

Borough of Brielle

JUNE 12, 2017

August 14 2017

June 12th, 2017

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MINUTES JUNE 12th, 2017 WORK SESSION START: 7:30 PM

PRESENT: MAYOR NICOL, COUNCILMEN GARRUZZO, GIANFORTE, GORHAM, NOLAN, SHAAK, VISCEGLIA, 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 convened the work session in compliance with the Open Public Meetings Act and recognized the Administrator, who had no report.

There being no questions from Council or from the public, there was no further discussion and the work session was adjourned at 7:32 pm on a motion by Councilman Gianforte seconded by Councilman Nolan.

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MINUTES JUNE 12th, 2017 START: 7:33 P.M.

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

ABSENT: NONE

Following a moment of silent prayer, a salute to the flag and roll call, the Minutes of the May 22nd 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 17-58 for Passage of the Consent Agenda.

Resolution:

- A. (see insertion)
- B. (see insertion)
- C. (see insertion)
- D. (see insertion)
- E. (see insertion)
- F. (see insertion)
- G. To authorize the Brielle Ale House to conduct a 5k Run to benefit Ashley Lauren Foundation to aid children with cancer
- H. (see insertion)

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

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 17-59 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 June 12th, 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 & Visceglia: all aye. No nays. Passed.

Mayor Nicol then called for committee reports and recognized Councilman Gianforte who had no report, but praised the North vs. South competition calling it a great event and adding that it made one think "thank God I live in Brielle".

Councilman Nolan cited the June 13th Book Club Meeting at the Library, the June 20th & 22nd workshops on social security and on June 27th "Lifeguard Tells All" a primer on water safety.

Councilman Nolan added that the North/South event, after a rain delay, was an arduous, but fun filled event that raised over \$10,000 for charity.

Councilman Garruzzo reminded the public to keep August 8th open for the annual "Night Out Against Crime" an event jointly sponsored by the Police and Board of Recreation. The event provided a fun-filled evening where residents could get to know their local police force.

Councilman Garruzzo also reminded the public not to leave their vehicles unlocked as there had been a rash of thefts in local communities and residents should be conscious that an unlocked door and any valuables from a lap top to loose change can create a target for criminals.

Councilman Shaak & Gorham having no reports, the meeting was open to the public and the Chair recognized Janice Hendricks, 615 Leslie Avenue, who voiced a concern over the recent noise ordinance and asked what the actual restrictions were.

Her question lead to an exchange with the Borough Attorney wherein he advised her that the hypothetical example she posed could not be addressed as each situation was unique and depended on the perception of the individual making the complaint.

The discussion made it clear that there was confusion over the noise ordinance and the nuisance ordinance.

Ms. Kologi, 3 S Tamarack Drive cited a weekend party where attendees at a 60th birthday party were subjected to a number of police visits in response to nuisance complaints from a neighbor. She feared this ordinance would create numerous calls, a waste of police manpower and impact the quality of life for residents.

Ms. Hendrick reminded Council that it was a summer resort town and noise was part of the environment.

Both Mayor Nicol and Councilman Shaak suggested that residents could always call the police when they had issues with their neighbors and the use of lawn mowers and leaf blowers was clearly permitted during the times established by ordinance.

The Council promised to monitor the situation and keep track of complaints.

John Jackson, Attorney for Waypoint 622, was recognized and he advised Council that he had a concern over the ordinance and a fear that such complaints could be used against his client insofar as an objector had requested restrictions to be placed on the Waypoint's liquor license.

He noted that, contrary to the 2015 season, there was only one complaint in 2016 and it occurred during a test of the new sound system when the noise level of the 2015 season was replicated by a band called the Counterfeiters. His client believed that the problem had been addressed, but the new nuisance ordinance could be misused to create a perception of noise complaints.

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Mr. Jackson stated that he would be in attendance at the next meeting and present his case against restrictions. He asked Council to keep an open mind.

The public portion was adjourned at 7:53 pm on a motion by Councilman Garruzzo seconded by Councilman Shaak.

Attorney Montenegro then announced that there would be a hearing on the license renewal of the Waypoint 622 Liquor License @ 7:30pm at Borough Hall on June 26th, 2017. Since both Mr. Jackson and the party requesting the imposition of restrictions, Thomas Stuhmann were present, no further notice would be given.

There being no further comment the meeting was adjourned at 7:55pm on a motion by Councilman Gianforte seconded by Councilman Shaak.

Approved: June 26th, 2017

Thomas F. Nolan
Municipal Clerk

Resolution No: 17-58-A Date: June 12th, 2017

Resolution of the Borough of Brielle

Whereas, an application has been filed for a Person-To-Person Transfer of Plenary Retail Consumption License #1308-33-002-010 issued to SJS True, Inc. for premises located at 201 Union Lane, Brielle, New Jersey, to TCMJ, LLC., and

Whereas, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current License term, and

Whereas, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as the pertinent local ordinances and conditions consistent with Title 33, and

Whereas, a Police Investigation has been conducted and no impediments were found that would prevent said transfer, and

Whereas, the Governing Body has no objection to this transfer and consents to the transfer taking effect, with all special conditions now in effect remaining in force.

Now Therefore Be It Resolved, that the Governing Body of the Borough of Brielle hereby approves the person to person transfer of License #1308-33-002-010, 201 Union Lane Brielle, New Jersey, to TCMJ, LLC,

Be it further resolved, that the special conditions cited in the renewal resolution of June 13th, 2016 shall remain in effect.

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, June 12th, 2017.

Witness my Hand and Seal of the Borough of Brielle this 13th day of June 2017.

Thomas Nolan
Municipal Clerk

Resolution No.:17-58-B
Date: June 12th, 2017

WHEREAS, there is an Escrow Account where construction work has been completed and a refund is due the applicant, and

WHEREAS, the following account is due this refund:

Escrow account #7100, Verizon Wireless, for Block 20.01, Lot 23, 301 Union Avenue (Site of Jimmy's Subs)

NOW, THEREFORE, BE IT RESOLVED that the total amount of \$752.50 be refunded to the attorney firm associated with this application: Law Offices of Hiering, Dupignac, Stanzione, Dunn & Beck, P.C. for the unused escrow money.

CERTIFICATION

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council, at a meeting held on June 12th, 2017.

Witness my hand and seal of the Borough of Brielle this 13th day of June 2017.

Thomas Nolan
Municipal Clerk

Resolution No: 17-58-C Date: June 12th, 2017

Resolution of the Borough of Brielle

Whereas: on June 6th, 2017 Holiday Express, 968 Shrewsbury Ave. Tinton Falls, NJ 07724 submitted Raffle Application No. 2017-12 ID, No. 343-4-36537 for an 50/50 raffle, to be held at Manasquan River Golf Club, 843 Riverview Drive Brielle NJ 08730 on Monday, July 17th, 2017 at 9:00 pm.

Whereas: the Brielle Police Department had indicated that it has no objection to granting this License.

Now, Therefore, Be It Resolved: that the Governing Body of the Borough of Brielle directs the Business Administrator to sign the Findings and Determination and the Municipal Clerk is to issue the required License

on behalf of the Borough.

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 June 12th, 2017.

Witness my Hand and Seal of the Borough of Brielle this 13th day of June 2017.

Thomas F. Nolan
Municipal Clerk

Resolution No.:17-58-D
Date: June 12th, 2017

BOROUGH OF BRIELLE RESOLUTION

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

Whereas, the application is complete, the \$2,225.00 fee due 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 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 Manasquan River Golf Club, for premises located at 847 Riverview Drive (PO Box 505), Brielle, N.J., 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

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Witness my Hand and Seal of the Borough of Brielle this 13th day of June 2017.

Thomas F. Nolan
Municipal Clerk

Resolution No.:17-58-E Date: June 12th, 2017

BOROUGH OF BRIELLE RESOLUTION

Whereas, an application has been received for the renewal of Club License #1308-31-014-001, and

Whereas, the application is complete, the \$70.00 municipal fee has been paid, and the \$200.00 fee due to the A.B.C. has been paid, and all municipal requirements have been met, and

Whereas, no objections to granting this license have been received.

Now Therefore Be It Resolved, that the application of Manasquan River Yacht Club, for premises located at 405 Riverview Lane, is hereby renewed for the period July 1st, 2017 through June 30th, 2018.

Certification

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Witness my Hand and Seal of the Borough of Brielle this 13th day of June 2017.

Thomas F. Nolan
Municipal Clerk

Resolution No.:17-58-F Date: June 12th, 2017

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-004-007, and

Whereas, the application is complete, the \$2,225.00 fee due 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 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 Simkos Bar & Restaurant, LLC, T/A Simkos for premises located at 403 Higgins Avenue, Brielle, N.J., 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, June 12th, 2017.

Witness my Hand and Seal of the Borough of Brielle this 13th day of June 2017.

Resolution No: 17-58-H Date: June 12th, 2017

RESOLUTION TO URGE REPRESENTATIVES FROM THE STATE OF NEW JERSEY TO
SUPPORT THE LEGISLATIVE ACTION TO RE-AUTHORIZE AND EXTEND THE NATIONAL FLOOD INSURANCE
PROGRAM ("NFIP")

WHEREAS, floods are the most common and most destructive natural disasters in the United States; and
WHEREAS, the National Flood Insurance Act authorizes a National Flood Insurance Program ("NFIP"); and
WHEREAS, the NFIP is a Federal program created by Congress to mitigate future flood losses nationwide and
to provide access to affordable, federally backed flood insurance protection for property owners; and
WHEREAS, the NFIP is designed to provide an insurance alternative to disaster assistance to meet the
escalating costs of repairing damage to buildings and their contents caused by floods; and
WHEREAS, New Jersey is fourth in the nation in the number of NFIP policies enforced and third in total value
of claims paid; and
WHEREAS, five hundred and fifty-two communities in New Jersey participate as members of the NFIP which
amounts to over 230,000 policies enforced throughout the State of New Jersey; and
WHEREAS, the NFIP maintains a significant role in providing financial protection against flood events to New
Jersey residents; and
WHEREAS, the NFIP is set to expire on September 30, 2017; and
WHEREAS, the expiration of this program could cause catastrophic loss of insurance coverage against flooding
which is the number one cause of loss of property throughout the United States; and
WHEREAS, in the event the program were to expire, the consequences in the form of disruption of coverage
and the potential financial burdens to residents throughout the State of New Jersey will be of great economic
significance; and
WHEREAS, the purpose of this Resolution is to urge the Borough of Brielle Federal Representatives to support
the extension of the NFIP which promotes the public health, safety and general welfare and minimizes public
and private losses due to flooding events in the State of New Jersey
NOW, THEREFORE, BE IT RESOLVED, that Borough of Brielle hereby urges its Federal Legislators and
Representatives to take any and all necessary action
to insure that the National Flood Insurance Program is extended beyond the September 30th, 2017 expiration
date.
BE IT FURTHER RESOLVED, that a copy of this Resolution shall be forwarded to Borough of Brielle Federal
Legislators and Representatives.

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 June 12th, 2017.

Witness my Hand and Seal of the Borough of Brielle this 13th day of June 2017.

Thomas F. Nolan
Municipal Clerk
Resolution No.:17-58-I Date: June 12th, 2017

BE IT RESOLVED, that the Borough Administrator, Thomas F. Nolan, is hereby authorized, by the Governing Body of the Borough of Brielle, to execute a Change Order #1 for Improvements to Valley Road-Phase I, in the amount of \$8,918.44.

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

None abstained.

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, June 12th, 2017.

Witness my Hand and Seal of the Borough of Brielle this 13th day of June 2017.

Thomas F. Nolan
Municipal Clerk