

MINUTES May 24th, 2021

START: 6:00 PM

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

ABSENT: COUNCILMAN GORHAM

Mayor Nicol announced that this meeting was being held virtually in compliance with Executive Order No. 103 and was being recorded.

The Administrator was recognized, and he advised Council of a memorandum dated May 19th received from the Borough Attorney.

The Brielle Library Association wished to withdraw from the County Library System. This action requires that the question be put to the public by a referendum at the November 9th General Election. The first step in the process was to secure the Governing Body's endorsement of the decision to leave the county system.

Attorney Montenegro reviewed his memorandum with the Council (see insertion).

Date: May 19, 2021

Re: BOB- County Library Withdrawal Procedures N.J.S.A. 40:33-13b- Withdrawal from county library system:

Any municipality which is a member of a county library system on or before January 21, 1986 shall continue as a member unless the governing body of the municipality determines by resolution to propose withdrawing from that system and establishing a free public library or a joint free public library.

After a public hearing and the adoption of the resolution, the governing body shall cause the question of withdrawal from the county system to be submitted to the legal voters of the municipality at a general or special election in accordance with the referendum procedures found in N.J.S.A. 40:54-1 et seq.

The statute requires the ballot question to be presented in a specific manner, which will be reflected in the prepared resolution.

If a majority of the voters approve the withdrawal from the county library system, the municipal governing body shall provide the county governing body with notice of its intent to withdraw from the county library system.

Such notice shall not become effective until January 1 of the year following the year in which the notice was given and shall provide that the municipality remain a member of the county library system for two years after the effective date of the notice.

Any municipality which withdraws from the county library system and which fails to comply with the provisions of this section shall be required to provide the county library with financial support in the manner provided in chapter 33 of Title 40 of the Revised Statutes for a period of two years from the year of the municipality's withdrawal from the system.

The consensus was to conduct a public hearing on this matter at the June 28th, 2021 meeting. The action was authorized on a motion by Councilman Garruzzo seconded by Councilman Visceglia, all ayes.

The Work Session was adjourned on a motion by Councilman Gianforte seconded by Councilman Visceglia, all ayes.

Mayor Nicol read the compliance statement and the Regular Council Meeting was opened, after a pledge of allegiance to our flag. Mayor Nicol asked for a roll call.

Mayor Nicol then asked for a motion to approve the Minutes of the May 10th, 2021 Regular Meeting. A motion was made by Councilman Garruzzo seconded by Councilman Nolan, all ayes, no nays. Passed.

Councilman Garruzzo seconded by Councilman Gianforte introduced Resolution 21-73 for Passage of the Consent Agenda.

Resolution:

- A. To authorize the Boy scouts to hold an overnight event in Brielle Park on June 11th and 12th, 2021.
- B. (see insertion).
- C. To appoint Charlie Tice, 620 Holly Hill Drive, as Alternate #1 to the Brielle Planning Board
- D. (see insertion).

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

Councilman Visceglia seconded by Councilman Shaak introduced Resolution 21-74 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 May 24th, 2021, 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 ayes. Passed.

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

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

The Administrator advised that the ordinance was a restatement of the Borough's ordinance on marijuana. As a result of a statewide referendum the substance had been legalized and the

previous ordinance was now void. The current ordinance reaffirmed the Borough's position on the regulation of marijuana within the boundaries of Brielle.

The Chair recognized Edward "Lefty" Grimes of Bayonne and advocate for the handicapped and those who depend on medical marijuana for medical reasons. Mr. Grimes gave a passionate endorsement of providing barrier free access to all public buildings and to permitting easier access to medical marijuana.

Mr. Grimes drew attention to the fact that large corporations were taking over the sale and distribution of what he termed synthetic and inferior marijuana. He believed that a "mom & pop" store approach would better serve the public and provide a superior product. He cited friends who were afflicted by both a handicap, being wheel chair bound, and debilitating illness and noted that two of his friends had attended a previous council meeting and had difficulty in accessing the council chamber.

Mr. Grimes also cited the unfair tax system that did not tax standard medications such as those for diabetes but did tax medical marijuana. He asked Council how they would feel upon meeting their maker and finding God wheelchair bound? In closing he remembered his friend Jeff who had recently passed away from cancer and who had received relief from the use of marijuana. He recited a moving poem as his epithet.

Ms. Marina Rebmman of Parlin, cited her dependence on marijuana for the relief of multiple conditions including cancer. She noted that there were only eight medical marijuana dispensers in Monmouth County and only ten pediatricians in the state who prescribed marijuana. She urged Council to table the matter to permit more time for further research.

Jeffrey King, 24 Elizabeth Parkway, Eatontown, cited the indorsement of medical marijuana by AARP and the American Legion. He noted that many people obtained relief from their pain through use of marijuana. He also bemoaned the lack of handicapped access at the Borough Hall but was pleased when Mayor Nicol advised that the building now had two handicapped spots and a wheel chair lift at the Union Lane entrance to the structure.

There being no further comments, the hearing was closed on a motion by Councilman Garruzzo seconded by Councilman Nolan.

Councilman Gianforte seconded by Councilman Garruzzo introduced Resolution 21-75 for passage on second and final reading. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Garruzzo seconded by Councilman Gianforte introduced Resolution 21-76 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all ayes. 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 Visceglia.

The Administrator explained that the ordinance established the parameter for any potential affordable housing units within the Borough.

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

Councilman Garruzzo seconded by Councilman Visceglia introduced Resolution 21-77 for passage on second and final reading of the foregoing ordinance. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

Councilman Garruzzo, seconded by Councilman Gianforte, introduced Resolution 21-78 to authorize publication of passage and adoption in the Coast Star according to law. Vote: Councilmen Garruzzo, Gianforte, Nolan, Shaak & Visceglia; all ayes. No nays. Passed.

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

Councilman Nolan advised that the sign-ups for the annual North vs. South competition had reached 780, an increase of 300 participants since the 2019 event.

Councilman Nolan cited the Boy Scouts clean-up to Nienstedt Island and added that Environmental Commissioner, Tom Mauro, had been present, to highlight the sensitive ecology of the site and its natural wonders.

Councilman Nolan also thanked the Coast Star for the excellent article on the new librarian.

Councilman Garruzzo advised that the Police Boat was back in the water and boaters would be expected to respect the river, its wildlife, and the environment.

Councilman Shaak noted that the long awaited "Bulk collection" of trash was this week and he reminded residents to get their items to the curb on the day of their regularly scheduled collection.

Councilman Visceglia had no report.

Prior to opening the public portion, the Administrator advised that no public comments had been received by either regular mail or e-mail prior to the published deadline.

Page 37

There being no public comment, the public portion was adjourned on a motion by Councilman Shaak seconded by Councilman Garruzzo.

The meeting was adjourned at 6:27pm on a motion by Councilman Gianforte seconded by Councilman Visceglia.

Approved: June 14th, 2021

Carol Baran
Municipal Clerk

Resolution No.:21-73-B
Date: May 24th, 2021

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-33-008-001, 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 Manasquan River Golf Club, for premises located at 847 Riverview Drive (PO Box 505), Brielle, N.J., is hereby approved and the Municipal Clerk is authorized to issue the license for the license year July 1st, 2021 through June 30th, 2022.

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 on May 24th, 2021.

Witness my Hand and Seal of the Borough of Brielle this 25th day of May 2021.

SEAL

Carol Baran
Municipal Clerk

Resolution No.:21-73-D
Date: May 24th, 2021

BOROUGH OF BRIELLE RESOLUTION

Whereas, application has been made for the renewal of liquor license #1308-44-007-004,
and

Whereas, the application is complete, the \$1,620.00 fee due to 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 other 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 Jonathon Ron Beverage Corporation
T/A JRs Bevco for premises located at 629 Higgins Avenue Brielle, New Jersey, is hereby
approved and the Municipal Clerk is hereby authorized to issue said license for the license
period July 1st, 2021 through June 30th, 2022.

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 on the 24th day of May 2021.

Witness my Hand and Seal of the Borough of Brielle this 25th day of May 2021.

SEAL

Carol Baran
Municipal Clerk