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#### MINUTES September 14<sup>th</sup>, 2020

#### START: 6:00 PM

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

#### ABSENT: NONE

Mayor Nicol convened the work session at 6:00pm, but as the Administrator had no report and there no comments from council or the public, the regular meeting began.

Mayor Nicol announced that this was a virtual meeting and is being recorded. The Mayor read the compliance statement and the Administrator having no report, but he asked permission to add a "house-keeping" resolution to the consent agenda to renew the Ship Wreck Grill liquor license. The Regular Council Meeting was opened in compliance with the Open Public Meetings Act. Mayor Nicol asked for a roll call.

Mayor Nicol then asked for a motion to approve the Minutes of the August 17<sup>th</sup> Regular Meeting. A motion was made by Councilman Gianforte seconded by Councilman Gorham, all aye, no nays. Passed.

Councilman Garruzzo seconded by Councilman Shaak introduced Resolution 20-65 for Passage of the Consent Agenda.

Resolution:

- A. (see insertion)
- B. (see insertion)
- C. To approve a Block party permit re: 601 Sandy Court
- D. (see insertion)
- E. (see insertion)
- F. (see insertion)
- G. To appoint Andrew Chermack to the Brielle Planning Board
- H. (see insertion)
- I. (see insertion)
- J. (see insertion)
- K. To appoint Brenden K Smith as a DPW Driver at an annual salary of \$38,500.00
- L. (see insertion)
- M.To authorize the Boy Scouts, Troop #63, to conduct their annual island clean-up of Nienstedt Island, and stay overnight September 18<sup>th</sup> through 19<sup>th</sup>, 2020.
- N. (see insertion)
- O. (see insertion)
- P. (see insertion)

A motion was made by Councilman Gianforte seconded by Councilman Shaak to state that all

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Liquor License Resolutions were renewed with existing conditions: all aye. No Nays. Passed. (Note: The motion was made as a result of inquiries by resident Donald Ziliotto & Diane Lucianna 407 Ashley Avenue, respectively and Thomas Stuhrmann, 106 Ocean Avenue, as to the retention of the existing conditions).

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. Passed. (Councilman Garruzzo abstained of C, D, E, F, L & P).

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 20-66 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 September 14<sup>th</sup>, 2020 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

The Mayor announced that the time had arrived for a hearing and further consideration of "BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK, APPROPRIATING \$650,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$617,500.00 BONDS AND 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 Fire Company needed a new truck and the ordinance provided the Borough with a variety of funding options.

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

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 20-67 for passage on second and final reading of the foregoing Bond Ordinance in compliance with Local Bond Law. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. None abstained. Passed.

Councilman Garruzzo seconded by Councilman Nolan, introduced Resolution 20-68 to authorize publication of passage and adoption of the Bond Ordinance in the Coast Star in accordance with the provisions of Local Bond Law. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

The Mayor then called for committee report. Councilman Gianforte having no report. Councilman Nolan advised that Flag Football would begin on September 19<sup>th</sup> and approximately 165 children had signed up for the program.

Councilman Nolan also noted that the Library had resumed normal hours of operation. Mayor

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Nicol interjected that the Library was selling Fire Company shirts and they were not only attractive but supported a worthy cause.

Councilman Garruzzo gave the following report. Patrolman Thomas O'Horo Badge # 173 was born and raised in West Long Branch where he currently resides. Thomas was hired as a Class II Special Law Enforcement Officer for the Borough of Belmar in 2018 and successfully completed his Class II Special Law Enforcement Officer Training at the Monmouth County Police Academy. In 2019, Thomas took a position as a Class II Special Law Enforcement Officer in the Borough of Shrewsbury, where he also worked part-time as a police telecommunications operator and gained a great deal of experience supplementing patrols. Thomas is a graduate of Montclair State University where he received his bachelor's degree in Criminal Justice.

Patrolman Matthew Murphy Badge #174 was born and raised in Brick Township and presently resides in Toms River. Matthew was hired as a Class II Special Law Enforcement Officer for the Borough of Point Pleasant Beach in 2019 and successfully completed his Class II Special Law Enforcement Officer Training at the Ocean County Police Academy. In December of 2019, Matthew took a position as a full time Class II Special Law Enforcement Officer with the Pemberton Township Police Department where he, too, gained a great deal of experience performing patrol duties. Matthew is a graduate of Ocean County College where he earned his associate degree.

On September 8, 2020, the Police Department once again investigated a Motor Vehicle Theft, an attempted theft of a motor vehicle and several car burglaries. We continue to urge our residents to remove key fobs and lock all vehicles. On Saturday, September 12th, 2020, at 2:41 PM, Brielle Patrolman Allison McCabe observed a vehicle traveling at a high rate of speed on State Hwy. 35. northbound. Subsequent to a motor vehicle stop and a well-executed investigation, Patrolman McCabe, assisted by Patrolman Barilari, K-9 Nero and Patrolman Aridas, approximately 23.396 ounces of suspected heroin was seized. The individual apprehended was lodged in the Monmouth County Correctional Institution pending a bail hearing.

Councilman Shaak reminded the public that Clean-up week would take place the week of September 21<sup>st</sup> on the residents regularly scheduled day of collection.

The meeting was then opened to the public and there being no public comment the public portion was closed on a motion by Councilman Garruzzo, seconded by Councilman Nolan. The meeting was adjourned at 6:20 pm on a motion by Councilman Shaak, seconded by Councilman Gianforte.

Approved: September 28<sup>th</sup>, 2020

Resolution No.: 20-65-A Date: September 14<sup>th</sup>, 2020

# BOROUGH OF BRIELLE CERTIFICATION OF REQUEST FOR EMERGENCY PURCHASES TO BE FILED WITH THE BOROUGH ADMINISTRATOR & CERTIFIED PURCHASING AGENT

The undersigned Department Head certifies as follows:

- 1. An emergency condition exists in the Public Works Department.
- 2. This condition constitutes an emergency affecting the immediate health, safety or welfare of the public.
- 3. The nature of the condition is as follows:

Repair of Water Service/Water Main Break @ 402 Higgins Avenue.

- 4. It is necessary to invoke N.J.S.A. 40a:11-6 in order to obtain the immediate delivery of the materials, supplies or performance of the service described in the attached requisition (see attached). The estimated cost of furnishing the materials, supplies or services is
- 5. It is requested that a Purchase Order be issued without public advertisement for bids, pursuant to the above cited statute.
- 6. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Thomas Nolan Business Administrator Jeff Weiss Department Head

#### CERTIFICATION

I, Thomas F. Nolan do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the 14th day of September 2020.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15<sup>th</sup> day of September 2020.

Resolution No.: 20-65-B Date: September 14<sup>th</sup>, 2020

# BOROUGH OF BRIELLE CERTIFICATION OF REQUEST FOR EMERGENCY PURCHASES TO BE FILED WITH THE BOROUGH ADMINISTRATOR & CERTIFIED PURCHASING AGENT

The undersigned Department Head certifies as follows:

- 4. An emergency condition exists in the Public Works Department.
- 5. This condition constitutes an emergency affecting the immediate health, safety or welfare of the public.
- 6. The nature of the condition is as follows:

Repair of Water Service/Water Main Break @ 200 Union Lane.

- It is necessary to invoke N.J.S.A. 40a:11-6 in order to obtain the immediate delivery of the materials, supplies or performance of the service described in the attached requisition (see attached). The estimated cost of furnishing the materials, supplies or services is
- 8. It is requested that a Purchase Order be issued without public advertisement for bids, pursuant to the above cited statute.
- 9. I certify that the foregoing statements made by me are true. I am aware that if any of the foregoing statements are willfully false, I am subject to punishment.

Thomas Nolan Business Administrator Jeff Weiss Department Head

#### CERTIFICATION

I, Thomas F. Nolan do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the 14th day of September 2020.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15<sup>th</sup> day September of 2020.

Resolution No.:20-65-D Date: September 14<sup>th</sup>, 2020

## BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for renewal of liquor license #1308-33-002-011, 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 Getting Happier, LLC T/A The Pig and the Parrot Sand Bar for premises located at 201 Union Lane, Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue the license for the license year July 1<sup>st</sup>, 2020 through June 30<sup>th</sup>, 2021, subject to the following conditions hereby imposed by the Governing Body of the Borough of Brielle:
- 1.) The conditions imposed by the Brielle Planning Board Resolution, dated May 6<sup>th</sup>, 1995 and incorporated into the text of this resolution as Addendum #1 (attached) shall continue to apply to this liquor license and shall be strictly enforced. The license holder shall abandon the area known as the west deck for service and/or consumption of food and alcoholic beverage and any other business purpose. The applicant shall not place any tables, chairs or similar devices on the west deck.
- 2.) No alcoholic beverage is to leave the licensed premises in an open container. The management of the Sand Bar is required to monitor all points of ingress or egress to ensure that this condition is met.
- **3.)** All doors and windows of the Sand Bar shall be kept closed after 7:00 p.m. (Prevailing Time) whenever live, canned or amplified music is played.

# 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, September 14<sup>th</sup>,2020.

Witness my Hand and Seal of the Borough of Brielle this 15<sup>th</sup> day of September 2020.

Resolution No.:20-65-E Date: September 14<sup>th</sup>, 2020

#### 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 Paradise Hospitality LLC for premises located at 1 Ocean Avenue, Brielle, New Jersey, is hereby approved and the Clerk is authorized to renew the license from July 1<sup>st</sup>, 2020 through June 30<sup>th</sup>, 2021, 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 Brielle entitled "Noise Control" and is compliance with all other Ordinances of the Borough.
- 4. A singer shall he 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 am. The deck may also remain open until 1:00 a.m. on July 3<sup>rd</sup>. These exceptions are granted subject to the provisions of this resolution.

#### CERTIFICATION

I, Thomas F. Nolan do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the 14<sup>th</sup> day of September 2020.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15<sup>th</sup> day of September 2020.

SEAL

Resolution No.:20-65-F Date: September 14<sup>th</sup>, 2020

# BOROUGH OF BRIELLE RESOLUTION

Whereas, Hoffman's Restaurant, LLC., with premises located at 622 Green Avenue, has made application for the renewal of Seasonal Liquor License #1308-34-003-006, for the license Period July 1<sup>st</sup>, 2020 through November 15<sup>th</sup>, 2020, and May 1<sup>st</sup>, 2021 to June 30<sup>th</sup>, 2021.

Whereas, the application being complete, \$1,650.00 fee paid to the Borough of Brielle, \$200.00 fee due to The State Of New Jersey Division Of Alcoholic Beverage Control having been paid.

Now therefore be it resolved, that the Municipal Clerk is hereby authorized to issue said license, subject to the following conditions:

1. Amplified outdoor music shall be prohibited on the Hoffman's Restaurant property. This prohibition shall include both live Musicians and DJs.

2. Valet Parking shall be provided when the adjacent parking lot at Hoffman's Marina is utilized.

This condition No. 2 was agreed upon by the applicant.

A violation of these condition may result in suspension or revocation of the license.

Moved By: Councilman Garruzzo. Second: Councilman Shaak. Vote. Councilman Gianforte, Gorham, Nolan, Shaak and Visceglia; all aye. No nays. Ineligible to Vote: Councilman Garruzzo. Absent: None

# 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, September 14<sup>th</sup>, 2020.

Witness my Hand and Seal of the Borough of Brielle this 15<sup>th</sup> day of September 2020.

Resolution No.: 20-65-H Date: September 14<sup>th</sup>, 2020

## Resolution of the Borough of Brielle

Whereas, the Borough of Brielle is a member of the Monmouth Municipal Joint Insurance Fund and the MMJIF is a member of the statewide Municipal Excess Liability Insurance Fund, and

Whereas, every two years the MEL requires each member municipality to review the Municipal Employee Handbook to ensure that it is updated and compliant with current Employment Practice Liability, and

Whereas, the Borough has completed the 2020-2021 MEL Employment Practices Risk Control Update Checklist and is now compliant with all requirements.

Now Therefore Be It Resolved, that the Mayor & Council hereby adopt the updated policies as contained in the Employee Handbook and affirm that said Handbook has been distributed to all Municipal Employees.

#### CERTIFICATION

I, Thomas F. Nolan do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the 14<sup>th</sup> day of September 2020.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15<sup>th</sup> day of September 2020.

Resolution No.: 20-65-I Date: September 14<sup>th</sup>, 2020

#### **Borough of Brielle Model Civil Rights Resolution**

A RESOLUTION TO AFFIRM THE BOROUGH OF BRIELLE'S CIVIL RIGHTS POLICY WITH RESPECT TO ALL **OFFICIALS**, **APPOINTEES, EMPLOYEES,** EMPLOYEES, VOLUNTERS, PROSPECTIVE INDEPENDENT CONTRACTORS, AND MEMBERS OF THE PUBLIC THAT COME INTO CONTACT WITH MUNICIPAL EMPLOYEES. **OFFICIALS** AND **VOLUNTEERS** 

WHEREAS, it is the policy of the Borough of Brielle to treat the public, employees, prospective employees, appointees, volunteers and contractors in a manner consistent with all applicable civil rights laws and regulations including, but not limited to the Federal Civil Rights Act of 1964 as subsequently amended, the New Jersey Law against Discrimination, the Americans with Disabilities Act and the Conscientious Employee Protection Act, and

**WHEREAS**, the governing body of the Borough of Brielle has determined that certain procedures need to be established to accomplish this policy

#### **NOW, THEREFORE BE IT ADOPTED** by the Mayor and Council that:

**Section 1:** No official, employee, appointee or volunteer of the Borough by whatever title known, or any entity that is in any way a part of the Borough shall engage, either directly or indirectly in any act including the failure to act that constitutes discrimination, harassment or a violation of any person's constitutional rights while such official, employee, appointee volunteer, or entity is engaged in or acting on behalf of the Borough's business or using the facilities or property of the Borough.

**Section 2:** The prohibitions and requirements of this resolution shall extend to any person or entity, including but not limited to any volunteer organization or inter-local organization, whether structured as a governmental entity or a private entity, that receives authorization or support in any way from the Borough to provide services that otherwise could be performed by the Borough.

Section 3: Discrimination, harassment and civil rights shall be defined for purposes of this resolution using the latest definitions contained in the applicable Federal and State laws concerning discrimination, harassment and civil rights.

Section 4: The Administrator shall establish written procedures for any person to report alleged discrimination, harassment and violations of civil rights prohibited by this resolution. Such procedures shall include alternate ways to report a complaint so that the person making the complaint need not communicate with the alleged violator in the event the alleged violator would be the normal contact for such complaints.

**Section 5**: No person shall retaliate against any person who reports any alleged discrimination, harassment or violation of civil rights, provided however, that any person who reports alleged violations in bad faith shall be subject to appropriate discipline.

**Section 6**: The Administrator shall establish written procedures that require all officials, employees, appointees and volunteers of the Borough as well as all other entities subject to this resolution to periodically complete training concerning their duties, responsibilities and rights pursuant to this resolution.

Section 7: The Administrator shall establish a system to monitor compliance and shall report at

least annually to the governing body the results of the monitoring.

**Section 8:** At least annually, the Administrator shall cause a summary of this resolution and the procedures established pursuant to this resolution to be communicated within the Borough. This communication shall include a statement from the governing body expressing its unequivocal commitment to enforce this resolution. This summary shall also be posted on the Borough's web site.

Section 9: This resolution shall take effect immediately.

Section 10: A copy of this resolution shall be published in the official newspaper of the Borough in order for the public to be made aware of this policy and the Borough's commitment to the implementation and enforcement of this policy.

#### 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 September 14<sup>th</sup>, 2020.

Witness my Hand and Seal of the Borough of Brielle this 15<sup>th</sup> day of September 2020.

Resolution No.: 20-65-J Date: September 14<sup>th</sup>, 2020

# Resolution of the Borough of Brielle

WHEREAS, there exists a Developer's Escrow Fee account for variance pool work done at Block 30.01, Lot 29, 524 Harris Avenue, owned by Michael & Lisa Mechler, and

WHEREAS, a final approval from the Construction Department has been received,

NOW, THEREFORE, BE IT RESOLVED that a check be drawn in the amount of \$2,755.00 and refunded back to Michael & Lisa Mechler,

# CERTIFICATION

The foregoing is a true copy of a resolution approved by the Mayor and Council at a meeting held on the 14<sup>th</sup> day of September 2020.

Witness my hand and official seal of the municipality this 15<sup>th</sup> day of September 2020.

Resolution No.:20-65-L Date: September 14<sup>th</sup>, 2020

# 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 \$1,620.00 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 meet, and

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

Now therefore be it resolved that the application of Jonathon Ron Beverage Corporation T/A JRs Bevco 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  $1^{st}$ , 2020 through June  $30^{th}$ , 2021.

# CERTIFICATION

I, Thomas F. Nolan do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the 14<sup>th</sup> day of September 2020.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15<sup>th</sup> day of September 2020.

SEAL

Resolution No.: 20-65-N Date: September 14<sup>th</sup>, 2020

# Resolution of the Borough of Brielle

Whereas, Matthew J Murphy has demonstrated the ability and qualifications required to serve as a Probationary Police Officer,

Now Therefore Be It Resolved, that Matthew J Murphy is appointed a Probationary Patrolman for the Borough of Brielle, effective as of September 14<sup>th</sup>, 2020.

Vote: Council members Garruzzo, Gorham, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed. Absent: None

#### CERTIFICATION

I, Thomas F. Nolan do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the  $14^{th}$  day of September 2020.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15<sup>th</sup> day of September 2020.

SEAL

Resolution No.: 20-65-O Date: September 14<sup>th</sup>, 2020

## Resolution of the Borough of Brielle

Whereas, Thomas J O'Horo has demonstrated the ability and qualifications required to serve as a Probationary Police Officer,

Now Therefore Be It Resolved, that Thomas J O'Horo is appointed a Probationary Patrolman for the Borough of Brielle, effective as of September 14<sup>th</sup>, 2020.

Vote: Council members Garruzzo, Gorham, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed. Absent: None

#### CERTIFICATION

I, Thomas F. Nolan do hereby certify that the foregoing is a true copy of a resolution adopted by the Governing Body of the Borough of Brielle at a meeting held on the  $14^{th}$  day of September 2020.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 15<sup>th</sup> day of September 2020.

SEAL

Resolution No.:20-65-P Date: September 14<sup>th</sup>, 2020

#### BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-005-004, 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, The Governing Body has been made aware of noise concerns at this location and the holders of the license have agreed to the imposition of conditions to address these concerns.
- Now therefore be it resolved, that the following conditions are hereby imposed on license #1308-33-005-004, Ship Wreck, LLC T/A Ship Wreck Grill:
  - 1. All doors & windows shall be kept closed whenever any live music is played
  - 2. Regarding the use of the deck area, all conditions imposed by the Brielle Planning Board regarding the limitation of service on the deck, as stated in their resolution (8/9/95) and further memorialized in the municipal resolution 96-46-E which authorized a place-to-place transfer to permit utilization of the deck, shall be incorporated into this resolution as addendum #1
  - 3. In the event there is any modification of the conditions imposed by the Planning Board, the Municipal resolution shall mirror these conditions, but it shall be the applicant's responsibility to advise the Governing Body of any such change to ensure that the exact language is incorporated into addendum # 1.

Now therefore be it resolved, that application of Shipwreck Inn, LLC T/A Ship Wreck Grill for premises located at 720 Ashley Avenue Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue said license for the license year July 1<sup>st</sup>, 2020 through June 30<sup>th</sup>, 2021

#### 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, September 14<sup>th</sup>, 2020.

Witness my Hand and Seal of the Borough of Brielle this 15<sup>th</sup> day of September 2020.