

Agenda

Workshop Session 6:30 p.m.

1. Meeting called to order
2. Statement of compliance with Open Public Meetings Act
3. Roll Call
4. Executive Session – Closed to Public

Public Portion of Meeting – 7:30 p.m

5. Public Portion of Meeting called to order
6. **Moment of silence and Salute to Flag:**
7. **Township Committee Reports**
8. **Public Comment Session – Agenda Items Only**
9. **Workshop Session**

LEGAL

- A. Temporary Outdoor Dining Permit

ENGINEERING

CLERK

- A. Items of New Business

ADMINISTRATION

- A. Resolution Authorizing Agreement with County of Monmouth for Municipal Coronavirus Relief Fund Program Reimbursement
- B. Resolution Authorizing Road Opening Permit Conditions and Regulations
- C. Resolution Title: Cancellation of Unexpended Improvement Authorizations & Expired NJ Dot Grant Receivable
- D. Resolution Authorizing the Township of Manalapan for Self-Examination of Budget
- E. Resolution Authorizing the Execution of a Discharge of Mortgage in Connection with the Resale of a Mt. Laurel Affordable Housing Unit - 501 St. Andrews Place
- F. Resolution Appointing Renee Garrigana Municipal Housing Liaison in the Township of Manalapan
- G. Resolution Authorizing the Lease/Purchase of One Caterpillar Mini Excavator Under Sourcewell Cooperative Contract #032119-Cat

10. CONSENT AGENDA:

ALL MATTERS LISTED UNDER ITEM "CONSENT AGENDA" ARE CONSIDERED ROUTINE BY THE TOWNSHIP COMMITTEE AND WILL BE ENACTED BY ONE (1) MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS. IF DISCUSSION IS DESIRED ON ANY ITEM, THAT ITEM WILL BE CONSIDERED SEPARATELY.

Reports for March 2020: Tax Collector, Finance
April 2020: Clerk, Construction, Fire Prevention, Health, Planning & Zoning, Police, Tax Collector, Recreation

Resolutions:

- A. Authorizing Refund of Premiums And/Or Cost Of Sale Paid At Tax Sale
- B. Authorizing Refund of Duplicate, Erroneous and Overpayments for 2020, 2019, And Prior Years
- C. Authorizing Transfer of 2018/2019/2020 Duplicate/Overpayments to 2019/2020 Open Balances
- D. Authorizing Cancelation of 2014, 2015, 2016 And 2017 Taxes On Block 7200 Lot 21.01 C562 Due to Chapter 13 Bankruptcy and Block 39 Lot 6 As Uncollectible
- E. Authorizing Agreement with County of Monmouth for Municipal Coronavirus Relief Fund Program Reimbursement
- F. Authorizing Road Opening Permit Conditions and Regulations

- G. Cancellation of Unexpended Improvement Authorizations & Expired NJ Dot Grant Receivable
- H. Authorizing the Township of Manalapan for Self-Examination of Budget
- I. Authorizing the Execution of a Discharge of Mortgage in Connection with the Resale of a Mt. Laurel Affordable Housing Unit - 501 St. Andrews Place
- J. Appointing Renee Garrigana Municipal Housing Liaison in The Township of Manalapan
- K. Authorizing The Lease/Purchase of One Caterpillar Mini Excavator Under Sourcwell Cooperative Contract #032119-Cat

11. OLD BUSINESS:

- A. **Ordinance No. 2020-07**, An Ordinance Amending Chapter 95 (Development Regulations), Article V, Zoning District Regulations, of the Code of the Township of Manalapan, County of Monmouth, And State of New Jersey to Establish an Affordable Housing Overlay Zone Upon Certain Land within the SED20W and R-AG/4 Zoning Districts, Providing for Multi-Family Housing with an Inclusionary Set-Aside of Affordable Housing to be Developed Subject To Certain Conditions and Requirements

12. NEW BUSINESS:

A. Resolutions

- 1) Approving **Bill List** Dated May 14, 2020 to May 27, 2020 Totaling **\$1,202,637.27**

13. PUBLIC COMMENT – Non-Agenda Items Only

14. ADJOURNMENT

OPENING STATEMENT:

- 1. Pursuant to Section 5 of the Open Public Meetings Act notice of this meeting of the Manalapan Township Committee was sent and advertised in the Asbury Park Press.
- 2. A copy of that notice was posted on the bulletin board where public notices are displayed in the Municipal Building.
- 3. In addition, a copy of this notice is and has been available to the public and is on file in the Office of the Municipal Clerk.
- 4. Accordingly this meeting is deemed to be in compliance with the Open Public Meetings Act.

Due to the COVID-19 pandemic and in consideration of Executive Order No. 103, issued by Governor Murphy on March 9, 2020, declaring a State of Emergency and a Public Health Emergency in the State of New Jersey, the Township of Manalapan notified the public that to protect the health, safety and welfare of our citizens while ensuring the continued functioning of government, this meeting of the Township Committee of the Township of Manalapan scheduled here at the Municipal Complex, 120 Route 522 and Taylors Mills Road, Manalapan, NJ will be held electronically with meeting participation instructions provided including for public comment.

ROLL CALL:

Present: Cohen, McNaboe
Via Remote Access – Jacobson, Musich, Nelson

Also present: Tara Lovrich, Business Administrator
Shari Rose, Deputy Municipal Clerk

Via Remote Access – Roger McLaughlin, Esq., Township Attorney
James Winckowski, Twp. Engineer
Renee Garrigana, Assistant Administrator
Regina Preteroti, Municipal Clerk

Resolution No. 2020-177 a motion was offered by Mrs. Cohen, seconded by Mr. McNaboe to go into Executive Session, and was approved by unanimous roll call vote:

The meeting went into Closed Session and returned to Public Session:

PUBLIC PORTION OF MEETING:

MEETING IS CALLED TO ORDER BY THE MAYOR:

MAYOR MCNABOE: I'd like to call the public portion of this meeting to order. Tonight the township meeting is being brought to you live with the ability to call in and ask questions. As the governor requested we are still practicing social distancing by not having all the governing body members here. If you'd like to speak when we open to public, public comments session, please call (973)854-6173, followed by the meeting ID number which is 111 991 4872 and enter *9 to raise your hand. If you cannot do that, we have a phone here and that's the phone number right here sitting on the dais with us (732)446-8303. All that information is also on our website mtnj.org. So, we ask the public to bear with us as we go remotely to Mayor MaryAnn Musich, Committeeman Barry Jacobson, and Committeeman Nelson for this meeting. So welcome and thank you to our assistant administrator Renee Garrigana, and our clerk Regina Preteroti, and our township attorney Roger McLaughlin, and engineer Jim Winckowski for joining us live from their homes. Before we begin, I will read this disclaimer as we are on television tonight. The Township of Manalapan Television Network will be recording this meeting of the township committee for re-broadcast on MTTN channel 77 on Cablevision and channel 42 on Verizon Fios. By attending this evening, attendees acknowledge this recording and will allow their image to be broadcast on MTTN channel 77 and channel 42. All attendees and participants agree to conduct themselves in a manner appropriate for a public gathering. Inappropriate behavior or gathering creating a disturbance or safety hazard are prohibited inside this meeting. Individual speakers should be advised that no right of privacy protects a citizen's public comment made in a public forum. Any statement made by a member of the public to promote or alter public opinion about a candidate for political office, a political party or interest groups are inappropriate and in violation of MTTN broadcast policy. Accordingly, all participants bear responsibility for their own statements and commentaries. We ask the public, I'm sorry? Please stand for a moment of silence in memory of the many service men and women who lost their lives to give us the freedom that we enjoy and followed by a salute to the flag.

A MOMENT OF SILENCE AND SALUTE TO THE FLAG:

MAYOR MCNABOE: Okay so we're going to start with our township committee reports and we're going to reach out remotely to Committeeman Nelson. How you holding up Eric?

MRS. LOVRICH: Okay Eric, you're unmuted.

MAYOR MCNABOE: Eric, can you hear us?

TOWNSHIP COMMITTEE REPORTS:

MR. NELSON: There we go. How's that?

MAYOR MCNABOE: Very good, thank you.

MR. NELSON: Alright, I'm sorry. Other than it seeming like Groundhog Day, it's status quo on my end. I just again would like to thank all the --- coming in and doing our part whether it be municipal workers or the doctors, nurses, store clerks. Everybody's doing their part to stay safe and get through this and I think the end is coming soon hopefully for this and we can return to normal and thank everybody, the residents for their cooperation and hopefully we'll get through this soon enough. Other than that, its Groundhog Day here thank you.

MAYOR MCNABOE: Okay be well. Now remotely to Committeeman Jacobson. How you doing Barry?

MR. JACOBSON: Okay, I'm doing fine. Thank you Mayor. Eric said it well, but in my last report I neglected to thank Police Commissioner Musich for all the help that she's been giving. I thank the rest of the committee and I didn't thank MaryAnn so I'm sorry and she's included in all that help for the citizens. I also want to thank the Mayor, the Deputy Mayor, and the volunteers of the American Legion, the Englishtown mayor, Committeeman Wojyn, the singer for the national anthem, the MTTN volunteers for the Memorial Day ceremony. It was hard to, a new and novel, but hopefully it's one and done and we'll be altogether in 2021. For all of you who haven't seen it, it was on Verizon Fios and Optimum channel 77. It was a sight to see and thank you Mayor that's my report. Sorry.

MAYOR MCNABOE: Thank you. No, that's fine. Mayor Musich, how you holding up MaryAnn?

MRS. MUSICH: I'm good, thank you. Okay also I want to thank the Mayor, Deputy Mayor, the Veterans Committee, the American Legion, and our bagpiper Lenny Maltese did a great job, and also Gabriella Oswald that young girl who sang the national anthem. She did a great job. Also, the Manalapan Police Department for the --- that were out there for the Memorial Day ceremony. Even though attendance was limited due to the coronavirus, it's so important to remember those who sacrificed their lives so that we can enjoy our freedom. Now on to my senior center update. The National Council on Aging is a respected national leader and trusted partner to help people aged 60 and over meet the challenges of aging. The partners with nonprofit organizations, government, and businesses to provide innovative community programs and services, online help and advocacy, and maintain a website that serves as a great resource for our community to gain information and access to programs and benefits to help older adults, support caregivers, and strengthen our community. Visit the site, www.ncoa.org and you will find an opportunity to do a benefits check-up for yourself or to help an aging family member. There's also a timely COVID-19 resource section for older adults and their caregivers and if you'll indulge me for one more minute I have a message here from the Manalapan Township senior center director Elaine McNamara. As we close our Older Americans Month, I would like to let the governing body and Manalapan Township residents know that our senior community deeply appreciates all of the assistance that they have received from the volunteers in our community. On behalf of all of our seniors and myself I want to express our deepest appreciation for all their selfless acts of kindness. The volunteers who have been making phone calls to check in on or pick up groceries for our senior community have truly helped our community of older adults. These volunteers not only helped meet basic needs, they have helped our seniors deal with the loneliness and isolation that is the byproduct of this pandemic. Each year during the month of May we celebrate Older Americans Month. This year's theme was "Make Your Mark". To all of our community volunteers please know that you have made your mark. You step up and help out the senior community at a time when they are all so vulnerable. We at the senior center really miss our daily routine of seeing our member's visit, participate in exercise classes, take trips, and enjoy the social opportunities. It is truly like an extended family and we know that our seniors miss it a lot too. We look forward to the days when we can resume activities and see them again, but until then please know that our community of older adults really appreciate all the help that they have received from the caring people that make Manalapan Township a great place to live and that is from Elaine McNamara. Thank you so much, that's my report.

MAYOR MCNABOE: Thank you. I look forward to being there playing bingo before long or at least calling out the numbers. Deputy Mayor.

MRS. COHEN: Thank you Mayor. On Monday we honored our fallen heroes and I want to thank all those that gave up their lives and their families that had to continue on without them. Thank you to our servicemen that are now in harm's way and to those that have returned home for their service to our country. Thank you to those that participated tonight in making the ---. I thank all the first responders, all our frontline and essential workers, and everyone that I didn't mention. Also, you can send in your little video of what you did, if you took one, to mttn@mtnj.org and be part of our COVID video. Thank you to our health officer Keith Levine and registered environmental health officer Dana Scotto for keeping up with deluge of work required of them during this pandemic and any other work that's necessary to run the department. I continue to be amazed at how many of you have reached out to help feed those in need. Thank you. If you find yourself in need of food, please do not feel bad and reach out to us. We are here for you. Although the Mayor has already announced this, it is with a very heavy heart that the Manalapan Arts Council had to cancel Manalapan Day 2020, but we promise that next year Manalapan Day 2021 will be spectacular. At this time, we're unsure about the summer concerts and waiting to see what alternatives that we have. If you have not signed up for our e-mail blast, please go to mtnj.org or like us on Facebook to keep up to date on what's happening in our town. Thanks, that's all I have Mayor.

MAYOR MCNABOE: Thank you. Again, follow or back clean up here and most have been said, but again with Memorial Day I want to thank Englishtown and the American Legion who usually take the lead on the parade and Manalapan is sort of joins in. They do the heavy lifting there. Again when it turned out this year that that parade was not going to take place when Councilman Wojyn reached out and said that it was definitely off which we all knew, I said well we have to do something. We had access to the TV so doing nothing was not an option and we put something together on a short two-weeks' notice. The unsung heroes also in this room is our MTTN led by Jan Zachary, Megan and Ed were there, Zim Lin is in this room all the time to do my daily updates. It may not seem like an integral part, but in today's world when people

are looking for local information it is our MTTN that has carried us over the last eleven weeks. I want to do a real shout out to them. Great job that they do on taping all of this. It's a tremendous amount of work goes into these and they are appreciated and then on the advertising part, if any young people have an interest in television know that this is a start. It is something to put on your resume. It is a way to do it. reach out mttn@mtnj.org if you have an interest in television and you want to be part of this, doing some of this filming. Many live spots was done at these meetings are live and my daily updates are live. To anyone that doesn't know it, after eleven weeks, at 4:30 every day I do an update to Manalapan, gives new numbers, just let's people know that their government is working and that we are here. Next week we'll be cutting that back to three days a week which will be Monday, Wednesday, and Friday as information coming out of Trenton is now very, very slow. We're looking to not just get on the air and take up time, but rather to make the announcements so worthwhile to you and also to return to some form of normalcy. Our numbers here in Manalapan, an increase of two to three a day is very --- communities and we're trying to build on that so that's what'll happen next week. I'll still be reporting on Thursday and Friday of this week and then Monday, Wednesday, and Friday of next week moving forward and that's my report. I'm now going to open the public comments session on agenda items only. Please state your name and address clearly for the record. Those that aren't familiar we have an agenda that was printed so these are going to be items that are on our agenda here. If you wish to speak make sure that you call the numbers I gave you before, but I'm going to give it to you one more time, (973)854-6173 followed by this meeting ID number and that ID number is 1119914872 and then if you push *9 it raises your hand. You'll be called upon should you decide to speak. Mrs. Lovrich, I'm now going to turn to you and see if we have anybody that would like to address us.

MRS. LOVRICH: I just want to repeat because Mayor I'm not sure if your microphone's low. They can't really hear you and Susan when you talk so I'm just trying to bring it closer to you. This is the public portion on agenda items only. If you have a question, please press *9 so that we can call on you.

MAYOR MCNABOE: I'll try that. It's very seldom somebody says I'm not talking loud enough.

MRS. LOVRICH: I don't have anybody raising their hand Mayor.

MAYOR MCNABOE: We don't see anybody on agenda items. At that point, we're going to close the public session on agenda items. We've now come to our workshop.

MRS. LOVRICH: I do have someone raising their hand.

MAYOR MCNABOE: Okay so I guess I'm going to re-open and take that one hand that's up.

PUBLIC COMMENT SESSION – AGENDA ITEMS ONLY:

MRS. SARAKHMAN: Hi.

MRS. LOVRICH: Hi, please state your name.

MRS. SARAKHMAN: Good afternoon everyone. Alexia Sarakhman, 42 Samaritan Road, Manalapan 07726. I know this is the public part and I called in the last meeting about the fence.

MAYOR MCNABOE: Yes ma'am. You're at the end of the meeting where I'm going to open up at the end for anybody wishing to address us on any items that are not on the agenda. As I said these are the agenda items that we have printed out here.

MRS. SARAKHMAN: Okay.

MAYOR MCNABOE: So we'll talk to you later on in the meeting.

MRS. SARAKHMAN: I can barely hear the gentleman speaking, but okay I'll wait until the end. Sorry about that.

MAYOR MCNABOE: Yeah, I apologize. You know electron this is new to all of us, this electronics, ordinarily, the voice is fine. It's all going through our computer system and through the television system so. Again, okay I'm going to

close public one more time and we're now going to move on. We've now come to our workshop. Remotely, Mr. McLaughlin, how are you doing?

MRS. LOVRICH: Working on the technology. Hold on one second Roger I'm going to unmute you. Go head Roger.

WORKSHOP SESSION:

LEGAL:

MR. MCLAUGHLIN: Okay good evening Mayor. Good evening members of the committee. Tara can you hear me okay?

MRS. LOVRICH: Yes, Roger we can.

MR. MCLAUGHLIN: Okay. I have one item tonight and that is pertaining to outdoor dining at restaurants in the township. We have had discussions and there's been some news reports as well, but we have discussed with the folks in Trenton what we could anticipate to be the next step of re-opening the economy and we anticipate as we discussed earlier with the township committee workshop that, executive session rather, that the governor will allow restaurants to open for outdoor dining only at least in the first phase of the re-opening. However, the executive order that the governor is going to enter we anticipate will not override local ordinances. A restaurant can only have outdoor dining if they're permitted by local zoning and regulatory ordinances. The staff and I have put together a proposed ordinance for the committee's consideration for introduction tonight that will simplify the process for getting an outdoor dining permit in the township. As the committee knows, we do have an ordinance that permits outdoor dining, but involves review by the planning board which is by its very nature, time consuming and costly because it requires the preparation of a site plan, an engineer to do that, etc. So what we're proposing for the committee's consideration is a temporary outdoor dining license in recognition of the COVID-19 emergency that we've been in and a restaurant in Manalapan if they wanted to have outdoor dining could apply for a temporary permit through the Clerk's office. It would be reviewed within seven days by the Chief of Police, the zoning officer, the health officer, and the construction official to make sure that it met all basic safety and health requirements and it would not require the restaurant to prepare a full site plan, but an informal plan would be sufficient and most importantly it would not require them to go to the planning board. It would get somebody an outdoor dining permit who wanted one, who is eligible for one within a week. If the committee wishes to put that in motion, we do have that ordinance prepared which can again be introduced under new business this evening. And that's all I have Mayor.

MAYOR MCNABOE: Great Roger. Thank you and great work on that. We are trying to save some of these businesses that have taken a real hammering during the last nine weeks. Thank you for doing that.

MR. MCLAUGHLIN: Alright, thank you.

MAYOR MCNABOE: You bet.

MRS. LOVRICH: I just want to interrupt before you talk. The person calling in on the phone, I'm putting you on hold so if you can stop hanging up and calling back if you just wait on hold until the public portion opens we'll go to the phone as well as the computer. Thank you. Sorry Jim, go ahead.

MAYOR MCNABOE: Engineering, Mr. Winckowski.

ENGINEERING:

MR. WINCKOWSKI: I have no report this evening. Thank you everybody.

MRS. LOVRICH: He has no report this evening.

MAYOR MCNABOE: Nothing? Alright Jim stay healthy. Deputy Clerk Ms. Rose.

CLERK:

MS. ROSE: Thank you Mayor. The only thing I have tonight is one resolution that will be added on to new business and that's approving and authorizing

execution of a shared service agreement between Manalapan Township and Freehold Township for health services. And that's all I have.

MAYOR MCNABOE: Very good. Administration, Mrs. Lovrich.

ADMINISTRATION:

MRS. LOVRICH: Thank you Mayor, a few resolutions tonight. I have a resolution authorizing an agreement with the County of Monmouth for Municipal Coronavirus Relief Fund Program Reimbursement. The county received \$108 million from the federal CARES Act. This will allow the township to submit for reimbursement for our COVID-19 expenses that we've incurred during this health emergency. I have a resolution authorizing a road opening permit conditions and regulations. We're working with our local utilities to come up with new guidelines and conditions that we'll share with New Jersey Natural Gas when they apply for a road opening permit and the engineer and director of public works have put this together and we want to authorize that. I have a resolution cancelling unexpended improvement authorization expired NJ DOT grant receivable. We received a grant from the DOT and we have to close out the balance. The project came in under the amount that the county was going to give us so we have to cancel that amount that was for a portion of the Gordon's Corner Road improvement project. We have a resolution authorizing the execution of a discharge of mortgage in connection with the Mount Laurel unit. We have a resolution appointing Renee Garrigana as the municipal housing liaison in the Township of Manalapan. That's required for our affordable housing program and the last item we have is a resolution authorizing the lease purchase of a caterpillar mini excavator under cooperative contract. That's all I have tonight.

MAYOR MCNABOE: Good, great, thank you. We're now at consent agenda.

CONSENT AGENDA:

ALL MATTERS LISTED UNDER ITEM "CONSENT AGENDA" ARE CONSIDERED ROUTINE BY THE TOWNSHIP COMMITTEE AND WILL BE ENACTED BY ONE (1) MOTION IN THE FORM LISTED BELOW. THERE WILL BE NO SEPARATE DISCUSSION ON THESE ITEMS. IF DISCUSSION IS DESIRED ON ANY ITEM, THAT ITEM WILL BE CONSIDERED SEPARATELY. Does anyone on the governing body need anything removed --- motion and a second?

MRS. COHEN: I'll make that motion.

MAYOR MCNABOE: Made by Mrs. Cohen. Do I have a second?

MRS. COHEN: Is everyone unmuted?

MRS. LOVRICH: Unmuted yeah.

MR. JACOBSON: Okay I'll second.

MAYOR MCNABOE: Mr. Jacobson is seconding and a roll call please.

ROLL CALL:

MS. ROSE: Mrs. Cohen?

MRS. COHEN: Yes.

MS. ROSE: Mr. Jacobson?

MR. JACOBSON: Yes.

MS. ROSE: Mrs. Musich?

MRS. MUSICH: Yes.

MS. ROSE: Mr. Nelson?

MR. NELSON: Yes.

MS. ROSE: Mr. McNaboe?

MAYOR MCNABOE: Yes. Tonight we have old business. We have the public portion; we had the public portion of this ordinance at our last meeting. So Ordinance Number 2020-07, An Ordinance Amending Chapter 95 (Development Regulations), Article V, Zoning District Regulations, of the Code of the Township of Manalapan, County of Monmouth, And State of New Jersey to Establish an Affordable Housing Overlay Zone Upon Certain Lands within the SED20W and R-AG/4 Zoning Districts, Providing for Multi-Family Housing with an Inclusionary Set-Aside of Affordable Housing to be Developed Subject To Certain Conditions and Requirements. Mr. McLaughlin before we vote, would you remind the residents about this ordinance?

MRS. COHEN: Excuse me Mayor, I'm going to recuse myself and get off the dais.

MAYOR MCNABOE: Yes ma'am. Are you there Mr. McLaughlin?

MRS. LOVRICH: Mr. McLaughlin, ordinance number 2020-07.

MR. MCLAUGHLIN: Yes Tara this was carried to tonight's meeting for the purposes of voting only. We closed the public hearing at the last township committee meeting. The reason that we didn't move it the last time was that there was going to be some proposed changed language. However, I've spoken with our affordable housing counsel Andy Bayer, there is actually a number of changes and because of that what I'll do instead of trying to amend this ordinance before we adopt it, we can vote on this ordinance tonight and I'll introduce, I'll prepare rather a mandatory ordinance that can be introduced at the next meeting. Now would just be the time for the vote on the ordinance.

MAYOR MCNABOE: Okay. Is the township committee unmuted there?

MRS. LOVRICH: Doing that right now.

MAYOR MCNABOE: So I'll need a motion to approve Ordinance 2020-07.

MRS. MUSICH: I'll make that motion.

MAYOR MCNABOE: Made by Mrs. Musich. And I need a second please.

MR. NELSON: I'll second.

MAYOR MCNABOE: Made by Mr. Nelson and a roll call.

ROLL CALL:

MS. ROSE: Mrs. Cohen? Okay, recused.

MS. ROSE: Mr. Jacobson? Mr. Jacobson?

MAYOR MCNAOE: Mr. Jacobson?

MR. JACOBSON: Are you calling? Yes.

MAYOR MCNABOE: Yeah we just needed your vote. Thank you.

MS. ROSE: Mrs. Musich?

MR. JACOBSON: I can't hear anything.

MS. ROSE: Mrs. Musich?

MRS. MUSICH: Yes.

MS. ROSE: Mr. Nelson?

MR. NELSON: Yes.

MS. ROSE: Mr. McNaboe?

MAYOR MCNABOE: Yes. Okay we continue with our resolution approving Bill List dated May 14, 2020 to May 27, 2020 totaling \$1,202,637.27. I need a motion to approve.

MRS. COHEN: I'll make that motion.

MAYOR MCNABOE: And a second please.

MRS. MUSICH: Second.

MAYOR MCNABOE: Mrs. Cohen and Mrs. Musich and then a roll call.

ROLL CALL:

MS. ROSE: Mrs. Cohen?

MRS. COHEN: Yes.

MS. ROSE: Mr. Jacobson?

MRS. LOVRICH: Mr. Jacobson? Mr. Jacobson?

MR. JACOBSON: Yes.

MS. ROSE: Mrs. Musich?

MRS. MUSICH: Yes.

MS. ROSE: Mr. Nelson?

MR. NELSON: Yes.

MS. ROSE: Mr. McNaboe?

MAYOR MCNABOE: Yes. That's just feedback from the TV. Okay Mrs. Lovrich do we have new business please?

MRS. LOVRICH: Yes Mayor. Okay new business, it's here somewhere. Yes, we have a resolution approving and authorizing execution of a shared service agreement between Manalapan Township and Freehold Township for health services. This is for a part-time REHS which are Registered Environmental Health Services.

MAYOR MCNABOE: That's it, one?

MRS. LOVRICH: Yes, then we're going to introduce the ordinance and title, but that's the only resolution.

MRS. COHEN: I'll make that motion.

MAYOR MCNABOE: And can I have a second please?

MR. JACOBSON: I'll second.

MAYOR MCNABOE: Mrs. Cohen, Mr. Jacobson. Bless you.

ROLL CALL:

MS. ROSE: Mrs. Cohen?

MRS. COHEN: Yes.

MS. ROSE: Mr. Jacobson? Mr. Jacobson?

MR. JACOBSON: Yes.

MS. ROSE: Mrs. Musich?

MRS. MUSICH: Yes.

MS. ROSE: Mr. Nelson?

MR. NELSON: Yes.

MS. ROSE: Mr. McNaboe?

MAYOR MCNABOE: Yes. Okay so I turn to you. We're now at our public comments session on non-agenda items. If we have anybody on the line, we'll turn them on now. Just state your name and address clearly for the record.

MRS. LOVRICH: I'm going to Mayor first go to the person on the phone.

MAYOR MCNABOE: Yeah go ahead and do that.

MRS. LOVRICH: Hi, can you please state your name and address for the record?

PUBLIC COMMENT SESSION – NON-AGENDA ITEMS ONLY:

MRS. LINDSTROM: My name is Arlene Lindstrom. I live at 41 LaValley Drive Manalapan. I'm calling about the project that's going alongside and behind me. I would like to know from the committee have they figured out the impact for taxpayers about this project? Schools, roads, plowing, this is no joke. Taxes go higher and higher for every project we do and 320 vehicles coming out onto Iron Ore Road, not good. Millhurst is shot, Woodward Road is shot, 117 townhouses coming there and our little Iron Ore Road you're going to screw this up too. Please committee think this over. This is bad news. You have people coming off the turnpike at 8A taking our country road coming out here and now 320 cars are coming. Traffic studies should've been done before they came to you people. Please help us, thank you.

MAYOR MCNABOE: Thank you ma'am. Is there anyone else on the phone?

MRS. LOVRICH: Anyone please *9 if you're on the computer and want to talk about anything in public. I don't have anybody Mayor.

MAYOR MCNABOE: There's nobody there?

MRS. LOVRICH: There's people here, but nobody's raising their hand.

MAYOR MCNABOE: Okay so let me just address that part. I don't know the person who just called in was at the last meeting, but we spent time going through this. Nothing for some reason and I don't know the reason myself, but nothing in the state of New Jersey trumps affordable housing. It is primary decision one for some reason in the state of New Jersey. As our attorney spent much time elaborating on these are units that are being forced onto Manalapan. They are units that will be built here. They are units that we were told that there's a number that was going to be done. I don't think all the information was there. There will be several entrances to this place. One that will be onto Iron Ore Road, but the other one that'll be directly on Route 33 so not all of that traffic would be on there, but I don't disagree that there are concerns. That is something that needs to be addressed and will be addressed at the planning board. I can't give you a time frame, but I certainly think it's within the next twelve months so towards the end of 2020, early part of 2021. These are the type of questions that those that have an interest do want to come out to our planning board meetings. Make sure that your concerns are known. Make sure that they're addressed. This is nothing more than the early steps in this project to meet this requirement and by all means come out and make sure your voice is heard.

MRS. LOVRICH: Mayor I just want to interrupt, anyone on the computer can't hear us at all. I'm trying to figure out what the problem is. Take a one-minute break so Jan can come in here and fix the computer.

MAYOR MCNABOE: Okay to anyone doing that, we are going to take a moment break and see if we can get all of our technologies lining up. Thank you very much.

MRS. LOVRICH: Hi we're just having some technical difficulties if you could wait one second while we try to figure out how to get the sound back.

MRS. LINDSTROM: Okay.

MRS. LOVRICH: Thank you, thank you.

MRS. LINDSTROM: Thank you.

MRS. LOVRICH: Jan no one on the computer can hear, Roger, the governing body members. I'm using the computer audio you should be able to hear me. Jim can you hear us now?

MR. JACOBSON: On the computer audio all you heard was rustling of papers. It was all silent after the consent agenda.

MRS. LOVRICH: Oh can you hear me Roger?

MR. MCLAUGHLIN: Yes, barely Tara, but I can hear you now.

MRS. LOVRICH: The people on the phone can't hear me here. They can only hear me through the computer. Testing to see if you can hear me. Thank you. You're on the phone so we know you can hear us. Sorry give us one second. Roger can you hear us?

MR. JACOBSON: I can hear now.

MRS. LOVRICH: Okay testing.

MAYOR MCNABOE: How about me?

MR. MCLAUGHLIN: Tara you're back again. The volume is very low. The people like Barry, MaryAnn, Eric I can hear them, but people at the meeting I'm having a difficult time hearing.

MRS. LOVRICH: Okay.

MR. JACOBSON: Yeah because if I didn't have the TV on when I saw Shari look like mouthing my name that's how I knew to vote because it was all silent after the consent agenda. Then it came on a little bit, and then it went off and I had it on the TV. I was monitoring through watching channel 42.

MRS. LOVRICH: Jack let them see if they can hear you?

MAYOR MCNABOE: How about me? Can you hear me?

MR. MCLAUGHLIN: Very soft.

MAYOR MCNABOE: Me softly, never heard that before.

MRS. COHEN: Can you hear me? I'm practically screaming.

MRS. LOVRICH: I know. We're screaming here and the sound's not going through. We have to figure out something here. Let me try to get closer to the Mayor.

MRS. COHEN: What about the hand mics?

MRS. LOVRICH: Oh the hand microphone? Mayor try again please.

MAYOR MCNABOE: Alright how's this? Can you hear me?

MRS. LOVRICH: Roger can you hear the Mayor?

MR. MCLAUGHLIN: Sounds far away. Tara I can barely hear you.

MRS. COHEN: Well you're not speaking as loud as we are.

MRS. LOVRICH: I know.

MAYOR MCNABOE: How about now? Can you hear me?

MR. MCLAUGHLIN: I heard you say how about now, but again very low volume.

MAYOR MCNABOE: Got it.

MR. JACOBSON: Low volume, correct.

MRS. LOVRICH: Yes, I'm assuming your volume's all the way up on your computer? I know Renee's is. She told me it was.

MR. MCLAUGHLIN: Yeah, mine's totally up 100 percent.

MRS. GARRIGANA: I can hear Roger and Tara.

MR. JACOBSON: I hear Renee loud and clear so it's not the volume issue on the computer.

MRS. LOVRICH: Right, all of you who are on remotely on the computer can all hear each other through the Zoom program. You're struggling to hear us who are not on the computer with you. We're here in the room.

MR. MCLAUGHLIN: That's exactly right.

MR. WINCKOWSKI: --- Fix the volume ---

MRS. LOVRICH: My volume is at 100. The speakers are on 100, Jim.

MR. WINCKOWSKI: No, there's a separate setting for the microphone input line.

MRS. LOVRICH: Okay let me check.

MAYOR MCNABOE: Alright guys I just switched to a hand mic. Is this any better?

MR. JACOBSON: No, Jack I hear nothing from the hand mic.

MAYOR MCNABOE: So the hand mic's no better. Okay thanks.

MRS. COHEN: Sorry.

MAYOR MCNABOE: Nah it's worth a try right now.

MRS. COHEN: I think the people in TV can hear us. I think the people on the computer can't.

MAYOR MCNABOE: That's exactly right.

MRS. LOVRICH: I'm going to blame the zoning board. They used my computer. Sorry, the volume is up Jim on the speaker.

MR. JACOBSON: Oh no now you're fine. Tara you're good.

MR. MCLAUGHLIN: Yeah much better.

MRS. LOVRICH: Okay testing, testing. It's better now?

MR. JACOBSON: Yes, much better one hundred percent.

MRS. LOVRICH: Okay. Thank you for your patience everybody. We were on public ---

MAYOR MCNABOE: You good Jan? You need a countdown? What do you need?

MRS. LOVRICH: Yeah we weren't on pause. Okay.

MAYOR MCNABOE: Everybody on television heard all that?

MRS. LOVRICH: Yes.

MAYOR MCNABOE: Oh great.

MRS. LOVRICH: And on the computer. Technical difficulties. Just to go back if they haven't heard the Mayor, if anybody's on the computer or their phone at home and wants to raise their hand to talk to public. If not the Mayor was answering the one public question we had. I'll turn it back to him. Okay I don't have anybody else raising their hand Mayor.

MAYOR MCNABOE: Great so that was the end of it. Yeah I'm going to try to talk louder. Again this is strictly --- this is not a final step. This is a first step so as the township attorney explained in the last meeting this will now go to the Manalapan Township planning board which will take place my guess it's not on our time frame, it'll be on the developers. Probably within the next year so look at late 2020, early 2021. Make sure you come out. Make sure your voice is heard. Make sure your concerns are addressed. That's where this project will get fine-tuned and that's the extent. It's the early part of this development, not the final step of it. Also, our next township committee meeting is June 10 which will be a public meeting for the budget and obviously we're going to have to work through some of our difficulties, but it should be the same format as tonight because I don't envision that the governor is going to lift these restrictions by the tenth of the month.

MRS. LOVRICH: Mayor we do have the public who the woman who spoke on non-agenda items.

MAYOR MCNABOE: Is she still on?

MRS. LOVRICH: She just raised her hand.

MAYOR MCNABOE: Great so let's put her on.

MRS. LOVRICH: Hi can you still ---

MRS. SARAKHMAN: Yes, Alexa Sarakhman, 42 Samaritan Road. Sorry I was also having issues listening. I didn't know if you guys mentioned that it was time for the public part or was it just the --- for that project you guys were talking about.

MRS. LOVRICH: No this is about any item in public and we know you had called about your fence. Our engineer is on the line and he's going to anticipate your question and answer it if that's okay.

MAYOR MCNABOE: So let me do this. I need to re-open public right now and then we're going to open it for non-agenda items which is what you're doing. Go ahead ma'am.

PUBLIC COMMENT SESSION – NON-AGENDA ITEMS ONLY:

MRS. SARAKHMAN: I think you guys are aware of what we're requesting. I was able to send over some of the information that I have gotten from -- like I had mentioned before that was before we realized we're not trying to go up far as back --- I'm literally just looking to enclose a small space in my backyard like I said to the --- I'm willing to take it down should ever be needed for whatever reason, but I don't think that for the --- time that we're going to live here we're going to have to take the fence down more than once or twice. Do you understand what I'm saying? We just really want the permits to be able to do the --- as I come to understand many people have put fences without the permit, but I don't want to go that route. I want to do it the correct way. I am trying to get the fence --- decide to --- years ago and I think that I've tried everything up until this point.

MAYOR MCNABOE: Alright Mr. Winckowski is now going to speak. Mr. Winckowski is our township engineer as we talked to you at the last meeting, we spent a lot of time on this. We've done a lot of research. Jim why don't you address the lady's concerns please.

MR. WINCKOWSKI: Yes Mayor I'm here. Hi ma'am. I'll shoot you an e-mail tomorrow so we can probably talk on the phone, but I can tell you that the answer right now is it's not an issue with the township. It's that the entire area that's in covered by the conservation --- is wetlands and/or wetland buffer areas and the state law is the state regulations for putting a fence within that area without a permit from the department, the New Jersey Department of Environmental Protection and unless you have that permit there's nothing the township can do to allow or disallow a fence. Simply you need to comply with the state regulation. I understand there's some confusion as to a limit of the buffer line --- to the wetlands, but the conservation appears to have been established based on the full extent of the wetlands and the buffer. I can talk to you tomorrow on the phone. I can e-mail you some maps even the survey you submitted to us that shows the --- line --- and explains the problems you have.

MRS. SARA KHM AN: I think that I would maybe like to speak to you because right now every time you talk it almost sounds like a dog is barking, but like I said our survey is twenty years old. I understand that there are limitations, however, if you guys actually see the backyard where the land is it's wooded. It's very wooded. Right, there's only a small space before the wooded area which is what I'm trying to enclose for my children, for my family. Like many of my neighbors do and I try and go to the DEP the way that they want us to go given that it's a very expensive process for a maybe or they're just putting a delineation from my understanding --- for them to say where is the wetlands. It doesn't necessarily give me the permit for the putting up fence. Do you understand what I'm saying? And that's why there's been so much back and forth with the DEP. Every time I spoke with different people at the department --- would be able to give me a clear answer.

MR. WINCKOWSKI: I guess; can you hear me now? Am I coming ---

MRS. SARA KHM AN: There's a lot of echo --- that situation. I think that I feel like I've gone back and forth so many times because the DEP eventually told me that the conservation easement was under township controlling it. That's why I went to you guys and they told me go to the meeting, speak to them. They might be able to give you special permission given your son and your situation. --- Children have not been in school for the past couple of months and they won't be all summer. There's a bunch of ticks back here. My kids go into the woods all the time. That's literally all I want. I really don't understand. I'm not asking for any funding, anything. I really just want the permit.

MR. WINCKOWSKI: Okay then you have to call the New Jersey Department of Environmental Protection because they issue the permits to allow a fence and allow ---. You're asking the wrong ---. These aren't our regulations. These are state regulations and this is the way the property was established. This is the way you bought it into. This is what was shown on your survey. I feel bad. I understand your concern and your desire to have a fence, but it's not our regulations that we can simply waive. The township has rules as well.

MRS. SARA KHM AN: I know and even in one of the e-mails that I --- the property he had said that under a certain clause there's a certain permit that can be permitted that it doesn't have like a permanent foundation. Listen I just want anything. That's ---

MR. MCLAUGHLIN: Ma'am this is Roger McLaughlin, I'm the township attorney. There is a permit that would be permit you to do what you want to do. However, it's a permit that's issued by the DEP. The township does not have the ability under state law.

MRS. SARA KHM AN: Okay so I'm going to go follow that process one more time and I'm going to CC you guys on every e-mail that I have with the DEP so when they tell me that the back and forth I'm tired of being bounced around. Listen I've even gone to the governor to ask permission for this and they keep bouncing me around between you guys too. My next thing is I'm going to go to the news. I need a fence for my son. I need everyone in New Jersey to know that I need a fence for my son and I can't get one.

MR. MCLAUGHLIN: Ma'am I think you ought to give Mr. Winckowski a call at his office. You can go over this with him. He's been through the e-mails from the DEP. In fact, they confirmed what he's telling you and can confirm what I'm telling you that we simply do not have the ability to --- what you want to do. Only the DEP can allow that.

MRS. SARA KHM AN: Okay. ---

MR. WINCKOWSKI: I'll e-mail you first thing in the morning my cell phone number and ---

MRS. SARA KHM AN: Okay. Thank you. Alright sounds good. I'm going to also forward I actually only forwarded you guys a few e-mails. The threads are kind of long. I will send you guys everything.

MR. WINCKOWSKI: Okay.

MR. MCLAUGHLIN: Yeah.

MRS. SARA KHM AN: Thank you.

MAYOR MCNABOE: Thank you Jim, Roger for helping out there. Okay Mrs. Lovrich we have one ---

MRS. LOVRICH: Yes Mayor one final item we have is introducing the ordinance that Roger discussed and that's Ordinance 2020-12. An ordinance of the Township Committee of the Township of Manalapan, County of Monmouth, New Jersey, Amending and Supplementing Chapter 157 "Outdoor Dining" of the Code of the Township of Manalapan by the addition thereto of Chapter 157A "Temporary Emergency Outdoor Dining License" and we're looking for a motion to introduce tonight with a public hearing to be held on June 10.

MAYOR MCNABOE: Perfect and I'll make that motion for introduction.

MR. NELSON: I'll second.

MAYOR MCNABOE: Okay --- go Nelson.

MRS. LOVRICH: Mr. Nelson seconded it.

ROLL CALL

MS. ROSE: Mrs. Cohen?

MRS. COHEN: Yes.

MS. ROSE: Mr. Jacobson?

MRS. LOVRICH: I forgot to unmute him. I'm sorry Barry. Mr. Jacobson?

MR. JACOBSON: Yes.

MS. ROSE: Mrs. Musich?

MRS. MUSICH: Yes.

MS. ROSE: Mr. Nelson?

MR. NELSON: Yes.

MS. ROSE: Mr. McNaboe?

MAYOR MCNABOE: Yes. So we're good Mrs. Lovrich? We got everything taken care of?

MRS. LOVRICH: Final item Mayor, yeah.

MAYOR MCNABOE: No problem, thank you. So thank you to everybody watching live from your home tonight. I apologize for the technical difficulties. It is new to all of us. We are working our way through these systems and platforms. It is the only outlet that we have available to us at this point. Again we will work hard on that between now and the meeting on the tenth to make sure that our communications are much better. At that point, I need a motion to adjourn.

MRS. COHEN: I'll make that motion.

MR. JACOBSON: Second.

MAYOR MCNABOE: All in favor?

ALL: Aye.

MAYOR MCNABOE: Thank you to everybody watching at home. Thank you to the township committee for participating. Thank you to everybody that called in, our professionals, our employees that are remote. Have a great night. Thank you everyone.

Resolutions for May 27, 2020

- 2020-177 Executive Session
2020-178 Authorizing **Refund of Premiums and/or Cost of Sale Paid** at Tax Sale
2020-179 Authorizing **Refund of Duplicate, Erroneous and Overpayments** for 2020, 2019 and Prior Years
2020-180 Authorizing Transfer of 2018/2019/2020 **Duplicate/Overpayments** to 2019/2020 Open Balances
2020-181 Authorizing **Cancellation** of 2014, 2015, 2016 and 2017 Taxes on **Block 7200 Lot 21.01 C562 Due to Chapter 13 Bankruptcy** and **Block 39 Lot 6 as Uncollectible**
2020-182 Authorizing Agreement with County of Monmouth for **Municipal Coronavirus Relief Fund Program Reimbursement**
2020-183 Authorizing **Road Opening Permit Conditions** and Regulations
2020-184 Cancellation of **Unexpended Improvement Authorizations and Expired NJ DOT Grant** Receivable
2020-185 Authorizing the Township of Manalapan for **Self-Examination of Budget**
2020-186 Authorizing Execution of a **Discharge of Mortgage** in Connection with the Resale of Mt. Laurel Affordable Housing Unit - **501 St. Andrews Place**
2020-187 Appointing **Renee Garrigana Municipal Housing Liaison** in the Township of Manalapan
2020-188 Authorizing the Lease/Purchase of **One Caterpillar Mini Excavator** Under Sourcewell **Cooperative Contract #032119-Cat**
2020-189 Approving **Bill List** dated May 14, 2020 to May 27, 2020 Totaling **\$1,202,637.27**
2020-190 Approving and Authorizing Execution of a **Shared Service Agreement** Between Manalapan Township and Freehold Township for **Health Services**

January 13, 2021
Approved


Shari Rose, Deputy Municipal Clerk