

MINUTES: June 27<sup>th</sup>, 2022

START: 7:00 P.M.

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

ABSENT: Councilman Gianforte

There was no need for a work session.

Mayor Nicol read the compliance statement and the Regular Council Meeting was called to order, after a moment of silence, a salute to our flag. Mayor Nicol asked for a roll call.

Mayor Nicol then asked for a motion to approve the Minutes of the June 13<sup>th</sup>, 2022 meeting. A motion was made by Councilman Shaak seconded by Councilman Nolan, all ayes, no nays.

Councilman Garruzzo seconded by Councilman Nolan, introduced Resolution 22-65 for passage of the Consent Agenda.

Resolution:

- A. (see insertion)
- B. To approve an application for a block party on July 9, 2022, at 313 Leslie Avenue.
- C. To accept a proposal from H2M for the preparation of bid specifications and the provision of inspection services and the acquisition of required permits re: Water Main Improvements and Bulkhead repair and restoration East Woodland Avenue.
- D. To authorize the Mayor & Clerk to execute a hold harmless agreement with the City of Summit Fire Department for equipment to be donated to Brielle Fire Company #1.
- E. To authorize the Manasquan River Golf Club to host a fireworks display on September 17<sup>th</sup>, 2022, between the hours of 9:00pm and 9:20pm in celebration of their 100<sup>th</sup> anniversary, upon execution of hold-harmless agreement between the Borough and the Manasquan River Golf Club.

Vote: Council Members Garruzzo, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed. (Councilman Garruzzo abstained on resolutions A and E, and Councilmen Nolan and Visceglia abstained on resolution E).

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 22-66 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 June 27<sup>th</sup>, 2022, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilmen Garruzzo, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

The Mayor then called for committee reports and recognized Councilman Nolan who reported the Library held a social security work shop on this day and would hold another on June 28<sup>th</sup> at 5:30pm. On June 29<sup>th</sup> a forum on Medicare made simple would take place and the canine officer would be visiting the library to introduce Nero the police dog to interested parties.

The Recreation Commission was putting the finishing touches on the kayak racks and in other news, New Jersey Natural Gas was addressing the trenches on Higgins Avenue and after the settlement phase selected areas would be paved. The Borough anticipated the future repaving of the street as part of a future capital program. Finally, the Nature Trail Association had expressed an interest in a clean-up of Nienstedt Island.

Councilmen Garruzzo, Shaak, Gorham, and Visceglia having no reports the meeting was open to the public.

Janet Hendricks, 615 Leslie Avenue, asked when the bluestone and other debris left after the much-delayed improvement project would be addressed. She added that she spoke to N.J. Transit personnel who said it was the Borough's responsibility. Ms. Hendricks also asked when the kayak rack lottery notifications would be going out.

Mayor Nicol advised that he would investigate the Green Avenue situation. Councilman Nolan offered that the racks should be completed by the end of the week and notices would then be sent out.

Ms. Virginia Lofton, 401 South Street, addressed council on behalf of the Bayberry Garden Club and asked if the existing combination ash tray recycling containers could be removed and a trash receptacle area be established in an enclosure at the rear of the building. She added that the Club could then place planters where the receptacles had been. Council promised to review the request.

Ms. Lofton also asked if would be possible to place a bicycle rack by the kayak racks. Councilman Nolan said he would investigate it.

Mr. Kevin Immen, 718 School House Road asked if there were any updates as to the status of the bridge replacement project on Schoolhouse Road. The Administrator noted that he had been assured that residents would be advised prior to any action, but he promised to contact NJDOT for an update.

Mr. Immen voiced his concerns as an impacted property owner and asked if a footbridge could be an alternative. Councilman Shaak felt that public safety, police, fire and first aid would be adversely impacted if the roadway was closed to traffic.

Mr. Immen asked if there was hard data to support that statement. Council said it could be provided.

Mayor Nicol noted that the NJDOT had requested a resolution from the Governing Body endorsing the project and it had not been given. He was firm that the bridge should remain at the present height and the roadway of Route 35 be lowered.

Mr. Immen cited the presence of surveyors at the site and feared the project was going to bid. Councilman Nolan, an engineer in his own right, explained that this was most likely preliminary work in preparation of bid specifications, but estimated a two-year timeframe for the bid process to commence.

Mr. Immen advised that his property was directly and adversely impacted as he estimates the loss ten feet at one spot and four feet at another location on the property; he intended to do whatever was necessary to protect his property.

Janet Hendricks was recognized, and she reiterated her concerns as well as speeding in her area. She stated that cars ignored the dead-end sign on Leslie Avenue and frequently knocked down the barricade when they attempted to turn around.

The Mayor again promised to examine the situation in detail and take remedial steps.

There being no public comment, the meeting was adjourned at 7:30 p.m. on a motion by Councilman Shaak seconded by Councilman Nolan.

Approved: July 11<sup>th</sup>, 2022

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Carol Baran  
Municipal Clerk

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of Liquor License #1308-33-001-008, and

Whereas, the application is complete and the \$2,225.00 fee due to the Borough and the \$200.00 fee due to the State of New Jersey Division of Alcoholic Beverage Control received, and all municipal requirements have been met, and

Whereas, no objections to the renewal of this license have been received.

Now Therefore Be It Resolved, that the application of Paradise Hospitality, LLC for premises located at 1 Ocean Avenue, Brielle, New Jersey, is hereby approved and the Municipal Clerk is authorized to renew the license for the period July 1<sup>st</sup>, 2022 through June 30<sup>th</sup>, 2023, subject to the following conditions.

1. Alcoholic Beverage may be sold, served, delivered, or consumed on the open exterior deck of the premises from 12:00pm to 11:00pm, Sunday through Thursday, and from 12:00pm to 1:00am on Friday and Saturday.

2. In accordance with the conditions of the Planning Board Resolution agreed to at a meeting of that Body held on December 8<sup>th</sup>, 2020, the applicant agrees that there shall be no amplified live music outdoors at this location. This prohibition includes live music and DJ's.

3. An unamplified violin or similar instrument, as well as a microphone for the officiant, shall be permitted outdoors during ceremonies.

4. Controlled Background music may be permitted in the above-mentioned deck area during the hours of 12:00pm to 10:00pm Sunday through Thursday, and from 12:00pm to 1:00am on Fridays and Saturdays, providing that the music is in compliance with the provisions of Chapter 3, Section 3-1.1 through 3.1-11 of the Code of the Borough of Brielle entitled "Noise Control" and is compliant with all other ordinances.

5. No doors or windows can be open when background music is utilized on the deck.

6. On the Sunday prior to Memorial Day and on the Sunday prior to Labor Day, the deck may remain open to 1:00am. The deck may also remain open until 1:00am on July 3<sup>rd</sup>. These exceptions are granted subject to the provisions of this resolution.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, June 27<sup>th</sup>, 2022.

Witness my hand and seal of the Borough of Brielle this 28<sup>th</sup> day of June 2022.

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Carol Baran  
Municipal Clerk