

From: Jeanne Kingsley <jkingsley@bhtwp.com>
Date: November 28, 2023 at 3:55:32 PM EST
To: Liza Viana <lviana@bhtwp.com>, Sai Bhargavi Akiri
Angie Devanney <adevanney@bhtwp.com>, John Foster <jfoster@bhtwp.com>, Manuel
Couto <mcouto@bhtwp.com>, Susan Poage <spoage@bhtwp.com>, Jeff Varnerin
<jvarnerin@bhtwp.com>, Paul Donnelly <pdonnelly@bhtwp.com>
Cc: Ana Minkoff <aminkoff@bhtwp.com>, Natasha Joly <njoly@bhtwp.com>, bh
communitywatch <bhcommunitywatch1@gmail.com>
Subject: RE: Campaign Signs

Sai and others,

I met with Keenan today and we are making additional changes to the sign section of the ordinance, specifically the political sign and other community signs. We should have an updated marked copy within a day.

Jeanne

From: Liza Viana <lviana@bhtwp.com>
Sent: Tuesday, November 28, 2023 3:54 PM
To: Sai Bhargavi Akiri <sbhargavi@bhtwp.com>; Angie Devanney <adevanney@bhtwp.com>;
John Foster <jfoster@bhtwp.com>; Jeanne Kingsley <jkingsley@bhtwp.com>; Manuel Couto
<mcouto@bhtwp.com>; Susan Poage <spoage@bhtwp.com>; Jeff Varnerin
<jvarnerin@bhtwp.com>; Paul Donnelly <pdonnelly@bhtwp.com>
Cc: Ana Minkoff <aminkoff@bhtwp.com>; Natasha Joly <njoly@bhtwp.com>; bh
communitywatch <bhcommunitywatch1@gmail.com>
Subject: Re: Campaign Signs

Hi Sai, this language was in the zoning ordinance cleanup discussed during last week's meeting. This specific language is on page 53. Here is the link to the changes:
<https://www.berkeleyheights.gov/AgendaCenter/ViewFile/Item/173?fileID=3854>. Last week's meeting was a conference session on the changes. The introduction of this ordinance will be at our next meeting, Dec. 5.

Thank you and have a great week!

Liza Viana
Township Administrator
Berkeley Heights, NJ
Office: 908-464-2700 ext 2232

lviana@bhtwp.com

From: Manuel Couto <mcouto@bhtwp.com>
Date: November 28, 2023 at 11:03:21 AM EST
To: Sai Bhargavi Akiri
Subject: Re: Campaign Signs

acknowledged.. this was being handled by the Mayor and the township attorney, and there were proposed changes to the overall ordinance that were pulled at the last meeting.

From: Sai Bhargavi Akiri <saibhargaviakiri@gmail.com>
Date: Friday, November 24, 2023 at 5:46 PM
To: Angie Devanney <adevanney@bhtwp.com>, John Foster <jfoster@bhtwp.com>, Jeanne Kingsley <jkingsley@bhtwp.com>, Manuel Couto <mcouto@bhtwp.com>, Susan Poage <spoage@bhtwp.com>, Jeff Varnerin <jvarnerin@bhtwp.com>, Paul Donnelly <pdonnelly@bhtwp.com>
Cc: Ana Minkoff <aminkoff@bhtwp.com>, Natasha Joly, bh communitywatch <bhcommunitywatch1@gmail.com>, Liza Viana <lviana@bhtwp.com>
Subject: Re: Campaign Signs

Dear Mayor and Town Council Members,

I am following on my email from October 17, 2023. Can you please advise on the status of revoking the local sign ordinance?

It would be great if at least one of you acknowledged this email and provided the latest status. Also do you intend to put this on town council agenda soon?

Thank you,
Sai Bhargavi

On Oct 17, 2023, at 11:24 AM, Sai Bhargavi Akiri <saibhargaviakiri@gmail.com> wrote:

Dear Mayor and Town Council Members,

I was hoping to see the revocation of the town's unlawful local sign ordinance on tonight's town council agenda but unfortunately, it's not listed.

Can you please explain the thought process behind continuing to have a local sign ordinance that's unconstitutional? At the last town council meeting one of the council members acknowledged the supreme court judgment <https://www.cga.ct.gov/PS98/rpt/olr/htm/98-R->

[1189.htm#:~:text=The%20U.S.%20Supreme%20Court%20has,the%20display%20of%20such%20signs](#). So I was hoping the council would act on it at the next council meeting.

Also, we have seen updates to the town council meeting agenda made on the day of the meeting multiple times. If the elected council intends to uphold the constitution, revoking this unconstitutional local sign ordinance should be a priority. I would kindly request you to act on this unlawful sign ordinance soon.

Thank you,
Sai Bhargavi

On Tue, Oct 3, 2023 at 9:14 AM Angie Devanney <adevanney@bhtwp.com> wrote:

Sai,

No. Our agenda is set Thursday before Council meeting. This will require meetings with our professionals which will take some time. We will advise you of their work product when we have more information.

Best,
Angie

Angie D. Devanney

MAYOR

Berkeley Heights Township

From: Sai Bhargavi Akiri

Date: Friday, September 29, 2023 at 6:39 PM

To: Angie Devanney <adevanney@bhtwp.com>

Cc: John Foster <jfoster@bhtwp.com>, Jeanne Kingsley <jkingsley@bhtwp.com>, Jeff Varnerin <jvarnerin@bhtwp.com>, Manuel Couto <mcouto@bhtwp.com>, Paul Donnelly <pdonnelly@bhtwp.com>, Susan Poage <spoage@bhtwp.com>, Ana Minkoff <aminkoff@bhtwp.com>, Natasha Joly

, "tbocco@bhtwp.com" <tbocco@bhtwp.com>,

bh communitywatch <bhcommunitywatch1@gmail.com>

Subject: Re: Campaign Signs

Thank you Angie for looking into this with township planner, attorney and zoning official, please keep us posted.

Also can you please let us know if the town council will have the local sign ordinance revocation on the agenda for next council meeting?

Best,
Sai Bhargavi

On Sep 29, 2023, at 10:56 AM, Angie Devanney
<adevanney@bhtwp.com> wrote:

Sai & Natasha,

We will look into this issue with our Planner, Zoning Officer and
Town Attorney.

Best,
Angie

Angie D. Devanney

MAYOR
Berkeley Heights Township

From: Sai Bhargavi Akiri <saibhargaviakiri@gmail.com>
Date: Thursday, September 28, 2023 at 5:45 PM
To: John Foster <jfoster@bhtwp.com>, Jeanne Kingsley
<jkingsley@bhtwp.com>, Angie Devanney
<adevanney@bhtwp.com>, Jeff Varnerin
<jvarnerin@bhtwp.com>, Manuel Couto
<mcouto@bhtwp.com>, Paul Donnelly
<pdonnelly@bhtwp.com>, Susan Poage <spoage@bhtwp.com>,
Ana Minkoff <aminkoff@bhtwp.com>

"tbocco@bhtwp.com" <tbocco@bhtwp.com>, bh
communitywatch <bhcommunitywatch1@gmail.com>
Subject: Re: Campaign Signs

Dear Mayor and Council members,

I am writing to second Ms. Joly's sentiment. The Berkeley Heights sign ordinance is unconstitutional, and it is in direct conflict with the First Amendment rights of homeowners. This ordinance is an unlawful vanity project - the municipal government has no right to censor the speech of residents. See <https://www.cga.ct.gov/PS98/rpt/olr/htm/98-R-1189.htm#:~:text=The%20U.S.%20Supreme%20Court%20has,the%20display%20of%20such%20signs>.

To be clear, homeowners, not candidates, decide to put lawn signs on properties. Also, many Berkeley Heights residents state that they put up campaign signs as they feel it is their First Amendment right. As an example, there were multiple signs for the mayoral election campaign on a single property during the last election cycle as were there signs

from candidates for council from both parties as well as BOE.

Why does the anonymous resident wish to submit this complaint anonymously, if they believe they are right? It's an odd coincidence that an anonymous person sent an email right in the time frame of the first reading of the policy change by the Board of Education.

Who benefits from such a change? I can't see how it benefits students. Everyone can draw their own conclusions about the intent of the Board of Education members proposing and approving the policy change.

Our neighboring towns, for example, New Providence do not have a 45 day sign ordinance. So why does Berkeley Heights insist on infringing upon the First Amendment rights of its residents?

Why would the Council continue to allow an unconstitutional, unlawful ordinance that bad actors will likely use to subvert the will of the people? I am unsure as to how the township plans to enforce this unconstitutional ordinance.

It is only fair that the council revoke this ordinance unless they want to be a party to reversing free elections with unconstitutional sign ordinances.

Thank you,
Sai Bhargavi

On Thu, Sep 28, 2023 at 10:25 AM Natasha Joly
rote:

Dear Mayor and Council Members,

I wanted to share with you an email from a "concerned resident" regarding BOE and Town Council lawn signs (highlighted below).

First, I think we can all agree that the placement of signs this year is in no way different than all of the signs that were out last year or any election cycle. In fact, many of our signs were on the same properties. This resident must have had blinders on last year given the number of candidates across multiple offices. Second, as you can see from Mr. Miguez response to the "concerned resident", this ordinance is likely unlawful. Finally, as a BOE candidate, I feel this email is directed at the BOE signs. The BOE is looking to approve a change to policy to allow the Commissioner of Education to fill a vacancy as a result of "failure to elect a member at the annual school election due to improper **campaign** practices." ("election"

was changed to "campaign"). The next BOE meeting is October 12th where this policy change will be approved.

I hope you act quickly to review the ordinance and take action so that fair elections aren't impacted by exploiting a potentially unlawful ordinance.

Thank you,
Natasha

Begin forwarded message:

From: bh communitywatch
<bhcommunitywatch1@gmail.com>
Subject: Re: Campaign Signs
Date: September 28, 2023 at 9:05:27 AM EDT
To: Berkeley <berkeleyheightswatch29@gmail.com>

>
,
>, tbocco@bhtwp.com

Good Morning,

This email did not come from BHCW .

We were cc'd on this so Ill give my opinion on this.

1. None of the candidates with signs our are in violation of anything. The Town Ordinance is unlawful (<https://www.facebook.com/BHCommunityWatch/posts/pfbid0jjXs26ESYu6gcjgYW7wpGcD4rDNJDXmNXSfyvzdfU1teSEt1zpDEi9nDpkuYwFMql>) and if the town attempts to enforce it they will eventually get sued and lose.

2. Homeowners - not candidates - decide what goes on their property. For example- I have two or three lawn signs on my property - why? Because its my property. The town would not go after the candidate -they would go after the homeowner. **I also welcome every candidate on this email to put two signs on my property if they haven't done so already.**

3. The signs on the curb that I have seen are in New Providence - not BH.

If you sent this to BHCW for an article, you will need to include your name and address (we will only publish your name).

Thanks
John Migueis

On Thu, Sep 28, 2023 at 8:41 AM Berkeley
<berkeleyheightswatch29@gmail.com> wrote:

I've been driving around town and noticed that many signs are very close to the curbing and the street. I never recall seeing this so much in the past. I checked online to see if there are any laws regarding campaign signs and I found that most all of the Town Council and Board of Education campaign signs that are out are in violation. There had to be some thought process behind why certain items are included and excluded in a law. I'm sure for aesthetics and safety. Why aren't you following the laws that are in place and why aren't the laws being enforced? To me, it seems like lawn signs are getting worse and worse.

The law says that only 1 sign can be on a property. Sai has 4 signs on one property. Illis and Machado have 3 signs on a few properties that I saw. The law says the signs must be 5' from the property line. All of the signs I've seen are close to the streets. This is unsafe and a danger to drivers.

I also noticed that there are signs hanging from poles/signs (these are not campaign signs) but that to is a violation.

I was shocked when I read the law and saw that these are all in violation. Some more than others and I'm sure there were violations in the past. I hope this all gets corrected.

Regards,
Concerned Resident

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[Berkeley Heights Community Watch](#)

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