1. **Meeting Called to Order**  
Mayor Berger called this meeting to order at 7:36 PM.

2. **Opening Statement and Roll Call**  
Deputy 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 3, 2019. (2) By copy of said notice to the Tri Town News and Star Ledger for information and publication on January 3, 2019. (3) By the filing of a copy of said form of notice in the Township Clerk’s office on January 3, 2019. 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).


3. **Executive Session**—Cancelled

4. **Pledge of Allegiance to the Flag**

5. **Acceptance of Minutes of Previous Meetings**  
- June 11, 2019  
  Regular Meeting + Executive Session + Public Release  
Councilman Russo made a motion to accept the above minutes, seconded by Deputy Mayor O’Donnell. Roll Call: Ayes: Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger.

6. **Reports of Township Officials**

- **Recognition**—Howell High School Student Shane Reitsma, “Change the Statistics”

- **Public Hearing**—Shared Services Agreement for Tax Collector Services

Township Manager Geoghegan shared background information on shared services for the Tax Collector position. In 2013, New Jersey implemented the Common Sense Shared Services Pilot Program Act; initially it was only allowed in certain counties. In November of 2018 Governor Murphy signed a bill adding Monmouth County to the program. Manager Geoghegan stated that he had been meeting with Farmingdale Mayor James Daly to discuss various shared services. Howell Township’s Tax Collector announced her impending retirement; Farmingdale was also in need of a tax collector. Manager Geoghegan added that Mayor Daly and Council President
Michael Romano are here in the audience to support our Governing Body’s actions. As required by the Act, public notice of this hearing was provided two weeks in advance, as well as a copy of the Shared Services Agreement being provided to any affected employees. Based on our calculations, the agreement will result in a first year savings to Farmingdale of about $1,500 and a savings to Howell of almost $30,000. The initial agreement will be signed for a period of four years. There is a termination clause for either governing body to opt out with proper notice. Manager Geoghegan welcomed questions from the governing body. Deputy Mayor O’Donnell asked what the termination notice requirement would be. Manager Geoghegan stated that the agreement requires 180 days’ notice.

Mayor Berger opened the Shared Services Agreement hearing portion of the meeting for public comment.

Barbara Dixel, 62A Piazza Vittoria. Mrs. Dixel asked if the Howell tax office is going to close and move to Farmingdale. Manager Geoghegan stated that Howell’s tax office staff will remain here and only the Tax Collector will spend time in Farmingdale. The majority of his time will be spent in Howell because it is much larger. However, he will be an employee of Farmingdale Borough. Nothing will change in the way of paying taxes or other services for either town. The salary will be paid by Farmingdale. Howell will contract with Farmingdale for a set dollar amount for that person’s services. Mayor Berger further explained that Howell will reimburse Farmingdale for the time the employee works for Howell.

Tina Smilek, Charles Street. Ms. Smilek inquired as to the name of the new Tax Collector. Manager Geoghegan stated that it is Al Jardine. Ms. Smilek asked if the position was put out for people to apply for. Manager Geoghegan stated that it was. Ms. Smilek asked why the individual is being hired by Farmingdale, not Howell. Manager Geoghegan explained that it is because Howell still currently has a Tax Collector. Ms. Smilek inquired about pay, raises, stipends, and urged the Governing Body against the Agreement.

Close public hearing on Shared Services Agreement.

Council discussion. Deputy Mayor O’Donnell made a motion to table resolution R-19-206, Item No. 9A.1, Authorize Shared Services Agreement with the Borough of Farmingdale for Tax Collection Services, to the council meeting of August 13, 2019, seconded by Councilman Russo. Roll Call: Ayes: Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger.

Deputy Township Clerk Ciranni read into the record the following changes to the agenda from Preliminary to Final:

*Added to the Agenda*

**Resolution:**
R-19-188 9A.37 Authorize Developer’s Agreement for Townhomes @ Eagle Oaks LLC, Block 218, Lots 20.12 – 20.21 and Lots 20.23 – 20.40, Case No. BA 10-17SP
R-19-242 9A.38 Authorize Developer’s Agreement for Podvortchany Major Subdivision, Block 14, Lot 17 – 304 Alexander Avenue and Block 15, Lot 1.03 – 334 Lanes Mill Road, Case No. BA 08-14
R-19-243 9A.39 Authorize Approval to submit a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Newtons Corner Road Project

R-19-244 9A.40 Authorize Approval to submit a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Lanes Mill Road Project

R-19-245 9A.41 Authorize Award of Contract, Professional Consulting Engineering Services related to the 2019 Drainage Program, T&M Associates, Not To Exceed $18,000.00

Ordinance:
O-19-38 11.4 Approve the acquisition of easement rights in portions of the properties located at Block 144, Lot 128 and Block 144, Lot 114 by negotiated purchase or eminent domain

**Removed from the Agenda**

Resolution:
R-19-228 9A.23 Authorize Award of Contract, Brush Grinding and Wood Chip Removal

7. **Discussion**

*None*

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

Patricia Kelly, 615 Fort Plains Road. Ms. Kelly spoke about the West Farms Road project. Ms. Kelly is concerned about conditions at the construction site that are or potentially could negatively affect her property, particularly her well, septic system and leach field. Community Development Director Herman responded that consulting engineers are at the site daily doing inspections of the work.

Abraham Chasnoff, 20 W. Baccio Lane. Mr. Chasnoff spoke about ordinance O-19-35 being introduced tonight to repeal Chapter 188-151. Mr. Chasnoff stated that in 2017 ordinance O-17-21 amended SED zones to eliminate and prohibit asphalt and cement manufacturing. He stated that the Zoning Board in June granted a variance for an asphalt plant on Yellowbrook Road. Mr. Chasnoff spoke against repealing the appeals chapter.

John Doherty, 25 E. Grimaldi Drive. Regarding ordinance O-19-35, Mr. Doherty urged council not to rescind the appeals chapter.

Barbara Dixel, 62A Piazza Vittoria. Mrs. Dixel thanked the governing body for paving part of Wyckoff Road. She added that the bridge is also in need of repair. Mrs. Dixel also mentioned a doctors’ office parking lot just outside The Villages that was torn up for paving but never finished. It is a hazard for patients. Community Development Director Herman stated that it is a private site but someone from the Township will go out to evaluate the situation.
Tina Smilek, 33 Charles Street. Ms. Smilek questioned various agenda items including 9A.16, 9A.24, 9A.29, and 9A.35 which were addressed by Township professionals and Councilmembers. Ms. Smilek asked if Councilmembers review the bill list to which Councilman Russo responded that they do.

Ilene DiMaio, 5 Cobblestone Court. Ms. DiMaio explained reasons for needing to convert to natural gas, which will require a road opening moratorium waiver. Community Development Director Herrman discussed when the road was paved and explained the escrow process. He stated that it is up to the governing body to grant waivers.

Jeffery Bassett, 27 Laurel Place. Mr. Bassett, owner of Chick-Fil-A in Howell, thanked the governing body for their service and for coming to the Chamber of Commerce Business and Shopping Expo event this evening. Mr. Bassett stated that he lives on Lake Louise which has become overgrown with weeds. He inquired about possibly dredging the lake. Community Development Director Herrman responded that a few years ago the Township looked into dredging both Aldrich Lake and Lake Louise. The cost was almost $5 million to dredge Lake Louise and just over $3 million to dredge Aldrich Lake. They decided on Aldrich Lake because it had more houses around it and the town could not afford to dredge both. Mr. Herrman further explained that last year he proposed spraying Lake Louise at a cost of $12,000 to try to control the invasive plant species. However, the Lake Restoration & Wildlife Management Committee did not want to spray, they want it dredged. It is up to the Council to decide on spraying or to do nothing for now. Mayor Berger stated that doing nothing should not be an option. She asked if approval from the Lake Restoration committee is required in order to try spraying. Mr. Herrman responded no, but the Town tries to keep them involved. Mayor Berger stated that perhaps further thought would be required.

Deputy Mayor O’Donnell requested that Community Development Director Herrman look into the issues brought up this evening regarding the West Farms Road project site and respond to the Governing Body on what can be done to mitigate the issues. Mr. Herrman agreed. Mayor Berger stated that she remembers the resident, Patricia Kelly, stating that these things would happen at Planning Board meetings. Mr. Herrman stated that a consulting engineer is on site quite frequently and there are inspections.

Close Hearing of Citizens

9. Consent Agenda
Council reviewed and discussed the Consent Agenda. Deputy Mayor O’Donnell made a motion to approve the Consent Agenda with the exception of Items 9A.1, 9A.4, 9A.5, 9A.25, 9A.26 and 9A.27, seconded by Councilman Russo. Roll Call: Ayes: Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger.
Resolutions
R-19-206 9A.1 Tabled to 8/13/19
R-19-207 9A.2 Authorize a Refund of a Certificate of Compliance Application Fee, Salvatore Materia, 406 Brookview Ct, Block 138.01, Lot 24.08, $50.00
R-19-208 9A.3 Authorize a Refund of a Certificate of Compliance Application Fee, Ann Joy Becker, 1 Marion Ave, Block 89, Lot 1, $50.00
R-19-209 9A.4 Tabled to 8/13/19
R-19-210 9A.5 Tabled to 8/13/19
R-19-212 9A.7 Authorize Initiating Competitive Contracting for Finance Software and Support
R-19-213 9A.8 Authorize Return of Unused Zoning Board Escrow Funds, EZE Fit Howell LLC, Quail Creek Shopping Center LLC, Quail Creek Plaza (intersection of Newtons Corner Rd and Ramtown Greenville Rd) Block 3 Lot 17.02, Case No. BA19-05, $446.00
R-19-214 9A.9 Authorize Return of Unused COAH Concept Escrow Funds, Yellowbrook Developers LLC, Block 182 Lots 13 through 16, East side of Yellowbrook Rd, Case No. COAH Concept 40011, $1,450.00
R-19-215 9A.10 Authorize Return of Unused Engineering Inspection Escrow Funds, Monmouth County Rifle & Pistol Club, Block 223 Lot 16, Birdsall Rd, Case No. BA-06-09, $3,835.38
R-19-216 9A.11 Authorize Return of Unused Engineering Inspection Escrow Funds, Par Golf, LLC/Birdie Holding Co., LLC, Eagle Oaks Golf Club Addition, Block 185 Lot 40.01, Shore Oaks Drive, Case No. SP-1009, $289.83
R-19-217 9A.12 Authorize Return of Unused Water and Sanitary Sewer Review Escrow Funds, Par Golf Group, LLC, Eagle Oaks Golf Club Addition, Block 185 Lot 40.01, Shore Oaks Drive, Case No. SP-1009
R-19-218 9A.13 Authorize Return of Unused Engineering Inspection Escrow Funds, First Financial Federal Credit Union, Block 142 Lot 1.02, Route 9 North (next to Howell Park & Ride), Case Nos. SP-981 & SP-981A (Phases I & II)
R-19-219 9A.14 Authorize Return of Unused Sanitary Sewer Review and Site Inspection Escrow Funds, K. Hovnanian Holdings NJ, LLC, Greenway Run, Block 139 Lots 12 and 12.01 (off Strickland Road), Case No. SP-934
R-19-220 9A.15 Authorize Return of Engineering Pool Permit Review Fee, Stephen and Suzanne West, 6 Duchess Court, Block 151 Lot 9.13, Case No. POOL-18-046, $350.00
R-19-221 9A.16 Authorize Return of Unused COAH Concept Escrow Funds, Brickyard LLC, Block 224 Lots 10, 17, and 28 through 32, North Side of Birdsall Road (between Lakewood Farmingdale Road and Belmar Boulevard), Case No. COAH Concept 40009, $1,927.21
Authorize Return of Unused Planning Board Escrow Funds, Brickyard LLC – (Solar Farm), Block 224 Lots 10, 17 and 17.02, 80 Birdsall Road (between Lakewood Farmingdale Road and Belmar Boulevard), Case No. 224, $52.43

Authorize Return of Unused Planning Board Escrow Funds, Heather Jennings, Block 40 Lots 18 and 18.01, 2977 Lakewood Allenwood Road (between Porter Road and Vienna Road), Case No. SD-2966, $422.06

Authorize Refund of Recreation Program Fees

Authorize Refund of Park & Ride Fee

Authorize Transfer of Outstanding Bail Checks, Howell Township Municipal Court, $1,565.00

Authorize the Sale of Surplus Personal Property (Vehicles, Miscellaneous Equipment) no longer needed for public use on an Online Auction Website at USGovBid.com

Removed from agenda

Authorize Award of Required Disclosure Contract for Demolition of 700 Fort Plains Road, John Blewett Inc., Not to Exceed $39,500.00

Tabled to 8/13/19

Tabled to 8/13/19

Tabled to 8/13/19

Authorize Acceptance of Performance Guarantee, Igor Podvorchanyy / Henry Podvorchanyy, Podvorchanyy Subdivision, Block 14, Lot 17 and Block 15, Lot 1.03, Alexander Avenue, Case No. BA-08-14F

Authorize renewal of a Shared Service Agreement between the Township of Howell & Farmingdale Borough for Public Works related services, One Year Period effective August 1, 2019

Authorize Maintenance Guarantee Release, L&L Paving, Block 177, Lots 62 & 64, 89 Yellowbrook Road, Case No. SP-1026

Authorize Amendment to the Howell Township Wastewater Management Plan the property known as Lot 7 in Block 49 and commonly known as 289 Squankum Road

Authorize Award of Contract, Award of Required Disclosure Contract to Tritech Software Systems for the Police Department’s IMC/CAD Software System, not to exceed $37,778.75

Authorize Premiums to Escheat to Township

Authorize Refund of Overpaid Taxes

Authorize execution of an Extension Deposit Agreement with New Jersey American Water Company in aid of the construction of a Water Main and Laterals and related expenses to serve properties located along various streets in Freewood Acres

Authorize Relief from a Road Opening Moratorium at 5 Cobblestone Court, Block 84.01 Lot 22 for the purpose of installing a new natural gas service line by New Jersey Natural Gas
R-19-188 9A.37 Authorize Developer’s Agreement for Townhomes @ Eagle Oaks LLC, Block 218, Lots 20.12 – 20.21 and Lots 20.23 – 20.40, Case No. BA 10-17SP

R-19-242 9A.38 Authorize Developer’s Agreement for Podvortchany Major Subdivision, Block 14, Lot 17 - 304 Alexander Avenue and Block 15, Lot 1.03 - 334 Lanes Mill Road, Case No. BA 08-14

R-19-243 9A.39 Authorize Approval to submit a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Newtons Corner Road Project

R-19-244 9A.40 Authorize Approval to submit a Grant Application and execute a Grant Contract with the New Jersey Department of Transportation for the Lanes Mill Road Project

R-19-245 9A.41 Authorize Award of Contract, Professional Consulting Engineering Services related to the 2019 Drainage Program, T&M Associates, Not To Exceed $18,000.00

Motions

9B.1 Renew Massage License, Hand & Stone Massage and Facial Spa, 4817 Route 9 North.

Deputy Mayor O’Donnell made a motion to approve the renewal of a Massage License, Hand & Stone Massage and Facial Spa, 4817 Route 9 North, seconded by Councilman Russo. Roll call: Ayes: Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger.

9B.2 Appoint Member to Shade Tree Commission

Member, 5 Year Unexpired Term Expiring 12/31/2019.

Mayoral appointment.

Mayor Berger appointed Vidal LaBoy to the Shade Tree Commission, Member, 5 Year Unexpired Term Expiring 12/31/2019.

9B.3 Appoint Member to the Municipal Alliance

1 Year Unexpired Term Expiring 12/31/2019


10. Public Hearing on Ordinances
10.1 O-19-34 An Ordinance Creating Chapter 252 Entitled Sewer and Water Article III Entitled Water Service in Freewood Acres

Mayor Berger read Ordinance Adoption Statement. Ordinance No. O-19-34 introduced and passed on first reading on 6/11/19 and published, according to law, is now being taken up for further consideration and public hearing. Affidavit of publication of this ordinance in the Asbury Park Press on 6/14/19 and is submitted and it is noted that a copy of the ordinance has been posted on the bulletin board in the municipal building and that copies were available to the general public upon request.
Deputy Township Clerk Ciranni read title of ordinance. AN ORDINANCE OF THE TOWNSHIP OF HOWELL, MONMOUTH COUNTY, NEW JERSEY CREATING CHAPTER 252 ENTITLED SEWER AND WATER ARTICLE III ENTITLED WATER SERVICE IN FREEWOOD ACRES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL

Public Hearing on Ordinance O-19-34
No public comment.

Deputy Mayor O’Donnell made a motion to adopt Ordinance O-19-34 and that notice of its passage and adoption be published in the 7/19/19 issue of the Asbury Park Press, seconded by Councilman Russo. Roll Call: Ayes: Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger.

11. Introduction of Ordinances
11.1 O-19-35 Land Use, Repeal Chapter 188-151 Entitled Appeals
Deputy Mayor O’Donnell read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-19-35 on first reading by title and to order the same to be published in the 7/19/19 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 8/13/19 at 7:30 PM, prevailing time, in the Municipal Building. Councilman Russo seconded the motion.

Deputy Township Clerk Ciranni read title of ordinance. AN ORDINANCE OF THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HOWELL REPEALING CHAPTER 188-151 ENTITLED APPEALS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOWELL

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

11.2 O-19-36 MCIA, 2019 Capital Equipment Lease Program, Various Equipment
Deputy Mayor O’Donnell read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-19-36 on first reading by title and to order the same to be published in the 7/19/19 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 8/13/19 at 7:30 PM, prevailing time, in the Municipal Building. Councilman Russo seconded the motion.
Deputy Township Clerk Ciranni read title of ordinance. **ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF HOWELL, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO**

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

11.3 **O-19-37 Howell Board of Education Municipal Guaranty, Capital Equipment Lease Revenue Bonds, Series 2019 of the Monmouth County Improvement Authority**

Deputy Mayor O’Donnell read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-19-37 on first reading by title and to order the same to be published in the 7/19/19 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 8/13/19 at 7:30 PM, prevailing time, in the Municipal Building. Councilman Russo seconded the motion.

Deputy Township Clerk Ciranni read title of ordinance. **ORDINANCE AUTHORIZING THE GUARANTY BY THE TOWNSHIP OF HOWELL, NEW JERSEY OR PAYMENT OF PRINCIPAL AND INTEREST ON THE CAPITAL EQUIPMENT LEASE REVENUE BONDS, SERIES 2019 (HOWELL BOARD OF EDUCATION PROJECT) OF THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY**

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

11.4 **O-19-38 Approve the acquisition of easement rights in portions of the properties located at Block 144, Lot 128 and Block 144, Lot 114 by negotiated purchase or eminent domain**

Deputy Mayor O’Donnell read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-19-38 on first reading by title and to order the same to be published in the 7/19/19 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 8/13/19 at 7:30 PM, prevailing time, in the Municipal Building. Councilman Russo seconded the motion.

Deputy Township Clerk Ciranni read title of ordinance. **AN ORDINANCE APPROVING THE ACQUISITION OF EASEMENT RIGHTS IN PORTIONS OF THE PROPERTIES LOCATED AT BLOCK 144, LOT 128 AND BLOCK 144, LOT 114 BY NEGOTIATED PURCHASE OR EMINENT DOMAIN**

Roll Call: Ayes: Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger.
12. Unfinished Business

13. Information
Councilman Russo congratulated Howell North Little League on their win over Ocean. They are advancing to the next round and he knows they are going to make us proud. Mayor Berger mentioned that she has had discussions about the farmers market and looks forward to it starting. Deputy Mayor O’Donnell expressed kudos to Howell Chamber of Commerce on this evening’s well-received event.

14. Meeting Dates

   Regular Meeting
   - Tuesday, August 13, 2019
     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 Russo. Roll Call: Ayes: Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger. Meeting adjourned at 9:22 PM.

Respectfully submitted,

Allison Ciranni
Deputy Township Clerk
Township of Howell