

MINUTES February 28<sup>th</sup>, 2022

START: 6:00 P.M.

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, 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 February 14<sup>th</sup>, 2022, Meeting. A motion was made by Councilman Gianforte seconded by Councilman Garruzzo, all ayes, no nays.

Councilman Gianforte seconded by Councilman Gorham, introduced Resolution 22-26 for passage of the Consent Agenda.

- A. (see insertion).
- B. (see insertion).
- C. (see insertion).
- D. To authorize the New Jersey Chapter of the MS Society to conduct the annual "Coast to Coast" Bike Ride through Brielle on May 7, 2022.

Vote: Council Members Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed. (Note: Councilman Garruzzo abstained on B & C. Councilman Gianforte & Nolan abstained on B).

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 22-27 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 February 28<sup>th</sup>, 2022, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Council Members Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. Passed.

Mayor Nicol then announced that the time had arrived for the introduction of "CALENDAR YEAR 2022 "AN ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45.14).

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 22-28 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 Shaak seconded by Councilman Visceglia, introduced Resolution 22-29 to authorize publication in the Coast Star for a hearing to be held on March 14<sup>th</sup>, 2022, by virtual means. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

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

Councilman Nolan advised that as far as Recreation went the snow man contest would continue through April 1<sup>st</sup> and both Biddy Basketball and Co-Ed volleyball were going well. Recreation was also reconstructing a number of kayak racks at Brielle Beach.

Turning to the Library, he advised of the Art for Sea art show on March 12<sup>th</sup>, Tech with Teens on March 9<sup>th</sup>, and Paint & Sip on March 10<sup>th</sup>. The Library also had a new website accessible at [www.briellelibrary.com](http://www.briellelibrary.com).

Councilman Garruzzo advised of a new protocol for water main breaks. The Water Department would assess the situation. A normal break does not require the system to be shut down, so while some residents in the immediate area of the break might notice a reduction in water pressure, most would not be cognizant of the event. Once the contractor arrived and a timetable provided the Department would text or call the Municipal Clerk and the Clerk or designated alternate would post the news of the break on the web and Facebook.

Councilman Shaak informed the public that, at last, N.J. Transit was addressing the Green Avenue Crossing. A pre-construction meeting was scheduled for next week and, hopefully, the job would be completed before the summer.

Councilmen Gorham and Visceglia having no reports, the meeting was opened to the public

The Administrator having already noted that no public comments on the agenda items had been received either by mail or e-mail.

There being no public comment, the Public Portion was adjourned at 6:15pm on a motion by Councilman Garruzzo seconded by Councilman Gianforte.

The meeting was adjourned at 6:16 pm on a motion by Councilman Shaak seconded by Councilman Garruzzo.

Approved: March 14<sup>th</sup>, 2022

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Carol Baran  
Municipal Clerk

Self-Examination of 2021 Municipal Budget

WHEREAS, N.J.S.A. 40A-78b has authorized the Local Finance Board to adopt rules that permits municipalities in sound fiscal condition to assume the responsibility, normally granted to the Director of the Division of Local Government Services, of conducting the annual budget examination, and

WHEREAS, N.J.A.C. 5:30-7 was adopted by the Local Finance Board on February 11, 1997, and

WHEREAS, Pursuant to N.J.A.C. 5:30-7.2 thru 7.5 the Borough of Brielle has been declared eligible to participate in the program by the Division of Local Government Services, and the Chief Financial Officer has determined that the Borough of Brielle meets the necessary conditions to participated in the program for the 2022 budget year, so now therefore

BE IT RESOLVED, by the Borough Council of the Borough of Brielle, that in accordance with N.J.A.C. 5:30-7.6a & b and based upon the Chief Financial Officers certification, the Governing Body has found the budget has met the following requirements:

1. That with reference to the following items, the amounts have been calculated pursuant to law and appropriated as such in the budget:
  - a. Payment of interest and debt redemption charges
  - b. Deferred charges and statutory expenditures
  - c. Cash deficit of preceding year
  - d. Reserve for uncollected taxes
  - e. Other reserves and non-disbursement items
  - f. Any inclusions of amounts required for school purposed
2. That the provisions relating to limitation on increases of appropriations pursuant to:

N.J.S.A. 40A:4-45.2 and appropriations for exceptions to limits on appropriations found at 40A:4-45.3 et seq. are fully met (Complies with the “Cap” law.)
3. That the budget is in such form, arrangement, and content as required by Local Budget Law and N.J.A.C. 5:30-4 and 5:30-5.
4. That pursuant to the Local Budget Law:

- a. All estimated of revenue are reasonable, accurate, and correctly stated.
  - b. Items of appropriation are properly set forth.
  - c. In itemization, form, arrangement, and content the budget will permit the exercise of the comptroller function within the municipality.
5. The budget and associated amendments have been introduced and publicly advertised in accordance with the relevant provisions of the Local Budget Law, except that failure to meet the deadlines of N.J.S.A 40A:4-5 shall not prevent such certification.
6. That all other applicable statutory requirements have been fulfilled.

BE IT FURTHER RESOLVED THAT A COPY OF THIS RESOLUTION BE  
FORWARDED TO THE Director of the Division of Local Government Services.

#### CERTIFICATION

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council, at a meeting held on February 28<sup>th</sup>, 2022.

Witness my hand and seal of the Borough of Brielle this 1<sup>st</sup> day of March 2022.

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Carol Baran  
Municipal Clerk

Resolution No.:22-26-B  
Date: February 28<sup>th</sup>, 2022

### BOROUGH OF BRIELLE RESOLUTION

Whereas, an application has been received for the renewal of Club License #1308-31-014-001,

And

Whereas, this application required a Special Ruling that granted relief pursuant to: N.J.S.A.33:1-12.18 for the license term 2021-2022, and

Whereas, permission has been granted to the Petitioner pursuant to statute, and

Whereas, the application is complete, the \$66.00 municipal fee has been paid, and the \$200.00 fee due to the A.B.C. has been paid, and all municipal requirements have been met, and

Whereas, no objections to granting this license have been received.

Now Therefore Be It Resolved, that the application of Manasquan River Yacht Club, for premises located at 405 Riverview Lane Brielle, New Jersey is hereby approved, and the Municipal Clerk is authorized to issue the license for the License year July 1<sup>st</sup>, 2021 through June 30<sup>th</sup>, 2022.

### Certification

The foregoing is a true copy of a Resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on February 28<sup>th</sup>, 2022.

Witness my Hand and Seal of the Borough of Brielle this 1<sup>st</sup> day of March 2022.

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Carol Baran  
Municipal Clerk

Resolution No.:22-26-C  
Date: February 28th, 2022

### BOROUGH OF BRIELLE RESOLUTION

Whereas, Hoffman's Restaurant, LLC., with premises located at 622 Green Avenue, has made application for the renewal of Seasonal Liquor License #1308-34-003-006, for the license Period July 1st, 2021 through November 15th, 2021, and May 1st, 2022 to June 30th, 2022, and

Whereas, this license required a Special Ruling that granted relief pursuant to N.J.S.A.33:1-12.18 for the license term 2021-2022, and

Whereas, permission has been granted to the Petitioner pursuant to statute, and

Whereas, the application being complete, \$1,650.00 fee paid to the Borough of Brielle, \$200.00 fee due to The State Of New Jersey Division Of Alcoholic Beverage Control having been paid.

Now therefore be it resolved, that the Municipal Clerk is hereby authorized to issue said license, subject to the following conditions:

1. Amplified outdoor music shall be prohibited on the Hoffman's Restaurant property. This prohibition shall include both live Musicians and DJs.

2. Valet Parking shall be provided when the adjacent parking lot at Hoffman's Marina is utilized.

This condition No. 2 was agreed upon by the applicant.

A violation of these condition may result in suspension or revocation of the license.

Moved By: Councilman Gianforte. Second: Councilman Gorham. Vote. Councilmen Gianforte, Gorham, Nolan, Sheek and Visceglia; all ayes. No nays. Abstained: Councilman Garruzzo. Absent: None

### Certification

The foregoing is a true copy of a Resolution passed by the Mayor and Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, February 28<sup>th</sup>, 2022.

Witness my Hand and Seal of the Borough of Brielle this 1<sup>st</sup> day of March 2022.

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Carol Baran  
Municipal Clerk