

MINUTES: September 26<sup>th</sup>, 2022

START: 7:00 P.M.

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

ABSENT: NONE

Mayor Nicol opened the meeting in compliance with the Open Public Act and asked for a salute to our flag, followed by a moment of silent prayer, and a roll call.

There being no need for a work session, Mayor Nicol then asked for a motion to approve the Minutes of the September 12<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 22-80 for passage of the Consent Agenda.

Resolution:

- A. To authorize the Jersey Shore Runners Club to conduct their annual RunAPalooza event in Brielle on April 1<sup>st</sup>, 2023.

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

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 22-81 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 September 26<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, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Mayor Nicol then announced that the time has arrived for a hearing and further consideration of 'AN ORDINANCE TO AMEND CHAPTER THIRTEEN OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "PARKS AND RECREATIONAL FACILITIES"'.

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

The Administrator explained that the ordinance enabled the Borough to prohibit access to any water front access or other public property, in the event a hazardous condition exists. While the Borough may be able to remediate a particular situation, it is necessary for insurance purposes to prevent access during the review process.

Ms. Dorothy Schultz, 1010 Shore Drive, was recognized and she asked if the dog walk connecting Shore Drive to Forrest Road was covered by this ordinance.

The area in question was a municipal right-of-way and would be included. In response to Ms. Schultz's further inquiry the Administrator advised that anyone injured on the "dog walk" would report their injury to the Borough.

The hearing was closed on a motion by Councilman Gianforte seconded by Councilman Shaak.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 22-82 for passage on final reading of the foregoing ordinance. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Garruzzo seconded by Councilman Nolan, introduced resolution 22-83 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

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

Councilman Nolan reported that the annual Coaster Derby would be held on October 1<sup>st</sup>. The event begins at 9:00am, but the actual race is scheduled for 1:00pm. The event is opened to grades 2 through 8 and some 35 entrees have been received. Recreation would also hold the annual Chili Cook-off on October 15<sup>th</sup> at Brielle Park.

Councilman Nolan also cited the success of the Brielle Library's Centennial Celebration.

Councilman Garruzzo having no report, Councilman Shaak noted that Bulk Pick-up would be held the week of October 24<sup>th</sup> on the regular scheduled collection day.

Councilman Gorham had no report. Councilman Visceglia cited the Borough's receipt of a \$31,763,00 dividend from the Central Jersey Health Insurance Fund.

The meeting was open to the public and both Ms. Janet Hendrick, 615 Homestead Road, and Ms. Linda Coyne, 107 Manasquan Avenue, voiced concerns over the condition of Green Avenue in particular the crosswalk and, in Ms. Coyne's case the handicapped depression that had deteriorated to the point that she sustained an injury.

The Administrator informed both ladies that the problems would be addressed as part of the Green Avenue Improvement Project in the Spring.

Ms. Dorothy Schultz, 1010 Shore Drive, complained about the condition of a lot owned by William Rathjen on Shore Drive and the condition of a Ms. Clayton's lawn and flower beds on

Cedar Lane. As a former realtor she advised that the properties were eyesores and detrimental to the neighborhood.

Council advised that the matter would be referred to Code Enforcement and attorney Montenegro added that, in the event Ms. Schultze was not satisfied with Code Enforcements response she could file a complaint on her own.

There being no further public comment, Councilman Garruzzo seconded by Councilman Nolan introduced resolution 22-84 to authorize an Executive Session (see insertion) Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye, no nays. Passed.

Councilman Shaak then recused himself due to a conflict and left the room.

Executive Session was adjourned at 8:15 pm. on a motion by Councilman Gianforte, seconded by Councilman Gorham.

The Administrator advised that the Borough Attorney updated the Mayor & Council on the status of a pending law suit. The matter would be made public as soon as confidentiality was no longer required.

The meeting was adjourned at 8:16pm on a motion by Councilman Gianforte seconded by Councilman Nolan.

Approved: October 10<sup>th</sup>, 2022

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Carol Baran  
Municipal Clerk