

MINUTES September 28<sup>th</sup>, 2020

START: 6:00 PM

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

ABSENT: COUNCILMAN SHAAK

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, 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 September 14<sup>th</sup> Regular Meeting. A motion was made by Councilman Gianforte seconded by Councilman Garruzzo, all aye, no nays. Passed.

Councilman Gianforte seconded by Councilman Nolan introduced Resolution 20-69 for Passage of the Consent Agenda.

Resolution:

- A. (see insertion)
- B. (see insertion)
- C. To authorize BRB Valuation & Consulting Services to represent the Borough in a tax appeal case re: 1006 Brainard Place, Block 101, Lots 3 and 3.01.

Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan & Visceglia; all aye. No nays. Passed. (Councilman Garruzzo abstained of A).

Councilman Visceglia seconded by Councilman Gorham introduced Resolution 20-70 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 28<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, Nolan & Visceglia: all aye. No nays. Passed

The Mayor then called for committee report. Councilman Gianforte having no report, Councilman Nolan reported that the Library was continuing with a limited schedule and curbside delivery of books. Councilman Nolan added that the Board of Recreation's Flag Football program was a success and participants were being given temperature checks and maintain safe distancing in recognition of the on-going pandemic.

Councilman Garruzzo, Gorham and Visceglia having no reports.

Councilman Garruzzo made a motion to open the meeting to the public, seconded by Councilman Visceglia.

Shelena Lopes, 331 Fisk Avenue was recognized, and she brought Council's attention to the on-going problems of noise, trash and outrageous behavior at 329 Fisk Avenue and she inquired as to the ability to address the issue by ordinance.

The Administrator advised that he was working with the Borough Attorney and Code Enforcement, along with the Police, to formulate a workable ordinance that will address the problem while remaining constitutionally enforceable.

Samantha Cerone, 318 Woodland Avenue was recognized, and she echoed Ms. Lopes's concerns and cited a petition to the Governing Body, signed by the area residents, that was in the mail. Ms. Cerone added that she was willing to work with the Borough and its agencies to resolve this problem that was becoming untenable with continued noise, trash and this weekend public urination.

Mayor Nicol advised that the Council was in complete sympathy with the residents and recognized their concerns. Council would continue to work on how best to address this problem and, in the interim, residents should never be reluctant to call the police and lodge a complaint.

The meeting was adjourned at 6:40 pm on a motion by Councilman Gianforte, seconded by Councilman Visceglia.

Approved: October 12<sup>th</sup>, 2020

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Thomas F. Nolan  
Municipal Clerk

Resolution No.:20-69-A  
Date: September 28<sup>th</sup>, 2020

## BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-012-014, 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 RELCOL, LLC for premises located at 601 Union Avenue, Brielle, N.J., 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.

Moved By: Councilman Gianforte, seconded by Councilman Nolan.

Vote. Councilmen Gianforte, Gorham, Nolan, & Visceglia; all aye. No nays.

None abstained.

Ineligible to Vote: Councilman Garruzzo.

Absent: Shaak

### Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at a meeting held on September 28<sup>th</sup>, 2020.

Witness my hand and seal of the Borough of Brielle this 29<sup>th</sup> day of September 2020.

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Thomas F. Nolan  
Municipal Clerk

Resolution No: 20-69-B  
Date: September 28th, 2019

BOROUGH OF BRIELLE RESOLUTION

WHEREAS, N.J.S.A. 40A: 5-4 requires the governing both of every local unit to have made an annual audit of its books, accounts and financial transactions, and

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk of the Borough of Brielle, Thomas F. Nolan as per the requirements of N.J. S. 40A: 5-6, and a copy has been received by each member of the governing body, and

WHEREAS, R. S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs, and

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations; and

WHEREAS, the members of the governing body have personally reviewed as a minimum the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations" as evidenced by the group affidavit form of the governing body attached hereto: and

WHEREAS, such resolution of certification shall be adopted by the Governing Body no later than forty-five days after the receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and

WHEREAS, all members of the governing body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as Stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board, and

WHEREAS, failure to comply with the promulgations of the Local Finance Board of the State of New Jersey may subject the members of the local governing body to the penalty provisions of R.S. 52:27BB-52 -to wit:

R.S. 52:27BB-52 - A local officer or member of a local governing body who, after a date fixed for compliance, fills or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fine not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED, that the Mayor & Council of the Borough of Brielle. hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this resolution and the required affidavit to said Board to show evidence of said compliance.

I hereby certify that this is a true copy of the resolution passed at the meeting held on September 28th, 2020.

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Thomas F. Nolan  
Municipal Clerk