

BOROUGH OF BRIELLE
PLANNING/ZONING BOARD
ORGANIZATIONAL MEETING
TUESDAY, JANUARY 14, 2020

The Reorganizational meeting of the Brielle Planning/Zoning Board was held on Tuesday, January 14, 2020 at 7:30 pm in the Brielle Borough Hall, 601 Union Lane. After a moment of silent prayer and a salute to the flag, roll call was taken:

Present – Mayor Thomas B. Nicol, Councilman Frank A. Garruzzo, Thomas Condon, James Langenberger, James Maclearie, John Pierciey, James Stenson, Corinne Trainor, Madeline Ferraro

Absent – Glenn Miller

Also present were David Clark, Board Attorney, Al Hilla, Board Engineer and Carol Baran, Secretary of the Board. There were 25 people in the audience.

Mr. Condon opened the meeting and declared a quorum present. He announced that, in compliance with the Open Public Meetings Act, notice of this Body's meeting had been given to both the Asbury Park Press and the Coast Star newspapers.

Mr. Condon announces the acceptance of resignation of Board Member Eric Lapham.

The following appointments were then made:

Class I - Mayor Thomas B. Nicol through 12/31/20
Class II - James Langenberger through 12/31/20
Class III – Frank A. Garruzzo through 12/31/20
Class IV – FJ Pierciey, through 12/31/23

Mr. Clark swore in all the members and congratulated them on their new terms.

It was then time for the election of officers for the year 2020. Councilman Garruzzo nominated Thomas Condon to the position of Chairperson. As there were no other nominations, Mr. Maclearie seconded the motion and it was approved unanimously by voice vote, all aye.

Mr. Stenson was nominated for the position of Vice-Chairman by Councilman Garruzzo. As there were no other nominations, Ms. Trainor seconded the motion and it was approved unanimously by voice vote, all aye.

The following Resolutions for Attorney, Engineer, Meeting Dates, Official Newspapers and Secretaries were then presented:

BOARD ATTORNEY & BOARD ENGINEER

“WHEREAS, N.J.S.A. 40A:11-5(1)(a)(i) permits the Planning Board to award a professional services contract without public advertising for bids and bidding; and

WHEREAS, the Brielle Planning Board has determined that there is a need for legal services and engineering services during the 2019 calendar year; and

WHEREAS, the Brielle Planning Board has determined to provide the need to acquire legal services and engineering services as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.5; and

WHEREAS, the Chief Finance Officer of the Borough of Brielle has determined to certified in writing that the value of the legal services and engineering services may exceed \$17,500; and

WHEREAS, the term of these contracts are one year (January 1, 2020 to December 31, 2020); and

WHEREAS, David Clark of Gluckwalrath, LLC has proposed to provide legal services and Alan Hilla, Jr. of H2M Architecture, LLC, has proposed to provide engineering services; and

WHEREAS, both Mr. Clark and Mr. Hilla have completed and submitted a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to any political or candidate committee in the Borough of Brielle in the previous year, and that the contracts will prohibit them from making any reportable contributions through the term of the contracts; and

WHEREAS, a certification as to the availability of funds executed by the Chief Finance Officer is attached to this Resolution pursuant to the provisions of N.J.A.C. 5:30-4;

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

1. The Business Disclosure Entity Certification of both Mr. Clark and Mr. Hilla as well as the Determination of Value Certification of the Chief Financial Officer shall be filed in the office of the Municipal Clerk and shall be available for public inspection.
2. The Planning Board is hereby authorized and directed to execute a contract with Mr. Clark to provide legal services and Mr. Hilla to provide engineering services for the 2020 contract year.
3. A notice stating the nature, duration, service and the amount of this contract shall be published in the Coast Star and this Resolution shall be maintained on file and available for public inspection in the office of the Board Secretary.
4. A certified copy of this Resolution shall be sent to Mr. Clark and Mr. Hilla.”

MEETING DATES

“WHEREAS, an act of the Legislature known as the “Open Public Meetings Act” enacted October 21, 1975, requires that advance notice be given of all regularly scheduled meetings of the Zoning Board of Adjustment of the Borough of Brielle, this act becoming effective January 19, 1976,

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

1. The regularly scheduled public business meetings of the Brielle Planning Board shall be held in the Borough Hall, 601 Union Lane, at 7:30 p.m. on the second Tuesday of each month. Work Sessions, if needed, will be held at 7:00 p.m. on the same night.
2. A copy of this Resolution shall be posted on the public bulletin board in the Borough Hall and published in one of the official newspapers of the Board.”

NEWSPAPERS

“RESOLVED, that the Asbury Park Press & the Coast Star are designated at the official newspapers for publishing legal notices of the Brielle Planning Board.”

SECRETARIES

“WHEREAS, there is a need for an Administrative Secretary and a Recording Secretary for the Brielle Planning/Zoning Board, and

WHEREAS, the Board has money in the Salary Ordinance to cover the expenses associated with these positions,

NOW, THEREFORE, be it resolved that Karen S. Brisben be appointed Secretary for the year 2020 at a salary of \$5,000 and Carol Baran be appointed as Recording Secretary for the year 2020 at a salary of \$5,000.”

A motion was made by Mr. Langenberger to approve the above Resolutions, this seconded by Mayor Nicol and approved unanimously by voice vote, all aye.

The Minutes of the December 10, 2019 meeting were approved on a motion by Mr. Stenson seconded by Councilman Garruzzo and unanimously approved, all aye.

CORRESPONDENCE:

The Board received a copy of a Copy of CAFRA application for Block 85, Lots 1 & 2, 720 & 722 Ashley Avenue, to allow reconstruction of an existing building & related site

improvements. The Board also received a copy of DEP application for Block 101, Lot 9, 5 The King's Path, to allow legalization of existing structures.

The November/December issue of the NJ Planner was distributed to all members.

OLD BUSINESS:

Continuation of hearing for Major Subdivision for Block 64.06, Lot 18, 619 Rankin Road, owned by 619 Rankin Road, LLC (applicant - Bojac Realty), to create 5 buildable lots.

Mr. Condon had questions of Mr. Hilla before the applicant's attorney started. He explained several homeowners approached him before the meeting with concerns of the measurements of the proposed lot sizes. Mr. Hilla responded he had been contacted with regards to lot width on several of the proposed lots. He continued by saying Lot 18.02, 60 ft. would be required and there would be no variance needed. Mr. Hilla added that lots 18.03 (55ft) and 18.04(55ft) would need variances and the numbers should be verified through the applicant's surveyor. Mr. Clark asked if these supersede the numbers in his last letter. Mr. Hilla responded yes.

Mr. Condon asked if they have produced the proper drainage report. Mr. Hilla responded they did do modifications on the structure; however, drainage report and regulatory issues still need to be addressed. Mr. Hilla stated they should be addressed substantially before the Board goes to vote on this application.

Attorney Bernard Reilly for Kenneth Olenyik 821 Scott Road asked to be heard before the Board continued with the application. Mr. Reilly stated that the Board should not allow this hearing to continue because the notice and plans are wrong and misleading to the public. Mr. Reilly felt the Board would be wasting their time because the information that would be testified to was misleading and need to be recalculated.

Mr. Condon deferred to the Board attorney, Mr. Clark. Mr. Clark explained to Mr. Reilly we discussed the lot width calculations being incorrect. Mr. Clark added there could be issues with the incorrect information on the notices. Mr. Clark asked Mr. Henderson what his position was on the incorrect notices. Mr. Henderson asked the Board for 5 minutes to consult with his client. Mr. Condon allowed the break.

Mr. Henderson and the applicant opted not to proceed with the hearing so they may send out notices with the corrected information. Mr. Clark asked Mr. Henderson to get with Mr. Hilla to figure out the information for the notice. Mr. Condon asked Mr. Henderson if they could also include the drainage information so the Board would have a complete package.

Mr. Reilly asked the Board to request Mr. Henderson and his client speak to him and his planner about the measurements before the next meeting. Mr. Reilly hoped they could work through the problems with each other and the Board Engineer before Mr. Henderson and his professionals returned to testify to the Board. Mr. Condon explained to Mr. Reilly he could not force that request.

Mr. Condon stated the applicant would be placed on the agenda for February.

As there was no other business to come before the Board a motion to adjourn was made by Ms. Trainor seconded by Mr. Stenson and unanimously approved by the Board, all aye. The meeting was adjourned at 7:55 p.m.

Carol Baran, Recording Secretary

Approved: