

Howell Township Council
Regular Meeting Minutes
March 7, 2023
~~**Executive Session 6:00 PM**~~
Regular Session 7:00 PM

CALL TO ORDER

Mayor Berger called the meeting to order at 7:00 P.M.

OPENING STATEMENT AND ROLL CALL

Township Clerk Festino read the opening statement: This meeting is being held in accordance with Public Law 1975 Chapter 231 (Open Public Meetings Act). Adequate notice has been provided by transmitting the notice of this meeting to the Asbury Park Press, the Star Ledger, and the Tri-Town News, by posting it on the bulletin board reserved for such announcements in the Township Municipal Building, and by filing with the Municipal Clerk on January 6, 2023. This agenda is complete to the extent known and formal action will be taken.

ROLLCALL

Present: Councilwoman Susan Fischer, Councilman Fred Gasior, Councilman Ian Nadel, Deputy Mayor Evelyn O'Donnell and Mayor Theresa Berger. Also present: Township Manager Joseph Clark, Township Attorney Caitlin Harney, Chief Financial Officer, Lou Palazzo, Director of Community Development, Matt Howard and Township Clerk Diane Festino.

PLEDGE OF ALLEGIANCE TO THE FLAG

Mayor Berger led the Pledge of Allegiance to the Flag with a moment of silence for all the fallen heroes.

PROCLAMATION

- National Poison Prevention Week - read into the record by Township Clerk Festino.

ACCEPTANCE OF MINUTES OF PREVIOUS MEETINGS

- February 21, 2023 – Regular + Executive + Public Release

Councilman Gasior motioned to accept the minutes of February 21, 2023, seconded by Councilwoman Fischer. Ayes: Councilwoman Fischer, Councilman Gasior, Councilman Nadel, Deputy Mayor O'Donnell and Mayor Berger.

REPORTS OF TOWNSHIP DEPARTMENT OFFICIALS

Township Manager Clark – work continues on the stage trailer with completion by May 1, 2023. Echo Lake Pavilion's window replacements should be starting in 2-4 weeks. Hazardous trees – 160 trees, 480 filled potholes. Future events – St. Patrick's Day Dance for "Team Adventure" on March 17th. Leprechaun Scavenger Hunt on March 18th & Easter in the Park on March 25th at Oak Glen Park. Two canvas & cookies events (parent-child paint classes) April's theme – unicorns / May's theme – Star Wars.

Director of Community Development, Matthew Howard – The Linney Farm has been closed with the County 25.9 acres preserved in Howell. On March 23 at 6:30 pm, Farmer’s Advisory Committee will meet to review the “draft” comprehensive farmland preservation element of the master plan. It must be reviewed every 10 years to stay eligible for grant funding. Code Enforcement is still seeing complaints and are responded to all. Please do not file multiple complaints on the same property.

Chief Finance Officer, Lou Palazzo – advised Council we have maintained our AA Bond rating since 2017.

HEARING OF CITIZENS AND PUBLIC COMMENT

Each person shall first give their name and address to the Clerk. The Council should be addressed as a collective body, and not as individual members. Each person shall have one turn to address the Council, and comments shall not exceed a total five minutes. Speakers shall be notified when their time has run, and no time extensions shall be permitted.

No one came forward; public comment closed.

CONSENT AGENDA RESOLUTIONS

Resolutions 23-129 through 23-139 may be adopted in one motion.

R-23-129 AUTHORIZING AND PROVIDING FOR THE ISSUANCE AND SALE OF \$16,925,000 BOND ANTICIPATION NOTES OF THE TOWNSHIP OF HOWELL, IN THE COUNTY OF MONMOUTH, NEW JERSEY TO THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY

R-23-130 AUTHORIZING THE ISSUANCE OF ONE PLENARY RETAIL LIQUOR CONSUMPTION LICENSE

R-23-131 AUTHORIZING THE RELEASE OF THE PERFORMANCE GUARANTEE AND ACCEPTANCE OF THE MAINTENANCE GUARANTEE, CASE NO. SP-1072

R-23-132 AUTHORIZING A REFUND OF A PERMIT APPLICATION FEE, CONTROL NO. C-61056, PERMIT NO. 20230374

R-23-133 AUTHORIZING THE RETURN OF UNUSED ESCROW FUNDS, CASE NO.POOL 2010-032

R-23-134 TAX OVERPAYMENTS

R-23-135 UNCOLLECTABLE TAXES

R-23-136 AUTHORIZING RENEWAL OF COIN OPERATED AMUSEMENT GAMES LICENSE

R-23-137 AWARDING A FAIR AND OPEN CONTRACT TO L&L PAVING COMPANY, INC. FOR THE 2023 PAVEMENT PATCH PROGRAM

R-23-138 AWARDING A FAIR AND OPEN CONTRACT TO T. FIOTAKIS CONSTRUCTION, LLC FOR THE 2023 CURB & APRON PROGRAM

R-23-139 AWARDING A FAIR AND OPEN CONTRACT TO ROHRER ENTERPRISE, INC. FOR A PASSENGER BUS - SENIOR CENTER

Deputy Mayor O'Donnell motioned to adopt Resolutions 23-129 through 23-139 seconded by Councilman Nadel. Ayes: Councilwoman Fischer, Councilman Gasior, Councilman Nadel, Deputy Mayor O'Donnell and Mayor Berger. *The Consent Resolutions passed.*

NON-CONSENT RESOLUTIONS [to be voted separately]

UNFINISHED BUSINESS

O-23-03 **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

(Introduction – February 7, 2023)

(Public Hearing and Adoption – March 7, 2023)

Explanatory Statement: The ordinance allows for any used amount to be “banked” and used for CAP adjustment in the next two fiscal years.

Public comment opened; No one came forward. Motion to Close Public Comment by Councilman Gasior, seconded by Deputy Mayor O'Donnell. Ayes: Councilwoman Fischer, Councilman Gasior, Councilman Nadel, Deputy Mayor O'Donnell and Mayor Berger.

Deputy Mayor O'Donnell motioned to adopt Ordinance O-23-03, seconded by Councilman Gasior. Ayes: Councilwoman Fischer, Councilman Gasior, Councilman Nadel, Deputy Mayor O'Donnell and Mayor Berger. *Ordinance O-23-03 has been properly adopted.*

INTRODUCTION OF ORDINANCES

O-23-06 **AN ORDINANCE OF THE TOWNSHIP OF HOWELL SUPPLEMENTING CHAPTER 188, ARTICLE X ZONES SUPPLEMENTING SECTION 188-77 ENTITLED HIGHWAY DEVELOPMENT 1 (HD-1) TO INCLUDE SELF-STORAGE FACILITIES AS A PERMITTED USE**

(Introduction – March 7, 2023)

(Public Hearing and Adoption – March 21, 2023)

Explanatory Statement: This ordinance modifies the Highway Development 1 (HD-1) zone by adding self-storage facilities as a principal permitted use.

Councilwoman Fischer motioned to introduce Ordinance O-23-06, seconded by Councilman Gasior. Ayes: Councilwoman Fischer, Councilman Gasior, Councilman Nadel, Deputy Mayor O'Donnell and Mayor Berger. *Ordinance O-23-6 has been properly introduced.*

O-23-07 AN ORDINANCE AMENDING CHAPTER 188 LAND USE, ARTICLE I TITLE; PURPOSE; DEFINITIONS, SECTION 4, ENTITLED DEFINITIONS AND RULES OF GENERAL APPLICABILITY OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL

(Introduction – March 7, 2023)

(Public Hearing and Adoption – March 21, 2023)

Explanatory Statement: An Ordinance by the Township Council of the Township of Howell Amending Chapter 188 Land Use, Article I Title; Purpose; Definitions, Section 4, entitled Definitions and rules of general applicability of the Revised General Ordinances of the Township of Howell to add a definition for self-storage facilities.

Councilman Gasior motioned to introduce Ordinance O-23-07, seconded by Deputy Mayor O'Donnell. Ayes: Councilwoman Fischer, Councilman Gasior, Councilman Nadel, Deputy Mayor O'Donnell and Mayor Berger. *Ordinance O-23-7 has been properly introduced.*

INFORMATION AND COMMENTS BY ELECTED OFFICIALS

Councilman Gasior – Informed of public complaints regarding real estate solicitors. He recommended residents sign up for the Do Not Knock List and obtain a sticker.

The next regularly scheduled Council meeting will take place on Tuesday, March 21, 2023. Executive Session at 6:00 PM and Regular Session at 7:00 PM.

ADJOURNMENT at 7:15 PM

Councilman Nadel motioned to adjourn the meeting, seconded by Deputy Mayor O'Donnell and passed by unanimous consent.

Respectfully submitted,



Diane Festino, RMC
Municipal Clerk
Township of Howell

APPROVAL OF MARCH 7, 2023 MINUTES:

COUNCIL	MOTION	2ND	AYES	NAYS	ABSTAIN	ABSENT
<i>Councilwoman Fischer</i>		X	X			
<i>Councilman Gasior</i>	X		X			
<i>Councilman Nadel</i>			X			
<i>Deputy Mayor O'Donnell</i>			X			
<i>Mayor Berger</i>						X

I, Diane Festino, Municipal Clerk of the Township of Howell, in the County of Monmouth, State of New Jersey, hereby certify this to be a true copy of the action of the Mayor and Township Council, at its Meeting held March 21, 2023. WITNESS my hand this 22nd day of March 2023.

Diane Festino, RMC
Municipal Clerk
Township of Howell