

MINUTES August 17<sup>th</sup>, 2020

START: 6:00 PM

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

ABSENT: COUNCILMAN NOLAN and VISCEGLIA

Mayor Nicol convened the work session at 6:00pm, but as the Administrator had no report and there no comments from council or the public, the regular meeting began.

Mayor Nicol announced that this was a virtual meeting and is being recorded. The Mayor read the compliance statement and the Administrator having no report, there was no work session. The Regular Council Meeting was opened in compliance with the Open Public Meetings Act. Mayor Nicol asked for a roll call.

Mayor Nicol then asked for a motion to approve the Minutes of the July 13<sup>th</sup> Regular Meeting. A motion was made by Councilman Garruzzo seconded by Councilman Gianforte, all aye, no nays. Passed.

Councilman Garruzzo seconded by Councilman Gianforte introduced Resolution 20-61 for Passage of the Consent Agenda.

Resolution:

- A. (see insertion)
- B. (see insertion)
- C. To authorize the Mayor & Clerk to execute a settlement agreement re: 836 Riverview Drive, to wit Law Division Docker Nos. MON-C-146-19, MON-C-153-19 & Appellate Division Docket No. A-002448-19.
- D. (see insertion)
- E. To authorize the waiving of interest re: Tax Account #1056 Block 62.02, Lot 1.

Vote: Councilmen Garruzzo, Gianforte, Gorham, & Shaak; all aye, No nays. Passed (NOTE: Councilman Garruzzo abstained on Resolution "A".) Virginia Lofton 407 South Street inquired about Resolution "C". Attorney Montenegro advised that the settlement contained a confidentiality clause that precluded discussion by the Governing Body, however the agreement was subject to OPRA and there was no direct cost to the Borough. The matter concerned a fence/net at 836 Riverview Drive.

Councilman Gorham seconded by Councilman Garruzzo introduced Resolution 20-62 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 17<sup>th</sup>, 2020 as reviewed by the Finance Committee and as listed on the Resolution and the Computer Bill List amended thereto. Vote: Council Members Garruzzo, Gianforte, Gorham, & Shaak: all aye. No nays. Passed

The Mayor announced that the time had arrived for the introduction and passage on first reading of “BOND ORDINANCE PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK, APPROPRIATING \$650,000.00 THEREFORE AND AUTHORIZING THE ISSUANCE OF \$617,500.00 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF BRIELLE, IN THE COUNTY OF MONMOUTH, NEW JERSEY”.

Councilman Garruzzo seconded by Councilman Gianforte introduced Resolution 20-63 for passage on introduction and first reading of the foregoing Bond Ordinance in compliance with Local Bond Law. Vote: Councilmen Garruzzo, Gianforte, Gorham & Shaak; all aye. No nays. None abstained. Passed.

Councilman Shaak seconded by Councilman Gianforte, introduced Resolution 20-64 to authorize publication of the foregoing Bond Ordinance in the Coast Star for a hearing to be held at a virtual meeting at 6:00pm on September 14<sup>th</sup>, 2020.

The Mayor then called for committee reports. Councilman Gianforte, Garruzzo and Gorham had no reports.

Councilman Shaak advised that the DPW was working on cleaning up the Borough after the recent storm, but they had been hindered by a series of equipment breakdowns. Councilman Shaak, as Captain of the EMS, was pleased to note that, while seventy-seven cases of Covid-19 had been reported in Brielle, particularly in July when there was a spike in reporting, there were now no “active” cases in the Borough. Councilman Shaak urged residents to continue to wear masks and practice social distancing.

The meeting was then opened to the public and Sean Wohltman 510 Woodland Avenue cited his concern over the approximate 54% of the tax budget going to fund education when the Board of Education had reduced the number of “in-house” days to two and left three days for virtual learning. He noted that many working families were left in a bind and many had to resort to private education the cost ranging from seven to ten thousand dollars; he asked what Mayor & Council could do to redress this situation.

Mayor Nicol explained that, state statute, mandated a separation between the Governing Body and the Board of Education, each was a separate entity, and each were elected separately. The Borough could only have input on their budget in the event that they exceeded the 2% CAP, place the proposed budget on the ballot as a question, and the voters rejected their budget. Mayor Nicol offered that he understood the frustration of many residents but added that no one had ever anticipated this pandemic. While many residents had voiced their concerns over the reduction of school hours, many others wanted a total virtual program. The school infrastructure was never designed to deal with Covid-19.

Samantha Cerone, 318 Woodland Avenue, read a petition/complaint signed by twenty residents of her neighborhood asking for relief from the noise, trash, and disrespect that plagued the area due

to two rental homes at 316 Woodland Avenue and 329 Fisk Avenue.

John Thomson, 1 Waters Edge added that he had called the police over visitors trespassing on the condominium property and using the pool. When the police arrive, they are gone, and no action is taken.

The residents urged the Governing Body to consider harsher penalties for violators and to legislate a “zero tolerance” ordinance to address their concerns.

Attorney Montenegro explained that any individual who observes a violation can go to the Municipal Court and fill out a complaint form, they can then testify as the witness of the violation.

Lori Kendra, 11 Waters Edge, stated that she had purchased her unit in anticipation of peace and quiet after losing her husband and instead has been subjected to loud noise, trash and disrespect from the renters; she was “disgusted”.

The consensus for Councilman Gianforte, a resident of the immediate area, and Public Safety Chairman Garruzzo to meet with the residents and the police to try and find a solution to the problem.

There being no public comment was adjourned on a motion by Councilman Shaak seconded by Councilman Gianforte at 6:30 pm.

Approved: September 14<sup>th</sup>, 2020

---

Thomas F. Nolan  
Municipal Clerk

Resolution No.:20-61-A  
Date: August 17th, 2020

Resolution of The Borough of Brielle

Whereas, an application has been filed for a Person-To-Person Transfer of Retail Consumption License #1308-33-012-014 issued to, Union Partners, LLC. for premises located at 601-607 Union Avenue, Brielle, New Jersey, to, and

Whereas, the submitted application form is complete in all respects, the transfer fees have been paid, and the license has been properly renewed for the current License term, and

Whereas, the applicant is qualified to be licensed according to all standards established by Title 33 of the New Jersey Statutes, regulations promulgated thereunder, as well as the pertinent local ordinances and conditions consistent with Title 33, and

Whereas, a Police Investigation has been conducted and no impediments were found that would prevent said transfer, and

Whereas, the Governing Body has no objection to this transfer and consents to the transfer taking effect.

Now Therefore Be It Resolved that the Governing Body of the Borough of Brielle hereby approves the person to person transfer of License #1308-33-012- 014, to RELCOL, LLC.

CERTIFICATION

The foregoing is a true copy of a resolution approved by the Brielle Mayor & Council at a meeting held on August 17<sup>th</sup>, 2020.

Witness my hand and seal of the Borough of Brielle this 18<sup>th</sup> day of August 2020.

---

Thomas F. Nolan  
Municipal Clerk

Resolution No.:20-61-B  
Date: August 17<sup>th</sup>, 2020

BOROUGH OF BRIELLE RESOLUTION

Whereas, an application has been received for the renewal of Club License #1308-31-014-001,  
and

Whereas, the application is complete, the \$75.00 municipal fee has been paid, and the \$200.00  
fee due to the A.B.C. has been paid, and all municipal requirements have been met,  
and

Whereas, no objections to granting this license have been received.

Now Therefore Be It Resolved, that the application of Manasquan River Yacht Club, for premises  
located at 405 Riverview Lane Brielle, New Jersey is hereby approved, and the  
Municipal Clerk is authorized to issue the license for the License year July 1<sup>st</sup>, 2020  
through June 30<sup>th</sup>, 2021.

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 August 17<sup>th</sup>,  
2020.

Witness my Hand and Seal of the Borough of Brielle this day of August 18<sup>th</sup>, 2020.

---

Thomas F. Nolan  
Municipal Clerk

Governor's Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2020-June 2025

**WHEREAS**, the Governor's Council on Alcoholism and Drug Abuse established the Municipal Alliances for the Prevention of Alcoholism and Drug Abuse in 1989 to educate and engage residents, local government and law enforcement officials, schools, nonprofit organizations, the faith community, parents, youth and other allies in efforts to prevent alcoholism and drug abuse in communities throughout New Jersey.

**WHEREAS**, The Borough of Brielle Council of the Borough of Brielle, County of Monmouth, State of New Jersey recognizes that the abuse of alcohol and drugs is a serious problem in our society amongst persons of all ages; and therefore, has an established Municipal Alliance Committee; and,

**WHEREAS**, the Borough of Brielle Council further recognizes that it is incumbent upon not only public officials but upon the entire community to take action to prevent such abuses in our community; and,

**WHEREAS**, the Borough of Brielle Council has applied for funding to the Governor's Council on Alcoholism and Drug Abuse through the County of Monmouth.

**NOW, THEREFORE, BE IT RESOLVED** by the Borough of Brielle, County of Monmouth, State of New Jersey hereby recognizes the following:

1. The Borough of Brielle Council does hereby authorize submission of a strategic plan for the Shore Alliance Municipal Alliance grant for fiscal year **2021** in the amount of:

DEDR	\$19,575.00
Cash Match	\$4,893.75
In-Kind	\$14,681.25

**GRAND TOTAL DEDR BUDGET MANASQUAN, BRIELLE, SEA GIRT, SPRING LAKE HEIGHTS \$39,150.00**

2. The Borough of Brielle Council acknowledges the terms and conditions for administering the Municipal Alliance grant, including the administrative compliance and audit requirements.

APPROVED:

---

Thomas B. Nicol, Mayor

CERTIFICATION

The foregoing is a true copy of a resolution adopted at a meeting of the Brielle Mayor & Council held on Monday, August 17<sup>th</sup>, 2020.

Witness my hand and seal of the Borough of Brielle this 18<sup>th</sup> day of August 2020.

---

Thomas F. Nolan  
Municipal Clerk