

1. Meeting Called to Order

Mayor Berger called this meeting to order at 6:36 PM.

2. Opening Statement and Roll Call

Township Clerk Ciranni read the opening statement. Adequate notice of the holding of this meeting of the Howell Township Council was provided for in the following manner: (1) By the posting of a copy of said notice upon the bulletin board in the Township Municipal Building on January 8, 2020. (2) By copy of said notice to the Asbury Park Press, Tri Town News and Star Ledger for information and publication on January 8, 2020. (3) By the filing of a copy of said form of notice in the Township Clerk's office on January 8, 2020. The public will be allowed to attend and will be allowed to participate pursuant to the Open Public Meetings Law. The public is reminded that civility and decorum will be maintained during the meeting. Any contracts awarded at this meeting, or between now and the next meeting will be required to comply with the requirements of Public Law 1975 Chapter 127 (NJAC 17:27).

Roll Call: Present: Mayor Theresa Berger, Deputy Mayor Evelyn O'Donnell, Councilman John Bonevich, Councilman Thomas Russo. Also present: Township Manager Brian Geoghegan, Township Attorney Joseph Clark, Chief Financial Officer Louis Palazzo, Township Clerk Allison Ciranni. Absent: Councilwoman Pamela Richmond.

3. Executive Session

There is a need to go into executive session for subjects to be discussed per N.J.S.A. 10:4-12, specifically under *Personnel*. The Township Council will reconvene in public session at 7:30 PM. Deputy Mayor O'Donnell made a motion, seconded by Councilman Bonevich. Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger. Meeting reconvened 7:46 PM.

4. Pledge of Allegiance to the Flag

5. Acceptance of Minutes of Previous Meetings

- February 18, 2020 Regular Meeting + Executive Session + Public Release

Councilman Russo made a motion to accept the above minutes, seconded by Councilman Bonevich. Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

6. Reports of Township Officials

Ryan Edwards, Partnership Specialist with the New Jersey Field Division of the U.S. Census Bureau, provided a brief slide presentation on the 2020 Census. An accurate census is critical for congressional representation; over \$675 billion in federal funding gets allocated. Residents can respond to the census online, by phone, on paper, or through a visit from a census employee. The Bureau is hiring census workers. More information can be found online.

ORIGINAL MINUTES APPROVED

ON: 3/24/2020

Township Manager Geoghegan stated that Howell Township's Office of Emergency Management is monitoring the Corona virus situation and partnering with the Monmouth County Board of Health. The Department of Public Works has implemented a plan to start daily sanitation of high-traffic areas and frequently touched railings, door knobs, elevator buttons, etc. Mayor Berger asked if a pop-up notification could be added to the Township website that directs residents to information about the virus. Manager Geoghegan agreed.

Township Manager Geoghegan also explained that we are working through some recycling issues with the vendor as it has become very expensive. Our contract with the vendor calls for 32 gallon totes which they are going to start strictly enforcing. The information will be posted for residents so they are aware the totes need to be 32 gallons or less, otherwise at some point the vendor will stop picking them up. Councilman Bonevich asked if the totes will be a specific color; another town posted that a green tote would be required and residents were upset because many of them had blue totes. Manager Geoghegan stated he will scrutinize the contract and post the correct details for residents.

Mayor Berger stated that the Municipal Green Team was recently visited at their meeting by a realtor trying to promote the waste transfer station. Mayor Berger asked who allows that to happen if he was not invited or asked by someone to go. Manager Geoghegan stated that Green Team meetings are open public meetings. Mayor Berger asked if we can ask them not to discuss the transfer station. This individual was coming in as a realtor trying to promote the project. Deputy Mayor O'Donnell stated she was at the meeting and the Green Team members asked him questions that he did not want to answer. Councilman Bonevich stated he had also heard about this occurrence. He continued that no one in town wants the transfer station and if we are going to be bombarded at our own meetings, we need to move forward with our own traffic study. Councilman Russo asked if Green Team meetings are open to public comment. Mayor Berger advised that they are, but questioned if there are any limitations. Township Attorney Clark stated that the meetings are typically open to comment but if a subject is not related to the business of the Green Team the Chairperson can control the meeting in the way they see fit.

Councilman Bonevich reiterated the fact that Mayor Berger attended the SWAC meeting, the Governing Body wrote a letter together requesting the traffic study report, and they have not received anything. Councilman Bonevich stated that we need to do our own traffic study. Mayor Berger requested that members of this Council join her in moving forward to request a traffic study. Deputy Mayor O'Donnell stated she heard the traffic study was complete. Mayor Berger stated she had asked for it in January when she went to the meeting. Township Attorney Clark stated he also heard it was complete but has not been released to the public. Councilman Russo asked if we could get a cost analysis on getting our own traffic study. Manager Geoghegan stated that could be done. Deputy Mayor O'Donnell asked if Manager Geoghegan could send another letter requesting the study report, whether it be to the Freeholders, SWAC, the DEP, whoever is in possession of this finalized letter. Manager Geoghegan agreed. Manager Geoghegan stated he will get pricing for us to do our own.

Mayor Berger asked Deputy Mayor O'Donnell if she has set up any meetings with Township Manager Geoghegan about shade trees. Deputy Mayor O'Donnell stated she has not and added that she wanted to ask if the Shade Tree Commission has set up a three to five year plan yet. Mayor Berger asked if a meeting with Manager Geoghegan including members of the Shade Tree Commission has been set up so they could be included in the discussions. Deputy Mayor O'Donnell asked Manager Geoghegan if he has any time available in the next five to seven days. Manager Geoghegan stated that he does and will get the meeting scheduled right away.

Regarding the budget, Mayor Berger stated there were three Governing Body members present for the meeting, Deputy Mayor O'Donnell and Councilwoman Richmond were absent. She stated that the departments did a wonderful job providing their information and hopes Deputy Mayor O'Donnell and Councilwoman Richmond will review it. Deputy Mayor O'Donnell stated she did review it the day after the meeting and had been in touch with Manager Geoghegan prior to that going over some budget issues which are pretty well displayed in the paper he provided this evening.

Deputy Mayor O'Donnell asked Manager Geoghegan about the status of the energy savings program the schools have implemented for Township buildings. Manager Geoghegan stated that he is meeting with Ron Sanasac tomorrow morning. Deputy Mayor O'Donnell stated she has been inquiring about this for a while and feels we are not moving forward on energy savings we could be taking advantage of.

Councilman Russo thanked the Cub Scouts who reached out to him to voice their opposition to the waste transfer station. He received several emails and some of the younger scouts, as part of their badge requirement, had to comment on a community issue and a lot of them chose this matter. Councilman Russo thanked the Scouts for their interest in government and community affairs.

7. Discussion

None

8. Hearing of Citizens & Public Comment on Consent Agenda Items

Mayor Berger opened the meeting to the public. She added that speakers do not have to announce their address, but requests that they state their name.

Jerry Dixel. Mr. Dixel wished to give his speaking time to his wife. Barbara Dixel. Mrs. Dixel read several letters into the record from a previous Township administration regarding the solid waste transfer station. Mayor Berger asked Mrs. Dixel to provide copies of the letters to Township Attorney Clark. Mrs. Dixel stated she is appalled that the project was approved by past council members unknown to the public, and requested a full investigation. Councilman Bonevich reiterated that this Council is not giving up and wants to conduct their own traffic study.

Tina Smilek. Ms. Smilek asked if the ordinance will be updated to reflect the change in the requirement for speakers at council meetings to state their address. Mayor Berger stated she believes Attorney Clark is working on the wording. Attorney Clark agreed. Ms. Smilek questioned agenda item 9A.12. Township Manager Geoghegan explained that it was an error by the previous Tax Collector uncovered by the current Tax Collector that is being corrected. Ms. Smilek questioned why there is not a complete resolution number for the Introduction of the 2020 Municipal Budget on the final page of the agenda. CFO Palazzo explained that the introduction is done a by motion, second and a roll call vote and the reason for the incomplete resolution number is that it is basically a placeholder on the agenda for numbering purposes in case it is not successfully introduced. He also confirmed that if the budget is introduced this evening it will be posted on the Township website by the end of the week. Ms. Smilek asked Manager Geoghegan if he will do a state of the town address. Manager Geoghegan stated he outlines the financial situation of the Township every year as a public presentation and that he reports to the Governing Body monthly in a comprehensive report. Ms. Smilek asked for an update on road paving projects that were removed from a previous meeting agenda. Manager Geoghegan stated that a personnel matter is being looked into and the projects are on hold until it is resolved. Ms. Smilek stated the Walters Group project on West Farms Road is progressing and asked how residents sign up for it. Manager Geoghegan stated a public session will be held at the Municipal Building on April 1, 2020. Ms. Smilek asked if veterans would be receiving preference for the first 90 days as previously discussed. Manager Geoghegan stated he was not aware of that and would check with CGP&H. Councilman Bonevich confirmed they had discussed veterans receiving preference for the first 90 days. Ms. Smilek also stated it had been discussed that people affected by Superstorm Sandy would receive preference for the first 90 days. Ms. Smilek asked for an update on Freewood Acres. Manager Geoghegan stated there were some issues recently with the pipe work that had been done, which had to be redone and has caused a significant delay. Ms. Smilek requested an update on the proposed building at Soldier Memorial Park. Manager Geoghegan stated he is waiting to hear back from the County if they will approve the modified grant application.

Marc Parisi. Mr. Parisi stated that he is a representative of the Freehold Regional High School District (FRHSD) and wished to provide an update on NJ Senate Bill S-2, against which the Howell Township Council recently passed a resolution of opposition. Last Tuesday Governor Murphy gave a budget address and on Thursday released the state aid numbers. FRHSD is losing approximately \$5.7 million. Mr. Parisi wished to remind the public that the high school district covers a large geographic area including the 11th, 12th and 30th legislative districts. Mr. Parisi thanked Senator Gopal, Assemblyman Houghtaling and Assemblywoman Downey of the 12th legislative district for putting together the Support Our Schools campaign which is advocating for additional state aid for our schools. Part of their campaign is asking for an additional \$200 million in extraordinary special education aid to meet obligations of special education. Any funding over 40% is considered extraordinary and the state said they would pick up that part of it. Mr. Parisi continued that there is also an additional \$200 million in transitional aid, of which Governor Murphy has pledged \$50 million for districts that are facing program cuts to help offset and mitigate. We do not know how that \$50 million will be distributed throughout

the 190 plus districts that are losing money under S-2 but we may receive some of that \$50 million. Mr. Parisi stated that the Governor stressed the reality that our school funding comes from three sources: property taxes, state aid, and federal funding, with federal funding being a very small portion of it. The bulk is property taxes and state aid. The more state aid you get the lower your property taxes are so state aid for our schools equates to lowering property taxes. Mr. Parisi stated that we need to get new sources of funding for our state aid. Regarding the waste transfer station, Mr. Parisi stated that after listening to Mrs. Dixel talk about the traffic study, he found it alarming that there was not a public hearing and resolution passed regarding Council's support for the transfer station at that time. Mr. Parisi also stated that he was at the most recent SWAC meeting with Mayor Berger and recalls them saying they received a draft of the study and that it was not final. Mr. Parisi said he is aware that a resident has OPRA'd that draft traffic study that the County paid for and that County counsel responded that the report was not finalized and therefore there was no document responsive to the request but that it will be provided upon completion. Mr. Parisi stated the County is getting a chance to review the report privately in order to be sure it meets with their parameters and perhaps have the opportunity to request revisions. Mayor Berger stated she hopes they would share it and meet with the Township to try and work on it collectively. Mr. Parisi stated that without seeing the draft and the final you do not know what revisions may have been made, but hopes our partners in Freehold would be looking out for our best interests. Mr. Parisi stated that last week he emailed a proposed ordinance for the Council to put an initiative question on the November ballot to change the form of government from partisan to non-partisan elections. Mr. Parisi provided some statistics on Howell Township voters. Mrs. Barbara Dixel asked what it means to go non-partisan. Mr. Parisi explained that in a non-partisan election, anyone running for Council would appear on the right side of the ballot, not affiliated with Republicans or Democrats. Basically everyone would be running as independent or non-partisan, however it is not uncommon that candidates may receive endorsements from any number of community groups, whether political or otherwise, so it does not mean having a non-partisan election means there would not be any political influence, just that candidates would appear on the ballot as if they are unaffiliated with any major political party.

Jerry Barron. As a matter of clarification to an earlier discussion, Mr. Barron stated the Municipal Green Team did have a meeting agenda and were discussing recertification which is coming up in 14 months. He stated the real estate person said he could get the Green Team recertification points with the waste transfer station. Mr. Barron stated this individual will be back this month and he says he will have information on how we can get points. Mr. Barron asked if he can let him talk at next meeting. Deputy Mayor O'Donnell stated that Mr. Barron is the Chairperson so he can run the meeting as he sees fit; so if the realtor's information is not pertinent to the Green Team the Chairperson can decline his conversation. Mr. Barron also added a point of information about the census regarding changing your count due to a birth.

Kathi Novak. Ms. Novak stated she was also at the Green Team meeting and this person introduced himself, signed his name, and said he was there representing Resource Engineering. Ms. Novak stated she asked him his title and he said he is a principal; at no time did he state he was a realtor. Ms. Novak further stated she went home and Googled his name and that was how she found out he was a realtor. Ms. Novak felt he did not represent himself honestly. Ms. Novak added that it is disturbing that Monmouth County paid \$30,000 for a traffic study and are not releasing the results and now we have to acquire our own traffic study. She also stated that it is disturbing that this has been going on since 2015 and we are still talking about the waste transfer station.

Kristal Dias. Ms. Dias stated there is a document posted on the Township website, Shade Tree Commission page, called the Community Forestry Management Plan which was written in 2017 and is good for four years. Ms. Dias stated that Deputy Mayor O'Donnell has been talking with Township Manger Geoghegan about creating a plan, however there is already a plan in place. Additionally, in 2020 the Shade Tree Commission is recreating that document to go from 2021 to 2025. Ms. Dias added if Deputy Mayor O'Donnell and Manager Geoghegan would like to come to the meeting while making that plan, it would probably be a better use of time unless they want a separate meeting for that. Deputy Mayor O'Donnell stated that her concern was for a three or five year plan to take care of dangerous trees. Ms. Dias stated that dangerous trees are covered in the Forestry Management Plan. She added there is also a grant available to help pay for revising the Plan. Mayor Berger stated she would like to join the meetings with Deputy Mayor O'Donnell, Manager Geoghegan and Ms. Dias. Ms. Dias also recommended including the Township's Certified Tree Expert as well.

Close Hearing of Citizens

9. Consent Agenda

Council reviewed and discussed the Consent Agenda. Councilman Bonevich made a motion to approve Consent Agenda Items 9A.1 through 9A.12, and 9B.1 through 9B.4, seconded by Deputy Mayor O'Donnell. Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

Resolutions

- R-20-124 9A.1 Authorize Refund of Coin Operated Amusement Games License Fee, J&J Model Car Race Place, \$60.00
- R-20-125 9A.2 Authorize Refund of Overpaid Taxes, \$1,410.17
- R-20-126 9A.3 Authorize Release of Maintenance Guarantee, Howell Specialty Housing, LP, Akabe Village, Block 143 Lots 51-53 (new Lot 51.01), Lavender Circle, Case No. BA-09-16, \$112,003.12
- R-20-127 9A.4 Authorize Return of Unused Engineering Inspection Escrow Funds, Dynamic Wholesale Distributors, Warehouse, Block 38 Lot 5, Lakewood- Farmingdale Road, Case No. SP-870, \$3,512.75
- R-20-128 9A.5 Authorize Return of Unused Sanitary Sewer Review Escrow Funds, Dynamic Wholesale Distributors, Sanitary Sewer Connection, Block 73 Lot 23, 5140 Route 9 South, Case No. APP-01-306, \$346.97

- R-20-129 9A.6 Authorize Release of Roadway Guarantee and Vacation Escrow, Desai Development Corp, Desai Estates/Majestic Oaks, Block 175 Lots 46, 46.01, 47 & 48, Lions Court, Case No. SD-2420
- R-20-130 9A.7 Authorize Return of Driveway and/or Stabilization Guarantees, Four Seasons at Monmouth Woods, K. Hovnanian Holdings NJ, LLC, Case No. SD-2950, \$28,500.00
- R-20-131 9A.8 Authorize Return of Unused Engineering Inspection Escrow Funds, R. DeVirgilio, Inc., DeVirgilio Subdivision, Block 79.09 Lot 70 (new Lots 70.01 & 70.02), Case No. SD-2918, \$147.15
- R-20-132 9A.9 Authorize Award of Professional Services Contract, Kaplan & Bookbinder, Conflict/Alternate Municipal Public Defender, for the Year 2020
- R-20-133 9A.10 Authorize Award of Professional Services Contract, Coletta Commercial Realty, Real Estate Broker Services, for the Year 2020
- R-20-134 9A.11 Authorize Award of Professional Services Contract, FSD Enterprises, Wireless Telecommunications Consultant, for the Year 2020
- R-20-135 9A.12 Authorize Payment of Lien Interest, Pet Assure 46 LLC, \$16,000.73

Motions

- 9B.1** 2020 Renewal, Coin Operated Amusement Games License, J&J Model Car Race Place, 1151 Route 33
- 9B.2** 2020 Renewal, Coin Operated Amusement Games License, Side Pocket Billiards, 4308 Route 9 South
- 9B.3** 2020 Renewal, Second Hand Dealer License, Lila's ALD 14K Gold, 1350 Highway 33
- 9B.4** 2020 Renewal, Massage Business/Establishment, Hand and Stone Massage & Facial Spa, 4817 US Hwy. 9
- 9B.5** Appoint Member to Municipal Green Team, 1 Year Unexpired Term Expiring 12/31/20

Deputy Mayor O'Donnell made a motion to appoint Kathi Novak as a Member to the Municipal Green Team, 1 Year Unexpired Term Expiring 12/31/20, seconded by Councilman Bonevich. Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

- 9B.6** Accept Resignation of Planning Board Member Paul Schneider and Appoint Class IV Member, Unexpired 4 Year Term Expiring 12/31/21

Deputy Mayor O'Donnell made a motion to accept the resignation of Planning Board Member Paul Schneider and appoint John Leggio as a Class IV Member, Unexpired 4 Year Term Expiring 12/31/21, seconded by Councilman Bonevich. Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

10. Public Hearing on Ordinances

None

11. Introduction of Ordinances

11.1 O-20-5 Ordinance Amending Chapter 139 Fees, Article XVII Land Use, Section 55, Annual Landlord Registration and Registration for Abandoned Residential Property

Councilman Bonevich read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-20-5 on first reading by title and to order the same to be published in the 3/6/20 issue of the Asbury Park Press together with notice of its introduction and passage on first reading by title only, and that it will be further considered for final passage after public hearing at a meeting of the Township Council to be held on 3/24/20 at 7:30 PM, prevailing time, in the Municipal Building. Deputy Mayor O'Donnell seconded the motion.

Township Clerk Ciranni read title of ordinance. **AN ORDINANCE AMENDING CHAPTER 139 FEES, ARTICLE XVII LAND USE, SECTION 55, ANNUAL LANDLORD REGISTRATION AND REGISTRATION FOR ABANDONED RESIDENTIAL PROPERTY OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL.**

Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

2020 Municipal Budget

Ordinance Introduction

O-20-6 Exceed the Municipal Budget Appropriation Limits and Establish a CAP Bank

Deputy Mayor O'Donnell read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-20-6 on first reading by title and to order the same to be published in the 3/6/20 issue of the Asbury Park Press together with notice of its introduction and passage on first reading by title only, and that it will be further considered for final passage after public hearing at a meeting of the Township Council to be held on 3/24/20 at 7:30 PM, prevailing time, in the Municipal Building. Councilman Russo seconded the motion.

Township Clerk Ciranni read title of ordinance. **ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

Township Manager Geoghegan provided a slide presentation of the budget introduction and addressed questions from the Governing Body.

R-20-136 Introduction of the 2020 Municipal Budget

Deputy Mayor O'Donnell made a motion to introduce the 2020 Municipal Budget, seconded by Councilman Russo. Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

12. Unfinished Business

None

13. Information

Councilman Bonevich mentioned Township Attorney Clark's email of this afternoon informing the Governing Body that the closing on the MacKenzie House has been completed and it is now owned by the Howell Heritage and Historical Society.

Attorney Clark announced that on March 10th at 6 PM there will be a Farmers Market meeting at the library.

14. Meeting Dates

Regular Meeting

- Tuesday, March 24, 2020

Executive Session 6:30 P.M.

Regular Session 7:30 P.M.

15. Adjournment

Deputy Mayor O'Donnell made a motion to adjourn the meeting, seconded by Councilman Bonevich. Roll Call: Ayes: Councilman Bonevich, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger. Meeting adjourned at 9:26 P.M.

Respectfully,



Allison Ciranni
Township Clerk
Township of Howell

Executive Session Minutes for Public Release

TOWNSHIP COUNCIL REGULAR MEETING
EXECUTIVE SESSION
6:30 PM

MARCH 3, 2020
PAGE 1

Present: Mayor Theresa Berger, Deputy Mayor Evelyn O'Donnell, Councilman John Bonevich, Councilman Thomas Russo. Also present: Township Manager Brian Geoghegan, Township Attorney Joseph Clark, Labor Attorneys Mitch Jacobs and Nick DelGaudio, Cleary Giacobbe Alfieri Jacobs LLC, Township Clerk Allison Ciranni. Absent: Councilwoman Pamela Richmond.

Personnel

Discussion:

Action To Be Taken. No action required by the governing body this evening.

Motion to adjourn, moved by Deputy Mayor O'Donnell, seconded by Councilman Bonevich. All aye. Meeting adjourned at 7:35 P.M.

Respectfully,



Allison Ciranni
Township Clerk
Township of Howell

ORIGINAL MINUTES APPROVED

ON: 3/24/2020