

**HOLMDEL CHARTER STUDY COMMISSION**

**MEETING MINUTES**

**THURSDAY, JANUARY 6, 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**

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

**Pledge of Allegiance and Moment of Silence**

**Approval of Minutes**

The minutes of the November 23, 2021 Public Session was approved by a voice vote after a motion and second.

The minutes of the December 9, 2021 Executive and Public Sessions were approved by a voice vote after a motion and second.

**Motion to hold a public hearing at the Feb. 3, 2022 meeting**

A motion to hold a public hearing at the February 3, 2022 meeting was approved by a voice vote after a motion and second.

**Invited guest: Larry Fink, former Mayor and Township Committee Member of Holmdel Township**

Chairman Gee: In previous meetings, I indicated that the Charter Study Commission's charge is a simple one – to study our current form of local government and to consider a new charter or improvements in the present charter.

In broad terms, our plan is divided into three phases. The first phase is the study of our current form of local government. The second phase is to explore alternative forms of local government. The third and final phase is to deliberate and make decisions for any recommendations.

In the first phase, which will begin tonight, we will bring in guest speakers including past and present elected officials from Holmdel and from other towns within Monmouth County that operate on a Township Committee form of local government.

The format is to ask a series of questions about the Township Committee form of government. After the response to each question, Commissioners will have the opportunity for follow-up questions before we move on to the next question.

We are pleased to have two distinguished guests with us tonight that will help our study of the Township Committee form of government. Our first guest is Larry Fink.

Larry is well-known for his environmental activism and open space preservation efforts.

Over the course of more than two decades, he served in various appointed positions in local government: Chairman of the Holmdel Environmental Commission and Open Space Advisory Committee, Vice-Chairman of the Monmouth County Environmental Council, and member of the Holmdel Planning Board. He was a lead author/editor of the Holmdel Township Master Plan, Open Space Plan, and Farmland Preservation Plan. In addition, Larry was the co-founding Vice President of the Citizens for Informed Land Use and a co-founding trustee of the Friends of Holmdel Open Space. He is currently the president of the Monmouth Conservation Foundation and, as a trustee for more than 20 years, he has assisted with the preservation of hundreds of acres of parkland and farmland throughout Monmouth County. In his professional capacity at the New Jersey Green Acres Program, he has helped preserve more than 3,200 acres of open space for our State Parks, Wildlife Management Areas, and Natural Areas.

For tonight's purposes, it's important to note that Larry was elected and served as a member of the Holmdel Township Committee for 12 years from 2001 to 2012 and as Mayor of Holmdel from 2003 to 2005.

For his leadership as Mayor and Township Committeeman and his efforts to preserve open space and expand parks and trails in Holmdel, Larry has received numerous awards and recognitions. In addition, under Larry's chairmanship, the Holmdel Environmental Commission was recognized with *Monmouth County Planning Merit and Open Space Planning Achievement Awards* in 1995, 1996, 1997, and 1998.

Thank you, Larry, for taking the time to appear before the Commission.

Chairman Gee: The first question is: Holmdel operates under the Township Committee form of local government. What do you think works best in the Township Committee form of government?

Mr. Fink: I didn't have the luxury of serving on different types of governments. I know there are several types allowed under New Jersey Statute, but the only one I know is the township committee so hard to say what is best about it compared to the others. Some of the characteristics that you find in it or at least in ours in Holmdel are that we have five elected members elected on staggered terms. The setup currently allows the township committee members to select from amongst their membership the mayor each year at the annual reorganization meeting, which just occurred for 2022. The five members are equal members that the mayor serves as the chairperson to run the meetings and helps direct discussion during the meetings but has an equal vote with the other members. I think that is a good thing about the township committee form of government that all members have one vote on all matters. I'm not sure if I have anything more on this question at the moment and in the interest of time it may be best to move on to other questions and if I think of other things that stand out along the way about the township committee formal government I can try to highlight them.

Chairman Gee: Do any commissioners have any follow-up questions to that?

Commissioner Berk: As mayor, you had certain duties that you were able to perform. You had equal vote, but you also had other duties. Did you feel that was sufficient being the mayor and having those duties but the equal vote? Do you think that was the perfect way?

Mr. Fink: Being a relatively modest-sized municipality, as opposed to a city like Newark or Camden where you know being a mayor is a full-time position and you're actually are hands-on every day, running the town in a situation such as ours the governing body are policymakers that guide and give direction to the paid township administrator and the department heads and staff. I do not think that when I was serving as mayor I felt like I did not have enough say in how the township was being run. I was a member of a five-member governing body and on certain issues, of course, there were times when I wished I had more say or more control or more power. Unfortunately, for the voting population, many people feel that the mayor is a very powerful position, but in the township committee form of government, it is more of a figurehead and ceremonial. I had the pleasure of officiating in several wedding ceremonies as mayor and that was one of the pluses of the jobs if you like that sort of thing, but I did enjoy that.

Commissioner Buffalino: Given that your power is not any greater than anybody else on the committee, but you do appear to the general public to be important, do you think that is deceiving at all to the general public?

Mr. Fink: In a way, it is and it works both ways. On the one hand, the general public may expect more of you as mayor and think that you have magical powers to do dramatic things for the town when in fact you don't so that's a bit deceiving. Sometimes it goes the other way where someone who has been selected to be the mayor believes that he or she has more power than they are supposed to really have by ordinance or regulation and takes it to an extreme. So a lot of it does have to do with the personality of the person who's in that seat and some will wield a mayoral gavel as if you're a king or queen which is, I believe, not right.

Chairman Gee: Any other questions from other commissioners? Seeing none, the next question is: What could be improved in the way our current township committee form of government works?

Mr. Fink: Most of my thoughts in that regard are actually embedded in answers to the other questions later on, which actually involve considering changing the form of government and I take it that is what you are after, but this question is if we were to stay with the township committee form of government what could make it better than it already is. Is that what you are aiming for there?

Chairman Gee: In a different way of couching it, what are the weaknesses in the township committee form of government so that is a different way of asking the same question.

Mr. Fink: I am not sure if I have any magic answers here, but as I was alluding to before depending on who is on the governing body as a township community member and who is serving as mayor, there can be times when individual members of the township committee, including the mayor, are literally out of control. They are either making personal attacks on fellow members of the governing body or attacking people's positions not based on merit but on something that is irrelevant. At times, I kind of wished, at least when I was on the township committee, that there was some sort of a sergeant-at-arms, somebody who could say timeout and whoever's speaking is out of order or off track or inappropriate. We were basically a five-member self-policing group and I certainly felt at times I was the brunt of inappropriate remarks and I basically had to just either suck it up or fend for myself as best I could. There was really nobody to step in and say "hey, wait a minute guys, let's cool down and be more civil." I am not sure in that position how you would come up with some referee or a sergeant-at-arms person, whether it be a member of the township staff or whether it be an appointed position or an elected position or how you would do that, but sometimes I wished there was a referee in there in the room.

Chairman Gee: Are there any follow-up questions from commissioners? Seeing none, the next question is: Under the township committee form of government the mayor is elected by members of the township committee, as you said earlier, at the beginning of the year and serves a one-year term. The mayor is directly elected by voters in other forms of government. Do you have any thoughts or comments on the mayor being directly elected by voters instead of the township committee?

Mr. Fink: I think that the way it has been done where the township committee members select the mayor makes some sense, but I think it would be preferable if the voters could select who the mayor is. I think it would allow for more say from the voters and probably would lead to less partisan types of politics because instead of the majority party choosing a member of their own to be mayor. The voters would be able to choose whoever they felt was the best person and it may take a little bit of the partisanship out of things and if the mayor was not doing a particularly effective job in that role it would allow the voters a better chance for making a change. I would lean towards a direct election of the mayor.

Chairman Gee: Are there any follow-up questions from other commissioners?

Vice Chairman Kastning: If a mayor was elected it would not just be for one year it would be multiple years. Do you think that it is better for a mayor to serve for three years as opposed to just one year under the current form of government?

Mr. Fink: That is a good question and it is a tough one because if the mayor is doing a decent job, three years is not a bad extent to be a mayor, but if you are doing a terrible job and the voters that do not like it have to wait three years to make a change. That seems like an awfully long time to wait, so I am not sure how one would get around that. I will say from the exposure I did have, while I was in township government, to some other town's forms of

government oftentimes a mayor, like in the town council form of government only votes when there is a tie as a tiebreaker so they are not as powerful. They do not have that regular voting capability so if they are on the town council for three years it may not be so terrible because they do not carry as much weight with the power of the vote that the other council members have.

Chairman Gee: Are there any other questions?

Commissioner Gilstein: This question does not speak to what power the mayor does or does not have; it is just whether you elect him or her directly or not. We are going to talk in one of the other questions about the role of the mayor, so I will hold my question.

Chairman Gee: You certainly will have an opportunity at the very end if there are any outstanding questions that you feel you need to ask. The Holmdel Township Committee consists of five members, and I think we touched on this a little bit, but they're elected at large by the residents for a term of three years on a staggered basis so effectively because of the way the math works this means that there's a local election every year. In some years, one member comes off and in other years two members come off. Other forms of local government have one to three years between local elections. There are some that are not on a staggered basis and actually have elections every four years. There are some that, even though they are on a staggered basis but because their terms are four years, they only have elections every other year and depending on when they are in effect even number of years or maybe even an odd number of years. Do you have any thoughts or comments on annual local elections? In other words, we have one basically every year.

Mr. Fink: Well I can think of some pros and cons, so let me give you the pros first. By having an election every year it does give the voters a chance to express their satisfaction or dissatisfaction with the governing body or at least with those members whose terms are up and that is a good thing. It also maintains relative stability on the governing body while allowing for gradual changes because only two seats or one seat at a time are up for election so the makeup of the governing body changes gradually rather than suddenly which allows for some continuity. There is a learning curve to being on a governing body and it is nice to give people a chance to be on there for a year or two or three and then give them a chance to be re-elected. Those are some positive reasons for having elections every year. Some of the cons are that on years when there's not a U.S. Presidential Race or one involving members of the U.S. Congress, the voter turnout has been historically extremely low and it would be better of course to have more voter participation when electing our local officials. Another con is that elections are expensive to run, there's a lot of equipment that needs to be moved into place, poll workers who need to be paid and ultimately it's the taxpayers who fund the elections. You don't need to have an election every year and if the elections for the local races can be combined in the same years as other races higher up the ticket that could save on some costs and also, promote better voter turnout.

Chairman Gee: Are there any follow-up questions on that? Seeing none, the next question is: Statutorily, the township committee is limited to three or five members. Holmdel's township committee has five members. Do you have any thoughts or comments on increasing or decreasing the number of members of the township committee?

Mr. Fink: I think three would be too few, five seems to be a decent number, but expanding it a bit to perhaps seven may also work and may allow for a bit better representation of residents and a wider diversity of views on various issues.

Chairman Gee: Are there any more questions?

Vice Chairman Kastning: Statutorily you cannot go above five in the township committee form of government so to increase it you have to change the form of government.

Chairman Gee: That is correct.

Ms. Berk: You said five or seven, if it were not an issue if we could do it. Seeing how Holmdel is now, do you think it would be better to have more people or do you think five is good? If you had to make a choice and maybe you cannot, but if you were to?

Mr. Fink: On the one hand, people like to have efficient government and when you have a smaller number of people at a township meeting speaking and debating and voting, the meetings presumably should happen more efficiently than if you had seven people or nine people. On the other hand, the objective of government is to try to represent the people as best you can and serve them well so just as when I was mayor and when I did have the ability to run the meetings I welcomed public comment. I also tried my best to give ample opportunity to all the members of the governing body to share their views. I think diversity of views and listening to everyone is important and maybe increasing it would allow for a wider diversity of views at the expense of possibly having the meetings take a little bit longer and decision making little harder to reach.

Ms. Berk: What about in terms of workload?

Mr. Fink: Each member of the governing body is assigned to one or two departments to be the liaison between the township committee and those departments. I think we tried to have two members of the government body to be co-liaisons in many cases and I think we were able to cover the workload pretty well, but I think there were times when things got a little overwhelming and it would have been better to have a few more hands on deck.

Commissioner Gilstein: Certain ordinances require two-thirds in order to pass; I believe bond ordinances fall in that category, so with five any two can block something. If you make it a little larger then it would be less easy for a small minority to block things. Do you see that or did you see that as an issue in Holmdel when you were serving? Would that be improved with a larger group or was that not an issue?

Mr. Fink: I guess I did not really think about that when we were voting on things and bond ordinances in particular. We knew what the what the rules were in terms of simple majority for most matters and a super majority needed to pass a bond ordinance and we played by those rules. I guess I was not thinking in terms of potential changes to the governing body makeup when we were voting.

Commissioner Buffalino: Do fewer members lead to a dominance of control and sometimes, in some cases, to prevent progress? That's what I think we'd like to know versus having more members, which may even things out a little bit from potentially control being exercised over things that need a greater thought process to them.

Mr. Fink: As with so many issues it depends which side of the issue you are on. If you are very supportive of an issue you know the three votes are good enough to pass it and if you do not like it and you know the way things are going you would like more strength to block something.

Chairman Gee: Are there any other questions? Let me just make one comment just to clarify just in case for those who do not really follow that closely. Commissioner Gilstein mentioned the fact that right now we have five members in the township committee, so do we to have a super majority for bond ordinances that requires four out of five votes to vote? Yes. What that means is that if you have two individuals who say no and they effectively can block that. We, in fact last year, had that issue when there was a bond ordinance for road improvement and a certain amount of money for first responders, but there was an issue where two members wanted to bring other issues on the table on top of that and they were able to effectively, on a very short term basis, block that. I think that is the answer to that question.

Elections under the township committee form of government are held on a partisan basis. This means that we have two local elections every year; there is a primary in June and a general election in November. Other forms of local government allow for council members to be elected on a non-partisan basis. Do you have any thoughts or comments on local elections held on a non-partisan basis such as what is done for the board of education?

Mr. Fink: In my time on the township committee, I saw firsthand many instances where partisanship has often gotten in the way of sound decision-making and good government benefiting the people. Issues should be debated on their merits and there should be analysis done that is based on fact-finding and reasonableness. With partisanship comes a blind loyalty whether it be to a certain ideal of that party or loyalty to a party boss who may be pulling the strings, say at the county level, who may not even be a Holmdel resident. If you've got too many strings pulling on you when you're trying to make a decision it takes you away from the most important string which should be the voters what's best for the people you're serving and that's a problem I have with partisanship. Another consideration

is oftentimes voters, when they are going to the polls, will make a decision on who to vote for based merely on whether you happen to have an R or a D attached to your name, in other words what column you appear in on the ballot. It would be much better if people got to know their candidates and where they stood on issues and what their record of service to the town has been and what their experiences are that qualify them for a position on the township committee and having partisan elections gets in the way of all that. Unfortunately, the voters sometimes, not always, but sometimes make a bad choice not knowing really much about the candidates at all but just assuming that an R is better than a D or a D is better than an R and it is not always the case.

Chairman Gee: Are there any follow-up questions on that? Seeing none, the next question is: Members of the township committee government are elected on an at-large basis. Do you think the citizens of the township would be better represented if we elected some or all the members of the committee by wards, that is subsections in the township?

Mr. Fink: I think there's some merit to considering that. We do, in Holmdel, have considerable diversity in terms of the geography and topography of the town. The roads and traffic are different in different parts of town. Development density, parks and infrastructure vary quite considerably in different sections of the town. The needs of the people in those sections, I think, while they certainly overlap in many ways, do vary. Sometimes I did see, on the township committee, a lot of attention being paid to one section of town and not enough thought being given to another part of town. I do think it might benefit us if we had some way to distribute the members of the governing body to represent different parts of the town to make sure that everyone's views and concerns could be heard.

Chairman Gee: Are there any follow-up questions? Seeing none, the next question is: With the exception of a bond ordinance, and I think maybe a couple other minor exceptions, the township committee form of government does not provide for an initiative or referendum by petition, like for an ordinance from township citizens. Do you have any thoughts or comments on this?

Mr. Fink: I think that it is important when there is an issue that concerns a number of people that they have an ability to bring that issue forward for consideration. Currently the way it is typically done, is to have a group of people attend a meeting of the governing body or speak at a public meeting or write a letter or send in a petition to the governing body. Those are all valid ways to get opinions expressed, but it does not guarantee that the governing body will take the issue seriously and do anything about the resident's concerns. I would think that it would merit consideration to look at a way that, if enough residents were concerned about an issue to get enough signatures on a petition, it would require that the governing body take some action on that issue. I am not sure what the right threshold would be, but in other jurisdictions, there is the ability to have initiative or referendum. I always like to see public questions on the ballot in addition to having candidates on the ballot, but right now, it is the governing body that determines what public questions go on the ballot not the voters themselves. I think it would be a good idea to consider initiative and referendum.

Commissioner Gilstein: The threshold is generally 10 percent of the voters in the last election in the other forms of government that permit referendum.

Chairman Gee: Are there any other follow-up questions? Seeing none, the next question is: If you could make changes to the form of government, what would they be and why?

Mr. Fink: I think I have probably alluded to this in some of the other answers, but I believe that the people would be better served by a nonpartisan form of government, and possibly one that involves additional members of the governing body. If there was some way to get a better geographical diversity so you had people from different sections of town on the governing body that would be beneficial. I do not have a really strong opinion on the direct election of the mayor, but I think it is certainly worth exploring how it has worked in other jurisdictions. It would give the voters a better direct voice and a direct connection to the mayor who is serving them. This is less about the form of government but more about policies for how government operates. There has been some improvement in this direction over the years, but it always troubled me that the public comment period at a public meeting was at the end of the meeting after all the decisions had been made on the agenda items. We should always be mindful that whatever form of government we choose for ourselves that you know the elected officials are there to serve the public as best they can and then to listen to the public and to give them a chance to be heard on issues that matter to

them. I just hope that we always have the opportunity for public comment before votes are taken and decisions are made.

Chairman Gee: Just so you know, currently both at the township committee and on the board of education, I believe that they do now allow public comments on agenda items and then there is a more general public comment at the end so it looks like some folks have listened to you and have permitted that. Are there any follow-up questions on that from anyone else?

Vice Chairman Kastning: Given your job with green acres, you have the opportunity to work with a lot of different governments mostly in the northern part of the state. Do you have an opinion on whether one form of government is more responsive to you and your job than another?

Mr. Fink: I have to say most of the elected officials I deal with, I do not necessarily know what form of government that each township has. Oftentimes I'm either talking to a mayor or one member of the governing body who has a particular interest in open space preservation and so I just have one point of contact within in that town typically. I I guess I haven't thought to have the discussion about what type of government do they have in their town, so I can't really say that I've noticed anything that I would say is remarkable about one form of government over the other based on my experiences at green acres.

Commissioner Buffalino: You're not totally convinced as to whether we should elect the mayor or not and we should leave that to more exploration, I believe that is what you were saying, but the issue of having more power in one individual on the township committee is that something we should be considering? Some towns have their mayor having more power.

Commissioner Gilstein: Just to give more context to that, there are various alternative forms of government. Some of them vest more power in the mayor and some of them are different. The mayor's power is much the way it is in the township form of government where the mayor is a figurehead and can set the agenda and can represent the town, but only has a single vote, and acts as part of the council so either is possible. I guess what we're looking for comment on is do you think our current structure where the mayor has the current power to form an agenda and be a spokesperson and a figurehead versus someone who we actually invest more power in and maybe sits a little higher, votes when there's a tie or has veto power? What sort of comments do you have about alternatives such as those?

Mr. Fink: I think one has to be very careful when doling out power to any one individual of the governing body over the others. The ability to set the agenda and be a spokesperson for the town, even if that person has the same voting power on a five-member governing body, is often used to exercise quite a bit of control. The current setup we have, even though it is not considered a strong mayor form of government, actually does invest some additional powers to the person who has that mayoral seat. I would hesitate to have a situation where the mayor had such strong powers that they could completely overrule the other members of the governing body. If a vote was taken and the mayor said, "I don't like it and even though the majority voted for it I'm against it and so we're not going to do it," that would sort of defeat the purpose of having multiple people on the governing body with diverse views coming to a consensus opinion.

Chairman Gee: Are there any other questions?

The members of the Commission thanked Mr. Fink for coming.

Chairman Gee: Sorry to put you on the spot a little, but I you know try to emphasize that because of your experience we're trying to focus a little bit more on the township committee form of government, but we pressed you on some of the other things. As you can see, there are other options and we thought we would get the benefit of some of your insights, because you may have dealt with some of the limitations and perhaps say, "I wish we had this or that or whatever form of government." We appreciate that and I realize that is not your primary experience in terms of the forms of local government, but again really appreciate it and appreciate your time.

Mr. Fink: I appreciate the opportunity to share some thoughts with you all.

**Invited guest: Nancy Grbelja, former Mayor and Township Committee Member of Millstone Township**

Vice Chairman Kastning: I am going to read a quick bio about Nancy so that we are all familiar with her and personally, I have known Ms. Grbelja for a couple decades. For the benefit of everybody, she was born and raised in Hudson County and eventually moved to the Ocean Monmouth area in 1976. She has a BA in biology chemistry and a Master's in Education. She has taught all levels of science at Freehold High School including the medical science program for 17 years. She held numerous leadership positions in the local county and state education associations, which led to her being hired by the New Jersey Education Association full-time in April of 1993. For the last 28 plus years, she has been responsible for labor negotiations and labor management resolution in Middlesex County school districts.

She moved to Millstone Township in 1998 and elected to office in 2003, and was the first woman ever to serve on the Millstone Township Committee. She was elected by the community six times serving as mayor a total of nine years, deputy mayor four years and committee woman for five years. During the entire 18 years, she was a member of the Township Planning Board and the Council on Affordable Housing work group. In addition to those responsibilities, she worked closely with the AG Agriculture Advisory Council, the Farmland and Open Space Preservation Committee and the Historic Commission. She was instrumental in the acquisition and preservation of thousands of acres of farmland and open space during her term in office. She actively raced in standard red racing for approximately 18 years. She served as the chair of the Monmouth County Save the Horse Committee and worked in promoting open space pace held at freehold racetrack. She currently serves on the New Jersey Sire Stakes Board of Trustees, which is supported by the New Jersey Department of Agriculture, and this committee has worked very hard and has made great strides in reviving the standard red racing industry in New Jersey. It should be noted that during the past 18 years, Nancy was a vital member of several Monmouth County committees. She was an active member of the Monmouth County Planning Board, Monmouth County Transportation Council, Monmouth County Amendment Review Subcommittee, Monmouth County Agricultural Development Board and the Monmouth County Library Commission. After having served such a robust political career, she made the decision not to seek re-election and to focus on the next chapter of her life and that's that. When I think of all you have done, it exhausts me.

Ms. Grbelja: It has been a long 18 years and it was not easy.

Vice Chairman Kastning: You had the benefit of the questions that were posed to Mr. Fink and pretty much, you are going to get the same questions again here so if you want to elaborate please do. Describe your current and past role and other experiences in local government or administration, your bio is pretty much indicated that but if you'd like to elaborate please do.

Ms. Grbelja: In my work, the organization that I work with does not reflect my political beliefs at all. I work for them, but I do not have anything to do with the direction that NJEA takes and who they endorse or who they do not endorse, so I just want to be very clear on that. I will tell you that in Middlesex County we do a great deal, and I have witnessed a lot of, legislative activity and the manner in which various towns and communities work in addition to my 18 years that I have been involved in Monmouth County politics and politics within my own municipality. I think when I go over some of the questions, I can speak to what I've witnessed within my own community, what I've witnessed in various towns within Monmouth County that I know of on a personal level and, also, what I've seen in Middlesex County in various communities, of some of the changes and how they've been affected by some of the outside influences that may take place. I think some of that has to do with a lot of what I may say today.

Vice Chairman Kastning: As you know, Holmdel operates on under the township committee form of local government. What do you think works best in the township committee form of government?

Ms. Grbelja: Ideally, and I know that when I first took office and was first elected everyone had the same vision. We wanted a community that had a rural character, we were concerned about the quality of life and we wanted to keep taxes low, and really, it was a vision that was held by the residents of the community as well as anybody who was considering and wanted to run for township committee. As long as a committee acts as a whole, it is not a problem. If all of the committee members have the same vision, and that's the sole focus and that is what they are striving for and they are working for the best interest of the residents in the community, then a township committee form of government, as it is today, works perfectly fine. As long as every single committee person participates and

pulls their weight and as long as there is no outside interference from other sources, whether it happens to be the county or the state or any other political interference, then it works perfectly fine. I do not see that happening today and I think that that is where we have run into a problem, certainly within my town. I think, within some of the towns within Monmouth County and certainly some of the towns within Middlesex, the township committee may be a form of the past. I think that that is where there have to be some changes.

Vice Chairman Kastning: Are there any questions from anybody else?

Commissioner Buffalino: Do you want to elaborate on the issues any more than what you have given us?

Commissioner Gilstein: That is the next question.

Ms. Grbelja: When we talk about the rotation of the mayor, one of the problems that we have is you have people that come in for one year. There is no continuity when you move from one year to the next, which gives you kind of a problem. I would eliminate the rotation of the mayor. If you want to improve the township committee form of government, you have to select appointees to committees, boards and commissions that have the talent to do the work, the work ethic and the time and are committed to the community and not to other party outside of what's best for the community, not a political agency that's outside of your community, not allegiance to anybody who's on the outside, not to serve any interest outside of Holmdel, not to serve any interest outside of your particular residence. When we first started, one of our major initiatives were to reassess and choose our professionals based on their expertise, and their merit and not their association, to make sure that their commitment was to the township committee and to the people of our community. What happened was we did a whole sweeping change of our professionals and we brought in people that were not associated or tied to anybody politically so that we knew that their allegiance was to the township committee and to the residents of our community because that is who we wanted them to serve. We did not want them to serve anybody else except what was best for our community and I think that that is something that is important if you want to have a township form of government and it made a big difference. As I've seen over the past 18 years, which is most recently over the last couple of years, that's changed and that now that's been problematic for us, which I can get into a little bit later.

Vice Chairman Kastning: Are there any other comments or questions?

Commissioner Buffalino: This is getting to the root of what the issues with this form of government and what could happen to it if it's not kept in check, so this is very important and I think what she's sharing with us right now are the issues that can come up.

Commissioner Gilstein: What do you think it is about the township form government that leads to these types of problems?

Ms. Grbelja: One of the things that we always did is we made sure that the people that we elected and the people that we chose to run, always put the residents first. If we had individuals who had a self-interest or no longer put the residents first, we purged them, and did not run them again, and we took them off the committee, the boards or the commissions. As long as everybody on the township committee and the group that was responsible for putting forward candidates had that in mind, then that worked well. We were able to be ethically responsible. We served our community and our community was happy. We met the needs of the people. When that process was interfered with, and when the local representatives put candidates forward to be put on the township committee and they were not put on the line, we've had three people elected that were not selected by the majority political party in the town that were elected, and just as it was discussed before you have people that vote for people that are on the line and they don't know who they are. We have had candidates that were put on the line that never put an ad out, their name did not go out, nothing went out, but because they were put on the line, they were elected. Now three out of five people have been elected that were not endorsed by the majority party in the town, but by the county. Now the question is who runs the town? Certainly not the local people and that is a problem for us.

Chairman Gee: I think this is more common and really just provides some context and background. I think many of the members here probably understand, but I think Ms. Grbelja just got into an area where some people who are not familiar with the process may not fully appreciate it. I just want to be clear, implicitly what you said is that you are also involved with your township's county committee that supposed to recruit and vet potential candidates and

interview with the party and then support the candidate now. For disclosure, my understanding is you're a Republican, so you're involved with the Republican County Committee for Millstone, and what you're saying is that there were candidates that wanted to run, but may or may not have gone through that process, but because they were endorsed or supported at the county level they were able to get on the column for line one even though that they may have not been supported by the local county committees?

Ms. Grbelja: In the first year, we endorsed two candidates and one was not endorsed by our county committee. We held interviews and he was not endorsed, but he was put on the line against the wishes of the majority. Then this past year, we again interviewed candidates. We, the majority, selected two candidates and two other candidates who had been interviewed, but not selected were told that they were being placed on the line regardless of the fact that we had endorsed two candidates and they were getting the line and that was it. Our candidates withdrew their petitions and were not going to bother and that is what happened. That is a problem and it actually resulted over an individual who was not happy with the placement of an affordable housing project, who has the ear of the chairman and that was it. Now what we do, as a result of yesterday's meeting, have four people that are close to where that proposed development may go in that are going to be sitting on the planning board. Those were the appointments that were made and this is not the type of stuff that should be happening. If you want to talk about a misuse of power, that is exactly it and that is why I chose not to run and not to be a part of that. I am not going to sit by and be a part of that

Commissioner Gilstein: So, you are suggesting that if the elections were say nonpartisan, then you would have a fairer chance and a better opportunity to get the qualified candidates?

Ms. Grbelja: Absolutely, because people then are going to have to look at who they are voting on. I also worked with Rutgers, and Rutgers said that if you have anybody who is off the line you have a 35 percent less chance of getting elected and being on the line you have a 35 percent better chance of getting elected. If you know anything about politics, the Democrats in Piscataway, the progressive Democrats actually, have a lawsuit against the way in which people off the line are placed. You are placed out on line seven if you do not get the line, especially in Monmouth County, so if you are a Republican in the primary and you do not get the line you are out on line seven and you are practically in the Democratic page. This is the way people have been punished and this is what happens. If you are nonpartisan, people don't even look because then all of a sudden what happens is you get robocalls saying to vote line one and they don't even know who's on line one. People will then have to look and say what is this name, who do I vote for. I support the progressive Democrat lawsuit that they have about the way in which the ballots are printed because of the fact that people are going to have to start to pay attention because it is the position on the ballot that really gives people an advantage depending on where they are. It has been a big game and it is something that I have certainly researched. I have had discussions with certain people in Rutgers about the whole process and I really hope it goes through. I think a non-partisan election gives people an opportunity to look at people and to really question who it that they are voting for is. Am I voting for an 18-year-old kid? Am I voting for a 25-year-old kid? Or, am I voting for somebody who is an adult or somebody who has a business? People are so apathetic they do not do anything and as Mr. Fink said, they just rely on if they are on that line, if they are a Republican or if they are a Democrat. They have no idea of who they are voting for or what they are doing and they just go down democrat or republican and it is hurting our communities and it is hurting a lot of our communities in Monmouth County. I can see the difference over the 18 years, it is more drastic over the last six years, than I have ever seen before and it is frightening.

Vice Chairman Kastning: We want to move on, but before we move on are there any questions?

Ms. Berk: You answered most of what I was going to ask, but in addition to the fact that people are put on the line that may not be what the local party would like, once those people are on the line the people that are selected to help the town, the engineers, the professionals, they also get skewed according to maybe something that is not the local interests?

Ms. Grbelja: This is the first year that they'll have the majority that none of us are on so those changes haven't taken place, but people just have to do a little research. All you have to do is just look at the organizational agendas of towns throughout Monmouth County and you will see what I mean. I do not have to go any further than to say that it is a big eye-opener, I have looked at the organizational agendas going back in towns, and you will see the same names come up time after time, place after place and it is just a big spider web.

Commissioner Buffalino: National politics obviously plays a big role in how people vote and the alignment with a specific political party usually starts at the national level and comes down so what I hear you saying is it shouldn't be something that drives a municipal election necessarily because municipal issues are much different sometimes than national issues are. The national issues do not even come into play in many cases at the municipal level, but it can be used to distort because of conflicts of interest using a specific political party to get people on line one. Is that accurate?

Ms. Grbelja: I think so, and to tell you the truth, in the research that I've done, the nonpartisan elections take place in May so it can take you right out of the realm and take you away from those national partisan elections which really would be a fairer election where people really would have to take the time to research and see what is best for their community. I would love to see that in our community, have our election in May so people can focus on what's best for my community rather than being locked into who they're going to vote for president or who they're going to vote for governor and then just go straight down the line and get locked into something different. What is happening in my community is much different than what is happening anywhere else.

Commissioner Buffalino: Thank you for your being so clear about this.

Vice Chairman Kastning: Let us move on question four: Under the township committee form of government, the mayor is elected by the members of the township committee at the beginning of the year and serves a one-year term. The mayor is directly elected by the voters in other forms of government. Do you have any thoughts or comments on the mayor being directly elected by the voters instead of the township committee?

Ms. Grbelja: In Millstone, during the first ten years, I was mayor for nine out of the first ten, and I basically had the same deputy mayor during that time and we got a lot of work done. There was consistency, there was leadership, we did a lot of short-term and long-term planning, we had a lot of financial stability, we developed our second and third round COAH plans, right to farm plans, resource inventory, tremendous amount of land preservation, we had active boards and commission involvement and everybody was on the same page. It was really a very productive time, tremendous master plan, we had a great planner and everybody was on the same page. The one negative thing that existed during that time was the other township committee people were not as involved as they should have been because of their work responsibilities. At that particular time, we had one that was an attorney and he just did not have the time to spend. We had another one that was a teacher in New York and he just really did not have the time to spend. A lot of it was left on the backs of my back and my deputy mayor's back and we basically had carried the ball because I had a very flexible schedule and he worked from home and we did a lot of it, but we worked as a group. Before when we talked about the mayor being the spokesperson and so on and so forth, the mayor should be the spokesperson but their line should never be any different than anybody on the committee. Everybody on the committee has to have the same line and I think for all of those years we always had the same line. It was always rural character, quality of life, low taxes; those were the three things that, if you talk to anybody in the community, were the three things that you got. Even if they did not believe it, that is what they said, it was almost like rote memory that it was like they were programmed. Those were the things I think that were positive, but that's not really true and I don't know if in Holmdel you have people that have the time to work on subcommittees and put extra time in. Over my 18 years, we could get barely get people to come together to do a work group. We wanted to have a work group so that we could discuss stuff before a meeting. We could not even get them to come and do that. They did not have the time, they did not have the desire, they did not want to do it, they just did not want to meet, and it was very problematic even after that time. When we started to rotate the positive part about that is that the committee members who had never been mayor became involved and learned what the process was. They did not know how to do a budget, they did not understand the budget so now they had to, for that year that they were mayor, understand the budgeting process and what they did is they now became knowledgeable on some of the issues, but what was unfortunate is that it took them the entire year to learn. They did not develop plans beyond that time so the long-term and the short-term planning stopped and what happened is it lacked any continuity of any planning from year to year to year. It is like after they became mayor things stopped, they just started with somebody new who started the process and now had to learn, and then they started again so there was never anything that went beyond. They never wanted to form focus groups and I do not know what the fear was about talking to the community because they are your people, they are your constituents and there was a reluctance to do that. I really did not think that that was good. I think it is important to elect a mayor and I like the idea of having a mayor, not somebody who has veto power, because you don't want somebody who does that but I think that the

residents don't need some clown from some other entity putting his pawn into your community to mess things up. Only in a non-partisan election would I want an elected mayor. The voters can elect somebody that they see as a leader, somebody that they think has leadership qualities, somebody that they feel has a vision for the community that they can buy into, and somebody that they think is a problem solver. Even though that person may not give them the answers, they have to be able to trust them and it has to be one person that is going to be able to coordinate and follow through with issues. I think it has to be somebody that they can trust, so I do like the idea of the residents electing a mayor, and that person has to be a special person. I think that the residents should be able to pick that person.

Commissioner Buffalino: Did you have an effective township administrator there in Millstone?

Ms. Grbelja: We went through several township administrators. We had people get into a position and then sometimes what happens is the position gets to their head and then they take advantage and that happened with a couple of administrators that we had. We thought we had some good people and then we found out that some things were happening that should not be happening so we had to let them go. Then we had a real good administrator that had come to us from another town and he did a great job, but the deputy mayor at that time was a little bit too harsh and he did not give him the respect that he deserved and he left and then it was very difficult to get somebody. Finally, our clerk became our administrator. She did a good job and then she retired and then we wound up getting somebody in, that we just gave a three-year contract to last year, who was a community person. He moved out of the town and he is doing a good job, but, unfortunately, we have township committee people that do not know what their boundaries are and sometimes that creates a problem. You have to let your township administrator handle the personnel issues and sometimes we have people that want to go in and interfere and you cannot do that. So setting those boundaries has been problematic for us.

Commissioner Gilstein: Are you talking about folks on the committee that did not know where their boundaries were?

Ms. Grbelja: Yes and they do not listen.

Vice Chairman Kastning: We will move on to the next question: Holmdel Township's committee consists of five members who were elected at large by the residents for terms of three years on a staggered basis. Effectively, this means a local election every year. Other forms of local government have one to three years between local elections. What are your thoughts about local elections or other ones?

Ms. Grbelja: Anything that can be done to avoid an annual election is positive. They are costly and what they do is they consume a great deal of time, which takes individuals away from the task at hand and it serves, very little benefit to anyone, especially the residents. If you can avoid them, I think it is best and if you can just focus on the residents, you can do it in some staggered form every two years and rotate in some manner that would be beneficial to everyone involved.

Vice Chairman Kastning: Are there any questions from the team?

Ms. Berk: You would not have elections every year, but you would want it staggered so that you would have people that have experience and so not everybody would get off at the same time, is that correct?

Ms. Grbelja: Yes, if you had four-year terms you might have like every two years. You might have a certain number of people that would go off.

Vice Chairman Kastning: Thanks for clarifying that. The next question is: Statutorily, the township committee is limited to three or five members. Holmdel's townships committee has five and Millstone also had five. Do you have any thoughts or comments on increasing or decreasing the number of members on the form of government whatever form of government?

Ms. Grbelja: I kind of agree with Mr. Fink, I think that anywhere between five to seven is sufficient and beneficial to make decisions. I certainly wouldn't go below five and I think if you have an elected mayor that gives you six, but you don't want necessarily an even number because I think the mayor should have an opportunity to cast a vote

and be a part of the decision making so that brings us up to seven. I certainly would not want anything above seven and I think if you go beyond that, it becomes too many people. It becomes difficult to make decisions and you get bogged down with too much minutiae.

Vice Chairman Kastning: Are there any questions from anybody? I think we handled question number seven, but I will give you an opportunity to elaborate if you want: Elections under the township committee form of government are 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 council members to be elected on a non-partisan basis. Do you have any additional thoughts on this?

Ms. Grbelja: If we are speaking totally of local elections, which are considerably different than the state and the national level, they should be based solely on the needs of the individual community. If the local parties choose a candidate through the vetting process that meets the needs of the community without interference from any outside party that's wonderful, but that has not been the case throughout much of what we've seen. I explained to you what happened in our community and many other communities, so I think that with the non-partisan people are forced to research their candidates. It is less expensive and it will keep others out of local politics and residents can choose their own destiny.

Vice Chairman Kastning: Are there any other questions or comments? Let's move on: Members of the township committee government are elected on an at-large basis. Do you think the citizens of the township would be better represented if we elected some or all members of the committee by wards or subsections, in the township? What are your thoughts?

Ms. Grbelja: It is always great to say you want to see people represented from each of the areas. However, sometimes we may not have people in a particular area that may be interested. I always like to see people on a township committee or a township council or whatever, that have varying talents that can add to the committee, whether it happens to be finance or if it happens to be environmental. I always like to see people that are going to be running or serve on a group that can bring us a particular expertise or a different expertise to the township. My concern with finding representatives from each ward is it could be problematic. Are there people who are interested in doing the work? Do they have the time? What is their expertise? Do they have the same vision of what you have for your community? That's important and I think that in order to overcome that idea of what if you have a ward that may not be represented, focus groups can provide the feedback that's necessary for the township committee to make informed decisions about community concerns. I think sometimes we try to stay away from that because we are afraid. I do not know why people are afraid to bring in a group of people to say "what is it that you think", "what would you like to say." Residents actually welcome that and they want to be included. They do not always come in with pitchforks and gaslights. They want to be included, they want to know that you are interested in knowing what they want, and that actually has been one of the problems that we have had. We have had people on the township committee who did not want to ask anybody anything. They didn't want to tell them what we were doing, they wanted to keep everything hidden, but they're the biggest ones to go out there and say "we want transparency", but they were the less transparent people that you ever had and wouldn't tell anybody anything, wouldn't ask anything, didn't want to discuss anything and I think that that's wrong. The more open you are the more you include and if you have a great working township council or committee you can get people to go out there and have some of these focus groups. It really will benefit the community well.

Vice Chairman Kastning: Are there any questions? Let's move on to the second to the last: With the exception of bond ordinance, the township committee form of local government does not provide for an initiative or a referendum by petition from the township citizens. What are your thoughts about that?

Ms. Grbelja: I think that they should be able to ask questions and I really do think that if they had a certain number of signatures that they should be able to have questions put on the ballot. Sometimes I get a little nervous about that. We are a town that is all well water and septic and I do not think anybody would ever approach me and say to me "we want to bring in sewers and public water", but that would be like one of those things that we would go crazy about. What it does is it forces you to educate people. If there is some kind of crazy thing, like something that they have out there in California, some of those crazy initiative and referendum that they come up with, that you would really have to educate your people to say, "You have got to be crazy if you think that this is going to go on." You would have to really spend some time talking to them and I think you just have more of an intimate relationship with

your community to know where they are going that you can kind of offset the crazies in your community. I do not think they would ever get the numbers, but they should feel free that they could put things on the ballot if they felt it was that important.

Vice Chairman Kastning: Are there any questions? Here is the last one and I think you have answered this throughout the presentation, but I will give you a chance to elaborate: If you could make changes to the form of government, what would they be and why?

Ms. Grbelja: Certainly, I would like to see nonpartisan elections with the ability of residents to elect a strong mayor who can provide leadership with the support of four to six council members. That would be my ideal and would totally eliminate the influence from any outside political forces and I think that that would make for a better community support system in each municipality in the county. I think I was pretty blunt and to the point.

Ms. Berk: When you say a strong mayor, do they have veto power?

Ms. Grbelja: No.

Ms. Berk: A mayor that has duties to perform?

Ms. Grbelja: When I say a strong mayor, I'm not talking about just somebody who is not meek and mild, somebody who believes in the vision of what the community is, somebody who is not afraid to go out and speak to residents, somebody who is not afraid to tell residents "this is what the town believes in and it may not be what you believe in, but this is what we're doing and why we're doing it", and somebody who has the ability to communicate with people. That is what I mean by a strong mayor. I would never say that any elected official should have veto power over anybody in any event. I'm one of those people that if there's somebody that's not doing the right thing and all of a sudden, they're not working for the community or the residents they got to go and I'll be the first one to tell them they've got to go. So, should there be a recall process available, I do not have a problem with a recall process. I think that constitutions and bylaws have a recall process and those recall processes have been upheld by the courts. Even though some people do not like to recognize the recall process if it is not a constitution and bylaws can be used, but they are legal if they are procedurally correct and followed. If someone does something that is inappropriate then they should not be in office. If they do something that really is not for the residents that would probably be something illegal that they are doing. If you have some people that are just doing something that is behind somebody's back or doing something that's untoward, you have a conversation with that person and say "look this is not for the community, this is for your own benefit and that is not appropriate and you've got to stop that or there's going to be some problems and you're going to lose the support of the residents and somebody's going to run against you."

Vice Chairman Kastning: That wraps up the questions. Thank you. You have been a wonderful speaker. You have given us a lot to think about and we appreciate it.

Chairman Gee: That is it for our business on the formal agenda. We do have a few attendees so I am going to open up, unless there is anything else from any other commissioners, for public comment. Anything else from any other commissioners? We do have five attendees if there is anyone who wish to make a comment or a public question, could you raise your hand.

### **Public Comment**

Brian McMullen: I am Brian McMullen from 3 Burgundy Drive. Just a clarification question. I have heard the words mayor with veto power and mayor with break ties. In what form of municipal government does a mayor have a veto power?

Chairman Gee: I think we're jumping a little bit ahead right now, so I don't know if Kevin you want to jump in a little bit, but right now we're in a phase where we're trying to study our current form of government in terms of township committee. In phase two, we will be looking to explore some of the other alternatives and I think that would be a great question.

Mr. McMullen: The comment has been made by a couple of people during the course of this conversation, so I was just curious if there was something that people know.

Chairman Gee: There are a lot of different forms as you know and we get through this phase and as we look to explore other options those will come up naturally. Right now, I think I know answers to one or two of them, but it will not be as comprehensive, and I think other members here probably do know one or two different forms. As we explore the different forms, I think that would be a natural place to ask that question unless anyone wants to jump in on that. It varies with different forms and right now we are not at that stage and I do not think any of us are well versed, maybe with the exception one or two. I'll give you an example and I'm not recommending this I'm just using it as an example, in a mayor council form of government the mayor does not vote except in a tie so that's an example where they're voting. There are other forms of government where certain ordinances and certain actions taken by the council will be forwarded to the mayor and they may have x number of days to sign that into law effectively or veto, in which case it goes back to the council and there is a required number that can override a veto. Again, I think we are jumping a little bit ahead, but, hopefully, I gave you some examples of other forms of government where the mayor is not an equal member. As it is under the township committee former government they are, in fact, separate from that. Whereas, right now, besides what we call ceremonial duty and presiding over the meeting it is one of five equal members under the township committee form of government.

Mr. McMullen: Thank you very much. I will ask it when it comes up again.

Rose Oxley: I am Rose Oxley from 28 Cheryl Lane in Clarksburg, which is Millstone Township. I have worked very closely with Ms. Grbelja. I was on the township committee and on some of the boards, open space, as well as, the planning board. I just wanted to ask, during looking at candidates that are going to run for township committee there is no background check ever done, the question is once they get elected is it not the responsibility of the town or the town clerk or somebody in the town to do a background check on those candidates that now all of a sudden have been elected our officials?

Chairman Gee: That is probably not a question that is appropriate for us. I think Mr. Starkey probably has the answer to it as a township attorney. Mr. Starkey could you give us a short answer to that?

Mr. Starkey: The answer is that background checks are not conducted on candidates or elected officials. There are very few reasons that they can be disqualified, meaning they are not permitted to be an elected official or candidate, and that is typically handled by the prosecutor's office. That is sort of the short answer, but there are no official background checks that are authorized to be conducted.

Ms. Oxley: If I get a new job, I have a background check that is being done on me, so we are saying that anybody who basically becomes an official there is no background checks on them at this point?

Mr. Starkey: That is correct.

Chairman Gee: Ms. Oxley, I want to make sure that we are not providing a legal advice here. Mr. Starkey happened to be an attorney, but we are a charter study commission. I know an answer was thrown in there, but you should be aware that in other public bodies, such as the board of education, there are often things that are sworn on and specifically says that they are qualified under certain statues and that they have not been convicted, but again we are not providing legal advice. I appreciate the question, but that is probably not something that we are looking into right now under the township committee former government.

Sheila Gilstein: My name is Sheila Gilstein. I live at 11 Chardonnay Drive and full disclosure I am married to one of the people on the commission. What I wanted to say is I wanted to commend the commission for being open to listening to these former mayors of different towns. They have a lot of experience to share and some of them have been very open and honest and I think that that is a really important quality that we are listening to. It takes a lot of courage and vulnerability when you look at yourself and your own local government and look at what is best for the people. I think that having a commission doesn't necessarily mean you want to change everything, but what it does mean is that you have the courage to look at what we have and see if it's the best thing for our town. I wanted to thank you for doing that.

Vice Chairman Kastning: I don't know whether we can request this, but when somebody comes on and they have a name that doesn't identify themselves, is it appropriate, like there's somebody there called Scorpio, can we ask that individual to identify themselves or is that not appropriate?

Chairman Gee: If we have an in-person meeting and there is someone in the audience you really do not know, so, at the moment, my thinking is that we will allow that unless we see some actions that really interrupt our process. Are there any other questions? Seeing none, I am going to close public comment and I want to thank everybody. This has been very interesting. It is our first dive into our formal study process. The first couple of meetings been more organizational and planning and so this has been very interesting. I asked for motion adjourn the meeting.

Commissioner Buffalino offered a motion to adjourn the meeting, seconded by Vice Chairman Kastning. A voice vote confirmed all in favor.

Respectfully submitted,  
Bonnie K. Thomas – Holmdel Charter Study Commission Secretary