

MINUTES August 16th, 2021

START: 6:00 PM

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

ABSENT: COUNCILMAN GARRUZZO

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, Mayor Nicol then 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 then asked for a motion to approve the Minutes of the July 19th, 2021, Regular Meeting. A motion was made by Councilman Gianforte seconded by Councilman Gorham, all ayes, no nays. Passed.

Councilman Gianforte seconded by Councilman Nolan introduced Resolution 21-89 for Passage of the Consent Agenda.

Resolution:

- A. To establish a grace period for the payment of Third Quarter Taxes whereby interest shall not be charged prior to the expiration of a twenty-five-day period from the date of the mailing of the tax bills.
- B. (See insertion)
- C. (See insertion)
- D. To approve the transfer of a Special Events Permit issued to Waterman's tavern from July 31st to October 2nd, 2021.
- E. To declare Resolution 21-82 "void", and to acknowledge that the Brielle Library Board of Trustees and the Monmouth County Library Trustees have reached an accord and there is no current need for a Referendum re: Membership in the County Library System.
- F. (See insertion)
- G. To authorize the hiring of Matthew Pruden, of Wall Township, as a Laborer/Driver for the Department of Public Works.
- H. To appoint Denise Murphy as the Borough Representative to the MRHC#1

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

Councilman Gorham seconded by Councilman Garruzzo introduced Resolution 21-90 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

August 16th, 2021, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilmen Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No Nays. Passed.

Mayor Nicol then announced that the time had arrived for a hearing and further consideration of “AN ORDINANCE TO AMEND CHAPTER 3, SECTION 13 OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED “SPECIAL EVENTS”.

The hearing was opened on a motion by Councilman Gianforte seconded by Councilman Nolan.

The Administrator explained that the ordinance amended the current ordinance to limit the number of events per group, individual and/or location.

Attorney Montenegro cited a minor amendment as to #2-C craft show had to be amended to craft fair as specified in the definitions.

There being no comments the hearing was closed on a motion by Councilman Gianforte seconded by Councilman Nolan.

Councilman Shaak seconded by Councilman Nolan introduced resolution 21-91 For passage on final reading of the foregoing ordinance. Vote: Councilmen Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Shaak seconded by Councilman Gianforte, introduced Resolution 21-92 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen 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”.

Councilman Shaak seconded by Councilman Nolan introduced resolution 21-93 for passage on introduction and first reading. Vote: Councilmen Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. Passed.

Councilman Shaak seconded by Councilman Gianforte, introduced Resolution 21-94 to authorize publication of the foregoing ordinance in the Coast Star for a hearing to be held by virtual means on September 13th, 2021, at 6:00pm. Vote: Councilmen 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 THREE OF THE CODE OF THE

BOROUGH OF BRIELLE ENTITLED "POLICE REGULATIONS".

Councilman Shaak seconded by Councilman Gianforte, introduced Resolution 21-95 for passage on introduction and first reading. Vote: Councilmen Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Shaak seconded by Councilman Gianforte, introduced resolution 21-96 to authorize publication of the foregoing ordinance in the Coast Star for a hearing to be held by virtual means on September 13th, 2021, at 6:00pm. Vote: Councilmen 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 NINE OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "BUILDING & HOUSING"'.

Councilman Shaak seconded by Councilman Nolan, introduced Resolution 21-97 for passage on introduction and first reading of the foregoing ordinance. Vote: Councilmen Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Shaak seconded by Councilman Gorham, introduced Resolution 21-98 to authorize publication in the Coast Star for a hearing to be held by virtual means on September 13th, 2021. Vote: Councilmen Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

The mayor then called for committee reports and recognized Councilman Gianforte who had no report but thanked his colleagues for moving forward with the ordinances introduced this evening.

Councilman Nolan noted that Recreation was accepting sign-ups for the Brielle Dash & Flag Football and Brielle 10K runners could pre-registered for the 40th 10K Race on-line @ Run-Sign-up.com.

Turning to the Library he praised both the Library Trustees and the County Library Trustees for reaching an accord. Councilman Nolan cited the Library's Wellness Wednesday starting August 18th with Brielle Integrated Health Care, the Star Wars Summer send-off on August 19th, and the August 26th program Girls Make Lava Lamps.

No other Councilmembers having reports, the meeting was opened to the public. The Administrator advised that no written comments on any agenda item had been made either by e-mail or mail prior to the deadline for submission.

William Folker, 719 Howell Drive, inquired as to the status of a vacant property at 717 Howell Drive and voiced his and his neighbors' concerns over the deteriorated condition and potential for entry by intruders. He asked what could be done to remediate the situation?

The Administrator advised that, as a result of his earlier phone call, further research had indicated that the property was in foreclosure and although, as Mr. Volker noted, the tax records still listed a deceased couple as owners, it was now owned by a Bank. The Borough was attempting to contact them and inform them that they must remediate the situation. In the event that they fail to respond, the Borough has an ordinance that would permit the DPW to enter the property and clear the overgrowth. A tax lien would then be taken.

Edward “Lefty” Grimes of Bayonne, an advocate for the handicapped, inquired as to the status of wheelchair access to the Police Headquarters. He noted that at an earlier meeting he was told that it had been provided.

The Administrator advised that there was a misunderstanding. Wheel Chair access had been provided for the Borough Hall. The intent was to ultimately relocate those portions of the police operation that had direct interaction with the public to the upper level along with the completion of the handicapped access work. An application was pending before the community development office and would be given a hearing in September. Assuming that the funds were granted the work would be completed sometime in late 2022 or early 2023. There was no likelihood that the holding cells could be made handicapped accessible, and patrons would have to be serviced at an alternate location.

Mr. Grimes suggested that the Borough reconsider its position on cannabis as the tax on the product was, in effect, dedicated for ADA related activity.

There being no public comment, the meeting was adjourned at 6:24 pm on a motion by Councilman Gorham seconded by Councilman Nolan.

Approved: September 13th, 2021

Carol Baran
Municipal Clerk

Resolution No.: 21-89-B
Date: August 16th, 2021

**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:
Superintendent of Public Works and Borough Engineer responded to a complaint regarding the terminus of Forrest Road. They the end of the roadway collapsing. The embankment required immediate stabilization to avoid further property damage.
4. The emergency occurred July 26th @ approximately 9:00 am.
5. 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
6. It is requested that a Purchase Order be issued without public advertisement for bids, pursuant to the above cited statute.
7. 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, Carol Baran 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 16th day of August 2021.

In Witness Whereof, I have hereunder set my hand and official seal of the municipality this 17th day of August 2021.

Carol Baran
Municipal Clerk

Resolution of the Borough of Brielle

- Whereas, the need exists to provide for an Intra-County Mutual Aid & Assistance Agreement to coordinate the activity of responding units in compliance with the requirements of the National Incident Management System (NIMS), the New Jersey Civil Defense & Disaster Control Act, the Fire Service Resource Emergency Deployment Act, and
- Whereas, participation in this agreement shall provide financial assistance to participating units for consumable goods, equipment and personnel, and
- Whereas, participation in this agreement shall ensure that participating units are protected against loss, damage or destruction by fire, civil unrest, hazardous material, major criminal or emergency events, natural and man-made disaster or catastrophe and shall address those situations where additional aid and assistance is required to protect persons and property within each individual Jurisdiction.

Now Therefore Be It Resolved, that Thomas B. Nicol, Mayor and Emergency Management Coordinator for the Borough of Brielle is hereby authorized to execute this agreement on behalf of the Borough of Brielle.

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 August 16th, 2021.

Witness my Hand and Seal of the Borough of Brielle this 17th day of August 2021

Carol Baran
Municipal Clerk

Resolution No: 21-89-F
Date: August 16th, 2021

RESOLUTION - ADOPTING A SCHEDULE OF CONSTRUCTION RELATED FEES FOR THE BOROUGH OF SPRING LAKE WHICH SHALL BE CONSISTENT WITH THE CONSTRUCTION FEE SCHEDULES OF THE PARTICIPATING MUNICIPALITIES IN SPRING LAKE'S REGIONAL CONSTRUCTION OFFICE.

WHEREAS, the Borough of Spring Lake has been designated as the host community for the regional construction office serving the Boroughs of Brielle, Sea Girt, Spring Lake and Spring Lake Heights; and

WHEREAS, the State DCA requires that each participating municipality in a regional construction office have a common fee schedule; and

WHEREAS, the Borough of Spring Lake's master fee schedule, which was adopted by ordinance, permits the Mayor and Council to establish fee schedules by Resolution.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Brielle in the County of Monmouth and State of New Jersey, hereby adopts the following master fee schedule, as per attached take effect upon the adoption of resolution of all participating municipalities.

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 August 16th, 2021.

Witness my Hand and Seal of the Borough of Brielle this 17th day of August 2021

Carol Baran
Municipal Clerk