

# ***Borough of Brielle***

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**JULY 23, 2018**

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October 29 2018

**July 23rd, 2018**

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MINUTES July 23rd, 2018 WORK SESSION START: 7:30 PM

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

ABSENT: COUNCILMAN GORHAM

Mayor Nicol announced that any member of the public wishing to audio or video record a Council Meeting must give notice to the Borough Clerk prior to the meeting being recorded.

Mayor Nicol convened the work session in compliance with the Open Public Meetings Act and recognized the Administrator advised he had no report.

There being no questions from Council or the public, work session was adjourned at 7:33 p.m. on a motion by Councilman Gianforte seconded by Councilman Shaak.

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MINUTES July 23rd, 2018 WORK SESSION START: 7:34 PM

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

ABSENT: COUNCILMAN GORHAM

Following a moment of silent prayer, a salute to the flag and a roll call, the Minutes of the July 9th, 2018 meeting were approved on a motion by Councilman Gianforte seconded by Councilman Nolan; all aye; no nays. Passed

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 18-89 for Passage of the Consent Agenda.

Resolution:

A. To appoint Dante A. Brown as a Class II Special Police Officer effective this date.

B. (see insertion)

C. (see insertion)

Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye, No nays. Passed

Councilman Garruzzo seconded by Councilman Gorham introduced Resolution 18-90 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 July 23rd, 2018, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye, No nays. Passed Note: Councilman Nolan was appointed to the Finance Committee for purposes of this meeting)

Mayor Nicol then announced that the time had arrived for a hearing and further consideration of "AN ORDINANCE TO AMEND CHAPTER TWENTY OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "LAND USE".

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

The Administrator explained that the ordinance defined "dormitory". At the request of Sue Stenson, 810 Rathjen Road, the Administrator read the definition.

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

Councilman Garruzzo, seconded by Councilman Nolan introduced Resolution 18-91 for passage and adoption on final reading. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye. Passed.

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Councilman Garruzzo seconded by Councilman Nolan introduced resolution 18-92 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

Mayor Nicol then announced that the time had arrived for a hearing and further consideration of "AN ORDINANCE TO AMEND CHAPTER TWENTY-ONE OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "ZONING".

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

The Administrator explained that the ordinance prohibited "dormitories" as principal or accessory buildings.

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

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 18-93 for passage on final reading of the foregoing ordinance. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 18-94 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

Mayor Nicol 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 Gianforte seconded by Councilman Visceglia, introduced Resolution 18-95 for passage on introduction and first reading. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

Councilman Gianforte seconded by Councilman Gianforte introduced Resolution 18-96 to authorize publication in the Coast Star for a hearing to be held on August 13th, 2018, at 7:30pm at Borough Hall. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

Mayor Nicol then announced that the time had arrived for the introduction and passage on first reading of an "ORDINANCE TO AMEND CHAPTER TWENTY OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "PARKS & RECREATION".

Councilman Garruzzo, seconded by Councilman Visceglia, introduced Resolution 18-97 for passage on introduction and first reading. Vote: Councilman Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

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Councilman Garruzzo, seconded by Councilman Nolan introduced Resolution 18-98 to authorize publication in the Coast Star for a hearing to be held on August 13th, 2018 at 7:30pm at Borough Hall. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

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

Councilman Nolan advised that Christmas in July would take place in Brielle Park on Tuesday, July 24th, a good time was in the making. Recreation's Flag Football Program registration was starting, and the Summer Rec Program was going strong.

Turning to the Library, he advised that a Yoga Workshop would be held on August 1st from 7:00pm to 9:00pm.

Councilman Garruzzo had no report, but he cited his visit to the First Aid Building to see the new state-of-the-

art ambulance. He felt it would be a great asset to the community.

Councilman Shaak advised the public that Brielle was under mandate to cease accepting recyclables in plastic bags. Recyclables should be placed at the curb in reusable plastic buckets or their equivalent. No plastic bags would be taken. Residents who wished to bring their recyclables to the Recycling Center could bring them in plastic bags, but the bags should be emptied into the recycling bins and the plastic bags disposed of as trash.

Due to the presence of food residue, pizza boxes can no longer be recycled, and they are also considered to be trash. Information on the new requirements were posted on the Web and Facebook. Councilman Shaak is always available to answer any questions or concerns.

Councilman Visceglia having no report, the meeting was open to the public.

Stephanie Smith, 709 Union Lane, asked if the Borough had reviewed the no parking provisions for Osprey Point Drive as discussed at the last meeting.

Councilman Garruzzo explained that Chief Palmer had reviewed the matter and did not deem it advisable to amend the ordinance. Councilman Garruzzo provided an example of the other side of the coin and quoted from a letter received from an Osprey Point Drive resident who cited an increase in traffic in recent years. People arrive as early as 5:00am, they slam car doors, drop their boats in the street and shout back and forth to friends. They awaken the homeowners who wish to sleep undisturbed. The people leave beer cans, trash and condom wrappers, fish guts and diapers along the road and the access easement. Last week a discarded syringe and needle were left on the street. They use the trees for urination after dark it only gets worse. The resident went on in that vein and evidence the serious impact free access was having on the neighborhood.

Ms. Smith raised the issue of providing a crosswalk for those who had to park at a distance.

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Councilman Nolan pointed out it was a County Road and the County would have to give permission. Councilman Garruzzo added that their Traffic Safety Officer had visited the site and found that visibility was not an issue and there was no impediment to crossing.

Ms. Smith wondered why the violators were not simply arrested. Councilman Garruzzo stated that the Police were working with the residents to address the issue.

In terms of the ordinance it would remain in effect, Ms. Smith expressed her disappointment, but Councilman Garruzzo regretted that he could not make everyone happy.

The meeting was adjourned at 8:09 pm on a motion by Councilman Gianforte seconded by Councilman Gorham.

Approved: August 13th, 2018. \_\_\_\_\_

Thomas F. Nolan

Municipal Clerk

Resolution 18-89-B

Date: July 23rd, 2018

WHEREAS, there are three Escrow Accounts for a major subdivision on LongStreet Avenue, application done by Richard and Myra Strucek, and

WHEREAS, the major subdivision work has been done, the escrow fees for the original application can be released as well as the Cash Guarantee & Inspection Fee balance,

NOW, THEREFORE, BE IT RESOLVED that the total amount of \$4,574.78 be refunded for the unused escrow money as flows: escrow account 7130 \$1,294.78; escrow account 7130A \$2,100.00; escrow account 7130B \$1,180.00 and a check made payable to Richard and Myra Strucek be issued.

## CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, July 23rd, 2018.

Witness my hand and seal of the Borough of Brielle this 24th day of July 2018.

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Thomas F. Nolan  
Municipal Clerk

Resolution No.:18-89-C  
Date: July 23rd, 2018

WHEREAS, there is an Escrow Accounts where the variance application has been finalized and a refund is due the applicants, and

WHEREAS, this refund applies to the following account:

Escrow Account #7124 Charles & Deborah Kauffman for Block 29.01 Lot 4 523 Harris Avenue

NOW, THEREFORE, BE IT RESOLVED that the total amount of \$2,065.00 be refunded for the unused escrow money and the above account be closed.

## CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, June 23rd, 2018.

Witness my hand and seal of the Borough of Brielle this 24th day of June 2018.

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Thomas F. Nolan  
Municipal Clerk