MINUTES JANUARY 2nd, 2024 ORGANIZATION MEETING START: 12:00 P.M.

PRESENT: MAYOR GARRUZZO, COUNCILMEMBER GIANFORTE, NOLAN, SHAAK & VISCEGLIA, ATTORNEY MONTENEGRO & ADMINISTRATOR NOLAN.

ABSENT: COUNCILMAN GORHAM

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

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

Mayor Garruzzo then advised that Robert's Rules of Order would be employed to determine all parliamentary questions not specifically provided in conjunction with Resolution 24-17.

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

Councilman Shaak nominated Councilman Nolan. The nomination was seconded by Councilman Visceglia. There being no further nomination, nominations were closed on a motion by Councilman Shaak seconded by Councilman Visceglia.

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

Council-President Nolan then announced the 2024 Committee Assignments. The Clerk was directed to insert the roster into the minutes to formalize the 2024 committee assignments. (See insertion).

Mayor Garruzzo then announced the 2024 professional appointments:

Borough Attorney	Montenegro, Thompson, Montenegro &	
	Genz	
Borough Engineer	Alan P. Hilla & H2M Engineering	
Borough Auditor	Robert Hulsart Inc.	
Bond Counsel	Meghan Clark & Gluckwalrath, LLC	
Public Defender	Donald K Greer	
Prosecutor	James D Carton IV	
Labor Counsel	Adam S Abramson-Schneider	

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

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

Councilman Shaak seconded by Councilman Nolan, introduced Resolution 24-01 to appoint Chief Gary Olsen as Emergency Management Coordinator. Vote: Councilmembers Gianforte, Nolan, Shaak & Visceglia; all ayes; no nays. Passed.

Councilman Shaak seconded by Councilman Visceglia introduced Resolution 24-02 (see insertion). Vote: Councilmembers Gianforte, Nolan, Shaak & Visceglia; all ayes; no nays. Passed.

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

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

Mayor Garruzzo then announced the annual appointments:

Borough Administrator	Thomas F. Nolan
Municipal Clerk	Carol Baran
Officer to Issue Certificates of Liability	Carol Baran
Relocation Officer	Carol Baran
Commissioner of Insurance	Thomas F. Nolan
Human Resources Director	Thomas F. Nolan
Borough Historian	James Ham
Public Agency Compliance Officer	Carol Baran
Representative to S.E.M.M.U.A.	Thomas F Nolan
Fire Protection Official	Chris Willms
Code Enforcement Officer	Chris Willms
Zoning Officer	Elissa C. Commins
Conflict Zoning Officer	Alan P. Hilla
Conflict Engineers	Lindstrom, Dissiner & Carr
	Leon S. Avakian, Inc.
	Elissa Commins
	Kennedy Consulting, LLC
First Deputy Emergency Man. Coord.	Gary P Olsen
Second Deputy Emergency Man. Coord.	Timothy A. Shaak
Police OPRA Coordinator	Tracy Rubino
Registrar/Board of Health	Tina McDermott
Deputy Registrar/Board of Health	Denise Murphy
Mercantile Officer	Carol Baran
Tax Collector	Tina McDermott

Water Sewer Rent Collector	Denise Murphy
Animal Control Official	Tina McDermott
Superintendent Public Works	Jeff Weiss
Recycling/Clean Communities Coordinator	Carol Baran
Assistant Rec/CC Coordinator	Jeffrey Weiss
Safety Coordinator	Carol Baran
Assistant Safety Coordinator	Jeffrey Weiss
Chief Financial Officer	John Antonides
Deputy Finance officer	Tina McDermott
General Financial Service Clerk	Denise Murphy
Representative to M.C.R.H.C.	Denise Murphy
Assistant Clerks Financial	Tina McDermott
Services	Karen S. Brisben
Asst. to the Administrator	Carol Baran
Deputy Clerk of Elections	Denise Murphy
Detective	(Appointed by the Chief)
DPW Working Foreman	Jeffrey Ely (Streets & Roads)
	Michael Burger (Water)
Water Plant Operator	Michael McArthur

Councilman Shaak seconded by Councilman Visceglia introduced Resolution 24-03 to confirm the foregoing appointments. Vote: Councilmembers Gianforte, Nolan, Shaak & Visceglia all ayes; no nays. Passed

Mayor Garruzzo then announced the appointments to the various Boards & Commissions of the Borough for terms that expire on December 31st, 2024.

Planning Board

Frank A. Garruzzo	Member Class I (24)
To Be Named	Member Class II (24)
Karen Brisben	Member Class III (24)
Christian Siano	Member Class IV (26)

Community Development Block Grant Committee

Tracy Rubino	Member (24)
Timothy Shaak	Member (24)
Ann D. Scott	Member (24)
Darcy Garruzzo	Member (24)
Thomas Nolan	Member (24)
Thomas Nolan	Member (24)
Carol Baran	Representative (24)
Adeline Schmidt	Alternate Representative (24)

Board of Recreation

Erin North	Associate (24)
Art Foreman	Associate (24)
Carol Baran	Corresponding Secretary (24)
Tara Holly	Alternate (24)
Christina Baldasare	Alternate (24)
Dan Kalemba	Alternate (24)
Mike McBride	Alternate (24)

Environmental Commission

Member (26)
Member (26)
Member (26)
Alternate #1 (25)
Alternate #2 (26)

Shade Tree Commission

Larry Rose	Member (24)
Bill Patterson	Alternate (24)
Ed Shinn	Alternate (24)

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

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

Resolution 24-04 (see insertion)

Resolution 24-05 (see insertion)

Resolution 24-06 (see insertion)

Resolution 24-07 (see insertion)

Resolution 24-08 (see insertion)

Resolution 24-09 (see insertion)

Resolution 24-10 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 24-11 (see insertion)

Resolution 24-12 To comply with the state criteria for reimbursement of sick time for eligible employees.

Resolution 24-13 To confirm the appointments of all Class I & Class II Special Police Officers for 2024.

Resolution 24-14 (see insertion) Resolution 24-15 (see insertion) Resolution 24-16 To designate certain employees as Deputy Custodians re: OPRA Requests. Resolution 24-17 (see insertion) Resolution 24-18 (see insertion) Resolution 24-19 (see insertion) Resolution 24-20 To state compliance with Local Budget Law, as amended P.L. 2017 C. 183 re: "hiring practices" Resolution 24-21 (see insertion) Resolution 24-22 (see insertion)

Councilman Nolan seconded by Councilman Visceglia introduced resolutions 24-04 through 24-22. Vote: Councilmembers Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays. Passed

The Council Members had no formal report but each extended wishes for a Happy New Year. Councilman Gianforte looked forward to another good year, while Councilman Nolan noted that the Environmental Committee would be conducting an environmental inventory, the Library looked forward to expanding services and improving their programs, and he anticipated improvements to the Route 70 corridor that would benefit the Borough and our residents.

Councilman Shaak congratulated Mayor Garruzzo upon the inception of his first term and he wished the Mayor and all Brielle residents a happy New Year. Councilman Visceglia added his voice to the expression of well wishes for all in the coming new year.

Mayor Garruzzo echoed the well wishes and he looked forward to continue to work with his colleagues for the betterment of the community; he added that he was walking in the shoes of the recently retired mayor with a record of thirty-two years of public service and he hoped to and intended to fill those shoes to the best of his ability.

There being no comments from the public and no written comments having been received by either mail or email, the meeting was adjourned at 12:21 p.m. on a motion by Councilman Shaak seconded by Councilman Gianforte.

Approved: January 8th, 2024

Carol Baran Municipal Clerk

Council-President, Paul Nolan 2024 Council Committees

Administration & Personnel	Chairman: Councilman Gorham	
	Councilman new	
	Councilman Gianforte	
Budget & Finance	Chairman: Councilman Visceglia	
	Councilman Gorham	
	Councilman Shaak	
Public Safety	Chairman: Councilman Shaak	
	Councilman Nolan	
	Councilman Visceglia	
Community Development	Chairman: Councilman new	
	Councilman Gorham	
	Councilman Nolan	
Public Works	Chairman: Councilman Gianforte	
	Councilman Shaak	
	Councilman Visceglia	
Public Resources	Chairman: Councilman Nolan	
	Councilman Gianforte	
	Councilman new	

Resolution No.: 24-2 Date: January 2nd, 2024

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: Councilmembers Gianforte, Nolan, Shaak & Visceglia; all ayes. 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 2nd, 2024.

Witness my hand and seal of the Borough of Brielle this 3rd day of January 2024.

Carol Baran Municipal Clerk

Resolution No.: 24-4 Date: January 2nd, 2024

Be it resolved that each Monday night, of each month, in the calendar year 2024, with exceptions noted, be designated as meeting nights of the mayor and council of the borough of Brielle, with meetings to be held in the council chambers of the borough hall, 601 union lane, Brielle, New Jersey, and

Be it further resolved that regular business meetings shall be scheduled for the 2nd and 4th Mondays at 7:00 p.m., except Monday holidays, when said meetings shall be on the Tuesday following the holiday, 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 7:00 p.m., except Monday holidays, when said sessions shall be on the Tuesday following the holiday, said time being subject to a later starting time based on the volume of business and with 48-hour notice being given through 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. 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, and

Be it further resolved that the annual notice schedule and "48-hour notice" be forwarded to the newspapers designated the official newspapers of the Borough of Brielle as set forth under Chapter 321, P.L. 1975 "open public meetings act", and

Be it further resolved, that in accordance with <u>N.J.S.A.</u> 10:4-9.3 of the Open Public Meetings Act, meetings may be held during declared emergencies by virtual means with public notice being provided via the internet, Facebook and posting such notice at borough hall.

Resolution No.:24-05

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, 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.: 24-6

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 2024.

Resolution No.: 24-7

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 draws 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, as well as the aforementioned "change draws".

Resolution No.: 24-8

Be it Resolved that the following newspapers shall be designated as official newspapers for the Borough of Brielle for the year 2024.

Asbury Park Press	Neptune
Newark Star Ledger	Newark
The Coast Star	Manasquan

Resolution No.: 24-9

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 and/or the designated deputy collector, is hereby authorized to perform the aforementioned functions throughout calendar 2024.

Resolution No.:24-10

To authorize the Business Administrator, with the consent of the Mayor & Council Committee Chairman who has jurisdiction over the particular department, to hire temporary/part-time help on a "as needed" basis.

Resolution No.:24-11 Date: January 2nd, 2024

Temporary Budget Borough of Brielle

Whereas, N.J.S.A. 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 2023, and

Whereas, one quarter (25%) of the total appropriations made in the 2023 municipal budget, excluding appropriations made for interest and debt redemption charges & capital improvement fund in said budget is the sum of \$3,184,564.59.

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 \$2,797,500.00 be made and a certified copy of this resolution be transmitted to the chief finance officer for their records.

Appropriations		Amount
	General government	
Administrative & Executive Salaries & Wages Other expenses		\$92,000.00 \$16,500.00

Emergency management Other expenses	\$750.00
Assessment of taxes Salaries & Wages Other Expenses	\$10,000.00 \$2,500.00
Collection of Taxes Salaries & Wages Other expenses	\$32,000.00 \$3,000.00
Legal Services	\$50,000.00
Borough Historian	\$150.00
Municipal Court Salaries & Wages	\$12,500.00
Municipal Prosecutor	\$6,500.00
Engineering Services	\$30,000.00
Buildings & Grounds Other Expenses	\$30,000.00
Planning Board Salaries & Wages Other Expenses	\$2,700.00 \$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 Workman's compensation	\$176,000.00
Group insurance	\$255,000.00

Public Safety

Fire Company Other Expenses		\$11,250.00	
Police Salaries & Wages Other Expenses Vehicle Purchase/Lease Sick Time Purchase Option		\$642,000.00 \$35,000.00 \$30,000.00 \$15,000.00	
Streets & Roads Salaries & Wages Other Expenses Street Lighting (See Utilit Vehicle Maintenance	(See Utilities)	\$120,000.00 \$25,000.00	
	()	\$12,500.00	
Garbage & Trash Removal	Sanitation		
Contractual Other trash expenses (Includes Recycling Other)		\$102,000.00 \$80,000.00	
Health & Welfare			
Board of Health Salaries & Wages Other Expenses Health Services Contractual		\$900.00 \$100.00 \$17,500.00	
Board of Recreation Commissioners Salaries & Wages Other expenses	5	\$10,000.00 \$8,000.00	
Municipal Land Use		\$7,000.00	
Aid To Library		\$45,000.00	
Zoning Officer Salaries & Wages		\$7,000.00	
Dog Regulation Contractual		\$3,500.00	

Capital Improvements

Capital Improvement Fund	\$50,000.00*		
Statutory Expenditures			
Contribution To Social Security	\$115,000.00		
Debt Service			
Recycling Program			
Recycling Salaries & Wages	\$60,000.00		
Utilities	\$60,000.00		
Appropriations			
Water Utility Expenses			
Operating Expenses Salaries & Wages Other Expenses N.J.S.W.S.A. SMRSA South East Monmouth M.U.A. Capital Outlay Group Insurance Contribution To Social Security Debt Service NJIT Total Less Exceptions Total	\$95,000.00 \$55,000.00 \$52,000.00 \$160,000.00 \$155,000.00 \$5,500.00 \$7,500.00 \$166,000.00* \$2,909,000.00 \$216,000.00 \$2,693,000.00		
Inter-Local Agreements			
Dispatch Services Manasquan Municipal Court Interlocal Construction Code Services Fire Code Enforcement & Inspection Sea Girt/Water Utility Operations	\$25,000.00 \$30,000.00 \$15,000.00 \$12,000.00 \$22,500.00		

Total \$2,797,500.00

Resolution No.:24-12

To establish criteria for reimbursement of sick time for eligible employees upon retirement.

Resolution No.:24-13

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 2024.

Now therefore be it resolved that all special police officers, class I and class II, are hereby confirmed in their positions.

Resolution No.:24-14

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.

Resolution No.:24-15

Be it resolved that the Brielle police department be authorized to participate in the LESO 1033 program re: surplus defense department items.

Resolution No.:24-16

To designate certain employees as deputy custodians re: OPRA requests. Each department having a specific individual designated to provide the municipal clerk with any report required to comply with a specific OPRA request.

Resolution No:24-17

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 has determined there is a need for a clear rule establishing the voting requirements for passage of a borough resolution for the purpose of clarity; 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.

Resolution No.:24-18

To establish extension dates for the payment of tax and/or utility bills, without interest penalty, whenever the mailing of respective bills are delayed due to unforeseen circumstances.

Resolution No.;24-19

To authorize the Borough Administrator or the Municipal Clerk to solicit bids for the provision of those goods or services itemized in any capital improvement ordinance or capital program.

To further authorize the Borough Administrator to approve any professional service contract associated with the provision of a professional service, provided that the cost thereof shall not exceed a 20% threshold as established by common practice. Said authority being limited to those projects that require engineering services in the preparation of plans and specifications and/or inspection fees.

The Administrator is further authorized to retain the professional services of any expert required to assist the Borough in answering any tax appeal or other municipal matter resulting from litigation.

Resolution No.:24-20

To state the Borough's compliance with the provisions of Local Finance Notice 2017-27 issued by the Department of Community Affairs, P.L.2017, c.183 to certify municipal compliance with certain federal civil rights requirements when submitting their approved budgets with the Division of Local Government Services. Specifically, that the governing body's hiring practices are compliant with the United States Equal Employment Opportunity Commissioner's "Enforcement Guidance on the Consideration of Arrest & Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964" (hereinafter, EEOC Enforcement Guidance") The EEOC Enforcement Guidance discusses how an employer's use of criminal history records when deciding whether to

select, promote, and retain employees may in some instances violate Title VII's prohibition against employment discrimination on the basis of race or national origin.

Resolution No.: 24-20 Date: January 2nd, 2024

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, 2024 to December 31st, 2026, as the Municipal Clerk and Corporate Secretary to and for the Borough of Brielle.

Move By:

Seconded By:

Vote: Councilmember 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.

SEAL

Thomas F. Nolan Municipal Clerk

Resolution No: 24-21 Date: January 2nd, 2024

RESOLUTION OF THE BOROUGH OF BRIELLE

WHEREAS, the Governing Body has determined that it is in the public interest to establish rules for procedure during the *Public Portion* of the regular scheduled council meetings, and

WHEREAS, the Mayor & Council wish to promulgate these new rules and regulations for calendar 2024.

NOW, THEREFORE, that effective this date all individuals who wish to address the Governing Body during that portion of the meeting where public comment is pelmitted shall come forward and stand at the rostrum where they will provide the Municipal Clerk with their name and address for the record. Questions or comments shall be limited to five minutes, although the chairman may, at his discretion, extend that time limit to permit free and open discussion of any issue brought forth by a member of the public.

Anyone wishing to be heard must come forward to the rostrum and direct their comments to the Governing Body. Each member of the public wishing to comment on the same or another issue shall follow the same procedure. Each member of the public wishing to address the council on a specific issue is asked to restrict their statement to that issue. Once the matter has been addressed, they shall leave the rostrum to permit other members of the public to be heard.

Members of the public who have more than one or multiple issues to discuss are required to wait until the chair recognizes them for each separate item to be discussed. Based on the number of people wishing to be recognized, the chair shall have the discretion to waive the single issue requirement to permit a single member of the public to raise multiple issues.

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at a meeting held on January 2nd, 2024.

Witness my hand and seal of the Borough of Brielle this 3rd day of January 2024.

Carol Baran Municipal Clerk