

MINUTES APRIL 12th, 2021

START: 6:00 PM

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

ABSENT: NONE

Mayor Nicol announced that this meeting was being held virtually in compliance with Executive Order No. 103 and was being recorded. There being no need for a work session the Mayor began the Regular Meeting.

Mayor Nicol read the compliance statement and the Regular Council Meeting was opened, after a pledge of allegiance to our flag. Mayor Nicol asked for a roll call.

Mayor Nicol recognized Jennifer Zona who introduced herself as the coordinator of the organization hosting a fund raiser 5K run/walk in Brielle Park on Sunday, April 18th. Ms. Zona informed the Mayor and Council of the goals and objectives of her organization. She thanked both the Brielle Police and the Board of Recreation for their cooperation in this vital endeavor.

Mayor Nicol then asked for a motion to approve the Minutes of the March 22nd, 2021 Regular Meeting. A motion was made by Councilman Gianforte seconded by Councilman Gorham, all aye, no nays. Passed.

Councilman Garruzzo seconded by Councilman Visceglia introduced Resolution 21-48 for Passage of the Consent Agenda.

Resolution:

- A. (see insertion).
- B. (see insertion).
- C. (see insertion).
- D. To authorize the Municipal Clerk to execute the 2021 Private Swimming Pool Licenses
- E. Held for future consideration
- F. (see insertion).
- G. (see insertion).

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

Councilman Visceglia seconded by Councilman Gorham, introduced Resolution 21-49 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 12th, 2021, 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 ayes. Passed.

Mayor Nicol announced that the time had arrived for the introduction and passage on first reading of “AN ORDINANCE TO AMEND CHAPTER TWENTY-ONE OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “ZONING”.

Resolution 21-50 was passed on first reading on a motion by Councilman Garruzzo seconded by Councilman Gianforte. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Resolution 21-51 to authorize publication in the Coast Star for a public hearing to be held by virtual means on April 26th, 2021 @ 6:00pm was introduced by Councilman Garruzzo and seconded by Councilman Nolan. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

The Mayor then announced that the time had arrived for the introduction and passage on first reading of “AN ORDINANCE TO AMEND CHAPTER TWENTY-ONE OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “ZONING”.

Resolution 21-52 for passage on introduction and first reading was passed on a motion by Councilman Garruzzo seconded by Councilman Gorham. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Garruzzo seconded by Councilman Gianforte, introduced Resolution 21-53 to authorize publication in the Coast Star for a hearing to be held by virtual means on April 26th, 2021 @ 6:00pm. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

The Mayor then announced that the time had arrived for the introduction and passage on first reading of “AN ORDINANCE TO AMEND CHAPTER SEVEN OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “VEHICLES & TRAFFIC”.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 21-54 for passage on introduction and first reading. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Gianforte seconded by Councilman Nolan introduced Resolution 21-55 to authorize publication in the Coast Star for a hearing to be held by virtual means on April

26th, 2021 at 6:00pm. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then announced that the time had arrived for the introduction and passage on first reading of “AN ORDINANCE TO AMEND CHAPOTER FOUR OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “GENERAL LICENSING”.

Councilman Nolan seconded by Councilman Garruzzo introduced Resolution 21-56 for passage on introduction and first reading of the foregoing ordinance. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Garruzzo seconded by Councilman Gianforte, introduced Resolution 21-57 to authorize publication in the Coast Star for a hearing to be held on April 26th, 2021 at 6:00pm by virtual means. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 21-58 for introduction of the 2021 Municipal Budget. Councilman Visceglia announced the Borough is introducing a budget to fund municipal operation for calendar 2021. The total municipal budget is \$9,890,746.27 of which \$7,131,045.83 will be raised by taxes. This equates to an increase of .0085, just under a penny. The Borough feels that the expenditures are prudent and necessary to maintain our community. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

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

Councilman Nolan advised that the Library Trustees had narrowed their search for a new Librarian to four candidates and a selection should be made by the next meeting. Turning to Recreation the Egg Hunt was a great success as always. Pee Wee Soccer which commences this week as will Bocce. Councilman Nolan thanked the volunteers who fixed up the courts in time for the season. The North vs. South Event was planned for June 5th, the thirty winners in the kayak raffle would be notified this week and the Coaster Derby would resume in September. Stephen Speicher would coordinate the event.

Councilman Garruzzo having no report, Councilman Shaak cited several complaints related to trash collection. He noted that the Provider had experienced major shifts in staffing and given that Brielle has rear yard collection, there was a learning curb. Residents could contact the Company by e-mail if they had a complaint and he added that the Carter had been receptive to remediation of complaints. Mayor Nicol interjected that he had also received complaints and had also found the Company to be responsive.

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Councilman Shaak also reminded residents not to mix brush and leaves. Leaf only collection was in progress until May 1st. A mixed load cost the taxpayers more and he asked residents to be cognizant of that fact.

No other members of Council had reports.

Prior to opening the public portion, the Administrator advised that no public comments had been received by either regular mail or e-mail prior to the published deadline.

The meeting was adjourned at 6:22 pm on a motion by Councilman Gianforte seconded by Councilman Shaak.

Approved: April 26th, 2021

Carol Baran
Municipal Clerk

Resolution No.: 21-48-A
Date: April 12th, 2021

WHEREAS, N.J.S.A.54:5-19.1 et seq. permits municipalities to conduct electronic tax sales pursuant to rules and regulations promulgated by the Director of the Division of Local Government Services, and,

WHEREAS, the rule thus promulgated requires a municipality to authorize said electronic tax sale by resolution of the governing body, and,

WHEREAS, an electronic tax sale is innovative and provides a greater pool of potential lien buyers, thus creating the environment for a more effective tax sale process.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Brielle do hereby authorize and direct the Tax Collector to conduct an electronic tax sale.

CERTIFICATION

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council, at a meeting held on April 12th, 2021.

Witness my hand and seal of the Borough of Brielle this 13th day of April 2021.

Carol Baran
Municipal Clerk

Resolution No.: 21-48-B
Date: April 12th, 2021

Resolution of The Borough of Brielle

Whereas, an application has been filed for a Place-To-Place Extension of Premises Transfer of Retail Consumption License #1308-33-012-014 issued to, Union Partners, LLC. for premises located at 601-607 Union Avenue, Brielle, New Jersey, to, 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, conditioned upon full compliance with the restrictions imposed on the property by the Municipal Land Use (Planning) Board.

Now Therefore Be It Resolved, that the Governing Body of the Borough of Brielle hereby approves the place to place extension of premises transfer of License #1308-33-012-014.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, April 12th, 2021.

Witness my hand and seal of the Borough of Brielle this 13th day of April 2021.

Carol Baran
Municipal Clerk

Resolution No.: 21-48-C
Date: April 12th, 2021

**A RESOLUTION AUTHORIZING AN INTERLOCAL SERVICE AGREEMENT
MADE PURSUANT TO THE PROVISIONS OF N.J.S.A 40:8A-1, set seq.
BETWEEN THE BOROUGH OF SEA GIRT AND BOROUGH OF BRIELLE FOR
THE PROVISION OF GASOLINE/DIESEL FUEL AND THE SHARING OF A
TIRE/WHEEL BALANCING MACHINE**

Whereas, the Boroughs of Brielle & Sea Girt are currently cooperating in two Inter-local Service Agreements for the provision of gasoline/diesel fuel and the sharing of a tire/wheel balancing machine, and

Whereas, it is deemed to be in the interests of both municipalities to renew these agreements based on the terms and conditions currently in place.

Now Therefore Be It Resolved that both of the existing agreements be extended for a five-year period to commence on May 1st, 2021 and terminate on April 30th, 2025 unless reauthorized by a future resolution.

Moved By: Councilman Garruzzo
Seconded: Councilman Visceglia

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak and Visceglia, all ayes. No nays. Passed.

Certification

The foregoing is a true copy of a resolution approved by the Brielle Mayor & Council at a meeting held on April 12th, 2021.

Witness my hand and seal of the Borough of Brielle this 13th day of April 2021.

Carol Baran
Municipal Clerk

Resolution No.: 21-48-F
Date: April 12th, 2021

WHEREAS, N.J.S.A. 40a:4-5 as amended by P.L. 2017, c. 183 requires the governing body of each municipality and county to certify that their local unit's hiring practices comply with the United States Equal Employment Opportunity Commission's "Enforcement Guidance on the Consideration of 1964," as amended, 42 U.S.C. 2000e et seq., (April 25, 2012) before submitting its approved annual budget to the Division of Local Government Services in the New Jersey Department of Community Affairs; and

WHEREAS, the members of the governing body have familiarized themselves with the contents of the above-referenced enforcement guidance and with their local unit's hiring practices as they pertain to the consideration of an individual's criminal history as evidenced by the group affidavit form of the governing body attached hereto.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Council of the Borough of Brielle, hereby states that it has complied with N.J.S.A. 40a:4-5, as amended by P.L. 2017, C. 183, by certifying that the local unit's hiring practices comply with the above-referenced enforcement guidance and hereby directs the Clerk to cause to be maintained and available for inspection a certified copy of this resolution and the required affidavit to show evidence of said compliance.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, April 12th, 2021.

Witness my hand and seal of the Borough of Brielle this 13th day of April 2021.

Carol Baran
Municipal Clerk

RESOLUTION ADOPTING THE MONMOUTH COUNTY MULTI-
JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, The Borough of Brielle NJ, has experienced natural hazards that result in public safety hazards and damages to private and public property and;

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offer the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risks and;

WHEREAS, the New Jersey Office of Emergency Management has provided federal mitigation funds to support development of an updated mitigation plan and;

Whereas, a Multi-Jurisdictional Hazard Mitigation Plan has been developed by the County Office of Emergency Management and Mitigation Planning Committee and;

Whereas, the Multi-Jurisdictional Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time will help minimize and reduce safety threats and damage to private and public property and;

WHYEREAS, the draft plan was provided to each participating jurisdiction through a website hosted by Michael Baker International, the contracted vendor assisting with the planning process. Links were links also posted on the Emergency Management and Division of Planning websites so as to introduce the planning concept and to solicit questions and comments and to present the Plan and request comments, as required by law and;

NOW, THEREFORE BE IT RESOLVED by the Borough of Brielle:

1. The Monmouth County Multi-Jurisdictional Hazard Mitigation Plan, as submitted on June 23, 2020 by the Monmouth County Office of Emergency Management to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency and subsequently approved by both agencies on August 27, 2020, be and is hereby adopted as an official plan of the County or Monmouth; with the required yearly updates and minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.

2. The Borough of Brielle departments identified in the Plan are hereby directed to further pursue potential or suggested implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Borough of Brielle and this resolution shall not be interpreted so as to mandate any such appropriation.
4. The Borough of Brielle Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date agree upon by all stakeholders.

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, April 12th, 2021.

Witness my hand and seal of the Borough of Brielle this 13th day of April 2021.

Carol Baran
Municipal Clerk