises located at 629 Higgins Avenue Brielle, New Jersey, is hereby approved and the municipal clerk is hereby authorized to issue said license for the license period July 1st, 2017 through June 30th, 2018.

Certification

The foregoing is a true copy of a Resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, May 22nd, 2017.

Witness my Hand and Seal of the Borough of Brielle this 23rd day of May 2017.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.:17-52-H  
Date: May 22nd. 2017

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-31-013-001, and

Whereas, the application is complete, the \$66.00 fee due the Borough of Brielle has been waived, the \$200.00 fee due to the state of new jersey, division of alcoholic beverage control received, and all municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received.

Now therefore be it resolved, that the application of Brielle Fire Company Inc. T/a Brielle Fire Company for premises located at 509 Longstreet & Cardeza Avenues, Brielle, NJ is hereby approved and the municipal clerk is authorized to issue the license for the license year July 1st, 2017 through June 30th, 2018.

#### Certification

The foregoing is a true copy of a Resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, May 22nd, 2017.

Witness my Hand and Seal of the Borough of Brielle this 23rd day of May 2017.

Thomas F. Nolan  
Municipal Clerk