

HOLMDEL CHARTER STUDY COMMISSION

MEETING MINUTES

THURSDAY, FEBRUARY 17, 2022

7:00 PM

CONDUCTED ON A VIRTUAL BASIS VIA ZOOM

Call to Order

Open Public Meetings Act Notice

I hereby announce that pursuant to Section 5 of the Open Public Meetings Act that adequate notice of this meeting has been provided in the notice, which was sent to the Asbury Park Press, the Two River Times, and posted on the bulletin board in Township Hall and filed in the Township Clerk's Office on December 28, 2021.

Roll Call

Chairman Kin Gee, Vice Chairman William D. Kastning, Commissioners Janet M. Berk, Gerald Buffalino, Zachary Gilstein and Special Council Kevin Starkey were present.

Chairman Gee: Before we begin the formal agenda, I just want to make two quick announcements. One of the things that we get pleasantly surprised from time to time, is that this week each of the five commissioners actually received a nice letter from Monmouth County Sheriff Shaun Golden congratulating on our election to the Charter Study Commission and I'm just going to read a quick sentence or two from there. In the letter, in the first paragraph, he says, "What a tremendous honor it is to be elected to serve the residents of your community. The responsibility is great, but as a leader you will have an opportunity to address challenges you may see locally and the many issues we are facing across the nation and globally." So, I just want to acknowledge the letter; it is a really nice gesture. I think some of you may know that Sheriff Shaun Golden is also the Chairman of the Monmouth County Republican Party, and for him to take time out to do this, we really appreciate it. Thank you and thank you for his support for all of us here. The second quick thing is that this is now our seventh meeting, and I think we explained to those of you who have attended our meetings in the past, that our work is broadly defined into three phases. Phase One is a review and study of our current local form of government, which is the township committee, and then Phase Two is to look at alternatives and explore them, what areas we have heard that maybe could be more appropriate and then obviously, the last phase is deliberation and recommendation. So, what I want to mention is that this is our seventh meeting now and we've got a number of elected officials, past and present, as well as the township administrator, and so on, that we have interviewed and tonight we're really honored to have the current Mayor of Holmdel, Greg Buontempo, as well as a Mayor from Ocean Township and another special guest from the New Jersey Department of Community Affairs. We're going to be entering in this transition of Phase One to Phase Two, so

Phase One is not concluded; we still have Mayor Buontempo and there may be one or two other elected officials from the township committee form of government that we're going to want to talk to and listen to. At the same time we do have some experts and people who are currently operating under different forms of government that would be useful to give us input, so we will be kind of transitioning. It's not a black and white ending of Phase One to Phase Two, but we are toward the end of Phase One and will start to transition. So, with that, let me welcome our first guest, Mayor Buontempo and I will turn this over to Commissioner Buffalino after we do the Pledge of Allegiance.

Pledge of Allegiance and Moment of Silence

Chairman Gee: Can you please stand for the pledge of allegiance and remain standing for a moment of silence to honor our troops both here and abroad that work tirelessly to protect us each and every day.

Approval of Minutes for the January 6, 2022 Meeting

Chairman Gee asked for a motion to approve the minutes for the January 6th meeting. Commissioner Kastning offered a motion to approve the minutes, seconded by Commissioner Berk. A voice vote confirmed all in favor.

Chairman Gee: Now I turn to Commissioner Buffalino to please introduce Mayor Greg Buontempo and then to lead the question-and-answer session.

Commissioner Buffalino: Greg Buontempo is the current Mayor of Holmdel. He has served as a member of the township committee since 2012 and has been selected by the township committee to serve as mayor in 2017, 2020, 2021 and this year, 2022. Prior to serving on the township committee, Mayor Buontempo was a member of the township planning board and actually served as its vice chair. He has been an active volunteer in town for many years, including serving as a coach on HYAA. I am pleased to welcome Mayor Buontempo for our meeting this evening. Thank you for coming Mayor.

Mayor Buontempo: Thank you Commissioner Buffalino and thank you for the intro. If it's okay, I'd just like to read a brief statement before we begin with any questions that the commission has. I'd like to say good evening and thank you for inviting me to the Charter Study Commission; I'm pleased to be with you here tonight. As you know, last year the Township Committee approved an ordinance to establish this Charter Study Commission; it was then approved by the voters in last year's general November election. Being a long-time Township Committee member, I supported the charter study because I thought, and I believe, there are many flaws in our current township committee form of government, and I believe that we can do better here in Holmdel. I want to share a few thoughts and then I'm happy to answer any of your questions here this evening. So, in 2022, I don't think that it makes sense that the people of Holmdel cannot directly elect a mayor. Our current system of government, if people have paid attention to the last few years, has led to chaos and confusion here in Holmdel, especially sometimes when an individual gets reelected to the Township Committee and is not reelected as mayor. That controversy happened when I was first elected for mayor in 2017. The township committee form of government also means that the mayor is picked in a closed process. When the township committee is all the same party, the mayor is often picked in a political caucus where the political party makes a decision and the people really don't see what happens, how it

occurs, and the people have no input into who is running their town. Under the township committee system there's a primary and a general election every single year, I feel there's always campaign going on, as many people in Holmdel have emailed me numerous times about the town being littered with lawn signs. Sometimes people feel that there's too many signs; there's no control and it's very difficult to control with, obviously, freedom of speech, so it just creates, in some people's view, litter scattered all over town. I have also seen a delay in the township committee taking actions right before the next election cycle comes up, which means you only get things done in the periods where you're actually not running because you're avoiding some issues that may be controversial, but may not be the right thing for the township. I also think that less frequent elections would give elected officials a better chance of getting things done for the people which they serve rather than having to deal with constant political campaigning that is going on in our town. Under the committee form of government, no individual township committee member has any power; the administrator is supposed to take direction from the majority which makes it difficult for business to be conducted outside of a township committee meeting. I think it's important to have a strong administrator; they can take care of the day-to-day business of the township. Without having that, it makes the administrator, whoever that person is, try to figure out what the consensus is, what the majority is, so they can make decisions. It often delays things and prevents timely decisive actions being taken place to get work done for the community which directly affects our residents. Thank you.

Commissioner Buffalino: The first question that we have for you is basically to describe your current role and other experiences that you've had in local government. Do you want to comment a little further on what you just told us?

Mayor Buontempo: I've been on the township committee for over a decade, served years as mayor, as well as deputy mayor. I've been involved in the community on the planning board for years before I was on the township committee., Additionally, I've been involved as a member of the board of Bayshore Community Hospital, which is part of Meridian. I felt that that was important because Holmdel is very unique; we have assets that many towns wish they had, between the hospital being here and Hackensack Meridian making significant investments in this hospital, which is improving health care services for the entire community. Having the Art Center here, which many of you know was a hub during the initial Covid pandemic for testing for a FEMA site, and then having the asset of Bell Works, which has been a hub for industry commerce for years and now really revitalizing that building keeps our community thriving. So, based on that, I thought it was important to get involved in the hospital to see if I could volunteer and help in any way possible and that's been going on even before I was involved in local politics. Also, for the last, I guess it's about five or six years, I served on the Monmouth County Improvement Authority. For those of you who are not familiar with that that's the finance board of the county, AAA rated, that does all the bonding for all for the county plus all the municipalities, school boards, fire districts that elect to use the county's AAA bond rating to get the best rates possible. In Holmdel we have a AAA rating, so we get the same rates that the county would get so we can do things on our own, but many towns in Monmouth County do not have the financial strength that Holmdel has and hence, they go to the MCIA for their bonding, as well schools and some specific fire districts.

Commissioner Buffalino: I think you've covered some of this already, but I'm going to ask anyway and I'm going to combine questions two and three into one question for you. Knowing

that Holmdel has been operating under a township form of government for many, many years, since the 1800s I believe, what do you think works best and then what do you think doesn't work? I think you've addressed some of these, but if you want to elaborate a little further.

Mayor Buontempo: I believe that the residents of this town have really impressed me that they are very astute, very involved and want to know what's going on in their government, and that became clear during the pandemic when we were sending out communications and we started sending out messages through our system. There was maybe around 12,000 end points and by the end of it we had almost double that, over 23,000 were coming on; so people were more engaged with local government than I've ever seen. We didn't have to ask people to sign up to be informed; they were doing it on their own proactively. The community at large, I believe, is intelligent and they should be involved in the decision-making process to who is running their town. Going forward, I think our form of government, as I mentioned, is a challenge to operate under, especially for an administrator that's trying to do his or her job, but can't make a decision because she doesn't know she has majority of people supporting what she wants to do or he wants to do, let alone resolve things quickly and efficiently. So, in a true democracy and open environment, I think that it makes the most sense and that's why I was a big proponent in getting not only this, but we got three referendums approved by the public last year and this was one of the three and that was because I don't remember in two decades, maybe longer, anybody ever putting that many referendums on the ballot and allowing the voters to decide what's best for the community. So, the turnout we had certainly indicated to me that people are engaged and they want to be involved in what's happening in their town.

Commissioner Buffalino: I think you've answered question number four regarding directly electing the mayor, so I'm going to skip that one and to question number five. You know that our township committee consists of five members that are elected at large by the township every three years on a staggered basis. Effectively, this means that a local election occurs every year. Other forms of local government have one to three years between elections. Do you have any thoughts about making any changes to that?

Mayor Buontempo: Being involved in this for a while and also sitting on other boards, for a local government committee I think five is a good number. I don't think it should be less and I'm concerned that more would possibly add to just more confusion and more chaos. Running a town has challenges and you can't just step into it; it took many years of understanding how government works to be able to do that. When you start adding so many people in the pot, a lot of people don't understand how things work and what is the reason why we're doing certain things, and government doesn't always move that quickly because it's government and there's a lot of processes we have to follow that the private sector doesn't. I think adding more would be a challenge. I think five is a good number. I also think that giving somebody some runway to actually get some things done, so I would say maybe going to a four-year term so people could actually get things done and don't have to worry about stopping everything and focusing on running because, for the most part, we're all volunteers and if people see me around town in meetings, this consumes a significant amount of time; it is a huge commitment in order, in my view, to be effective and understand things and to have the engagement you need. Compared to just last night when we started to introduce some of our capital program, we're getting things done at an extremely incredibly fast pace, and getting everyone to agree or the majority to agree is a task in itself, but we're making huge strides in getting things done for the residents of Holmdel because it's the right thing to do, while keeping the tax rate flat, which is an amazing

accomplishment to see some of the things that we're able to do. Getting that done and having knowledge, that's why I think maybe extending terms to a three-year or a four-year would just help people going forward in the future, have some better understanding of what's going on plus give them some runway to actually have time to get their hands around things and get things accomplished for the town.

Commissioner Buffalino: Do any of the other commissioners have questions they want to raise at this point? Okay, I'm going to move on to question seven because you also addressed question 6 just now, as you know the township committee form of government is held on a partisan basis. This means that we have two local elections every year, a primary in June and a general election in November. Other forms of local government allow for council members to be elected on a nonpartisan basis. Do you have any thoughts or comments on local elections held on a nonpartisan basis, such as done with the Board of Education?

Mayor Buontempo: Yes, a couple thoughts on that, I am Republican, run on the Republican ticket, have been involved in politics since I was in college and I worked for the Speaker of the Assembly who was, at the time, a Republican, so doing this for a long time. I'm proud to be involved with the Republican party, but yet there are decisions that I'm making at the town level that have nothing to do with Republican issues at the federal level, so you need to separate what we do. We're dealing with roads, emergency services, infrastructure, sanitary sewer, the things that make the town run. None of them are federal issues; I'm not dealing with social security, I'm not dealing with unemployment, I'm not dealing with abortion, I'm not dealing with voting rights, so when you remove that, whether we're partisan or nonpartisan, what I think we need to focus on is who's getting things done for the town, who's making sure that emergency services have the equipment they need so, when we're doing 16 to 18 first aid calls a day during Covid with volunteers, that people have the tools they need to get the job done because they're saving people's lives every day. Our fire department has done an amazing job the last few years between recruiting members and getting the services they need; they've really impressed me with everything they've been doing. The police have been stellar in everything they're doing or OEM the same thing. I could tell you story after story about what they do and how they're saving people's lives and helping people every day in our community, and that's what's important and they're things that are local. The residents are more concerned locally; they can still vote for whoever they want for Congress and for president and for senate, but locally it's really the issues here that affect everybody and their quality of life, and what I've seen when I've talked to many people that want to come into town and can't find a house, people that are in town that maybe raise their families here and now their children are gone and their career hasn't moved on; they're not leaving Holmdel because they can't find a better community so they're staying here which is amazing, and that's because the things we're doing, they appreciate, the quality of life they have, the friends they have and knowing that they are safe and secure with some of the assets I mentioned earlier. Those are things that are important and it doesn't matter whether you're a Democrat or Republican; at the end of the day you want to make sure someone's doing that and looking out for me locally because we're the ones that have the most impact on people's lives and their quality of life because we affect everything they do and their families every single day.

Commissioner Buffalino: Any other questions from the commissioners?

Commissioner Gilstein: Just to be clear, you would favor nonpartisan elections so that we would be focused on the issues and the needs of the local community and whoever could serve those best?

Mayor Buontempo: Yes, whatever this committee decides is the right way to go, my view is that I'm not dealing with any national level issues. I'm not changing my party affiliation no matter what this committee decides, I'll still be Republican, but the residents need to have the ability to elect the mayor and elect the person that they want, he or she, to lead the town, but I do believe that we need to be able to put a strong administrator in place so they can make decisions in alignment with the mayor and have the committee members, however many they may be, you guys decide, have input on policies and ordinances that we can put in place to improve quality of life. Local is local, it's not the same as what the Congress and Senate are doing down in Washington.

Commissioner Buffalino: As we've already mentioned, members of the township committee are elected on an at-large basis. Do you have any thoughts about citizens of the township being better represented if some or all of the members of the committee were selected by wards, that is different sections of the town?

Mayor Buontempo: In a normal course of action, I think we've had a distributed committee over the years, people living in different areas of town. I don't believe that having wards would be effective. We're not a large town, we're under 18,000 in the last census, we're large enough to have significant impacts on people's lives, but I think that it could restrict people. You may have two good people that may come out of one area that would eliminate that person and I think trying to artificially manufacture someone who may not be as good of a candidate as somebody else. I think people should be able to run no matter where they live and the residents should be able to decide based on their skills, qualifications, commitment and then, obviously, once they're on the track record, are they doing the right things for the residents and helping to improve quality of life because that's important. What I focus on is everything from school-age children to preschool to the seniors in town and trying to put programs and events together for them. I had a conversation with our recreation director this afternoon and I'm excited about some of the things we're trying to do to improve recreation programs in the town for all ages. We have some amazing assets in the town and I think that this new capital bond ordinance will allow us to leverage more and give the residents some other things to do. We learned a lot during the pandemic, because when the state and the county shut all the parks, we opted to keep our parks and all our open space open for our residents to use and I got calls from doctors that live in town, who I've never heard of in my life, thanking me for doing that because the comments were that the mental aspect of the pandemic and being in lockdown could be worse than the physical aspect of getting Covid. We're trying to enhance that, build upon that not only with open space acquisition, but also improving some of the open space and parks and areas we have in town to give more to the residents and that's not a Democratic or Republican issue, it's what's best for Holmdel, what's best for residents, what's best to help people improve their quality of life. I think, at the same time, I'm helping increase home values as well because the bottom line is your home is probably your largest investment you ever make, and if I could maintain and grow the town which is putting more people wanting to come into town and their homes are going for sale, it's going to continue to elevate our home price, so I think the net effect is doing the right things has a positive impact on every single resident in Holmdel.

Commissioner Buffalino: Any other questions? The next question is about petition and referendum. As you know we have the ability here in our town to do it only for I believe bond ordinances Do you think the residents should be able to have that? Other forms of government do permit it by getting a certain percentage of the voters to sign a petition.

Mayor Buontempo: I'm in favor, as you can probably tell from my opening comment, of having more public involvement. I've been a big advocate supporter of our military and I'm at every event, every ceremony in town for them, people gave their lives in order to protect our freedom and I think it's incumbent upon people that are registered voters to be able to go out and vote and exercise that freedom. So, yes, I think it is important that the residents have the ability to say things because they may not like something that's going on, they may want to do a course correction, so I'm in favor of allowing that to happen by percentage of signatures or whatever is statutorily required to allow that. I think the more the people get involved, the better the government's going to be going forward in our town.

Commissioner Buffalino: Other questions?

Commissioner Berk: You talked about maybe a four-year term; did you talk about a staggered term? Would you want it staggered so that everybody doesn't go at the same time?

Mayor Buontempo: I would say yes, I would, I would say it makes sense to stagger. I think for everyone to go every four years may be a little bit of a push, especially if the residents don't like things that are going on that they could start course correcting things. So, having rotation through every year or however it is, one two or whatever the numbers that you guys decide. I think it makes sense and it keeps it fresh, it allows constant change plus it keeps people engaged in the process of the government, paying attention to what's going on, some of the forums that are run locally that allow candidates to answer questions. As people who have followed me for a while know, it's about open and transparent, there's not a hidden agenda, what I've said from the beginning is kind of what I delivered, I don't have a personal agenda and if people ask me sometimes why do you do it, because honestly, I love this town and I think that I'm trying to have a positive impact and I said when I stop having a positive impact it's time for me to leave and go on. The amount of time and effort that's put into the job requires a lot of dedication, so I think that every year would give people a good sense of what's going on, what they're seeing, and staggered terms would make a lot of sense.

Commissioner Buffalino: We're at the end of the question list. We had one last question that I think you've covered, but I'll ask it anyway just in case you want to summarize, but if you could make any changes to our form of government what would they be and why?

Mayor Buontempo: As I said from the beginning, and I've been pretty vocal, last year when we put this on the referendum, I believed that we were due for a change and I was extremely unhappy when Holmdel was in the papers for all the wrong reasons, with monies being spent without authorization, taxpayer money being spent on projects that weren't approved, that never had township committee approval, and I said that this form of government is not working because when you're wasting taxpayer money it's money we're never going to get back. We need a better form of government in our town: we have a town that is engaged with their government. I'm impressed with some of the questions that come in the emails I get from people that are involved and right now I think is the time. They said sometime timing has got to be right and I felt the timing was right to put this forward to the people and allow the people of Holmdel to decide whether they want more democratic control of their local government and I

strongly believe in the comments I've seen that people do. It's never a bad thing to give more power to the people because that's what this country was based on. I've spoken to people that lived in the Holmdel years ago when it was just a small farming community and it's changed, we're different, , we're still trying to keep that farming bucolic nature to it, but we've grown, we're a much bigger town, we're a hub, we're looked on by other towns as a model for what we've done. We've gotten recognized for our vaccination program at the state level, for what we're doing for the seniors and the disadvantaged that would have challenges during the pandemic, when vaccines were scarce, and we're being mirrored by the towns that are trying to copy some of the things we do, which is a great compliment for what people at our town hall have been doing; so, I felt that it was the right time to do this. I'm a big proponent of letting our residents make this change, so in 2022 we did something that's going to benefit Holmdel for forever going forward.

Commissioner Buffalino: Very good, appreciate it very much. Is there anything else from the commission?

Chairman Gee: Yes, I just want to clarify something. Mayor Buontempo, I know you made a big point that you've been a longtime Republican and you just mentioned giving more democratic control, I just want to make sure you clarify that you meant democratic with a small d and I don't want to put words in your mouth, but that your comment meant more power to the people.

Mayor Buontempo: Yes, correct, thank you Chairman, so I'm not advocating for my opponents on the Democratic party to win, I'm definitely for the democratic process, in general, that more people get involved in more of a positive democracy so people have more control. I think that not knowing who the mayor is going to be or being decided in a room somewhere by people that may be outside of Holmdel is not what's best for Holmdel. Holmdel residents know what's best for a Holmdel and the power should be in their hands and the process should be a democratic process not "I want Democrats to take over Holmdel Township."

Chairman Gee: Thank you very much, Mayor Buontempo.

Commissioner Kastning: I just wanted to mention that there's one person that has a question specific to Mayor Buontempo, so perhaps you would like to give him the opportunity to answer that.

Chairman Gee: We normally save questions or comments at the end, but I will make an exception. One of the questions is, you mentioned the issue that you're working on at the local level as not being national issues that are influenced by party affiliations or views, yet you also mentioned things like infrastructure and taxes, are these not partisan topics?

Mayor Buontempo: We're dealing with a fairly small local budget, so when you pay your taxes roughly 17% of every dollar goes to the town, roughly 65% goes to the schools, the other 17-ish percent goes to the county and there's some miscellaneous 2 or 3%. So, we do a lot with a small percent of the tax dollars that we receive and we've being able to maintain a flat budget in town without decreasing services. It has been a huge accomplishment and I think we are going to be on our sixth year now being able to do so without cutting services and actually putting a significant amount of money in infrastructure is huge. I'm not dealing with raising the debt ceiling, I'm not borrowing more money that's adding more debt. We are balancing our budget, so we're dealing with things locally and that's my point. Yes, there's local taxes and we have federal taxes and we're not raising taxes, which I think is a huge accomplishment; every town is

doing the same thing, but we're not on the same level playing field as congress or the senate. We're dealing with the same amount of products and services, but for the tax dollars we spend we're providing probably the most services that people generally receive for the local services that live here in Holmdel.

Chairman Gee: Thank you Mayor Buontempo. I just want to point out the purpose of the Charter Study Commission is to gather facts, to study our form of government and where there are areas for improvement and explore alternatives, so the public is welcome to comment and as you know, last week we had a public hearing and asked for input and then at the end of all meetings there's a public comment session, but the public normally do not get to ask questions of our guest speakers. So, if you've got comments and things like that, we do have a public comment session at the end.

Presentation on Faulkner Act Optional Forms of Government
Edward Sasdelli
State Monitor and Municipal Technical Advisor
NJ Dept. of Community Affairs, Division of Local Government

Chairman Gee: Our next speaker is Ed Sasdelli. For those who don't know, Mr. Sasdelli is from the New Jersey Department of Community Affairs, within their Division of Local Government Services, and he has a little bit of intro and background on himself within his presentation, but I just want to mention that he does have, in addition to a BA in government and politics, a Master's in public administration, he is a state monitor for the New Jersey State Government for a number of cities, as well as a municipal technical advisor, but equally as important, he has vast experience in township administration as a township manager under different forms of government. With that, I know that you have a little introduction and you have a lot of information to share with us so I'm going to turn the meeting over to you Mr. Sasdelli.

Mr. Sasdelli: Let me start off by saying I want to applaud the commission because it takes a lot of courage putting yourself out there, to volunteer to do this and sit through these night meetings and potentially change your form of government. That's an important thing, it hasn't been changed since forever and if you do decide to change it, it may last for a hundred years, so it's an important thing and you guys seem to be handling it very professionally. I wasn't nervous to do this presentation, I was pretty relaxed, and then I read your bios; attorney, PhD in mathematics, Wall Street bankers, now I'm nervous, so I'll do the best I can, but that's a compliment to you guys. Specifically, my name is Ed Sasdelli, I'm from DCA and, specifically, the Local Assistance Bureau. You know the old adage we're here from the government, we're here to help, so we're from the Local Assistance Bureau and what I was invited to do was to participate in the Holmdel Charter Study Commission Phase Two Review Alternatives, so that's what is going to be the primary focus. I'll talk about a few other things and I'm going to move fast, but I can stop or slow down at any time.

When I go to these things, I always want to know who's up here preaching to me and who am I to give you technical advice, so I have a slide in there for who I am. As the chairman said, I have a Master's in public administration, I was a military officer for seven years on active duty, I came out of the military and I became a municipal manager in New Jersey for 20 years. I was in three different towns and then in 2011 I joined the DCA and I'm a state monitor. I go to cities that either are under state supervision or were under state supervision and try to get them straightened out. I have a few certifications and I teach a few classes.

The other slide I put in is forms of government that I either was the administrator in or manager in or I was the state monitor assigned. So, I have experience in all these forms of government: township form, borough form, city form, small city, mayor-council, council-manager and mayor-council-administrator. The middle column is where I put authority, that refers to where the business administrator, and I heard Mayor Buontempo talk a lot about the importance of the administrator, where does the administrator gets their authority, and in those forms of government it comes sometimes from the ordinance and in the other forms of government it comes from the statute not the ordinance. That'll be more important as we go along, but I just thought it may help you to know that I have experience in this form of governments.

So, here's Holmdel, you know way better than I know it, I circled population because that's going to be significant when we go over the available forms of government. You're over 12,000, so that's going to knock out one of the options.

What I'm going to do tonight is give you an intro and a little bit of background. I'm not going to spend a lot of time on Phase One because I read your webpage, I read some of your minutes, I know you've spent a lot of time on Phase One already, but just to ground everybody so we're all starting from the same point, I have a couple of slides on the township committee form. Then we'll talk mostly about Phase Two and the alternative forms, then at the end I'm going to talk about similarities and differences, I put open forum for questions at the end, but really the commission can ask me any question you want at any time. So, just stop me on any slide, we don't have to wait till the end, this presentation is for you guys.

The other thing I want to say is, the form of government is very important, but it's not a substitute for electing and hiring the right people, like as Thomas Jefferson said, "You deserve the government you elect," so, yes you have to have the right form, but also the voters have a responsibility to put the right people in there and then the elected officials have a responsibility to make sure you hire experienced, qualified people. As Mayor Buontempo alluded to several times, running a municipal government is complex, there's a lot of moving parts, you need experience, you need to know what you're doing, so it all goes together. I put two quotes in here from private sector successful business people; Lee Iacocca, the importance of hiring great people, same thing with Steve Jobs, the importance of hiring smart people, and I can't stress that enough, because I've seen many times where people select the right form of government and then if you put square pegs in round holes, it's not going to work.

So, why are we here, why is DCA here, so I want to just make it perfectly clear, you don't need our permission, we're not going to put our thumb on the scale, you don't have to submit anything to us. The only reason we're here is because your chairman requested technical assistance. This is completely local home rule, you guys passed the referendum, the commission will decide if you're going to change the form of government, it'll go on the ballot, your voters will pick and that's why we're here, just to give you the most information to make an educated decision.

So, there's twelve forms of government in New Jersey and I circled your current form, township, and as one of the commissioners alluded to, you were incorporated as a township in 1857 and you've been that form of government until this day.

If you want to get an idea where the other 565 municipalities are, these are the forms of government and how they break down, and I sent a hard copy the Chairman Gee, so you don't have to take notes, everybody can get a hard copy from him if you want to refer to this later on.

This second slide shows the towns who changed to a different form of government, what did they change to and this slide shows you that most switched to either mayor-council or council-manager, a few switched to small municipality and much less switched to mayor-council-administer.

So, let's spend a couple of slides talking about your present form of government, which, from listening to you guys, you already get this 100%, so I'm not going to spend a lot of time on it. You have a five-member governing body, they're elected at large, three-year terms, you have an election every year, it's a partisan form, the mayor's appointed by the governing body not by the public, the mayor presides at meetings, votes as a member, but has no other special powers. All legislative and executive powers, including appointments are exercised by the committee as a whole. I put an asterisk there because your form of government allows for the appointment of an administrator and it allows the committee to delegate certain executive responsibilities to that administrator if they choose to, if they don't do that then it belongs to the commission and the final goal is they must act as a body, there's no individual authority, the committee has to act as a body.

So, Holmdel did, by reading your ordinance it looks like in 2003, you established an ordinance for township administrator, it's chapter 2-5. Much of the day-to-day administration of government is delegated to the administrator, and then if you were to look at 2-5, 10.1 through 10.12, it lists all the things that they delegated to that administrator to do and the crux of it is purchasing, budget, personnel, grants, communication, what I refer to as the nuts and bolts of government. So, you have that in place now, but that's not required, you have it because the committee chose to do it.

This slide talks about the weaknesses of the township committee form government, and as I said on the slide, weaknesses are subjective, some people may look at this and think it's a strength not a weakness, but generally this is what the accepted weaknesses are: the mayor is not elected by the voters, there's no option for nonpartisan elections, there's an election every year, there's no initiative and referendum option, it lacks the requirement for a business administrator and if the committee does create one there's no duties specified in the statute; they only have the duties that the committee delegates to them, it's government by committee and the size is restricted to five elected officials.

I want to talk about two definitions, because these are important when we talk about the alternate forms. We've been throwing around partisan versus nonpartisan and we've been throwing around I&R, initiative and referendum, so I want to define both of those. I think everybody knows what we mean by partisan, candidates run with a party affiliation, there's a primary election in June, there's a general election in November and you're on the ballot with a party affiliation.

If you were a nonpartisan, and I put the statute reference there if somebody wants to read more about it, if the commission chooses to switch to nonpartisan the candidates do not run with a party affiliation, there's no primary election, the general election can be either in May or November, the candidates are on the ballot with a slogan, the slogan can't exceed six words and it can't identify the party affiliation.

So, when we talk about I&R, and somebody on the commission referred to this whole concept of I&R, it gives more authority, it gives more power to the residents. So first off, initiative gives citizens the ability to put measures on the ballot, if they get the right signatures and they go

through the right procedure they can put something on the ballot. If a municipality wanted to change from a type one school district to a type two school district, if they wanted to move nonpartisan elections from May to November, they wouldn't have to wait for the committee to do it or the council to do, the citizens could do it through an initiative.

The referendum part of that is the opposite, it acts as a veto to the governing body so it gives the citizens the ability to reject an ordinance. If the governing body passed an ordinance and a certain percentage of the voters don't like that, they can gather petitions. There's a process you have to go through and they can get that ordinance suspended until another process is in place to either put it on the ballot or have the governing body revisit, but the bottom line is it gives more power to the voters to put things on the ballot or to veto things that the governing body is trying to do or has done.

So, now let's get to the purpose of Phase 2, which is to start looking at the alternative forms of government, and it sounds really complicated when you start it, but when you boil it down it gets narrower. I circled the only forms you're allowed to even consider, and those are the Faulkner Act forms. which you'll see OMCL (Optional Municipal Charter Law) and Faulkner Act used interchangeably; It's the same thing. So, those are the only forms that you are allowed to change to.

Of those forms, small municipality is not an option because you have to be under 12,000 population to be eligible to choose the small municipality. So, now you're down to three and, as you can see, less than two percent of the municipalities who chose to switch switched to mayor-council-administrator. The three forms that you have available in Phase 2 to really dig into and evaluate are going to be mayor-council, council-manager and mayor-council-administrator. I'm going to take the one that is least popular first, the mayor-council-administrator. As I said, less than two percent of the towns that have gone through what you guys are going through have decided to go with this and I have worked with Berkeley Heights and they're one of the three municipalities that have this form and they are still confused about that form of government. It's confusing and there's not a lot on it because there's only three municipalities that have it, but here's what the statute says. It's basically the borough form of government with a mandated administrator. Right now, the traditional borough form of government does not require an administrator; you can have one if the borough council wants it, but it's not required. This form takes the borough form and mandates an administrator, so it's a mayor with six council members, seven total, they're elected at large in partisan elections, the mayor is directly elected to a four-year term and the council serves a three-year term staggered and there's an election every year. From listening to your remarks and the questions that you had, I don't think this embodies the things that you're looking for, but let me let me finish up on it. So the other pieces to it are the mayor presides at the meeting but only votes to break ties, the mayor does have veto power but can be overridden, the mayor appoints the administrator with advice and consent of council, council has no administrative duties and no appointive power, council chooses a president to preside in the mayor's absence, the administrator is appointed by the mayor but can be removed by two-thirds of the council, the administrator administers the business affairs of the municipality and the voters do have initiative and referendum powers.

In summary, the borough form mandates an administrator, there's elections every year, they can only be partisan, it does include I&R and it's only used by three municipalities.

Mr. Sasdelli asked if there were any questions.

Commissioner Gilstein: In terms of our deliberations, you said we're only allowed to consider these Faulkner forms of government, so if we wanted to say maybe we should switch to being a borough, that's not an option for us?

Mr. Sasdelli: It is not, I don't want to play attorney, Mr. Starkey is here.

Mr. Starkey: I'm in full agreement, that is correct.

Commissioner Gilstein: I actually thought we were going to be choosing from 12 or 11.

Mr. Sasdelli: That's why I said it narrows quickly, the state and the legislature when they did this towns that can have these traditional forms or towns that in this act in 1950 they wanted towns to move to these more modern forms of government.

Commissioner Gilstein: So those are like grandfather types and if you want to do something new, choose one of these new types or you could go for a special charter.

Mr. Sasdelli: I'm also doing this exercise in Red Bank and one of the commissioners asked me about a special charter and I said if you want it done in this century you probably don't want to go for a special charter because it requires an act of the legislature. It's a good question because a lot of people think that, "maybe we'll switch to borough, maybe we'll switch to the Walsh Act, you can't do that.

Obviously, most people that have gone through what you are going through, come to the conclusion that they either want to do mayor-council or they want to do council-manager, so let's take these more in depth.

Commissioner Kastning: So, just for clarification we have not come to any conclusions.

Mr. Sasdelli: Understood. You can keep what you have, you don't have to change anything, you can keep what you have. As I said, the towns are going through what you're going through, most of them switch to either mayor-council or council-manager.

So, let's look at the mayor-council former government, and as I said, OMCL and Faulkner Act are used interchangeably. I put the statute up here if you want to read more about it, because obviously, I just picked highlights from the statute. So, let's look at the mayor position in the mayor-council. That's known as a strong mayor form of government. You hear that term thrown around "weak mayor, strong mayor," this is a strong mayor form, the mayor is directly elected for four years, it's designed for the mayor to be independent of council and in charge of the administration of municipality, the mayor has the right to speak at council meetings but he has no vote, does not need to attend meetings, he doesn't sit at the dais, he doesn't preside over the meeting, the mayor is not part of the governing body at council meetings, but the mayor does have veto power over ordinances.

So, when you look at the council and the mayor-council form, it can be 5, 7 or 9, they can be elected at large or from wards and they're elected for four years, council is limited to legislative functions only, there's no executive and no administrative authority for council. Council does have power of the purse, so the mayor will recommend the budget to council and then council can reduce line items in the mayor's budget with a majority vote or they can increase line items in the mayor's budget, but to increase a line item they need a two-thirds vote and the council can also override the mayor's veto with the two-thirds vote. So, the mayor presents a budget and a budget address to council and then council can revise it.

If wards are chosen, you don't have to have wards, but if wards are chosen you have to follow this chart. Just to make the example easy, let's look at seven, if you chose seven then you'd have to have four wards and three at large, if you chose one of the other ones, you'd have to follow this chart this is from the statute.

Chairman Gee: I don't know if you know the answer to this question or not, if the commission does decide to look at that, who has the responsibility to draw the wards?

Mr. Sasdelli: I'm going to defer that to Mr. Starkey, I don't know who draws the wards

Mr. Starkey: If the question is successful, there is a Ward Districting Commission that's formed, and I believe that is composed of the County Clerk, the Municipal Clerk and I forget who the other people are.

Mr. Sasdelli: So, the summary of the roles when we think about municipal government we think about an executive function, a legislative function and then an administrative function, so in this form of government the mayor has the executive function, so the mayor would do the hiring and the appointing. The legislative function would be done by the council, the ordinances, the resolutions, the budget, the power to tax, borrowing money and bonding. The administrative function of running the day-to-day business would be the business administrator and that's by the statute.

Some other considerations with the mayor-council form, elections can be partisan or nonpartisan, so they can be in May or they can be in November, they can be at large or you can have wards, the terms can be concurrent, and I heard somebody speak to that earlier, I threw an example in here, the City of Vineland in Cumberland County has a mayor and a five-person council, all six are on the same slate every four years, so it's conceivable that you could have six brand new people walking in the door on January 1st. So, that's concurrent or they can be staggered every two years, put Perth Amboy as an example, they have a mayor and a five-person council, so the mayor and two council run at the same time and the other three council people will run two years later. So, every two years you have three people on the ballot in that example.

Some other considerations in this form of government, the mayor has no formal role to play at meetings and frequently does not attend, council president controls the meeting agenda and controls the meeting, sometimes this can result in an atmosphere of contention and conflict between the mayor and council, and I'm being as diplomatic as I can, because sometimes you have council doing their own thing, not including the mayor and then he gets mad and when they send it up he vetoes it and same thing, the mayor gets frustrated because he wants to put resolutions and ordinances on the agenda and he can't, only the council president can do that, so that is a sticking point between mayor and council in this form of government. The mayor cannot introduce resolutions or ordinances nor place things on the agenda.

Chairman Gee: You mentioned the separation of executive, legislative and administrative, if the council under this particular form of government says hypothetically that we believe that residents will benefit and actually desire more recreational things and maybe they have certain things in mind like more parks, more trails, more walking and hiking, and they said we're going to introduce a bond ordinance to allow for more recreational improvements, and that ordinance gets passed and, assuming the mayor does not veto that, but he or she has the executive power to implement that particular policy, but let's say the individual decides that they have

more trails than we need and I want to do other recreation things like a bike path or something like that that may have been different than the legislative intent. Is that a possible scenario and how does a conflict like that resolve itself or does it?

Mr. Sasdelli: It wouldn't be a conflict because council controls the purse, they control the budget, so if a bond ordinance passes for recreation and council approves a budget that has a \$100,000 to rehabilitate Memorial Park and it passes and it doesn't get vetoed then the mayor and the business administrator have to do that, that's policy. So, when we talk about executive function, part of the executive function in the statute is the mayor takes an oath to abide by the laws and the ordinances of the municipality, and so a resolution and ordinance he's obligated to follow that. So, the business administrator and/or the mayor would have to, if that got approved, if it was funded and it was in the budget, then it would be executed. Let me give a simpler example like no parking. So the council decides we have a parking problem on this street and we're going to pass a no parking ordinance on River Street, so they pass a no parking ordinance; that's the legislative function, it's passed. So, now the executive function would be he has to either hire people or designate employees to that task, the administrative function would be for the administrator to make sure it gets done, the money gets collected, somebody's checking the meters or the boxes, and collecting the money and issuing the citations, so that's how that would work and the mayor doesn't have the ability to ignore properly executed legislation.

Chairman Gee: So, when you say property executed, it sounds like the key is that the legislative intent should be very clear, so as an example in a bond ordinance for certain things it's got to be pretty clear what that is. Does that need to be, from a legal standpoint, within the documentation or does the actual meetings and discussion of that does that give the intent?

Mr. Sasdelli: I don't want to get too deep down this route, where I'm getting hung up is when you say bond ordinance, I've seen bond ordinances that are 20 years old, so just because you pass a bond ordinance that gives the town the authority to borrow the money, but it has to be put in the budget, there has to be positions created and the salary ordinance money has to be put in the budget, then the business administrator and the executive can execute the function, but just passing the bond ordinance doesn't really obligate them to take any action until it gets put into budget.

Chairman Gee: So, just to make sure we understand the separation of the power between executive, legislative and administrative under this particular form of government I think it is an important part of it.

Mr. Sasdelli: As a city manager and as an administrator, I've had that situation where the governing body had a 5-4 decision or a 4-3 decision pass, and then I'll have one of the minority members the next day come into my office and say I don't want those soccer fields built, well it's too late, we had that debate and we're going to build the soccer field.

Commissioner Berk: You mentioned the council president, does he function similarly to the way our mayor does under the township form of government?

Ms. Sasdelli: When it comes to the meeting part the council president would sit down with the clerk, put the agenda together, call the meeting to order, run the meeting.

Commissioner Berk: Is he elected by the council as in the township committee?

Mr. Sasdelli: Yes, the council president is from amongst the council.

Now we're going to talk about council-manager form, which is the second most popular one that municipalities switched to. You'll see some similarities here, the governing body can be five, seven or nine, the mayor and council manager. The mayor is part of the governing body, so when we talk about the five, seven or nine, that includes the mayor. The mayor can be directly elected or selected by council, either way. The mayor presides at council meetings, so the mayor sits at the meeting, does the agenda, presides at the meeting, all terms are four years, elections can be concurrent or staggered every two years.

Chairman Gee: So, under this particular, actually under both because of the fact the terms are four years and they could be concurrent or staggered, there is actually at a minimum one off-year if it's on a staggered basis, because the elections are every two years or if they're concurrent they actually could be three years which is no local election, is that right?

Mr. Sasdelli: There could be four.

Chairman Gee: There is an off year when elections are every two years that's where there is no local election.

Mr. Sasdelli: I gave Vineland as an example; they don't have a local election every four years

Chairman Gee: If you're on concurrent basis.

Mr. Sasdelli: This slide looks very similar to the other slide because it's the same in council-manager and if you decide to have wards, they're not required, but if you decide to have wards you've got to follow the statute. If there are wards and you choose staggered elections, then the at-large will run in one election and the ward members will run two years later.

Some other considerations with council-manager, the council, which again includes the mayor, is the legislative body, council only makes a small number of appointments, this surprises folks but the council only appoints the manager, the clerk, the assessor, the attorney and boards and commissions, the manager appoints all other positions that are created by the council.

Chairman Gee: When you say boards and commission, you're talking about planning board, zoning board.

Mr. Sasdelli: And recreation, historic and environmental and all the other boards and commissions. The manager doesn't make appointments to those kinds of boards, he or she hires employees.

Council appoints a manager to be the chief executive to carry out the will of the council, again sometimes you hear that one of the downsides is that the manager can be a dictator and do whatever he or she wants, that's not true, the manager has to stay within the bounds of what council has given in the ordinance, has given in the budget, has given in the salary ordinance, so the manager's job is to carry out the will of the council not substitute their own judgment for the council's judgment.

Commissioner Gilstein: Is this manager effectively the administrator that's required by statute?

Mr. Sasdelli: Yes, it's the business administrator, but in that form of government it's called the manager. When I was in Evesham, I was appointed as the city manager and then I appointed

the other folks. There was no BA for all practical purposes, I even used that term interchangeably in here which I shouldn't because a manager has certain statutory authorities that a business administrator doesn't. So, when we look at these roles and we look at the legislative function that's done by the council, which again includes the mayor, the executive and the administrative function is done by the manager, so the manager has more authority in this form of government. The manager is the chief executive and appoints all the subordinate personnel, any personnel that the council puts in the budget and puts in the salary ordinance the manager appoints. The manager prepares and submits a budget to council and council can amend it, modify it, revise it, do whatever they want with it, but the manager prepares it and makes a recommendation. The manager must attend all council meetings and may take part in discussions, but doesn't have a right to vote and doesn't vote. The manager serves at the pleasure of the council and can be removed by a simple majority. I underlined that because you by now have figured out that with all the other forms it takes two thirds to get rid of the business administrator, but because the manager has more authority in this form, they make it easier for the council to get rid of that person if they're not towing the line.

Chairman Gee: I missed that point, so in a mayor-council form of government the mayor has the option to hire an administrator, but that can't be removed or can it be removed by council with a two-third vote.

Mr. Sasdelli: Let's start at the beginning, in the mayor-council form the mayor appoints a BA, but it has to receive advice and consent from the council, has to be confirmed from council, so the mayor just can't put in there whoever he wants, if there's seven members on council, he needs four, it has to be confirmed by council so once that person's in there then the council can remove them with a two-thirds vote. There is a few others that the solicitor can fill in the details of if you need it, but you have to give that person three months' pay and some severance but you can get rid of them with a two-thirds vote.

Commissioner Buffalino: Can you give us an idea of what the powers are of the manager that we don't currently have in our business administrator?

Mr. Sasdelli: Without having the ordinance in front of us that would be hard to do, but I'll answer it this way, you have an ordinance administrator and your administrator only has the authority that the council gave them when they created that ordinance in 2003, and they only have those powers and they can be changed. As councils come in, they can take some power away, give some power back by amending the ordinance; you can't do that with a manager. The manager's power comes from the statute, so the manager hires the employees, hires the department heads. When I had a CFO vacancy in Evesham, I would advertise and I would interview and I would hire another CFO, the council didn't get involved in that.

Commissioner Buffalino: Statute being set by the state law, is that what you're talking about?

Mr. Sasdelli: Yes, that statute that I put up here, Council Manager 40:69A-81. So that's a state statute, so you couldn't pass a municipal ordinance that contradicted a state statute, and that's the big difference between a manager and a business administrator. I was both, I was a business administrator and I was also a manager and the managers are aware that if they don't keep a majority of council happy, they're not going to last very long, so they understand that.

So, what do they have in common? These two are the most common forms. What are some of the things they have in common and what are the some of the things that they don't have in

common? What do they have in common? The mayor can be directly elected, it can be partisan or nonpartisan, elections can be every two years or they can be concurrent, that's in both forms. Both forms have I&R, both forms you can have at large or you can have wards and, in both forms, you can have five, seven or nine on council and both require a municipal manager, but to split hairs in the mayor-council it's a business administrator which has a little less authority and in council-manager it's a manager, but we just generically refer to that as a municipal manager.

Commissioner Buffalino: What does it take to make changes to this once you put it in place, so if you decide you want to directly elect the mayor starting off, but then after several years you decide you don't want to do that anymore, how do you make that change? Or you want to go from partisan to nonpartisan or back again?

Mr. Sasdelli: If you're not changing the form of government, if you're just changing things within the form, it doesn't need another charter study commission, it can just be done by referendum, it has to go on a ballot and it can be done by referendum. As long as you're not changing the form, if you're just changing or tweaking these things within the form.

Mr. Starkey: I agree with that, but one thing that's important though is any changes like you're suggesting have to go on the ballot for the voters to decide on, so if you want to change from a ward to at large, the voters have to approve that and if they don't it doesn't get changed, so the question has to go on the ballot.

Mr. Sasdelli: As long as you're staying within the form, you don't need another charter study commission.

So, let's go through the differences. In mayor-council the mayor is not on the council, so when I was the state monitor in Atlantic City, Mayor Langford, Mayor Guardian, Mayor Small don't even go to the council meetings, the council president runs the meeting, the mayor doesn't even go. I don't know that that's the case in all towns, but that's how it was there, the mayor's not part of the council. In council-manager, the mayor is part of the council and presides over the meeting.

Number two, the mayor has no legislative duties in the mayor-council form, he can't introduce a resolution, he or she could have the best idea in the world but if he can't get a council person to make a motion and somebody else to second it, it never gets to the floor to be discussed, the mayor has no legislative duties. In the council-manager the mayor does have legislative responsibilities and legislative duties, the mayor can put something on the floor, the mayor can introduce a resolution.

Number three, in the mayor-council form, the mayor's the chief executive and appoints a business administrator to assist and run the department of administration pursuant to that form of government. In council-manager, the council appointed manager is the chief executive and makes those decisions about hiring subordinate personnel.

Number four, in the mayor-council form, the business administrator has a four-year term that runs concurrent with the mayor. So, let me talk a little bit about that, it's just inherent in the process, so the term runs concurrent, the mayor appoints with advice and consent of the council and that person knows that their tenure is tied to the mayor's reelection, so sometimes council feels like the BA favors the mayor because their success is tied to the mayor and maybe they're not serving the whole council, they're cheating towards the mayor, which may happen if the their

term runs concurrent with the mayor. If the mayor doesn't get reelected your term is over, so that could be problematic. With council-manager that doesn't come into play, the manager term is indefinite, serves at the pleasure of the governing body, works for the entire governing body and knows that a simple majority can remove him or her. So, that's a pretty significant difference and I'm sure you're going to talk to mayors from these forms of governments, you can ask them about that.

Number five, in the mayor-council form, the BA can be removed by a two-thirds vote, we already talked about that. In council-manager it only takes a majority to remove the manager.

Number six, an elected official, in this case the mayor, is responsible for day-to-day operations in the mayor-council, he does have a BA to assist him, but he's responsible, he has the executive responsibility. In the council-manager form, an appointed nonpartisan professional manager is responsible for day-to-day operations, typically it's a person with a master's in public administration, doesn't have to be, but usually it is, and that person is responsible for the council.

If you look at a mayor-council, the voters elect the mayor and the mayor supervises the administrative departments, he does have a BA which is one of the departments, but the mayor makes those appointments, is the hiring authority for those folks and the city council is the legislature. In a council-manager plan, the voters elect a council, they appoint a manager and then the manager runs the administrative departments, hires those people and runs it consistent with the policy set by council.

I feel like I raced through that really fast, but we did Phase One, we reviewed your township form, we reviewed the alternative forms, we talked about the mayor-council, the council-manager and the mayor-council-administrator and we reviewed some commonalities and differences.

Commissioner Berk: It seems in the situation where you have the mayor-council, the mayor's doing a lot of work. In those towns, are they often paid a lot because it does seem like they're doing more than in other situations and other types of government?

Mr. Sasdelli: That's a great question, in Atlantic City, the mayor makes \$145,000 and it's a full-time position. In Trenton, the mayor makes similar money and it's a full-time position. In the smaller towns that adopt this, it's not a full-time position although the mayor has that responsibility, he or she delegates a lot of it to the BA to handle in their stead. So, I've seen different versions of that, but in bigger cities it's a full-time mayor and they do get a full-time salary and there's nothing to stop them in a smaller municipality from getting a full-time salary and being there full-time to oversee things.

Chairman Gee: Would that be an ordinance passed by the council, let's say we decide to go mayor-council form a government, then the council would decide to do an ordinance or something like that.

Mr. Sasdelli: Right, the council would decide the salary ordinance and they would set the salary for the mayor, for all the positions. The statute doesn't talk about whether it is full-time or not full-time, it just outlines what the duties are. Some of the cities it just turns out that way, but I don't think the statute dictates that.

Commissioner Gilstein: In these Faulkner forms of government, you have these various options that you can choose. If our committee chooses to make a change and recommend a change, do we have to recommend a change with all the options chosen or can we recommend a change and have a referendum on the change and then have attending questions about the options?

Mr. Starkey: That is all on you, you need to make a specific recommendation with specific options to the voters and the voters vote on that recommendation as a whole, they do not pick and choose. So, you either say mayor-council, partisan or nonpartisan, wards or at large, staggered or concurrent, pick one from each one, make a question, put it on the ballot and it gets voted on with one vote.

Commissioner Gilstein: It's a package deal and then three or five years later the voters could decide to pick apart the package and change certain options.

Mr. Starkey: The change can go on the ballot at least four years later, but you want to go out either by the council-mayor or council-manager deciding to put it on the ballot or by a petition going on the ballot, it does not require this charter study commission again and it likely wouldn't go through charter study.

Mr. Sasdelli: You didn't ask this, but let me put my two cents in here about wards because there was a question earlier about wards versus at large, I worked in both towns, towns with wards and towns without wards and there's pros and cons to both, but what I would say is sometimes there's issues that are in the best interest of the municipality, but not necessarily in the best interest of that ward. I understand it's a representation issue, but it's easier for the at-large people to vote on things that are better for Holmdel as opposed to, "well that's maybe good for Holmdel, but it's not good for my ward, so I'm not voting for it." So, you get that with the wards.

Chairman Gee: Thank you very much, that was very informative, you clearly know your stuff and it's the reason we went to the New Jersey DCA to ask for help. We really do appreciate that and thank you for your time, I know you're a very, very busy person, but we appreciate that, thank you.

Mr. Sasdelli: You're quite welcome and I'll leave on a positive note, I wrote down here that the mayor said you had a triple A rating because of your financial strength and I'll say that doesn't happen by accident, it happens because you elect good people, you hire good people and towns that have those kind of bond ratings it doesn't happen by accident, so keep up the good work and if you have any other questions just reach out.

Invited Guest: Mayor Christopher Siciliano, Mayor of Ocean Township (Ocean Township operates under the Faulkner Act, Council-Manager form of government. Council members are elected for concurrent 4-year terms in nonpartisan elections. The Council selects mayor at the annual reorganization meeting).

Chairman Gee: Last but not least, we have the mayor from Ocean Township and I'm going to turn it over to Commissioner Kastning to introduce him and to go through the questions, but I do want to thank the mayor for coming. Ocean Township, in fact, has gone through a change to the Faulkner Act and that's one of the reasons we invited the mayor. I mentioned earlier that we're in this transition from Phase One to Phase Two, so there's no abrupt ending. Obviously, with Mayor Buontempo, that was part of our Phase One to study the current form of

government, but at the same time because of scheduling conflicts and things like that we thought it makes sense to transition or at least have some of the other discussions and so this is actually the first of our individuals from one of the possible options under the Faulkner Act. So, we will definitely try to get as many elected officials from not only the two forms of government that are possible, technically three, but also within those two as you can see from the previous presentation there's really a lot of options, whether it's partisan or nonpartisan, wards or at-large, staggered or concurrent. With that let me turn it over to Commissioner Kastning.

Commissioner Kastning: I'll just highlight some of the significant accomplishments of Chris Siciliano, who is the current mayor of Ocean Township. He's been the mayor since 2015, before that he was the deputy mayor from 2011 to 2015. He served on the Ocean Township council since 2003 and during his tenure he's created over fifty council initiatives. Before being a council member, he was a former environmental commissioner and a member of the planning board. He's a 60-year resident of Ocean Township. He's a former wrestling and little league and pop warner coach. He's a member of the Ocean Chamber of Commerce, the Italian American Association of Ocean and he's a former Asbury Park Rotarian. During his tenure he's received many significant awards, some of which I'll highlight here: he's a recipient of the New Jersey Senate Service Award, the New Jersey Assembly Leadership Award, the Ocean Township Chamber 2016 Man of the Year Award, the Ocean Township Historical Museum Good Guy Award, the Monmouth County Commissioners Community Service Award and many others too numerous to mention. He's raised over \$150,000 from the Mayor's Ball to benefit pediatric cancer. He's the father of two, Regina and Anthony, and he currently lives with his fiancé, Lisa Green. So, with that, unless you'd like to elaborate, that's a little bit of information about Chris.

Mayor Siciliano: Thanks for having me.

Commissioner Kastning: Let's then start with some of the questions. These are all Phase Two questions, the first is kind of open-ended. Please describe your municipality's form of government.

Mayor Siciliano: So, we are, as you've been discussing the Faulkner Act, council-manager, I'd like to almost say manager-council in our situation because the manager has the majority of the power as he handles the majority of the day-to-day business and operation of the township. He is a conduit to the people of Ocean Township and we hear their concerns at a meeting and we try to work out what is best for them. The manager definitely runs the day-to-day operation and as mayor I preside over the meetings and I don't have any more or less powers than any other council member. We run at large or every four years. We're a town of about 27,000. Our form of government has existed since 1963.

Commissioner Buffalino: Did he say the mayor was directly elected?

Mayor Siciliano: No, we run at-large, I'm appointed by the council members after an election. That's not something empirical, but it's been a tradition, so we've kept that. We're nonpartisan, we check our politics at the door and we come in to do town business. As we switch from mayor to mayor, there's no democratic or republican way to pave streets or plow snow or pick up leaves or to provide other services.

Commissioner Kastning: How long has your municipality had this form of government?

Mayor Siciliano: Since 1963.

Commissioner Kastning: Do you recall or do you know what it was before that?

Mayor Siciliano: It was committee before that.

Commissioner Kastning: We'll go on to the second question here. The Faulkner Act provides for different forms of local government and options within those forms. Can you provide any background or considerations that led to your town's form of local government, including the other options considered?

Mayor Siciliano: That was something started when they brought this form of government in 1963. I just think the folks that were on the board at the time decided this was best for the township. Like Holmdel or any other town, we've grown a lot since 1963, things have changed. Is there room for change, absolutely, I couldn't begin to tell you what to change. Although every township is different, it seems like Mayor Buontempo has a pretty good handle on Holmdel and he, like myself, has institutional knowledge of the township that could help approach further advancement. I'm satisfied with our protocol and how it works, it's less stressful, we're not thinking about politics, but just about serving and meeting the needs of the community.

Commissioner Kastning: Obviously, the council is happy with you since you've been there since 2015, so I guess that bodes well for you and the community. Next question, what do you think works best about your current form of government and the opposite is what could be improved?

Mayor Siciliano: So, what works best, again the nonpartisan component. I do like that I'm not a very political person, although our council is made up of folks with varying degrees of political enthusiasm, but I think nonpartisan works best. We're really there to give the quality of services that they should have.

Commissioner Kastning: Are there ways you think your current form of government could be improved?

Mayor Siciliano: Well, I would say we do have a May election and we've talked about maybe going to November, and the reason for that is it does cost money to have the election in May and then you have another in November when there's a general. It's not a lot of money, but we decided to keep the May election because it keeps the politics out of it. Even though we're local and they don't think that politics can get involved, but they sneak their way in sometimes and we really like to keep our distance and I think a May election works best, but say they just keep it all in November, and if you had other thoughts, especially about the different types of the mayor-council versus council-manager, I'm quite pleased the way it's up right now, it's a lot of responsibility and time off my hands.

Commissioner Buffalino: Using nonpartisan election, how's the voter turnout.?

Mayor Siciliano: It's weak, when I say weak, we probably have at best 20% turn out being that it's May. It's almost like you're holding a campaign and you're knocking on doors and you have your voter registration list in front of you and really you want to knock on the doors of the 4s, people that vote in every election, versus the 1s that vote just for president, 2s president and governor, 3s so on and so forth. You can have all the signs up in the world and put all the literature out there that the campaign's going on and tell them that the election's coming up, that it's May, it's on Tuesday and I can't tell you how many people said they voted for me and it

couldn't be because we only had 4,000 votes and 10,000 people said they voted for me; it's not possible.

Commissioner Buffalino: If you were to change to November, do you think that would be better than because it would be associated with a national or state election?

Mayor Siciliano: Yes, absolutely. Better voter turnout.

Commissioner Kastning: The next question has multiple parts and to the extent they've not already been covered, do you have any thoughts of the following options: first one being electing the mayor directly by the residents versus by the town council?

Mayor Siciliano: I'm not opposed to either form, we're just used to doing it this way where, typically, the mayor would say or the person who wants to put a ticket together, "hey so and so we're leaving three vacancies here, I want to bring in some other people on the council and I'll put the ticket together and would like your support as the mayor," and that's usually how our campaign works, but being directly elected from the people that's not a bad option at all and I would go for that as well.

Commissioner Kastning: How many council members do you have?

Mayor Siciliano: Five and I think that's a good size.

Commissioner Kastning: You've already answered the question then, the number of members on a town council can be five, seven or nine, and you just indicated that you think five is the right number. Is that correct?

Mayor Siciliano: Yes, I think it gets too cumbersome if you have more and it also gets you more involved as a council member, you're an elected council member, take it seriously, show up at the meetings, be there for the votes involving the budget which is one of the most important aspects of municipal government. On the planning boards, on the zoning board, you have nine members and oftentimes you have several that are alternate members, but all of them get a vote just to have a quorum, but the council has five and when they show up and we look at our calendar for the year and we make our schedule for our vacations and what have you and it works out pretty well.

Commissioner Kastning: I think you've answered the next one, what are your thoughts on holding elections on a partisan versus nonpartisan basis, but if you'd like to elaborate on your previous answer please do?

Mayor Siciliano: Yes, again, I am all for nonpartisan elections. It's funny, when I first came on council my cohort and my predecessor was the one that tapped me for the position. When he asked me if I was a Democrat or a Republican, I told him I didn't know. I was 42 years old and I wasn't sure because I registered to vote in 1977 at a Grateful Dead concert in Englishtown. My dad had a real estate business and he said, "No bumper stickers, don't tell people whether you're Republican or Democrats, we're trying to sell a house over here."

Commissioner Kastning: What are your thoughts on electing council members at large versus ward by ward?

Mayor Siciliano: Ward by ward would work in certain cities or towns, I would think in our town it's best that we go at large because we're all part of the community. In fact, two of our council

members are neighbors right now. I really think at large really works best for our town, again every township is different.

Commissioner Kastning: What's the population of your town?

Mayor Siciliano: 27,232.

Commissioner Kastning: Holding elections on a concurrent or staggered basis, what are your thoughts there regardless of what you're currently doing?

Mayor Siciliano: Again, I think the concurrent works best for our situation, I've preferred that way for over 34 years and as I think what I've alluded to before, it gives you time to really work into an area of town or get familiar with what you're working on. Listen, some of these projects take years to develop and so we're all on board there and you don't want an interruption in maybe a voter or someone that started a project and well they didn't get voted in because we had a staggered election and now, we have this really big project and now we have to bring the new guy on board and try to acclimate them into what's going on. So, I really think that the concurrent form works best right now.

Commissioner Kastning: Next question, under the Faulkner forms of government residents can petition for a referendum for an ordinance. Are you aware whether the residents in your town have ever done this, if so, can you share with us what happened? What do you think about this opportunity for the voters?

Mayor Siciliano: So, that's not a bad thing, we haven't had that situation since I've been around. We've put referendum questions out for the voters, such as deer management, marijuana, things like that, but we haven't had the residents propose one, which tells us that they satisfied with the way the town is being run.

Commissioner Kastning: If you were to make changes to your current from a form of government, what would they be and why?

Mayor Siciliano: Again, I think going back to maybe moving it to November, that would probably give you a better voter turnout. In the process, that would be the biggest thing. Maybe electing the mayor directly.

Commissioner Kastning: Those are the bulk of the questions, is there anything else you would like to add?

Mayor Siciliano: No, I think every municipality is different, you are part of the fabric of the community and so you, like myself, we're really just conduits of the people. As much as I'm the mayor, I don't have any extra powers over the other council people. I think that nonpartisan is a great form of government because it's equal and it gives everyone a chance to participate.

Commissioner Kastning: Do the other commissioners have any questions?

There were no other questions and the commissioners thanked Mayor Siciliano for coming.

Chairman Gee: Is there any other new business before I turn it over to the public comment session?

Commissioner Kastning: I think I probably opened pandora's box earlier by pointing out a question that was being posed to Mayor Buontempo, but I think you should reiterate at the

beginning of each of these meetings that questions that will be entertained at the end and they are to be directed to the commissioners not the invited guests.

Chairman Gee: Thank you for that, if there is no other new business I should mention that I noticed tonight that we got a lot of new names that have not attended our past meetings. This is our seventh meeting, and several of the meetings I have mentioned this, but I want to repeat this for the benefit of all the new attendees. The purpose of the charter study commission is a relatively simple one, it is to study our current form of local government and to consider improvements in the present charter or to consider a new charter. I think it is important that we make the distinction that the mandate is to study and to explore how we can improve the current form of local government, so it's not the mandate of this commission to make analysis or review of the operations or the policy of the current government. If for some reason you're not happy with the specific actions or decisions of the current or past township committee or other boards, zoning board, planning board, etc., this is not the venue to voice your comments about that unless you believe that the current form of local government, which is the township form of government, is a direct cause or a significant contributing factor. I should also mention that on the other hand you might believe that the current government is working well, but still want to change the form of government and I think you heard a lot about that tonight. As an example, it might be that you believe that the mayor, as the official that represents Holmdel Township, should be directly elected by voters. Our current former government does not allow for that. So, I just wanted to mention that.

Chairman Gee gave instruction on how to raise or lower hands in order to participate in the public comment session.

Chairman Gee: We should note that if you have questions about the process and what we're doing, we will do our best answer that, but if you have questions about other matters and things like that, this is not the forum to do that.

Chris DiMare, 10 Seven Oaks Drive: Just to introduce myself, my family has been in town for the last forty plus years. We've raised two generations of families and have owned local businesses in what is an incredible town. We built lifelong relationships and have much pride for Holmdel. I will say, for myself, I was taken back when I first heard that there was a group of people pushing for this charter study, analyzing and making recommendations to change a government structure which has been in place for over a century. To me, this structure has clearly been working, because Holmdel continues to be an amazing town, it's not perfect, no place is. Although over the years, I've seen that our local government structure has worked very well together in preserving what I see as our prestigious town's incredible values, so it's really got me wondering why would anyone want to change this and what is the motive. Currently our town council is as diverse as it gets, we've got two endorsed Republicans, two Independents and one non-endorsed Republican, this is fair and balanced, this to me defines a government structure that is working. So, I just want to talk more about what the urgency is to make these radical changes. Yes, I'm new to these meetings and being at township meetings per se, but I needed to learn who's involved and what's going on, so I'd just love to better understand and just want to better understand what's going on. I started looking into the committee, I started looking into the people who are pushing this, so please correct me if I'm wrong. I just really would like to know and I don't know if this is something you want to answer right away or at the end, but some of my thoughts are: is it a fact that only five people in this entire town applied to be nominated on this charter committee and if so, this is intriguing to me

because this is something so big, so radical and it's just hard to believe that only five people stepped up to be a part of this committee which allowed you all to run unopposed. I wanted to ask Mayor Buontempo questions, I guess that's not part of this platform, but I couldn't find anything publicly on this matter. When did Mayor Buontempo announce to Holmdel residents how to apply and what was the expiration date for this? Mayor Buontempo mentioned tonight that he is extremely transparent and I just want to know if he is putting out a clear message, I did read that he publicly stated that Holmdel's current form of government is outdated and dysfunctional and to me that's very interesting for our mayor to say. He spent the last ten years on this town council, many of them as the mayor and he even went on and on tonight about how great this town is running, so I really need to understand from him how much responsibility does he bear for this so-called dysfunction that he publicly stated. He's made his intentions clear, I found it appalling for our leader, our mayor to say tonight, "whatever this committee decides is the right way to go." This committee has not even brought recommendations to the table yet, how could he say that? Look, I just want to understand who people are and what's going on. Kin Gee, you're the chair of this group, and I would love to better understand things and to me it's the conflict of interest that I continue to pile up here. We have a major thing going on, our Holmdel residents deserve transparency and to know who's driving this committee. Kin Gee, you became chair, I'm looking at publicly you have a very strong public biased political view for many years from what I see, and I wanted to know how involved you were in running the campaigns for two current town council members who happen to be Independents and that's Prakash Santhana and Kathy Weber utilizing your For a Better Holmdel page, and also very influential in running campaigns for the currently recently elected Board of Education members. I ask my fellow Holmdel residents, many of them who have no idea what's going on, how is someone who has infiltrated all aspects of our Holmdel political landscape, now nominated to chair a charter study that's looking at our government and looking to change it? So, to me that's a huge conflict of interest for the Holmdel residents and I feel strongly that the citizens of Holmdel, our town, we the people, need to reconsider and learn more about who is running this charter study and this is my biggest issue. If we want to look at our town and analyze it and make changes, I'm all for that, but I do feel like there's a tremendous amount of conflict of interest on this committee, and this is all public stuff, and that I have a problem with. After the first charter meeting, I picked up the Two River Times who quickly created a narrative, "After the first public input session of the Holmdel Township Charter Study Commission, one thing is clear – the residents are looking for a change." I looked at that and immediately asked what residents are they talking about, from what I saw in the first meeting the people who spoke on this public forum during the first session all seem to be connected to this inner circle of people who are running this committee. I started asking around to my very strong network of great people in this town of Holmdel, I've known these people for decades, young and old across all party lines and most are not even aware what is going on in this town and anyone who has seen the reports doesn't understand anything about it and let's face it, we just saw this whole Faulkner Act is extremely confusing. I'm sitting here all night and I'm having trouble understanding how are the Holmdel residents supposed to understand this. To me the real narrative is Holmdel residents are in the dark. In good faith, for a fair assessment, we need to make sure we are informing and educating our fellow Holmdel residents about this charter study. From what I'm hearing from many people, we're doing a terrible job of doing this, it's unfortunate. We listened for the last couple hours, to me nothing smells right about this, it really just seems like a plan that's being pushed through while nobody's paying attention or even can wrap their heads around this. As this committee is structured today, I strongly oppose this charter study, I feel

that certain members and Kin Gee as the chair should strongly consider stepping down so we can do a fair and balanced assessment. There are way too many conflicts of interest that this town needs to know about, and the time is now for people of Holmdel, the ones who truly embrace our values to step up and get involved. We need more transparency; we need more answers and this is how I feel as a Holmdel resident. Forty-something years, born and raised in Holmdel. Thank you for letting me share the public forum.

Chairman Gee: Thank you for your comment, I just want to make a quick response, but before I do that, we have a large number of people in attendance and I can see at least four or five other hands, so most of you know in township committee, and a number of other forums, the public comment sessions are limited to three minutes. We have not deliberately tried to set that and in fact, we have given Mr. Damari probably close to eight minutes according to my clock of comments. I just want to be cognizant that we have other folks who would like the opportunity to speak. I will exercise some discretion if you could please try to limit your comments to three minutes, if you run over a little bit that's fine and we understand that.

So, let me be very clear, because I think there seems to be a lot of misinformation and quite honestly, I'm not sure there may have been some false information that may have been out there. So I would just want to take a couple of minutes to make absolutely clear the township committee introduced a public ordinance in a public hearing back in July 2021 and as part of that introduction, they read what the proposed ordinance would be and it would be public notice that was the first reading of that, and I remember very distinctly that at that meeting one gentleman stood up and asked some questions about that and then specifically asked how do we vote on that. How do people get elected to serve on that commission because it sounds like there's a commission and so on? Anyone who's interested, you can go back to the July meetings, as you know the township maintains a YouTube page that has all the live streaming and video tapes and you can do that. So that's the first hearing, then in August there was the actual hearing of the ordinance that was introduced and there was a public hearing for that. There were specific questions for public comments before they voted and then it was voted. Now, here's the key part, this is an ordinance and it's a question whether to establish a charter study commission or not, and that was placed on the ballot in the November 2021 general election and as part of the general election voters, all Holmdel voters, were allowed to vote on that yes or no to establish that and concurrent with that, were people who filed petitions, who took the time to say, "hey if this is passed, we want to serve on that commission." So, that was all done as part of the November 2021 election and hopefully Mr. DiMare and a lot of other people took the time to vote on that. This is not a committee that was appointed, the public question had to be passed and that was passed and then after that the five commissioners were elected and then after that the commissioners had an organizational meeting back in November and, per statute, we had to hold that fifteen days after the election results were made official and doing that was an open public meeting and a chairperson was nominated and elected. I just want to kind of lay out the facts, but thank you for your comments.

Commissioner Gilstein: I want to just clarify one thing, at that July meeting, you didn't really finish the sentence, a gentleman asked how do you get to be on the ballot to be a commissioner and the township councilman explained that you get a petition, voters to sign it and put your name on the ballot by September 1st. That was all explained at that meeting, there was no hidden way of getting on, it was all explained in public forum of how you could run to be a commissioner. As it turned out, the five of us were the ones who were dedicated enough to the

goodness of our town, that stepped up to going out and getting signatures and getting our names on the ballot, and so here we are to do the work.

Chairman Gee: Thank you. Any other comments from commissioners if they want?

Commissioner Berk: I just want to make clear that we may or may not make recommendations to do anything and whatever we recommend or do not recommend, if there is a recommendation, it has to be passed by the public. Whatever concerns, we've had one public meeting and there will be more public meetings and then the voters are going to decide. We're not pushing this through, we are analyzing, we're listening to what people say, we may have recommendations but you are going to decide whether you want any change.

Chairman Gee: If I may just clarify, so we have had seven public meetings and Commissioner Berk mentioned we have one public hearing that was specifically for the public to get their input as part of Phase One, and as we indicated, we will hold additional public hearings certainly after Phase Two. This is only the first of a number of public meetings and then public hearings, as well, so if there's no other comment, I want to bring in the second member from the public.

Thiano Kolovos, 8 Canyon Woods Court: The mayor said a lot of very positive things about Holmdel, about how we've been getting things done at a rapid rate, we've kept the tax rates flat. I just don't see why at this point, still in a pandemic, the pandemic has not been called to an end yet, why we are making drastic changes or suggesting drastic changes. Some of us, most of us, have barely gotten our heads around sending our kids to school without masks, that hasn't even happened yet, but I'm concerned about the timing of all of this, especially what it could do to our taxes in the future. Would we be paying more in taxes for our new mayor if we elected him? I'm just concerned about our taxes in general, and how this would slow down the progress that Holmdel has made over the last decade.

John Giampolo, Blue Hills Drive: I'll be brief, I just want to say I echo a number of the concerns raised by Mr. DiMare. I moved here with my family from Hoboken in part to get away from the more expansive costly forms of government that I'm concerned sound like they're being proposed here. First question for you is to expand on probably the last question that was asked. Have you studied, have you even estimated how much taxes, as well as, any other costs and expenses may increase for Holmdel and for each Holmdel household as a result of the new forms of government that are being proposed here? It sounds like these are more expansive, costly forms of government under the Faulkner Act, including changing Holmdel, dividing Holmdel into wards, creating more salaried government positions, increasing the number of town council members, etc. These sound like forms of government that are used by much larger municipalities or municipalities that have higher crime rates or municipalities that are very different from Holmdel. I mean, so far, we've heard as examples Vineland, Atlantic City, Ocean Township, even Ocean Township is much larger than Holmdel. A lot of us all pay more than enough already, so I think one of the things we'd like to know is do you have any idea what this is going to do in terms of not just increased taxes, and also any other increases in expenses and costs. Also, I do not see what would be the benefit to this idea of dividing up a town as small as Holmdel into wards, I mean we've already heard one of the speakers say that alone comes with its own set of problems. There'll be a number of issues that are in the best interests of the town as a whole, but not in the best interest of certain wards. Last question really goes into won't this nonpartisan form of government that is being proposed, won't it cause lower voter turnout, which we heard the last speaker say, as well as, be more susceptible to

gerrymandering to divide up the majority of voters who would have otherwise voted or chosen to vote down their party line? If, for example, the majority of voters in Holmdel might have voted down the party line Republican, but now if you have a nonpartisan election, who knows how many different candidates will run for office, there could be certain candidates that are running really for the purpose of dividing up the majority votes, resulting in a minority of voters that are undivided deciding an election that otherwise would have been decided by the majority voting down the party line. Lastly, I just echo the sentiment that we've even heard the mayor say today, that so many people choose to stay in Holmdel, or choose to come back to Holmdel for so many reasons, because Holmdel has been working well in that it serves as a model for a number of other towns. So, I'm not clear and I'd like to know exactly what you think is or what anyone thinks is so wrong with Holmdel's current system that we should be considering the different forms of government that sound like they are used by other municipalities that are much larger, much larger populations, that have more problems than Holmdel does. Thank you.

Chairman Gee: Thank you. Before I call on the next speaker, I just want to mention something again. It appears to me a lot of the people are attending this meeting of the Charter Study Commission for the first time. This is our seventh meeting and I didn't want to repeat too many things that have been said in the past, but at the beginning we have said what the mandate was and then we kind of broadly describe our plan which will consist of three phases. Phase One is to really study the current form of government and understand the strength, what's good about it and maybe things that are not so good about it that could be improved upon, and then Phase Two would be to look at possible alternatives and then Phase Three would be a deliberation and then if we feel that there may be some things that could be improved upon or a different form of government then at that point, we would have a recommendation. So, you know we are literally still in between Phase One and Phase Two and I think some of the questions that some folks are asking are a little bit premature because we don't have a recommendation right now. All Phase One, if you can go back and watch, is to talk to people about the current form of government, how they feel about it, what the strengths and what the weaknesses are, people who have served more than 50 years on township committee, and that doesn't include Mayor Buontempo, including 22 years as mayor. So, video recordings all the prior meetings are on the Holmdel Township's YouTube page, you can watch that and it's certainly on our website as well. The minutes of the meetings will also be posted, so we would encourage you folks, especially those who are attending the meetings for the first time. So, in the interest of moving on, I'm going to call the next speaker.

Wes Fagan, 50 Chestnut Ridge Road: I'm a 30-year resident, a couple of things, one is Mayor Buontempo's quote in talking about the role of mayor he said, "you can't step into it." So, since I can't ask him a question, I'll read into what I think he meant, and that is it would make sense to have a little bit of experience in the mayor's role and if the mayor were directly elected, I would assume that there would be no way to say that he or she has any previous experience in that. So, I'm wondering rhetorically what recourse the public would have if we wind up with a lemon, would there be a lemon law associated with the election of the mayor because he or she's has to be ready on day one. In considering somebody like a Bernie Madoff, he would have been very good in terms of his resume, but halfway into his term we might have discovered something that we didn't really want to work with for three and a half more years, that's the first thing.

The second thing is, what John Giampolo had mentioned, in a nonpartisan election there would be no primary, so as I see it, you would have potential for an unlimited amount of candidates on the ballot.

Two more items, one, I think the Zoom style meetings are for the birds. I could not hear the Ocean Township Mayor and his discussion. I see Mr. Gee, you are in town hall, I'm wondering why we aren't all in town hall. And lastly, is the next meeting on March 3rd, and subsequently, going to be public. Thank you.

Commissioner Kastning: Let me just comment, all meetings are public, I think you meant in person, correct?

Chairman Gee: I'm sorry, I just removed him, but we should make mention, as most of you know, there was a surge in Covid cases and the Township Committee, the Planning Board and the Zoning Board have decided to follow the protocol to move their meetings on a virtual basis, and so until I think the picture is clearer with respect to Covid we are trying to follow other boards and the township committee. So, in a perfect world we would love all this to be in person, but we have noticed that there is a lot more attendance on a virtual basis as well, too.

Jeff Mann, 705 Holmdel Road: Good evening committee members and thank you for allowing me to speak. I actually want to just go on the record saying a couple of things. One is, you mentioned in the beginning, and only because you brought it up, it was slightly disingenuous and I just am in the vein of transparency and it might be misleading to some people, that the Sheriff Golden letter, and I think it's important to reveal that it is a form letter that everyone elected gets, and I also think it's interesting that the committee seems to be in favor of eliminating parties, yet he had stated that he is the chairman of the Monmouth County Republican Party, so I want to go on record stating that. Other cities that operate and they're governed under the provisions of the Faulkner Act are Camden, Newark, South Orange, Asbury Park, Jersey City, Patterson, Elizabeth, these are all much different than Holmdel, and I think Holmdel values need to be preserved. There's so much to this, and to expect that regular voters or regular people can understand this and process this, I think is asking a lot, especially since one small facet of this is eliminating parties, it's one of the only ways people can identify their candidate at the polls. Running as independent, it's less in the gubernatorial election, and the last one that the town had had a 42% turnout and of those people how many were really informed and educated and can vote with confidence? Now, take away the party line designation and we're creating even more confusion for them, and again, that's just a small piece of this Faulkner Act and a small piece of what could potentially be coming down the line here, but I guess I end with a question really. By eliminating parties and operating under the Faulkner Act, what is the purpose of changing the democratic system that we have? So, I pose that question and as a follow-up, is this slated for June or November and I'm not sure if you know that now, but if you do, I'd love to know and thank you.

Tom Santora, 8 Willow Road: I want to thank you for giving me the opportunity to speak. I have two questions, one is I just want to confirm that the recommendations from the charter committee are just that, recommendations. And, what was the origin of this charter committee, and I just want to basically confirm that there were only five candidates and all five candidates were elected. I just think there's an issue where five unelected people are, I mean granted you guys knew how to basically sign up for this charter committee, however I think it might be an

issue where five unelected people are making recommendations for the town. So, I just want to confirm that only five people applied and that it's just recommendations. Thank you.

Mr. Starkey: The Charter Study Commission will determine, after conducting these public hearings, whether or not to recommend a change in the form of government. If there is not a recommendation made, it will continue in the township committee form. If there is a recommendation made, that recommendation will go directly onto the ballot. The township committee has no role in this, so the Charter Study Commission's recommendation is on the ballot and then that gets put in front of the voters. If the voters approve the change that's recommended, that becomes implemented. If the voters do not approve it, then it does not get implemented and it's a simple majority vote that goes on the ballot. So, that's the process we're going to go through here, there is a recommendation, but it's only that, by the Charter Study Commission, it is up to the voters to determine whether or not the form of government is ultimately changed.

Commissioner Berk: In terms of signing up, we did not sign up, we needed to get signatures, I believe it was 100 signatures that we each needed to get. We filed and then we were placed on the ballot, and so we were elected to serve on this commission

Mr. Starkey: That's correct, and every resident of Holmdel was eligible to file a petition, and it was a very public process. It was public forum committee, it was in the press, every resident of Holmdel was eligible to put a petition in to be placed on the ballot, just as if they're running for local office, and then when you're on the ballot the voters decide who is going to be elected to the Charter Study Commission.

Eugenia Samardin, 34 Galloping Hill Circle: My question has to do with the timing, when do you expect to have a recommendation, if you will be making a recommendation, when is that slated to occur? My second question is, will there be an opportunity to debate that, what is the period of time between that recommendation being issued and that getting on the ballot? Is there going to be an opportunity to debate that, can somebody come forward and study it or is it just going directly on the ballot, and then a week later people are going to be asked to vote on it? My third question has to do with transparency and getting the public involved, it is extremely difficult, I echo the sentiments made by the earlier speakers, residents and attendees, it is extremely difficult to participate in this setting. A lot of us are on mute, a lot of us would like to be involved and see people face to face. This is extremely disjointed and very, very difficult, it's part of the same problem with having proposed such an enormous change during a time of the global health pandemic. In July of 2021, I know most people were nervous about staying alive and their parents staying alive and other critically important issues such as that, and people might have not been paying attention to an ordinance popping up in the township. So, I'm sure if that wasn't going on, that more people would have maybe run to serve on the commission, including myself. I would have been one of the people that would have been interested in perhaps throwing my hat in the ring, but I had no idea this was going on. So, the timing of it, I think, is troubling I would say, so again my first question has to do with timing, when will a recommendation be forthcoming? Second, what is the timeline between that and then actually reaching a vote or being submitted for a vote to the public, is there a debate or an opportunity to debate that in a public forum? And third, are we going to have an in-person meeting next time for this study commission, why not suspend it until we can have it in person? It seems like we're very close to that and the Board of Ed is already having those in-person meetings. Thank you.

Chairman Gee: Statutorily we have nine months to finish the work, so we're very mindful of that and that's one of the reasons we've been conducting these meetings, working hard at this. Can we finish early, yes, we can finish early, but we can't finish later than nine months, so hence we've front loaded a lot of meetings to make sure we can finish within nine months. What we don't want to do is find ourselves in the eighth month and we're still far from getting there. The last meeting was the first public hearing to get input on Phase One, because at that point we had gotten input from elected officials that have served on township committee. So, as we go through Phase Two and we learn more about the different options, we will certainly entertain a second public hearing for the public to comment and provide their input based on perhaps what they have heard and then we'll go to a Phase Three with deliberation and possibly recommendation. Then at that point, we will look to have another public hearing?

Mr. Starkey: The timing of it is actually established by state law, and if anyone is looking this up it's 40:69A-15, I brought it up to make sure I got it right. The commission has nine months to determine a recommendation and the reason for that is the state law does not want this commission to go on endlessly. So, in effect, the absolute deadline for any recommendation to go on the ballot is at this coming November's general election. That's the last date it would be, it could be sooner than that and it depends on when the Charter Study Commission makes its' recommendation. So, the Charter Study Commission makes a recommendation on a certain date and that then goes on the ballot, either at the next general election if that is between 60 days and 120 days after the commission's recommendation or it can be earlier. If it's earlier, once again the same time frame applies, the election will be a special election and would be at least 60 days after the recommendation, but not more than 120 days, so that is established by state law. There was another question about whether or not there would be public debate over any recommendation that goes on the ballot and the answer is absolutely there will be. That's the point of making it at least 60 days after the recommendation so that the public can know about it, people can debate it and the debate is not whether or not the question goes on the ballot because it goes on automatically, the debate is over whether or not that question should be approved when the election date comes, so that the timing will be determined based upon the date the commission makes its recommendation or does not.

Chairman Gee: The ultimate discussion or debate really is at election time for that public question, isn't it, so you could have debate, but ultimately you would go behind the voting booth or mail-in ballot, whatever the basis, and vote yes or no on the public question as to the recommendations by the commission.

Terence Wall, 170 Laquinta Court: You did not give an answer to when you're going to do this recommendation, I heard it's going to be on a June ballot during a primary election and you could probably take that to the bank at this point, so plan on that. By way of biography, a multi-generational lifelong resident in Holmdel, I have a Master's in public administration, am a registered municipal clerk, a qualified purchasing agent, an affordable housing planner. I have a long history in serving as a chief administrative officer in multiple jurisdictions and multiple forms of government, and Mr. Starkey, I'm sorry you're stuck in the middle of this thing because this is a mess, because the charade is ending starting tonight. I'm calling on every resident to vote no on the expected recommendation to change this form of government. It's really interesting, there's almost like political schizophrenia tonight, I hear so many great things about Holmdel, stable budgets, great things going on, Mayor Buontempo talking about how wonderful it is as he's enjoying his terms as mayor. Well think about how you came to Holmdel, the parks,

the playgrounds, the schools, the recreation opportunities, all the fantastic things. Historically, that was all done under the umbrella of a Holmdel township committee form of government. I've heard a little bit about strong administrators, today Holmdel's current ordinance gives significant power to the administrator, so that's not a driver. Here's the punch line folks, the forms of government are all generally okay, all of them, it's the people that are in the offices and that's it and that's why I'm so troubled about how this process is going on. The first phase has not been done right, if you look at the Bloustein School in Rutgers this first phase has been an absolute disaster. You're supposed to meet with elected officials and talk about how the government works, you're supposed to meet with department heads, you're supposed to discuss what the operations are, you're not supposed to get 18-year Nancy Grbelja who got bounced out from the county and still has a grudge match with Sean Golden, and by the way Scott Broschard was never elected to the Hazlet Township committee. You should fix those false representations, that's not how you do a first phase, you do it right, you do it correctly and you do it on time. So, from this politically schizophrenic evening tonight, absolutely unquestionably every resident in Holmdel should bounce that question when it comes out and I'll give you another reason, the false narrative, the little cute story that we're designing, about all the people that want to change the form of government. The people that came up at the last meeting were the treasurer for Prakash Santhana, another gal, Gilstein, the spouse of the member that gave \$1800 to Santhana, this is politically polluted, and the irony is it's the very things that the people on the commission have hated for years. Don't do the things that you hate, keep the option the same and keep the Holmdel township committee intact. The charade ends tonight. Thank you.

Ralph Purcell, 18 Red Coach Lane: I've been living in this town for 17 years, I just want to reiterate what Terence Wall said and that a lot of things that are going on in Holmdel should be addressed, the quality of life and changing our government. This government has been working fine, I came from New York and when I see a study that's going to be implemented, the word study means to me changes are coming, that's what it means to me. I don't know what it means to you people on the board there, but this is the way I see it, if it's not broke and your candidate didn't get elected, well guess what the system works okay and that's all I have to say. Good night.

Chairman Gee: There are no other hands raised and I am closing the public session. Can I get a motion to adjourn the meeting?

Commissioner Berk offered a motion, seconded by Commissioner Gilstein. A voice vote showed all in favor.

Respectfully submitted,

Bonnie K. Thomas – Holmdel Charter Study Commission Secretary