

# ***Borough of Brielle***

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**MAY 13, 2019**

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June 10 2019

**May 13th, 2019**

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MINUTES May 13th, 2019 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 then opened the Work Session in compliance with the Open Public Meetings Act and recognized the Administrator who had no report.

Mayor Nicol then read a proclamation (see insertion).

## **DECLARING THE FIRST FRIDAY IN JUNE TO BE NATIONAL GUN VIOLENCE AWARENESS DAY**

This proclamation declares the first Friday in June to be National Gun Violence Awareness Day in the Borough of Brielle to honor and remember all victims and survivors of gun violence and to declare that we as a country must do more to reduce gun violence.

WHEREAS, every day, 100 Americans are killed by gun violence and on average there are nearly 13,000-gun homicides every year; and

WHEREAS, Americans are 25 times more likely to be killed with guns than people in other high-income countries; and

WHEREAS, protecting public safety in the communities they serve is mayors' highest responsibility; and

WHEREAS, support for the Second Amendment rights of law-abiding citizens goes hand-in-hand with keeping guns away from dangerous people; and

WHEREAS, mayors and law enforcement officers know their communities best, are the most familiar with local criminal activity and how to address it, and are best positioned to understand how to keep their citizens safe; and

WHEREAS, in January 2013, Hadiya Pendleton, a teenager who marched in President Obama's second inaugural parade and was tragically shot and killed just weeks later, should have be now celebrating her 22nd birthday; and

WHEREAS, to help honor Hadiya - and the 100 Americans whose lives are cut short and the countless survivors who are injured by shootings every day - a national coalition of organizations has designated June 7th, 2019, the first Friday in June, as the 5th National Gun Violence Awareness Day; and

WHEREAS, the idea was inspired by a group of Hadiya's friends, who asked their classmates to commemorate her life by wearing orange; they chose this color because hunters wear orange to announce themselves to other hunters when out in the woods and orange is a color that symbolizes the value of human life; and

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WHEREAS, anyone can join this campaign by pledging to Wear Orange on June 7th, the first Friday in June in 2019, to help raise awareness about gun violence; and

WHEREAS, by wearing orange on June 7th, 2019 Americans will raise awareness about gun violence and honor the lives of gun violence victims and survivors; and

WHEREAS, we renew our commitment to reduce gun violence and pledge to do all we can to keep firearms out of the wrong hands and encourage responsible gun ownership to help keep our children safe.

NOW, THEREFORE BE IT RESOLVED, that Mayor Nicol and Council of the Borough of Brielle declare the first Friday in June, June 7, 2019, to be National Gun Violence Awareness Day. I encourage all citizens to support their local communities' efforts to prevent the tragic effects of gun violence and to honor and value human lives.

The Chair recognized Ms. Lynn Schambach, 525 Harris Avenue, who thanked the Mayor & Council for the proclamation. As a member of the Monmouth County Group of Moms Demand Action for Gun Sense in America, a grass roots movement formed after Sandy Hook shootings in 2012.

The Group supports the rights of law-abiding citizens to own firearms, but seeks sensible legislation, increased awareness of the problem and the promotion of gun safety to address the 36,000 lives lost each year to gun violence. Cited the past 20th Anniversary of Columbine gun violence in Belmar, UNC Charlotte and the Stem School Highlands ranch, the urgency of the need for raised awareness was never more evident.

Ms. Schambach urged everyone to wear orange on June 7th and invited the Mayor & Council to attend the MDA's Community Day of Action on June 8th, 11:00am to 2:00pm at Liberty Park Community garden in Neptune.

There being no questions from Council or the public, the work session was adjourned at 7:40 p.m. on a motion by Councilman Gianforte seconded by Councilman Nolan.

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MINUTES MAY 13th, 2019 START: 7:41 P.M.

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

ABSENT: COUNCILMAN VISGELIA

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 April 22nd Regular Meeting. A motion was made by Councilman Shaak seconded by Councilman Nolan; all aye; no nays. Passed.

Mayor Nicol then announced that the time had arrived for a hearing on the 2019 Municipal Budget as introduced on April 8th, 2019.

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

Finance Committee member Councilman Garruzzo informed the public that the budget before the Council had no increase in the municipal tax rate, the amount to be raised for municipal purposes was \$6,840,086.00, the same figure as 2018.

Councilman Garruzzo reminded the public that the Mayor & Council only control the municipal portion of the tax rate and have no input into the County or School tax rates.

Councilman Garruzzo thanked his colleagues on the Finance Committee for their assistance in the preparation of the budget and he also thanked the municipal department heads for their in-put into the process.

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

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-46 (see insertion).

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-47 for passage of the Consent Agenda.

Resolution:  
A. (see insertion)

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

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Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-48 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 April 22nd, 2019, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Council members Garruzzo, Nolan, Shaak & Visceglia: all aye. No nays. Passed

Mayor Nicol then announced that the time had arrived for a hearing and further consideration of "BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS

CAPITAL EQUIPMENT, APPROPRIATING \$806,210.00 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$446,500.00 BONDS OR NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BRIELLE, IN THE COUNTY OF MONMOUTH, NEW JERSEY”.

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

The Administrator explained that the ordinance implemented the capital section of the 2019 budget that was passed this evening. Projects included road and drainage improvements, ADA compliance and the procurement of public works equipment.

Mr. Lefty Grimes, an advocate for the disabled, the homeless and patients seeking relief through the use of medical marijuana cited his disappointment that, while the Council was attempting to address the ADA issue, the Police Station was still not barrier free; he believed this to be a civil rights violation and urge Council to address it expeditiously.

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

Councilman Nolan seconded by Councilman Garruzzo introduced Resolution 19-49 for passage on final reading of the foregoing ordinance. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan & Shaak; all aye. No nays. Passed.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 19-50 to authorize publication of passage and adoption in the Coast Star according to Local Bond Law. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Shaak; all aye. No nays. Passed.

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

Councilman Nolan advised that, the Library would conduct a Social Security Workshop on May 14th, the Library would host Joanne Cherefko for a poetry reading and book signing on May 16th @ 6:00pm. Earlier that same day teen Jennifer Donnelly would be in the teen room to discuss her new

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book Stepsister. In addition, the Manasquan River Group of Artists would display their works on May 18th from 1:00p.m. to 4:00pm.

Turning to recreation, Councilman Nolan noted that the young adult tennis program had begun as had Bocce and the annual fall Coaster Derby was in the Planning Stage.

Councilman Garruzzo announced that police Officers Brian Stahl and Michael Palmer Jr. have been certified as Child Passenger Safety Technicians. These officers are able to perform safety seat checks and provide parents and caregivers education and hands-on assistance with the proper use of child restraint systems and seat belts. Residents can call or e-mail ([info@briellepd.org](mailto:info@briellepd.org)) the police department to schedule an appointment for an inspection or to obtain information.

The Marine Unit is being readied for deployment for the upcoming Memorial Day Weekend and will continue to be deployed throughout the summer months.

Councilman Shaak noted that the annual bulk pick-up had been a success and he reminded the public that a single bulk item could be placed at the curb on the respective collection day year-round. He also advised that the Route #35 Bridge Northbound had reopened, but cautioned motorists to be aware of the bumps that were marked, but that NJDOT did not plan to cure until project end.

Councilman Gorham having no report the meeting was opened for public comment.

Virginia Loftin, 407 South Street, inquired if a bike rack could be placed by the kayak racks. Councilman Nolan replied that it would require NJDEP approval. Ms. Loftin also asked if the Bond Ordinance would be published on the web and the Administrator advised that it would be. Ms. Loftin then noted that the agenda for the meeting should be published in advance. The Administrator thought that it had been, but he would find out why it had not been.

Mike Vintzileos of Point Pleasant was recognized, and he explained his journey through heroin addiction to methadone and finally to medical marijuana. The latter had finally brought him relief and the ability to resume a normal drug free existence; he was proud of that fact and he displayed a cap with the cannabis logo in his vehicle.

Mr. Vintzileos then stated that he had been pulled over by a Brielle police Officer on May 2nd at approximately 2:00am and he felt that he had been mistreated. He described the incident in some detail, the salient point being that he was "pulled" from his vehicle and treated like a criminal because the odor of marijuana was present in the car and the cap displayed. While he did not receive a ticket, he found the incident disturbing and he hoped that, by bringing this matter to the attention of the Council others might be spared an "awful experience".

Jeffrey Oaks of Oceanport, a cancer patient who depended on cannabis cited his extensive  
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regimen of treatments for cancer and the support he had received from the advocates present. He urged Council to keep in mind that those who used medical marijuana were patients in need of compassion not "stoners" to be stigmatized.

Aubrey Conway of Sayreville, a Patient Advocate, also asked for compassion pointing out that medical marijuana was employed to ease pain, the local police should be aware of that fact and she believed that regardless of any personal views on marijuana, everyone could agree that patients were worthy of compassion.

Mr. Grimes reiterated his concerns over the failure of Brielle and other locations in the State to be ADA Compliant. He also stressed the need for police training and for officers to understand what it meant when a driver produced his medical ID Card. The Police needed to become aware of the requirements of the Compassionate Use Act.

Mr. Grimes cited both Mr. Vis and Mr. Oaks statements as to the stress caused by the fear that the odor of marijuana in their vehicles or, as Mr. Oaks noted when his wife or daughter were driving the car, would occasion a police officer stop. Stress and anxiety were not conducive to health and these patients were already suffering.

In summary, Mr. Grimes urged the Council to become fully ADA compliant and to stress education, in particular a better understand of the Compassion Use Act, for their police personnel.

Councilman Visceglia having no report and there being no public comment, the meeting was closed on a motion by Councilman Gianforte seconded by Councilman Nolan at 8:10 pm.

Approved: May 28th, 2019

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-46  
Date: May 13th, 2019

Resolution of the Borough of Brielle

Be It Resolved, by the Borough Council of the Borough of Brielle, County of Monmouth that the budget hereinbefore set forth is hereby adopted and shall constitute an appropriation for the purposes stated and the sums therein set forth as appropriations, and authorization of the amount of \$6,840,086.00 for municipal purposes.

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

CERTIFICATION

The foregoing is a true copy of a resolution approved by the Brielle Mayor & Council at a meeting held on May 13th, 2019.

Witness my hand and seal of the Borough of Brielle this 14th day of May 2019.

SEAL

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 19-47-A

Date: May 13th, 2019

Resolution in Support of Path to Progress Recommendations made by New Jersey Economic and Fiscal Policy Workgroup

WHEREAS, New Jersey faces a daunting fiscal crisis; and

WHEREAS, for two decades, while county and municipal governments made the proper pension payments, New Jersey governors from both parties severely underfunded the pension system for teachers and State government workers; and

WHEREAS, while local government pension systems are funded at the national average, the State's unfunded liability for pensions and retiree health benefits now tops \$150 billion — four times the size of the State budget; and

WHEREAS, actuaries project the State will have to increase its pension contribution from \$3.2 billion in this year's budget to \$6.7 billion to reach the Actuarially Required Contribution (ARC) by FY 2023; and

WHEREAS health care costs continue to rise, and New Jersey and its local governments cannot sustain the unparalleled platinum-level benefits that they provide to their employees; and

WHEREAS, the state has held municipal aid flat, moved the Energy Tax Receipts out of the Property Tax Relief Fund, and with the sunseting of Chapter 78 relief and the 2% arbitration cap; and

WHEREAS, the State must bring pension and health care costs under control in order to hold down property taxes.

NOW, THEREFORE BE IT RESOLVED that Borough of Brielle expresses its support for the recommendations of the Path to Progress report issued by the New Jersey Economic and Fiscal Policy Workgroup; and

BE IT FURTHER RESOLVED, that a copy of this Resolution is forwarded to State Senator Singer, Assemblymen Kean and Thomson, Senate President Sweeney, Assembly Speaker Coughlin, Senator Paul Sarlo, Senator Steve Oroho, Assembly Majority Leader Greenwald, Assemblywoman Eliana Pintor-Marin, Senator Tony Bucco, Senator Troy Singleton, Senator Dawn Addiego, the Governor of State of New Jersey, the New Jersey Association of Counties, and the New Jersey State League of Municipalities.

CERTIFICATION

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Thomas F. Nolan  
Municipal Clerk