1. **Meeting Called to Order**

Mayor Berger called this meeting to order at 6:30 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).

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

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 and Contract Negotiations. The Township Council will reconvene in public session at 7:30 PM. Councilwoman Richmond made a motion, seconded by Councilman Bonevich. Roll Call: Ayes: Councilman Bonevich, Councilwoman Richmond, Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger. Meeting reconvened 7:36 PM.

Mayor Berger announced that the Executive Session Minutes from tonight’s meeting can be disclosed to the public at the next Regular Meeting, providing the need for confidentiality no longer exists.

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

5. **Acceptance of Minutes of Previous Meetings**

   - September 10, 2019    Regular Meeting – Tabled to October 22, 2019

6. **Reports of Township Officials**

Township Manager Geoghegan stated that the bond ordinance being introduced this evening is a duplicate of the one adopted on September 10, 2019. An error occurred in that a required form was not provided to the DCA. There have been no changes to the ordinance.

**ORIGINAL MINUTES APPROVED**

**ON: 10/22/19**
Community Development Director/Deputy Township Manager Herrman updated the Governing Body about the Freewood Acres water and sewer project. There are various detours changing daily based on where the work is occurring. Hulles Corner Road has been closed for a little over a week and will remain closed. The water company is now working on both sides of Freewood Acres at the same time to install water mains. Mayor Berger asked if that will make the job shorter. Mr. Herrman replied that it hopefully will. He added that the water company will eventually have four crews installing water main so their portion of the work will go rather quickly. Mr. Herrman also informed the Governing Body that Howell Township is receiving a Distinguished Engineering Award from the New Jersey Alliance for Action for the Bear Swamp dam. Township personnel will be attending the award ceremony in October and hopefully a couple of members of the Governing Body will be able to attend as well.

- **Proclamation** – Childhood Cancer Awareness Month, September 2019
- **Proclamation** – Fire Prevention Week, October 6-12, 2019
- **Presentation** – Howell Environmental Commission / Leave Only Your Footprints Campaign

Joan Osborne, Chair of the Howell Township Environmental Commission, addressed the Governing Body to introduce the Leave Only Your Footprints Campaign. Leave Only Your Footprints inc. is a non-profit corporation that came to Ms. Osborne’s attention through Nick Huszar, a fellow Environmental Commission member. Mr. Bob Duerr, president of Leave Only Your Footprints inc., had attended an Environmental Commission meeting and explained the work of the campaign. Ms. Osborne mentioned the litter problem in public places in town and that this is a program that would address the problem in a subtle way. Mr. Duerr explained that Leave Only Your Footprints inc. is a nonprofit advocacy organization that is being offered free to municipalities. It consists of a subliminal messaging program that uses signs, decals, bumper stickers and reusable stencils, particularly in public areas that have a litter problem, to remind people to be responsible for their trash. The program has been launched in several other towns with good results.

Deputy Mayor O’Donnell asked if Mr. Duerr has approached Monmouth County in terms of the parks. Mr. Duerr stated he met with the County Environmental Commission and the program was well received; he hopes they will pick it up. He also stated he is trying to get the State to recognize what the Leave Only Your Footprints organization is trying to do and support the mission. Deputy Mayor O’Donnell stated that she loves the idea. Mr. Duerr stated he is available if those in charge of the Township parks would like to speak with him.

Councilman Bonevich stated that the Township is looking into redoing some of the signage around town. He asked if the Leave Only Your Footprints message could be added to our signage. Mr. Duerr said that it absolutely could.
7. Discussion
Council Meeting Schedule – Workshop/Regular. Deputy Mayor O’Donnell explained that some time ago, previous administrations utilized a format where the first meeting of the month was a workshop and the second meeting of the month was for action. Deputy Mayor O’Donnell feels that having a workshop meeting would be an opportunity to vet issues that might be pertinent not just to the Council, but to the public as well. She stated that perhaps it could be tried for a few months and if it does not prove valuable, we could go back to the current format. Township Attorney Clark further explained that workshop meetings are typically for discussion only; they have to be advertised, the public is invited and given the opportunity to speak, but there is typically no action taken except in emergent situations. Mayor Berger stated that she would like to think about it. She asked if any other towns utilize that format. Township Attorney Clark mentioned Little Silver, for example they might have a workshop meeting at 6 or 6:30 PM and then go into a regular meeting at 8 PM. The regular meeting is then typically very short because everything has been discussed during the workshop. Deputy Mayor O’Donnell added that the Freeholders use that format; they hold a workshop meeting in the morning and then a voting meeting that evening. Councilwoman Richmond stated she thought it might be a good idea for everyone to be able to work out any issues before taking action.

8. Hearing of Citizens & Public Comment on Consent Agenda Items
Cathy McKee, 35 Merrick Road. Ms. McKee wanted to express her happiness about the progress being made with the MacKenzie House and thanked everyone who supported them along the way.

Barbara Dixel, 62A Piazza Vittoria. Mrs. Dixel referred to agenda item 9A.13 and asked if fire personnel will be onsite during the fireworks display. Township Attorney Clark responded that the proper Township ordinances will be followed. Mrs. Dixel expressed her opinion against workshop meetings. She asked if the public would be allowed to speak at workshop meetings and Deputy Mayor O’Donnell responded that the public is allowed to speak at all meetings.

David Kelly, 615 Fort Plains Road. Mr. Kelly wished to comment on agenda item 9A.8. He stated that none of the work is complete; there are still at least 80 truckloads of fill piled onsite, curbing not in, and sidewalks not done. Mr. Kelly feels that there is extensive damage to the road and releasing the bond is a bad idea.

Joan Osborne, 28 Bronia Street. Ms. Osborne asked about the contract to be awarded for architectural design of a building at Soldier Memorial Park. She inquired about the RFP processes and if the Governing Body was aware of the RFP for this project. Councilmembers responded in the affirmative. Community Development Director/Deputy Township Manager Herrman explained the RFP processes. Township Attorney Clark advised that there are Township professionals whose job it is to make recommendations to the Governing Body. Further discussion about the project.
Tina Smilek, 33 Charles Street. Ms. Smilek stated that she agrees the Township professionals are here to guide the Governing Body, but it is the job of the Governing Body overall to make decisions and they need to know what they are voting on. Ms. Smilek asked Mr. Herrman if this was originally a pre-fab building. Mr. Herrman explained that he had received a comparison price from another town that gave him an idea of what the cost would be for a pre-fab building. Ms. Smilek asked if this was put together in 2018 before three of the five current council members were on the Governing Body. Mr. Herrman explained that there is a request for qualifications that goes out each October, they are opened in November, and the professionals are named at the annual reorganization meeting in January. Therefore they were not named prior to the current Governing Body membership. Ms. Smilek stated that the owner of the business receiving this bid is a former mayor and current councilman of Middletown. Ms. Smilek questioned if agenda item 9A.11 refers to the Board of Education building; Township Manager Geoghegan confirmed that it does. They will be moving into the first floor of the Municipal Building as soon as possible but there is no exact timeframe. Ms. Smilek inquired about the sanitary sewer extension project on Casino Drive, ordinance O-19-47. Mr. Herrman stated it is on the southeast corner of Route 9 and Casino Drive. We are proposing to run the sewers all along the rear property line to avoid the extensive utilities along the frontage on Route 9. Ms. Smilek asked if it will eventually go down Casino Drive. Mr. Herrman stated that it would not, it is going parallel to Route 9 south along the back property line of Casino on Route 9 and then across the back property line of Lubin’s Window Treatments and the furniture store next door. Ms. Smilek inquired about the Emergency Services Unit (ESU) with reference to ordinance O-19-46. Township Manager Geoghegan stated that the ESU request from the Police Department was pulled from his recommendations to the Council. Discussion on proposal to MCIA and the process of finalizing the requests. Ms. Smilek inquired about a notification on the Township website regarding the Joint Boards of Fire Commissioners disbanding. Township Manager Geoghegan explained that the Joint Boards of Fire Commissioners is not disbanding; there is an executive board of select representatives from the Joint Boards and that is what is being done away with. Originally it was designed to be a liaison between the Fire Commissioners and the Fire Prevention Bureau but it is no longer needed because the Bureau now falls under the Township and not the Fire Commissioners themselves. Ms. Smilek questioned an item on the bill list.

Kathi Novak, 16 Stratton Drive. Ms. Novak thanked Township Manager Geoghegan for finalizing the electric vehicle test drive event held at Howell Day. She feels it was a great success.

Barbara Dixel, 62A Piazza Vittoria. Mrs. Dixel stated that this is the first time she is hearing that the Board of Education is moving to the Municipal Building and that the current building is being sold. She inquired as to how much rent the Board of Education will pay. Township Attorney Clark stated that the contract is still being negotiated so it cannot be discussed at this time. Mrs. Dixel stated that she hopes they will be charged rent.
Marc Parisi, 2 Castle Court. Mr. Parisi stated he appreciated the proclamation for Childhood Cancer Awareness. He wanted people to remember 15 year old Naneisha Rivera who was a Howell resident and a student at Colts Neck High School. Mr. Parisi stated Naneisha was his stepdaughter’s best friend and fought a courageous two year battle with cancer.

*Close Hearing of Citizens*

9. Consent Agenda
Council reviewed and discussed the Consent Agenda. Separate votes will be taken on 9A.8 - R-19-328, and 9A.15 R-19-335.
Councilman Bonevich made a motion to approve the Consent Agenda, seconded by Councilwoman Richmond. Roll Call: Ayes: Councilman Bonevich, Councilwoman Richmond, Councilman Russo, Deputy Mayor O'Donnell, Mayor Berger.

**Resolutions**

R-19-321 9A.1 Authorize Refund of Recreation Program Fees
R-19-322 9A.2 Authorize Award of Professional Services Contract, Soldier Memorial Park Multi-Use Building to Settembrino Architects, in the Amount of $69,500.00
R-19-323 9A.3 Authorize Sale of Real Property to Howell Heritage and Historical Society, MacKenzie Museum House, Block 47, Lot 23, 427 Lakewood Farmingdale Road
R-19-324 9A.4 Authorize Additional Not-To-Exceed Limitation to Gluck Walrath LLP with regard to duties as Special Counsel, in the amount of $10,000.00
R-19-325 9A.5 Authorize Use of Educational Services Commission of NJ, Purchase of Two Toro Groundmaster 360 Mowers, Storr Tractor Company, $71,448.00
R-19-326 9A.6 Authorize Additional Not-To-Exceed Limitation to Andrew Bayer, Esq. of Pashman Stein Walder Hayden with regard to duties as Affordable Housing Counsel, in the amount of $10,000.00
R-19-327 9A.7 Authorize Release of Restoration Guarantee for Road Opening Permit RO-18-247, Antonio R. DiSantillo, Block 156, Lot 40.11, 1 Sandy Lane, $2,300.00
R-19-329 9A.9 Authorize Acceptance of Performance Guarantee for Temporary Sales Trailer, Toll NJ XII, LP, Regency at Allaire, Block 183, Lots 109.01, 109.02, 110, 111, 112, Route 33, Case No. SD-2930 A2/SP-914A
R-19-330 9A.10 Authorize Release of Maintenance Guarantee, Bennett Road Associates, Block 168, Lot 26, 210 Bennett Road, Case No. BA-14-09
R-19-331 9A.11 Authorize Sale of Real Property, Block 49, Lot 18.01 and 18.02, 200 Squankum-Yellowbrook Road
R-19-333 9A.13 Authorize a Permit for Fireworks Display, by Fireworks Extravaganza, Roldan Wedding on October 5, 2019, 89 Howell Road, Beyond Organic Growers
R-19-334 9A.14 Authorize the Acceptance of the Project, Acceptance of the Final Change Order, Authorization to Make Final Payment and Acceptance of the Maintenance Bond for the 2017 Capital Program #2 – Preventorium Road (NJDOT Municipal Aid), Contract #18-04

Regarding agenda item 9A.8, Councilman Russo wished to inquire as to the state of the improvements. Mr. Herrman responded that this bond is a separate bond, unrelated to the overall site plan bond. It is a soil haul route bond. Because the plan required the import of outside material, a soil haul route bond was needed to make sure the Township roads didn’t get destroyed from the heavy vehicles going to the site. In this case it was a very short distance between Route 9 and the site. The minimum bond about is $15,000 and in this case they had to pay the minimum because the length was so small. The Township inspects before and after the mass hauling of the soil and as long as the road is not destroyed from that work, the bond is released. It is a matter of standard practice in multiple developments all over the Township and basically just for the initial work. Mr. Kelly is correct that there is a lot of work to do there still, but that is not what this bond is for. Councilman Russo stated that he wants to make it clear that releasing this bond is not going to prevent future improvements to the property. Mr. Herrman agreed that it is totally unrelated.

R-19-328 9A.8 Authorize Return of the Soil Haul Route Roadway Restoration Guarantee, Howell Family Apartments LLC, Block 135, Lot 26.01, West Farms Road & Fort Plains Road, Case No. SP-1039


R-19-335 9A.15 Authorize Release of Guarantee for Removal of Septic System, SD-2778, Berger Subdivision, Old Foundation and Stack


Motions

9B.1 Appoint Member to the Shade Tree Commission, Vacancy – Alternate II – 5 Year Unexpired Term Expiring 12/31/2023 - Mayoral Appointment

Mayor Berger appointed Marc Parisi to the Shade Tree Commission, Alternate II, 5 year unexpired term expiring 12/31/2023.

10. Public Hearing on Ordinances

None
11. Introduction of Ordinances

11.1 O-19-46 2019 Bond Ordinance, General Capital Improvements
Councilman Bonevich read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-19-46 on first reading by title and to order the same to be published in the 9/27/19 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 10/22/19 at 7:30 PM, prevailing time, in the Municipal Building. Councilwoman Richmond seconded the motion.

Deputy Township Clerk Ciranni read title of ordinance. BOND ORDINANCE PROVIDING FOR VARIOUS CAPITAL IMPROVEMENTS AND THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT, APPROPRIATING $4,696,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF $4,395,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF HOWELL, IN THE COUNTY OF MONMOUTH, NEW JERSEY

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

11.2 O-19-47 Approve the Acquisition of Easement Rights in portions of properties located at Block 144, Lot 125, Route 9 & Casino Drive, by negotiated purchase or eminent domain
Councilman Bonevich read Ordinance Introduction Statement. Motion to introduce Ordinance No. O-19-47 on first reading by title and to order the same to be published in the 9/27/19 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 10/22/19 at 7:30 PM, prevailing time, in the Municipal Building. Councilwoman Richmond 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 125 BY NEGOTIATED PURCHASE OR EMINENT DOMAIN

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

12. Unfinished Business

13. Information

- Municipal Offices Closed Monday, October 14, 2019 in observance of Columbus Day
14. Meeting Dates

Regular Meeting - Tuesday, October 22, 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 Councilwoman Richmond. Roll Call: Ayes: Councilman Bonevich, Councilwoman Richmond, Councilman Russo, Deputy Mayor O’Donnell, Mayor Berger. Meeting adjourned at 8:38 PM.

Respectfully,

Allison Ciranni
Deputy Township Clerk
Township of Howell
Executive Session Minutes for Public Release

TOWNSHIP COUNCIL REGULAR MEETING
EXECUTIVE SESSION
6:30 PM

SEPTEMBER 24, 2019
PAGE 1

Present: Mayor Theresa Berger, Deputy Mayor Evelyn O’Donnell, Councilman John Bonevich, Councilwoman Pamela Richmond, Councilman Thomas Russo. Also present: Township Manager Brian Geoghegan; Deputy Township Manager/Community Development Director Jim Herrman, Township Attorney Joseph Clark, Deputy Township Clerk Allison Ciranni.

Personnel – Township Clerk

Personnel – Chief of Police

Motion to adjourn, moved by Councilwoman Richmond, seconded by Councilman Bonevich. All aye. Meeting adjourned at 7:30 P.M.

Allison Ciranni
Deputy Township Clerk
Township of Howell

ORIGINAL MINUTES APPROVED

ON: 10/22/19