

Borough of Brielle

AUGUST 13, 2018

October 29 2018

August 13th, 2018

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MINUTES August 13th, 2018 WORK SESSION START: 7:30 PM

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

ABSENT: NONE

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 requested permission to add two resolutions to the consent agenda.

The first, 18-99-H was a Chapter 159 Resolution to make the \$235,000 grant received from NJDOT available to fund the award of the bid for Valley Road Phase II Improvements (18-99-C). The funds were not included in the 2018 budget and the resolution was therefore required.

The second 18-99-I resulted from the fact that Resolution 18-99-F had to be bi-furcated. The regulations require two resolutions. One to authorize the submission by H2M and a second resolution to authorize the Administrator to sign the application on behalf of the Borough. Both matters are essentially "house-keeping"

Council gave their authorization.

There being no questions from Council or the public, work session was adjourned at 7:35 p.m. on a motion by Councilman Shaak seconded by Councilman Nolan.

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MINUTES August 13th, 2018 WORK SESSION START: 7:36 PM

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

ABSENT: NONE

Following a moment of silent prayer, a salute to the flag and a roll call, the Minutes of the July 23rd, 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 18-99 for Passage of the Consent Agenda.

Resolution:

A. To permit Thomas Guzzo to solicit food donations for the People's Pantry as a National Honor Society Project.

B. To authorize Jersey Shore Relay, on behalf of Special Olympics, to run through Brielle on Saturday April 6th, 2019.

C. (see insertion)

D. (see insertion)

E. (see insertion)

F. (see insertion)

G. (see insertion)

H. (see insertion)

I. (see insertion)

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye, No nays. Passed (Note: Councilmen Garruzzo abstained on resolution I)

Councilman Garruzzo seconded by Councilman Gorham introduced Resolution 18-100 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 13th, 2018, 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 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 OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "LAND USE".

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

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The Administrator explained that the Ordinance regulated quasi-public facilities in residential zones.

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

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 18-101 for passage and adoption on final reading. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. Passed.

Councilman Garruzzo seconded by Councilman Gorham introduced resolution 18-102 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte, Gorham, 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 THIRTEEN OF THE CODE OF THE BOROUGH OF BRIELLE ENTITLED "PARKS & RECREATION".

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

The Administrator explained that the ordinance controlled the parking of vans and buses at municipal parks.

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

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 18-103 for passage on final reading of the foregoing ordinance. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

Councilman Gianforte seconded by Councilman Gorham introduced Resolution 18-104 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte, Gorham, 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 Garruzzo seconded by Councilman Nolan introduced Resolution 18-105 for passage on introduction and first reading. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

Councilman Garruzzo seconded by Councilman Nolan introduced Resolution 18-106 to authorize publication in the Coast Star for a hearing to be held on August 27th, 2018, at 7:30pm at Borough Hall. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all aye. No nays. Passed.

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Mayor Nicol then called for committee reports, but first he offered a comment on the Night Out Against Crime. He noted that both Councilman Nolan & Garruzzo had been preparing and serving food at the event. Sales of Councilman Nolan's food were 25% higher than sales for Councilman Garruzzo's cuisine; he found it curious. Mayor Nicol then recognized Councilman Gianforte who had report.

Councilman Nolan advised that Certified Life Coach Therese Kaminski would host a workshop on August 26th.

The Board of recreation's Christmas in July had been a great success and the Brielle Dash was scheduled for September 7th. A concert in the park would be held on August 28th.

Councilman Garruzzo thanked everyone who participated in this year's National Night Out. Councilman Garruzzo cited the presence of the Monmouth County Fire Marshal's Fire Safety House Trailer. The realistic interactive setting provided training on how to recognize potential fire hazards as well as information on how to survive a house fire. Councilman Garruzzo also thanked Brielle's own Fire and First Aid units for their participation and permitting local children to explore the vehicles and equipment. Councilman Garruzzo noted that he would be remiss not to thank Brielle recreation for cooking and supplying the DJ who did a fabulous job engaging the crowd. The feedback has been positive, and the Police Department looks forward to next year's event.

Councilman Shaak cited the Valley Road project that would complete the repaving begun last year in phase. Work would begin in early September and should take about two weeks to complete; he asked area residents to be patient during the work.

Council Shaak also cited the NJDOT work on the Ashley Avenue overpass that would begin around September 16th and continue into next year with a scheduled completion date of June 27th, 2019. During the summer months there would be no lane closures to avoid traffic disruptions.

Councilmen Gorham & Visceglia having no reports, the meeting was open to the public.

Charlotte Madison, 206 Homestead Road that the trash dumpsters at the Waypoint had yet to be screened in compliance with the Planning Board Resolution and she presented photographs to the Council. Mayor Nicol said he would direct the appropriate municipal agents to investigate the matter.

Ms. Madison also noted the vacant lot at 623 Green Avenue that was not being maintained. The lot was overgrown, and nothing was done unless she or her neighbor complained. She felt it should be on a maintenance schedule. She also noted that, when it was mowed, grass clippings and debris were blown into the roadway and left there.

The Mayor directed the Attorney to review the matter and make a recommendation on how best to resolve it.
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Adrienne Sinclair, 704 Schoolhouse Road, voiced a concern over speeding on the road. She was deeply concerned as she had small children and worried about their safety when they played outside. Having posted her concerns on Facebook, she discovered one hundred residents from Schoolhouse and Rathjen Road who shared her concern. Ms. Sinclair noted that the Police had made an effort and had placed radar and the electronic Speed Sign on Schoolhouse Road, but the problem continued.

Mayor Nicol advised that he was aware of the problem and had discussed it with Chief Palmer who promised an increased police presence in the area. Councilman Garruzzo added that Traffic Safety Sergeant Mechler had spoken with her husband and was seeking ways to improve the situation. Councilman Garruzzo did note that speed bumps were not viable due to the nature of the road and the police had twelve such locations to patrol, but every effort would be made to ameliorate the problem.

Kenneth Lackey, 624 Rankin Road, stated that his street suffered from the same problem with speeders and he asked if speed bumps could be utilized at his location as the roadway was flat. He also noted that the Speed Sign was ineffectual as the majority, some ninety percent of drivers, were cognizant of the speed limit and observed it, but there was a minority who seemingly didn't care and continued to speed. Turning to enforcement, he noted that the Police tended to be helpful to the residents and appeared reluctant to give tickets.

Councilman Garruzzo interjected that they gave warnings, and, in the case of repeated offenders, summonses were issued.

Thomas Stuhmann. 106 Ocean Avenue advised Council that this was the first summer his section of the borough had been "noise free". He attributed this to the Planning Board Resolution that banned exterior amplified music and he thanked the Council and the Board for that relief.

However, the Waypoint continued to ignore a June 15th mandate to replace the patio with landscaping and in fact, despite their statements at the Planning Board meetings that the patio was not a service area, they continued to utilize it for that purpose. Mr. Stuhmann recognized that the matter was being litigated, but he asked what could be done.

Attorney Montenegro informed him that, if he had certain knowledge of the violations he should report them to the Zoning Officer for action. Mr. Montenegro added that a summons could be issued for each day of a continuing violation.

The meeting was adjourned at 7:49 pm on a motion by Councilman Gianforte seconded by Councilman Nolan.

Approved: August 27th, 2018. _____
Thomas F. Nolan
Municipal Clerk

Resolution No.:18-99-C
Date: August 13th, 2018

Whereas, the Borough of Brielle did advertise in the Asbury Park Press for bids for Improvements to Valley Road-Phase II, and

Whereas, bids were received by the Borough on August 2nd, 2018, and

Whereas, the lowest responsible bidder was, Earle Asphalt Co., P.O. Box 556, Farmingdale N.J., and

Whereas, the Bid Bond and Consent of Surety were found to be in order, and funds are available to undertake this work.

Now Therefore Be It Resolved, that the bid submitted by Earle Asphalt Co. in the amount of \$279,913.13 is hereby accepted contingent upon the concurrence of the New Jersey Department of Transportation (NJDOT).

Be It Further Resolved, that the Municipal Clerk is hereby authorized to initiate the contract.

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; aye. No nays. None abstained.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, August 13th, 2018.

Witness my hand and seal of the Borough of Brielle this 14th day of August 2018.

Thomas F. Nolan
Municipal Clerk

Resolution No.:18-99-D
Date: August 13th, 2018

WHEREAS, there is an Escrow Accounts where the variance work done at 526 Union Lane Block 24.01 Lot 26, application done by Douglas & Juliann Bramley, and

WHEREAS, as all the work has been done and copy of CO has been received, the escrow fees for the application can be released,

NOW, THEREFORE, BE IT RESOLVED that the amount of \$3,251.00 be refunded and a check be drawn in that amount payable to Douglas & Juliann Bramley.

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, August 13th, 2018.

Witness my hand and seal of the Borough of Brielle this 14th day of August 2018.

Thomas F. Nolan
Municipal Clerk

Resolution No.: 18-99-E
Date: August 13th, 2018

Resolution of the Borough of Brielle

Be it resolved, that the Mayor and Municipal Clerk, are hereby authorized to execute a Consent Agreement to permit the transfer of the current Sanitation Contract, for the period January 1st, 2018 through December 31st, 2022, from the provider of record, M&S Waste to Suburban Disposal, Inc.

Be it further resolved, that said consent is granted contingent upon the final approval of the New Jersey Department of Environmental Protection and by the execution of a New Performance Bond in full compliance with the terms of the current sanitation contract.

Certification

The foregoing is a true copy of a resolution approved by The Brielle Mayor and Council at meeting held on August 13th, 2018.

Witness my hand and seal of the Borough of Brielle this 14th day of August 2018.

Thomas F. Nolan
Municipal Clerk

Resolution No.: 18-99-F
Date: August 13th, 2018

Resolution of the Borough of Brielle

WHEREAS, the Borough of Brielle (Borough) intends to file applications with the New Jersey Department of Environmental Protection and the New Jersey Environmental Trust for projects related to computerized maintenance management systems (CMMS):

WHEREAS, the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust have indicated that low-interest loans may be available to subsidize these

projects.

NOW, THEREFORE BE IT RESOLVED, that H2M Associates, Inc be authorized to prepare the appropriate initial application document for the CMMS to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust for an amount not to exceed \$5,000.00

CERTIFICATION, I hereby certify that the foregoing Resolution was duly adopted at a Public Meeting of the Borough of Brielle at a meeting held on the 13th day of August 2018, a quorum being present and voting in the majority.

Thomas F. Nolan
Municipal Clerk

Resolution No.:18-99-G
Date: August 13th, 2018

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-010-008, and

Whereas, the application is complete, the \$2,225.00 fee due the Borough of Brielle and the \$200.00 fee due to the State of New Jersey, Division of Alcoholic Beverage Control have been 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 RPVR, Inc. T/A Due Amici for premises located at 420 Higgins Avenue, Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue the license for the license year July 1st, 2018 through June 30th, 2019.

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, August 13th, 2018.

Witness my Hand and Seal of the Borough of Brielle this 14th day of August 2018.

Thomas F. Nolan
Municipal Clerk

Resolution No.: 18-99-H
Date: August 13th, 2018

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount thereof was not determined at the time of the adoption of the budget, and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount, and WHEREAS, the Borough of Brielle has received a grant of \$ 235,000.00 from the State of New Jersey and wishes to amend its 2018 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Mayor & Council of the Borough of Brielle hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2018 in the sum of \$ 235,000.00 which is now available as a revenue from:

MISCELLANEOUS REVENUES

Special Items of General Revenue Anticipated with Prior Written Consent of the Director of Local Government Services:

State and Federal Revenues Off-Set with Appropriations:

NJ Department of Transportation Grant

pursuant to provisions of Statute, and

BE IT FURTHER RESOLVED that a like sum of \$ 235,000.00

be and the same is hereby appropriated under the caption of:

GENERAL APPROPRIATIONS

(a) Operations Excluded from 5% CAPS

State and Federal Programs Off-Set by Revenues:

NJ Department of Transportation Grant

Other Expenses

BE IT FURTHER RESOLVED that the CFO electronically file this Resolution with the Director of Local Government Services.

I hereby certify the foregoing to be a true copy of a Resolution adopted by the Mayor & Council of the Borough of Brielle on the 13th day of August 2018.

Thomas F. Nolan, Municipal Clerk

Resolution No.: 18-99-I

Date: August 13th, 2018

Resolution of the Borough of Brielle

WHEREAS, the Borough of Brielle (Borough) intends to file applications with the New Jersey Department of Environmental Protection and the New Jersey Environmental Trust for projects related to computerized maintenance management systems (CMMS):

WHEREAS, the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust have indicated that low-interest loans may be available to subsidize these projects.

NOW, THEREFORE BE IT RESOLVED, that Thomas F. Nolan, Borough Administrator be authorized to act as the Authorized Representative to represent the Borough of Brielle in all matters relating to the projects undertaken pursuant to the above referenced New Jersey Environmental Infrastructure Loan to be executed with the New Jersey Department of Environmental Protection and the New Jersey Environmental Infrastructure Trust. The Authorized Representative may be contacted at 601 Union Lane, Brielle, New Jersey, 08730. Telephone (732) 528- 6600.

CERTIFICATION, I hereby certify that the foregoing Resolution was duly adopted at a Public Meeting of the Borough of Brielle at a meeting held on the 13th day of August 2018, a quorum being present and voting in the majority.

Thomas F. Nolan
Municipal Clerk