MINUTES JANUARY 4th, 2021 ORGANIZATION MEETING START: 6:02 P.M.

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

ABSENT: NONE

The Clerk announced that Council Members Shaak & Visceglia had taken their oath of office.

Mayor Nicol opened the meeting in compliance with the Open Public Meetings Act followed by a silent prayer and a salute to the flag.

Mayor Nicol then advised that Robert's Rules of Order would be employed to determine all parliamentary questions not specifically provided for.

Mayor Nicol then opened the floor to nominations for Council-President.

Councilman Garruzzo nominated Councilman Nolan. The nomination was seconded by Councilman Shaak.

There being no further nomination, nominations were closed on a motion by Councilman Shaak seconded by Councilman Garruzzo.

Councilman Garruzzo moved to elect Councilman Nolan as Council-President, the motion was seconded by Councilman Gianforte, all aye. None opposed.

Council-President Nolan then announced the 2021 Committee Assignments. The Clerk was directed to insert the roster into the minutes to formalize the 2021 committee assignments. (see insertion).

Mayor Nicol then announced the 2021 professional appointments:

Borough Attorney Montenegro, Thompson, Montenegro & Genz

Borough Engineer Alan P. Hilla & H2M Borough Auditor Robert Hulsart Inc.

Bond Counsel Meghan Clark & Gluckwalrath, LLC

Public Defender Timothy J. Wintrode

Prosecutor & & Labor Counsel Citta, Holzapfel & Zabarsky

The appointments were confirmed on a motion by Councilman Shaak seconded by Councilman Garruzzo, all ayes. no nays. Passed

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Mayor Nicol then announced that all professional appointments were subject to a professional service contract.

Councilman Shaak seconded by Councilman Nolan, introduced Resolution 21-01 to appoint Mayor Thomas B. Nicol as Emergency Management Coordinator. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes; no nays. Passed.

Councilman Visceglia seconded by Councilman Gorham, introduced Resolution 21-02 (see insertion). Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all ayes; no nays. Passed.

On a motion by Councilman Garruzzo seconded by Councilman Visceglia, all tenured and non-annual appointments, now held by Borough employees were confirmed, all ayes.

On a motion by Councilman Shaak seconded by Councilman Visceglia, the membership rosters of Brielle First Aid Squad and Brielle Fire Company No. 1 were confirmed; all ayes.

Mayor Nicol then announced the annual appointments:

Borough Administrator

Officer to Issue Certificates of Liability

Relocation Officer

Commissioner of Insurance Human Resources Director

Borough Historian

Public Agency Compliance Officer

Representative to S.E.M.M.U.A.

Fire Protection Official Code Enforcement Officer

Zoning Officer

Deputy Zoning Officer

Conflict Engineers

Thomas F. Nolan Thomas F. Nolan

Thomas T. Notan

Thomas F. Nolan Thomas F. Nolan

Thomas F. Nolan

T II

James Ham

Carol Baran

Thomas F Nolan

Chris Willms

Chris Willms

Elissa C. Commins

Alan P. Hilla

Lindstrom, Dissiner & Carr

Leon S. Avakian, Inc.

Elissa Commins

Kennedy Consulting, LLC

Gary P Olsen

Timothy A. Shaak

Tracy Rubino

Tina McDermott

Denise Murphy

Carol Baran

Tina McDermott

Denise Murphy

First Deputy Emergency Man. Coord. Second Deputy Emergency Man. Coord.

Police OPRA Coordinator Registrar/Sec. Board of Health

Deputy Registrar/Sec. Board of Health

Mercantile Officer
Tax Collector

Water Sewer Rent Collector

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Animal Control Official Tina McDermott Superintendent Water Utility/DPW Jeff Weiss Recycling/Clean Communities Coordinator Carol Baran **Assistant Coordinator** Jeffrey Weiss Safety Coordinator Carol Baran Assistant Safety Coordinator Jeffrey Weiss Chief Financial Officer John Antonides General Financial Service Clerk Denise Murphy Assist. Clerks Financial Services Steve Mayer & Payroll Karen S. Brisben Tina McDermott

Asst. Administrator/Clerk Of Elections

Deputy Clerk of Elections

Denise Murphy
Detective (Serves @ discretion of Chief)

Carol Baran

Denise Murphy
Ryan Meixsell

DPW

Working Foreman

Jeffrey Ely (Streets & Roads)

Michael Burger (Water)

Water Plant Operator Michael McArthur

Councilman Gianforte seconded by Councilman Garruzzo introduced Resolution 21-03 to confirm the foregoing appointments. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia all aye; no nays. Passed

Mayor Nicol then announced the appointments to the various Boards & Commissions of the Borough for terms that expire on December 31st, 2021.

Planning Board

Member Class I (21)
Member Class II (21)
Member Class III (21)
Member Class IV (24)

Community Development Block Grant Committee

Timothy Shaak Member (21)
Ann D. Scott Member (21)
Darcy Garruzzo Member (21)
Tracy Rubino Member (21)
Carol Baran Representative (21)

Adeline Schmidt Alternate Representative (21)

Board of Recreation

Mary Beth Wheeler Member (24)

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Erin North Member (24)

Carol Baran Recording Secretary (21)

Environmental Commission

Jennifer Kerrigan Member (23) Tom Mauro Member (23) Jim Nuncio Member (22)

Shade Tree Commission

Larry Schmidt Member (23)
Virginia Lofton Member (22)
Chris Tirrell Alternate (21)

The appointments were approved on a motion by Councilman Garruzzo seconded by Councilman Visceglia.

Mayor Nicol then entertained the re-organization resolutions as a consent agenda item.

Resolution 21-04 (see insertion)

Resolution 21-05 (see insertion)

Resolution 21-06 (see insertion)

Resolution 21-07 (see insertion)

Resolution 21-08 (see insertion)

Resolution 21-09 (see insertion)

Resolution 21-10 To authorize the Business Administrator, with the consent of the Mayor & Council Committee Chairman who has jurisdiction over the Department, to hire Temporary Part-Time Help on a "as needed" basis.

Resolution 21-11 (see insertion)

Resolution 21-12 To memorialize the extension of the sick time provisions of the Teamsters Contract to the non-union employees.

Resolution 21-13 To confirm the appointments of all Class I & Class II Special Police Officers for 2021.

Resolution 21-14 (see insertion)

Resolution 21-15 (see insertion)

Resolution 21-16 To designate certain employees as Deputy Custodians re: OPRA Requests.

Resolution 21-17 (see insertion)

Resolution 21-18 (see insertion)

Resolution 21-19 (see insertion)

Councilman Shaak seconded by Councilman Gorham introduced resolutions 21-04 through 21-19. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye No nays. Passed

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There being no comments from the public and no written comments having been received
by either mail or e-mail, the meeting was adjourned at 6:19 p.m. on a motion by
Councilman Shaak seconded by Councilman Garruzzo.

Thomas F. Nolan
Municipal Clerk

Resolution No.: 21-2 Date: January 4th, 2021

Be It Resolved that Carol Baran be appointed as the Borough of Brielle's Representative to the Monmouth County Community Development Program, and

Be It Further Resolved that Adeline Schmidt be appointed as Alternate Representative to the Monmouth County Community Development Program.

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

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at their Organization Meeting held on January 4th, 2021.

Witness my hand and seal of the Borough of Brielle this 5th day of January 2021.

Resolution No.:21-4 Date: January 4th, 2021

Be it resolved, that each Monday night, of each month, in the calendar year 2020, with exceptions noted, be designated as meeting nights of the Mayor & Council of the Borough of Brielle, with meetings to be held in the council chambers of the Borough Hall, 601Union Lane, Brielle, New Jersey.

- Be it further resolved that regular business meetings shall be scheduled for the 2nd and 4th Mondays at 7:30 p.m. except Monday holidays, when said meetings shall be on the 2nd and/or 4th Tuesday, or proper 48-hour notice given, and
- Be it further resolved, that the work session shall be held on the 2nd and 4th Mondays of each month at 7:30 p.m. except Monday holidays, when said sessions shall be on the 2nd and/or 4th Tuesday, said time being subject to a later starting time based on the volume of business and with 48-hour notice being given through the dissemination of the agenda.
- Be it further resolved that the public will not participate in the work session but may be present and listen. Public participation shall be permitted at the conclusion of the work session but shall be limited to those matters discussed at the work session. The public may, at regular meetings, participate at such time or times, as set forth on the agenda, for that particular meeting, or, with the permission of the presiding officer, and
- Be it further resolved that the annual notice schedule and "48-hour notice" be forwarded to the newspapers designated the official newspapers for the Borough of Brielle as set forth under chapter 321, pl. 1975 "open public meetings act".

January 4th
January 19th (Tuesday)
February 8th
February 22nd
March 8th
March 22nd
April 12th
April 26th
May 10th
May 24th

June 14th

June 28th
July 19th
August 16th
September 13th
September 27th
October 11th
October 25th
November 8th
November 22nd
December 13th

Resolution No.:21-05 Date: January 4th, 2021

Whereas, the efficient management of borough affairs requires the establishment and/or maintenance of various bank accounts and procedures for handling funds,

Now therefore be it resolved, by the governing body of the Borough of Brielle as follows:

- 1. The following banks, or their successors, shall be designated depositories: Ocean First Bank, local branches, New Jersey, cash management fund and Two River Community Bank.
 - 2. All existing accounts shall be continued subject to further resolution.
- 3. The mayor, business administrator & chief finance officer shall continue to be signatories on all accounts.
- 4. The mayor & council hereby adopt the annual cash management plan and shall adhere to the precepts of same. Said plan is on file in the office of C.M.F.O.

Resolution No.:21-6 Date: January 4th, 2021

Whereas, N.J.S.A. 54:4-67, as amended, provides that a municipality may fix the interest rate to be charged for the delinquent payment of taxes of assessments and fix due dates.

Now therefore be it resolved, that a grace period not to exceed ten (10) days be permitted after each quarterly due date, February 1st, May 1st, August 1st & November 1st, and that the rate of eight (8) percent (%) per annum be charged on the first \$1,500.00 of the delinquency and eighteen (18) percent (%) per annum be charged on the amount in excess of \$1,500.00 with the delinquent interest rate retroactive to the aforesaid due dates for the year 2021.

Resolution No.:21-7 Date: January 4th, 2021

Whereas, the efficient management of Borough affairs requires the establishment and/or maintenance of a petty cash fund & a petty cash checking account, and change drawers for the animal control in the amount of \$75.00 & general fund accounts, in the amount of \$50.00, and the water/sewer & tax accounts, in the amount of \$100.00,

Now therefore be it resolved that the business administrator is hereby authorized to establish a petty cash fund in the amount of \$150.00 and a petty cash checking account in the amount of \$150.00, as well as the aforementioned "change drawers".

Resolution No.:21-8 Date: January 4th, 2021

Be it resolved that the following newspapers shall be designated as official newspapers for the Borough of Brielle for the year 2021.

Asbury Park Press Neptune
Star Ledger Newark
The Coast Star Manasquan

Resolution No.:21-9 Date: January 4th, 2021

Whereas, N.J.S.A. 40a:5-17.1 authorizes the governing body to process without further action on their part, the cancellation of any property tax refund or delinquency of less than \$10.00, and

Whereas, N.J.S.A. 54-5-19 authorizes the tax collector to collect all taxes, assessments, and other municipal charges that are delinquent, and to sell all municipal liens in the manner established by statute.

Now therefore be it resolved, that Tina McDermott, in her capacity as municipal tax collector, is hereby authorized to perform the aforementioned functions throughout calendar 2021.

Resolution No.: 21-11 Date: January 4th, 2021

TEMPORARY BUDGET BOROUGH OF BRIELLE

Whereas, N.J.S. 40a:4-19 of the revised statutes of new jersey provides that, when any contracts, commitments or payments are to be made prior to the adoption of the municipal budget, the governing body shall, by resolution, adopted prior to January 31st of the fiscal year, make appropriations for the period between the beginning of the fiscal year and the adoption of the budget, and

Whereas, the date of this resolution is prior to the first thirty-one days of January 2021, and

Whereas, one quarter (25%) of the total appropriations made in the 2021 municipal budget, excluding appropriations made for interest and debt redemption charges & capital improvement fund in said budget is the sum of \$2,703,125.01

Now therefore be it resolved, that the following temporary appropriations (the aggregate amount of which does not exceed the amount shown in the preamble above), in the amount of \$2,690,342.27 be made and a certified copy of this resolution be transmitted to the chief finance officer for his records.

APPROPRIATIONS	AMOUNT
GENERAL GOVERNMENT	
ADMINISTRATIVE & EXECUTIVE	
SALARIES & WAGES	\$85,000.00
OTHER EXPENSES	16,500.00
EMERGENCY MANAGEMENT	
OTHER EXPENSES	750.00
ASSESSMENT OF TAXES	
SALARIES & WAGES	10,000.00
OTHER EXPENSES	2,500.00
COLLECTION OF TAXES	
SALARIES & WAGES	32,000.00
OTHER EXPENSES	3,000.00
LEGAL SERVICES	45,000.00
BOROUGH HISTORIAN	150.00

MUNICIPAL COURT SALARIES & WAGES	\$12,500.00
MUNICIPAL PROSECUTOR	6,500.00
ENGINEERING SERVICES	25,000.00
BUILDINGS & GROUNDS OTHER EXPENSES	30,000.00
PLANNING BOARD SALARIES & WAGES OTHER EXPENSES	2,500.00 5,000.00
FINANCIAL SERVICES	22,000.00
SHADE TREE COMMISSION OTHER EXPENSES	2, 500.00
ENVIRONMENTAL COMMISSION OTHER EXPENSES	500.00
MERCANTILE INSPECTION SALARIES & WAGES OTHER EXPENSES	1,000.00 150.00
INSURANCE OTHER INSURANCE PREMIUMS WORKMANS COMPENSATION GROUP INSURANCE	175,000.00 235,000.00
PUBLIC SAFETY	
FIRE COMPANY OTHER EXPENSES	9,000.00
POLICE SALARIES & WAGES OTHER EXPENSES VECHICLE PURCHASE/LEASE SICK TIME PURCHASE OPTION	592,500.00 35,000.00 30,000.00 34,500.00
STREETS & ROADS SALARIES & WAGES OTHER EXPENSES STREET LIGHTING (SEE UTILITIES) VEHICLE MAINTENANCE SANITATION	132,500.00 25,000.00 12,500.00
GARBAGE & TRASH REMOVAL CONTRACTUAL OTHER TRASH EXPENSES (INCLUDES RECYCLING OTHER)	80,000.00 90,000.00

HEALTH & WELFARE	
BOARD OF HEALTH	
SALARIES & WAGES	900.00
OTHER EXPENSES	100.00
HEALTH SERVICES CONTRACTUAL	18,000.00
BOARD OF RECREATION COMMISSIONERS	
SALARIES & WAGES	8,000.00
OTHER EXPENSES	8,750.00
MUNICIPAL LAND USE	6,500.00
AID TO LIBRARY	40,000.00
ZONING OFFICER	
SALARIES & WAGES	6,500.00
DOG REGULATION CONTRACTUAL	3,500.00
CAPITAL IMPROVEMENTS	

CAPITAL IMPROVEMENT FUND 5,000.00*

STATUTORY EXPENDITURES

CONTRIBUTION TO SOCIAL SECURITY 95,000.00

DEBT SERVICE

RECYCLING PROGRAM

RECYCLING

SALARIES & WAGES 60,000.00

UTILITIES 80,000.00

APPROPRIATIONS

WATER UTILITY EXPENSES

OPERATING EXPENSES	
SALARIES & WAGES	75,000.00
OTHER EXPENSES	55,000.00
N.J.S.W.S.A.	50,000.00
SMRSA	159,000.00
SMRSA INFLITRATION/INFLOW REMEDIATION	42.27
SOUTH EAST MONMOTH M.U.A.	165,500.00
CAPITAL OUTLAY	5,000.00
GROUP INSURANCE	5,500.00
CONTRIBUTION TO SOCIAL SECURITY	7,500.00
DEBT SERVICE NJIT	85,000.00*

TOTAL \$2,693,342.27 LESS EXCEPTIONS 90,000.00

TOTAL \$2,603,342.27

INTER-LOCAL AGREEMENTS

DISPATCH SERVICES \$20,000.00
MANASQUAN MUNICIPAL COURT INTER-LOCAL \$25,000.00
CONSTRUCTION CODE SERVICES \$2,000.00
FIRE CODE ENFORCEMENT & INSPECTION \$15,000.00

SEA GIRT/WATER UTILITY OPERATIONS \$25,000.00

TOTAL \$2,690,342.27

Resolution No.: 21-13 Date: January 4th, 2021

Whereas, the efficient management of the Brielle Police Department requires that all Special Police Officers, employed by the Borough of Brielle, be confirmed in their appointments for the calendar year 2021.

Now therefore be it resolved that all Special Police Officers, Class I and Class II, are hereby confirmed in their positions.

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at their Organization Meeting held on January 5th, 2021.

Witness my hand and seal of the Borough of Brielle this 5th day of January 2021.

Resolution No.: 21-14 Date: January 4th, 2021

Whereas, the business administrator is also the Human Services Director & representative to the Municipal Insurance Funds, and

Whereas, matters relating to personnel and the adjudication of insurance claims arise that do not rise to the level of consideration by the full governing body and do not require formal action.

Now therefore be it resolved that the Business Administrator, with the concurrence of the Mayor and the chairman of the committee with jurisdiction in the area under consideration, may take appropriate steps to resolve such issues.

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at their Organization Meeting held on January 4th, 2021.

Witness my hand and seal of the Borough of Brielle this 5th day of January 2021.

Resolution No.: 21-15 Date: January 4th, 2021

RESOLUTION AUTHORIZING THE BOROUGH OF BRIELLE, COUNTY OF MONMOUTH THROUGH THE BRIELLE POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE BRIELLE POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT

HEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property: and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program; and

NOW THEREFORE BE IT RESOLVED by the Mayor and Council of the Borough of Brielle, County of Monmouth that the Brielle Police Department is hereby authorized to enroll in the 1033 Program for no more than a one-year period, with authorization to participate terminating on December 31 of the current calendar year from January 1st, 2021 to December 31st, 2021: and

NOW THEREFORE BE IT FURTHER RESOLVED that the Brielle Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A," which may include office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other

supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Brielle Police Department, without restriction; and

NOW THEREFORE BE IT FURTHER RESOLVED that Brielle Police Department is hereby authorized to acquire the following "DEMIL B through Q" property, if it shall become available in the period of time for which this resolution authorizes: [specifically list controlled property items authorized for acquisition, including quantity, e.g., (1) utility truck, (12) 5.56-millimeter rifles, or (1) MRAP, etc.]; and

BE IT FURTHER RESOLVED that the Brielle Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property; and

BE IT FURTHER RESOLVED that the Brielle Police Department shall provide a quarterly accounting of all property obtained through the 1033 Program which shall be available to the public upon request: and

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire "DEMIL A" property and "DEMIL B through Q" property that may be made available through the 1033 Program during the period of time for which this resolution authorizes: with Program participation and all property request authorization terminating on December 31st of the current calendar year from January 1st, 2021 to December 31st, 2021.

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at their Organization Meeting held on January 4th, 2021.

Witness my hand and seal of the Borough of Brielle this 5th day of January 2021.

Resolution No.: 21-18 Date: January 4th, 2021

RESOLUTION OF THE BOROUGH OF BRIELLE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CONCERNING THE VOTING REQUIREMENTS FOR PASSAGE OF A RESOLUTION.

WHEREAS, pursuant to <u>N.J.S.A.</u> 40A:60-5(e), the voting requirements for passage of an ordinance, or appointment of a subordinate officer of the borough, are specifically provided for in the statute; and

WHEREAS, there is no such statutory provision concerning the voting requirements for passage of a borough resolution; and

WHEREAS, the Governing Body wishes to confirm its past practice regarding the voting requirements for passage of a resolution; and

WHEREAS, the past practice of the Governing Body has always been to require the affirmative vote of a majority of a quorum to pass a borough resolution; and

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Brielle hereby declares that the affirmative vote of a majority of a quorum is needed to pass a borough resolution, with the mayor only voting in the case of a tie.

CERTIFICATION

The foregoing is a true copy of a resolution approved by the Brielle Mayor & Council at a meeting held on January 4th, 2021.

Witness my hand and seal of the Borough of Brielle this 5th day of January 2021.

EAL	
	Thomas F. Nolan

Resolution No.: 21-19 Date: January 4th, 2021

Whereas, N.J.S.A.40A:9-133 requires that "in every municipality here shall be a municipal clerk appointed for a three-year term by the Governing Body of the Municipality"; and

Whereas, Carol Baran has obtained the required certification of Registered Municipal Clerk. And has been fulfilling the bulk of the duties associated with the office of municipal clerk while serving as Deputy Clerk for the Borough of Brielle, and

Whereas, it is both fitting and proper that Carol Baran be elevated to the position of Municipal Clerk at this time.

Now Therefore Be it Resolved, that Carol Baran is hereby appointed to a three-year term, January 4th, 2021 to December 31st, 2023, as the Municipal Clerk and Corporate Secretary to and for the Borough of Brielle.

Move By:

Seconded By:

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

CERTIFICATION

The foregoing is a true copy of a resolution approved by the Brielle Mayor & Council at a meeting held on January 4th, 2021.

Witness my hand and seal of the Borough of Brielle this 5th day of January 2021.