

MINUTES JANUARY 3rd, 2022 ORGANIZATION MEETING START: 6:00 P.M.

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

ABSENT: NONE

The Clerk announced that Council Members Garruzzo & Nolan had taken their oath of office.

Mayor Nicol opened the meeting in compliance with the Open Public Meetings Act followed by a silent prayer and a salute to the flag.

Mayor Nicol then advised that Robert's Rules of Order would be employed to determine all parliamentary questions not specifically provided for.

Mayor Nicol then opened the floor to nominations for Council-President.

Councilman Garruzzo nominated Councilman Gianforte. The nomination was seconded by Councilman Nolan.

There being no further nomination, nominations were closed on a motion by Councilman Garruzzo seconded by Councilman Nolan.

Councilman Shaak moved to elect Councilman Gianforte as Council-President, the motion was seconded by Councilman Visceglia, all ayes. None opposed.

Council-President Gianforte then announced the 2022 Committee Assignments. The Clerk was directed to insert the roster into the minutes to formalize the 2022 committee assignments. (See insertion).

Mayor Nicol then announced the 2022 professional appointments:

Borough Attorney	Montenegro, Thompson, Montenegro & Genz
Borough Engineer	Alan P. Hilla & H2M Engineering
Borough Auditor	Robert Hulsart Inc.
Bond Counsel	Meghan Clark & Gluckwalrath, LLC
Public Defender	Timothy J. Wintrode
Prosecutor	Citta, Holzapfel & Zabarsky
Labor Counsel	Citta, Holzapfel & Zabarsky

The appointments were confirmed on a motion by Councilman Shaak seconded by Councilman Visceglia, all ayes. no nays. Passed

Mayor Nicol then announced that all professional appointments were subject to a professional service contract.

Councilman Shaak seconded by Councilman Nolan, introduced Resolution 22-01 to appoint Mayor Thomas B. Nicol as Emergency Management Coordinator. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes; no nays. Passed.

Councilman Garruzzo seconded by Councilman Gianforte introduced Resolution 22-02 (see insertion). Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes; no nays. Passed.

On a motion by Councilman Gianforte seconded by Councilman Garruzzo, all tenured and non-annual appointments, now held by Borough employees were confirmed, all ayes.

On a motion by Councilman Shaak seconded by Councilman Gianforte, the membership rosters of Brielle First Aid Squad and Brielle Fire Company No. 1 were confirmed; all ayes.

Mayor Nicol then announced the annual appointments:

Borough Administrator	Thomas F. Nolan
Municipal Clerk	Carol Baran
Officer to Issue Certificates of Liability	Thomas F. Nolan
Relocation Officer	Thomas F. Nolan
Commissioner of Insurance	Thomas F. Nolan
Human Resources Director	Thomas F. Nolan
Borough Historian	James Ham
Public Agency Compliance Officer	Carol Baran
Representative to S.E.M.M.U.A.	Thomas F Nolan
Fire Protection Official	Chris Willms
Code Enforcement Officer	Chris Willms
Zoning Officer	Elissa C. Commins
Conflict Zoning Officer	Alan P. Hilla
Conflict Engineers	Lindstrom, Dissiner & Carr
	Leon S. Avakian, Inc.
	Elissa Commins
	Kennedy Consulting, LLC
First Deputy Emergency Man. Coord.	Gary P Olsen
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Second Deputy Emergency Man. Coord.	Timothy A. Shaak

Police OPRA Coordinator	Tracy Rubino
Registrar/Board of Health	Tina McDermott
Deputy Registrar/Board of Health	Denise Murphy
Mercantile Officer	Carol Baran
Tax Collector	Tina McDermott
Water Sewer Rent Collector	Denise Murphy
Animal Control Official	Tina McDermott
Superintendent Public Works	Jeff Weiss
Recycling/Clean Communities Coordinator	Carol Baran
Assistant Rec/CC Coordinator	Jeffrey Weiss
Safety Coordinator	Carol Baran
Assistant Safety Coordinator	Jeffrey Weiss
Chief Financial Officer	John Antonides
Deputy Finance officer	Tina McDermott
General Financial Service Clerk	Denise Murphy
Representative to M.C.R.H.C.	Denise Murphy
Assist. Clerks Financial Services	Steve Mayer
& Payroll	Karen S. Brisben
	Tina McDermott
Asst. to the Administrator	Carol Baran
Deputy Clerk of Elections	Denise Murphy
Detective	(Appointed by the Chief)
DPW Working Foreman	Jeffrey Ely (Streets & Roads)
	Michael Burger (Water)
Water Plant Operator	Michael McArthur

Councilman Garruzzo seconded by Councilman Gorham introduced Resolution 22-03 to confirm the foregoing appointments. Vote: Councilman Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia all aye; no nays. Passed

Mayor Nicol then announced the appointments to the various Boards & Commissions of the Borough for terms that expire on December 31st, 2022.

Planning Board

Thomas B. Nicol	Member Class I (22)
Frank A. Garruzzo	Member Class II (22)
Karen Brisben	Member Class III (22)
James Stenson	Member Class IV (25)
Corinne Trainor	Member Class IV (25)

Community Development Block Grant Committee

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Tracy Rubino	Member (22)
Timothy Shaak	Member (22)

Ann D. Scott	Member (22)
Darcy Garruzzo	Member (22)
Thomas Nolan	Member (22)
Carol Baran	Representative (22)
Adeline Schmidt	Alternate Representative (22)

Board of Recreation

Erin North	Associate (22)
Art Foreman	Associate (22)
Carol Baran	Corresponding Secretary (22)

Environmental Commission

Jennifer Kerrigan	Member (24)
Jim Nuncio	Member (22)

Shade Tree Commission

Chris Tirrell	Alternate (22)
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The appointments were approved on a motion by Councilman Garruzzo seconded by Councilman Visceglia.

Mayor Nicol then entertained the re-organization resolutions as a consent agenda item.

Resolution 22-04 (see insertion)

Resolution 22-05 (see insertion)

Resolution 22-06 (see insertion)

Resolution 22-07 (see insertion)

Resolution 22-08 (see insertion)

Resolution 22-09 (see insertion)

Resolution 22-10 To authorize the Business Administrator, with the consent of the Mayor & Council Committee Chairman who has jurisdiction over the Department, to hire Temporary Part-Time Help on a “as needed” basis.

Resolution 22-11 (see insertion)

Resolution 22-12 To memorialize the extension of the sick time provisions of the Teamsters Contract to the non-union employees.

Resolution 22-13 To confirm the appointments of all Class I & Class II Special Police Officers for 2022.

Resolution 22-14 (see insertion)

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Resolution 22-15 (see insertion)

Resolution 22-16 To designate certain employees as Deputy Custodians re: OPRA Requests.

Resolution 22-17 (see insertion)
Resolution 22-18 (see insertion)
Resolution 22-19 (see insertion)

Councilman Garruzzo seconded by Councilman Visceglia introduced resolutions 22-04 through 22-19. Vote: Councilmen Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. Passed

There being no comments from the public and no written comments having been received by either mail or e-mail, the meeting was adjourned at 6:21 p.m. on a motion by Councilman Shaak seconded by Councilman Garruzzo.

Approved: January 10th, 2022

Carol Baran
Municipal Clerk

Council-President, Michael Gianforte

2022 Council Committees

Administration & Personnel	Chairman: Councilman Gorham Councilman Nolan Councilman Visceglia
Budget & Finance	Chairman: Councilman Visceglia Councilman Garruzzo Councilman Gorham
Public Safety	Chairman: Councilman Garruzzo Councilman Shaak Councilman Visceglia
Community Development	Chairman: Councilman Gianforte Councilman Garruzzo* Councilman Nolan
Public Works	Chairman: Councilman Shaak Councilman Gianforte Councilman Gorham
Public Resources	Chairman: Councilman Nolan Councilman Gianforte Councilman Shaak

* Liaison to Planning Board.

Resolution No.: 22-2
Date: January 3rd, 2022

Be It Resolved that Carol Baran be appointed as the Borough of Brielle's Representative to the Monmouth County Community Development Program, and

Be It Further Resolved that Adeline Schmidt be appointed as Alternate Representative to the Monmouth County Community Development Program.

Vote: Garruzzo, Gianforte, Gorham, Nolan, Shaak & Visceglia; all ayes. No nays. None Abstained. Absent: None.

Certification

The foregoing is a true copy of a resolution passed by the Brielle Mayor & Council at their Organization Meeting held on January 3rd, 2022.

Witness my hand and seal of the Borough of Brielle this 4th day of January 2022.

Carol Baran
Municipal Clerk

Resolution No.: 22-4
Date: January 3rd, 2022

Be it resolved that each Monday night, of each month, in the calendar year 2022, with exceptions noted, be designated as meeting nights of the mayor and council of the borough of Brielle, with meetings to be held in the council chambers of the borough hall, 601 union lane, Brielle, new jersey, and

Be it further resolved that regular business meetings shall be scheduled for the 2nd and 4th Mondays at 7:00 p.m., except Monday holidays, when said meetings shall be on the Tuesday following the holiday, or proper 48-hour notice given, and

Be it further resolved that the work session shall be held on the 2nd and 4th Mondays of each month at 7:00 p.m., except Monday holidays, when said sessions shall be on the Tuesday following the holiday, said time being subject to a later starting time based on the volume of business and with 48-hour notice being given through dissemination of the agenda.

Be it further resolved that the public will not participate in the work session but may be present and listen. Public participation shall be permitted at the conclusion of the work session but shall be limited to those matters discussed at the work session. The public may, at regular meetings, participate at such time or times, as set forth on the agenda, for that particular meeting, or, with the permission of the presiding officer. 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, and

Be it further resolved that the annual notice schedule and "48-hour notice" be forwarded to the newspapers designated the official newspapers of the Borough of Brielle as set forth under Chapter 321, P.L. 1975 "open public meetings act", and

Be it further resolved, that in accordance with N.J.S.A. 10:4-9.3 of the Open Public Meetings Act, meetings may be held during declared emergencies by virtual means with public notice being provided via the internet, Facebook and posting such notice at borough hall.

Resolution No.:22-05

Whereas the efficient management of Borough affairs requires the establishment and/or maintenance of various bank accounts and procedures for handling funds,

Now therefore be it resolved, by the Governing Body of the Borough of Brielle as follows:

1. The following banks, or their successors, shall be designated depositories: Ocean First Bank, local branches, New Jersey, Cash Management Fund, Two River

Community Bank.

2. All existing accounts shall be continued subject to further resolution.
3. The Mayor, Business Administrator & Chief Finance Officer shall continue to be signatories on all accounts.
4. The Mayor & Council hereby adopt the annual cash management plan and shall adhere to the precepts of same. Said plan is on file in tile office of C.M.F.O.

Resolution No.: 22-6

Whereas N.J.S.A. 54:4-67, as amended, provides that a municipality may fix the interest rate to be charged for the delinquent payment of taxes of assessments and fix due dates.

Now therefore be it resolved, that a grace period not to exceed ten (10) days be permitted after each quarterly due date, February 1st, May 1st, August 1st & November 1st, and that the rate of eight (8) percent (%) per annum be charged on the first \$1,500.00 of the delinquency and eighteen (18) percent (%) per annum be charged on the amount in excess of \$1,500.00 with the delinquent interest rate retroactive to the aforesaid due dates for the year 2021.

Resolution No.: 22-7

Whereas the efficient management of Borough affairs requires the establishment and/or maintenance of a petty cash fund & a petty cash checking account, and change draws for the animal control in the amount of \$75.00 & general fund accounts, in the amount of \$50.00, and the water/sewer & tax accounts, in the amount of \$100.00,

Now therefore be it resolved that the Business Administrator is hereby authorized to establish a petty cash fund in the amount of \$150.00, as well as the aforementioned "change draws".

Resolution No.: 22-8

Be it Resolved that the following newspapers shall be designated as official newspapers for the Borough of Brielle for the year 2022.

Asbury Park Press	Neptune
Newark Star Ledger	Newark
The Coast Star	Manasquan

Resolution No.: 22-9

Whereas N.J.S.A. 40a:5-17.1 authorizes the governing body to process without further action on their part, the cancellation of any property tax refund or delinquency of less than \$10.00, and

Whereas N.J.S.A. 54-5-19 authorizes the tax collector to collect all taxes, assessments, and other municipal charges that are delinquent, and to sell all municipal liens in the manner established by statute.

Now therefore be it resolved that Tina McDermott, in her capacity as municipal tax collector and/or the designated deputy collector, is hereby authorized to perform the aforementioned functions throughout calendar 2022.

Resolution No.:22-10

To authorize the Business Administrator, with the consent of the Mayor & Council Committee Chairman who has jurisdiction over the particular department, to hire temporary/part-time help on a "as needed" basis.

Resolution No.: 22-11

Date: January 3rd, 2022

Temporary Budget
Borough of Brielle

Whereas, N.J.S.A. 40a:4-19 of the revised Statutes of New Jersey provides that, when any contracts, commitments or payments are to be made prior to the adoption of the Municipal Budget, the Governing Body shall, by resolution, adopted prior to January 31st of the fiscal year, make appropriations for the period between the beginning of the fiscal year and the adoption of the budget, and

Whereas, the date of this resolution is prior to the first thirty-one days of January 2022, and

Whereas, one quarter (25%) of the total appropriations made in the 2021 municipal budget, excluding appropriations made for interest and debt redemption charges & capital improvement fund in said budget is the sum of \$2,892,083.15.

Now therefore be it resolved, that the following temporary appropriations (the aggregate amount of which does not exceed the amount shown in the preamble above), in the amount of \$2,670,080.00 be made and a certified copy of this resolution be transmitted to the chief finance officer for his records.

Appropriations	Amount
General government	
Administrative & Executive	
Salaries & Wages	\$85,000.00
Other expenses	\$16,500.00
Emergency management	
Other expenses	\$750.00
Assessment of taxes	
Salaries & Wages	\$10,000.00
Other Expenses	\$2,500.00
Collection of Taxes	
Salaries & Wages	\$32,000.00
Other expenses	\$3,000.00
Legal Services	\$45,000.00
Borough Historian	\$150.00
Municipal Court	
Salaries & Wages	\$12,500.00
Municipal prosecutor	\$6,500.00
Engineering Services	\$25,000.00
Buildings & Grounds	
Other Expenses	\$30,000.00
Planning Board	
Salaries & Wages	\$2,500.00
Other Expenses	\$5,000.00
Financial Services	\$22,000.00
Shade Tree Commission	
Other Expenses	\$2, 500.00
Environmental Commission	
Other Expenses	\$500.00
Mercantile Inspection	
Salaries & Wages	\$1,000.00

Other Expenses	\$150.00
Insurance	
Other insurance premiums	\$175,000.00
Workman's compensation	
Group insurance	\$235,000.00
Public Safety	
Fire Company	
Other Expenses	\$11,250.00
Police	
Salaries & Wages	\$595,000.00
Other Expenses	\$35,000.00
Vehicle Purchase/Lease	\$30,000.00
Sick Time Purchase Option	\$34,500.00
Streets & Roads	
Salaries & Wages	\$132,500.00
Other Expenses	\$25,000.00
Street Lighting	(See Utilities)
Vehicle Maintenance	\$12,500.00
Sanitation	
Garbage & Trash Removal	
Contractual	\$80,000.00
Other trash expenses	\$90,000.00
(Includes Recycling Other)	
Health & Welfare	
Board of Health	
Salaries & Wages	\$900.00
Other Expenses	\$100.00
Health Services Contractual	\$18,000.00
Board of Recreation Commissioners	
Salaries & Wages	\$8,000.00
Other expenses	\$8,750.00
Municipal Land Use	\$6,500.00
Aid To Library	\$45,000.00

Zoning Officer Salaries & Wages	\$6,500.00
Dog Regulation Contractual	\$3,500.00
Capital Improvements	
Capital Improvement Fund	\$5,000.00*
Statutory Expenditures	
Contribution To Social Security	\$100,000.00
Debt Service	
Recycling Program	
Recycling Salaries & Wages	\$60,000.00
Utilities	\$80,000.00
Appropriations	
Water Utility Expenses	
Operating Expenses	
Salaries & Wages	\$75,000.00
Other Expenses	\$55,000.00
N.J.S.W.S.A.	\$52,000.00
SMRSA	\$149,000.00
SMRSA Infiltration/Inflow Remediation	\$30.00
South East Monmouth M.U.A.	\$165,500.00
Capital Outlay	\$5,000.00
Group Insurance	\$5,500.00
Contribution To Social Security	\$7,500.00
Debt Service NJIT	\$280,500.00*
Total	\$2,883,080.00
Less Exceptions \$	285,500.00
Total	\$2,597,580.00
Inter-Local Agreements	
Dispatch Services	\$20,000.00

Manasquan Municipal Court Interlocal	\$25,000.00
Construction Code Services	\$10,000.00
Fire Code Enforcement & Inspection	\$15,000.00
Sea Girt/Water Utility Operations	\$25,000.00
Total	\$2,670,080.00

Resolution No.: 22-12

To memorialize the extension of the sick time provisions of the DPW contract to non-union employees, in accordance with the Borough's current personnel policy.

Resolution No.: 22-13

Whereas, the efficient management of the Brielle police department requires that all special police officers, employed by the Borough of Brielle, be confirmed in their appointments for the calendar year 2022.

Now therefore be it resolved that all special police officers, class I and class II, are hereby confirmed in their positions.

Resolution No.: 22-14

Whereas, the Business Administrator is also the human services director & representative to the municipal insurance funds, and

Whereas, matters relating to personnel and the adjudication of insurance claims arise that do not rise to the level of consideration by the full governing body and do not require formal action.

Now therefore be it resolved that the business administrator, with the concurrence of the mayor and the chairman of the committee with jurisdiction in the area under consideration, may take appropriate steps to resolve such issues.

Resolution No.: 22-15

Be it resolved that the Brielle police department be authorized to participate in the LESO 1033 program re: surplus defense department items.

Resolution No.: 22-16

To designate certain employees as deputy custodians re: OPRA requests. Each department having a specific individual designated to provide the municipal clerk with any report required to comply with a specific OPRA request.

Resolution No: 22-17

RESOLUTION OF THE BOROUGH OF BRIELLE, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, CONCERNING THE VOTING REQUIREMENTS FOR PASSAGE OF A RESOLUTION.

WHEREAS, pursuant to N.J.S.A. 40A:60-5(e), the voting requirements for passage of an ordinance, or appointment of a subordinate officer of the Borough, are specifically provided for in the statute; and

WHEREAS, there is no such statutory provision concerning the voting requirements for passage of a borough resolution; and

WHEREAS, the Governing Body has determined there is a need for a clear rule establishing the voting requirements for passage of a borough resolution for the purpose of clarity; and

WHEREAS, the past practice of the Governing Body has always been to require the affirmative vote of a majority of a quorum to pass a borough resolution; and

NOW, THEREFORE BE IT RESOLVED, that the Governing Body of the Borough of Brielle hereby declares that the affirmative vote of a majority of a quorum is needed to pass a borough resolution, with the mayor only voting in the case of a tie.

Resolution No.: 22-18

To establish extension dates for the payment of tax and/or utility bills, without interest penalty, whenever the mailing of respective bills are delayed due to unforeseen circumstances.

Resolution No.; 22-19

To authorize the Borough Administrator or the Municipal Clerk to solicit bids for the provision of those goods or services itemized in any capital improvement ordinance or capital program.

To further authorize the Borough Administrator to approve any professional service contract associated with the provision of a professional service, provided that the cost thereof shall not exceed a 20% threshold as established by common practice. Said authority being limited to those projects that require engineering services in the preparation of plans and specifications and/or inspection fees.

The Administrator is further authorized to retain the professional services of any expert required to assist the Borough in answering any tax appeal or other municipal matter resulting from litigation.