

# ***Borough of Brielle***

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**FEBRUARY 13, 2017**

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August 14 2017

**February 13th, 2017**

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MINUTES FEBRUARY 13th, 2017 WORK SESSION START: 7:30 PM

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

ABSENT: COUNCIL MEMBERS NOLAN & 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, who had no formal report.

There being no questions from Council or from the public, there was no further discussion and the work session was adjourned at 7:32 pm on a motion by Councilman Shaak seconded by Councilman Gianforte.

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MINUTES FEBRUARY 13th, 2017 START: 7:33 P.M.

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

ABSENT: COUNCIL MEMBERS NOLAN & GORHAM

Following a moment of silent prayer, a salute to the flag and a roll call, the Minutes of the January 23rd regular meetings were approved on a motion by Councilman Gianforte seconded by Councilman Visceglia; all aye; no nays. Passed.

Councilman Garruzzo seconded by Councilman Visceglia, introduced Resolution 17-18 for Passage of the Consent Agenda.

Resolution:

- A. To approve a Special Permit Application for Waypoint 622, for an event to be held on July 3rd, 2017.
- B. To approve a Special Permit Application for the Brielle PTO to conduct a "Fun Run" and to waive the \$50.00 application fee.
- C. (see insertion)
- D. (see insertion)
- E. To award a professional service contract to attorney Robert Swain for the provision of services re: sanitation contract.
- F. To permit the National Multiple Sclerosis Society to conduct their annual "Coast to Coast" Bike MS Ride through Brielle on May 20th & May 21st, 2017.
- G. To appoint Carol McMenemy as "Wellness Coordinator" for the Borough of Brielle at an annual salary of \$1,000.00.
- H. (see insertion)
- I. (see insertion)
- J. (see insertion)
- K. To appoint Michael E. Galos, of Manasquan, as Fire Prevention Official/Inspector with an effective date of February 21st, 2017.
- L. (see insertion)
- M. (see insertion)

Vote: Councilmen Garruzzo, Gianforte Shaak & Visceglia; all aye, No nays. Passed (Note: Councilman Gianforte abstained on Resolution "I").

Councilman Visceglia seconded by Councilman Shaak introduced Resolution 17-19 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 13th, 2017, as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Council members Garruzzo, Gianforte, Shaak & Visceglia: all aye. No nays. Passed

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Mayor Nicol then called for Committee Reports and recognized Councilman Gianforte who had no report.

Councilman Garruzzo provided the public with their annual statistics for 2016. There were 141 adult arrests, 32 of which were D.W.I., 2 were burglaries, 2 cocaine possessions, 2 for possession of marijuana with the intent to distribute, 4 simple assault, 1 theft of a motor vehicle and 51 warrant arrests.

The department also made 5,986 motor vehicle stops and issued 4,325 summonses. There were total court monies collected in the amount of \$425,570.33, of which \$194,527.52 went to the Borough. The Police responded to 106 motor vehicle accidents, investigated 163 suspicious person/vehicle reports, 20 thefts, 41 frauds, 50 disorderly person complaints, 137 animal calls and 89 noise complaints. In addition, the Department responded to 225 First Aid calls. Councilman Garruzzo called these statistics "impressive" and noted that all the Public Safety Services did an outstanding job and the report was a clear indication of their dedicated service to the Borough.

Councilman Shaak thanked the D.P.W. for an outstanding job in snow removal, adding that by noon the streets were clear.

Councilman Visceglia had no report, and the meeting was open to the public. The Chair recognized Beth Rosen of 409 Osprey Lane who asked the Council to consider adopting an ordinance to protect trees throughout the Borough.

Mayor Nicol pointed out that for at least the past ten years the Borough had been designated a Tree City in recognition of its commitment to preservation, but he was unaware of any current ordinances that prohibited tree removal on private property.

The Administrator explained that the Land Use Ordinances could require tree preservation as part of a site plan approval; he added that the Shade Tree Commission had jurisdiction over municipal trees planted on the Borough right-of-way, but in case such as the recent tree removal at the Manasquan River Golf Course, the Borough had no jurisdiction as the work did not require site plan approval and the right of way belonged to Monmouth County as Riverview Drive was a county road.

Ms. Rosen offered that she was an attorney and she had researched the matter and found that a number of New Jersey Municipalities had such ordinances. Councilman Visceglia interjected that Edison had one.

Ms. Rosen offered to forward a number of names to the Borough and the Administrator was instructed to research the matter to see if such an ordinance was viable for Brielle.

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The meeting was then adjourned at 7:50 pm on a motion by Councilman Gianforte seconded by Councilman Garruzzo.

Approved: February 27th, 2017

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Thomas F. Nolan  
Municipal Clerk

Resolution No.: 17-18-C  
Date: February 13th, 2017

WHEREAS, there exists a Tax Title Lien on property located at 5 Courtyard Lane, owned by Melissa Corrigan and known as Block 66.01 L 3.05 and

WHEREAS, this lien has been redeemed by  
Calibur Home Loans

NOW, THEREFORE, BE IT RESOLVED that a check be drawn made payable to

USBank Cust for Procap4&Crdtrs for redemption of this lien

1) Lien Redemption \$1933.54

Certification

The foregoing is a true copy of a Resolution passed by the Mayor & Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, February 13th, 2017.

Witness my Hand and Seal of the Borough of Brielle this 14th day of February 2017.

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Thomas Nolan  
Municipal Clerk

Resolution No: 17-18-D Date: February 13th, 2017

Resolution of the Borough of Brielle

Whereas: on January 30th, 2017 Woman's Club of Brielle, 644 Union Lane., Brielle, NJ 08730 submitted Raffle Application No. 2017-2 ID, No. 57-8-15240 for an on-site 50/50 raffle, to be held at Curtis House, 644 Union Lane Brielle, NJ 08730 monthly March 2017 – December 2017 at 2pm.

Whereas: the Brielle Police Department had indicated that it has no objection to granting this License.

Now, Therefore, Be It Resolved: that the Governing Body of the Borough of Brielle directs the Business Administrator to sign the Findings and Determination and the Municipal Clerk is to issue the required License on behalf of the Borough.

Certification

The foregoing is a true copy of a Resolution passed by the Mayor & Council of the Borough of Brielle at a meeting held at Borough Hall, 601 Union Lane, Brielle, New Jersey, on Monday, February 13th, 2017.

Witness my Hand and Seal of the Borough of Brielle this 14th day of February 2017.

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Thomas Nolan  
Municipal Clerk

Resolution No.: 17-18-H  
Date: February 13th, 2017

WHEREAS, the State of New Jersey, Department of Transportation has notified all municipalities of the availability of funding under the Transportation Trust Fund Municipal Aid Program for the Fiscal Year 2017; and

WHEREAS, the Borough of Brielle is desirous of submitting an application under this program for the following purpose:

- Improvements to the Valley Road Phase II from Birch Drive to Riverview Drive

NOW, THEREFORE, BE IT RESOLVED by the Borough Council of Brielle. County of Monmouth, State of New Jersey, formally approves the grant application for the above stated project; and

FURTHER BE IT RESOLVED that the Borough Engineer, Mayor and Municipal Clerk are hereby authorized to submit an electronic grant application identified as MA-2017—Valley Road - Phase II - 00628 to the New Jersey Department of Transportation on behalf of the Borough of Brielle; and

FURTIIER BE IT RESOLVED that the Mayor and Municipal Clerk are hereby authorized to sign the grant agreement on behalf of the Borough of Brielle and that their signatures constitute acceptance of the terms and conditions of the grant agreement and approves the execution of the grant agreement.

Roll Call: Councilmen Garruzzo, Gianforte, Shaak & Visceglia

#### CERTIFICATION

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council, at a meeting held on February 13th, 2017.

Witness my hand and seal of the Borough of Brielle this 14th day of February 2017.

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Thomas Nolan  
Municipal Clerk

My signature and the Clerk's seal serve to acknowledge the above resolution and constitute acceptance of the terms and conditions of the grant agreement and approve the execution of the grant agreement as authorized by the resolution above.

Attest and Affix Seal

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Thomas F. Nolan, RMC Thomas B. Nicol  
Borough Clerk Mayor

Resolution No.: 17-18-I  
Date: February 13th, 2017

RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL OPERATIONS WITHIN THE BOROUGH OF BRIELLE

WHEREAS, the Monmouth County Board of Chosen Freeholders, pursuant to N.J.S.A. 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the county; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the county of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated "congested area," the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51), to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Borough of Brielle is designated as a "congested area" by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, be it resolved as follows:

1. The Governing Body hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designated by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:

- a) the County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies, and
- b) such operations will be performed in compliance with applicable Federal and State regulations, and
- c) The County will notify the police department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

Moved by: Councilman Garruzzo  
Seconded: Councilman Visceglia  
Ayes: Councilmen Garruzzo, Gianforte, Shaak & Visceglia  
Nays: None  
Absences: Councilmen Gorham & Nolan

CERTIFICATION

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council, at a meeting held on February 13th, 2017.

Witness my hand and seal of the Borough of Brielle this 14th day of February 2017.

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Thomas Nolan  
Municipal Clerk

Resolution No: 17-18-J  
Date: February 13th, 2017

Resolution of the Borough of Brielle

Whereas: on February 6th, 2017 Girl Scouts of the Jersey Shore, 1405 Old Freehold Road Toms River, NJ 08753 submitted Raffle Application No. 2017-3 ID, No. 145-5-41300 for an Off-Site 50/50 raffle, to be held at Manasquan River Golf Club, 843 Riverview Drive Brielle NJ 08730 on May 15th, 2017 at 9 pm.

Whereas: the Brielle Police Department had indicated that it has no objection to granting this License.

Now, Therefore, Be It Resolved: that the Governing Body of the Borough of Brielle directs the Business Administrator to sign the Findings and Determination and the Municipal Clerk is to issue the required License on behalf of the Borough.

#### Certification

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Witness my Hand and Seal of the Borough of Brielle this 14th day of February 2017.

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Thomas F. Nolan  
Municipal Clerk

Resolution No: 17-18-L  
Date: February 13th, 2017

#### Resolution of the Borough of Brielle

Whereas: on February 6th, 2017 Ocean Medical Center Foundation, 1345 Campus Pkwy Suite A2, Neptune, NJ 07753 submitted Raffle Application No. 2017-4 ID, No. 54-4-38544 for an off-site 50/50 raffle, to be held at Manasquan River Golf Club, 843 Riverview Drive Brielle NJ 08730 on Monday, June 13th, 2017 at 7pm.

Whereas: the Brielle Police Department had indicated that it has no objection to granting this License.

Now, Therefore, Be It Resolved: that the Governing Body of the Borough of Brielle directs the Business Administrator to sign the Findings and Determination and the Municipal Clerk is to issue the required License on behalf of the Borough.

#### Certification

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Witness my Hand and Seal of the Borough of Brielle this 14th day of February 2017.

Thomas F. Nolan

Municipal Clerk

Resolution No: 17-18-M Date: February 13th, 2017

Resolution of the Borough of Brielle

Whereas: on February 6th, 2017 Ocean Medical Center Foundation, 1345 Campus Pkwy Suite A2, Neptune, NJ 07753 submitted Raffle Application No. 2017-5 ID, No. 54-4-38544 for an on-site 50/50 raffle, to be held at Manasquan River Golf Club, 843 Riverview Drive Brielle NJ 08730 on Monday, June 13th, 2017 at 7pm.

Whereas: the Brielle Police Department had indicated that it has no objection to granting this License.

Now, Therefore, Be It Resolved: that the Governing Body of the Borough of Brielle directs the Business Administrator to sign the Findings and Determination and the Municipal Clerk is to issue the required License on behalf of the Borough.

Certification

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Witness my Hand and Seal of the Borough of Brielle this 14th day of February 2017.

Thomas F. Nolan  
Municipal Clerk