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**HOLMDEL TOWNSHIP**

**OFFICE OF THE TOWNSHIP CLERK**

**TO:** Mayor and Township Committee

**FROM:** Maureen Doloughy, RMC, Township Clerk

**DATE:** April 28, 2016

**RE:** **Agenda Items for the Meeting of May 3, 2016**

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PLEASE NOTE: There will be a Closed Session beginning at 7:00 PM.

Presentations

1. May has been designated as "Paint the Town Pink" Month. Representatives of Bayshore Hospital (Meridian Health) will be present to discuss the importance of early detection.

2. In 1963 May was declared as "Older Americans Month". Each year the Township marks that occasion with a Proclamation presented to the Half Century Club.

Chief Financial Officer

3. In 2013 the Township Committee adopted the Bond Ordinance to allow for the installation of water mains in the area of Stevens Drive. The project has been certified complete and an Appraisal Report has been prepared. A Resolution has been prepared accepting and adopting the Report and scheduling a Public Hearing on May 17, 2016 to set the Assessment for the residents.

Consent

4. The list of Bills Payable has been forwarded to you for review. The Resolution of Approval has been prepared.

5. The List of Purchases over \$3,500 is enclosed for your review.

6. The Resident of Block 11, Lot 72.13 is responsible for paying his property taxes directly. On February 8, 2016 Corelogic, a servicing company utilized by his mortgage company, erroneously submitted payment in the amount of \$3,214.87 for the 1<sup>st</sup> quarterly installment and is now requesting refund of the same.

## HOLMDEL TOWNSHIP

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### OFFICE OF THE TOWNSHIP CLERK

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7. The resident of Block 58 Lot 53.01 CN 027 has the mortgage company paying property taxes for this property. In error, the resident submitted payment for the 2016 1<sup>st</sup> quarter installment in the amount of \$590.71 and has requested a refund of the same.

8. A Fire Fighter application was received by Katelyn E. Lynch. The application, background check and physical have been approved by the Police Department.

9. The recommendation has been made to award a contract for the purchase of one new and unused Cab/Chassis with Completed Body and Accessories to Beyer Ford in the amount of \$67,676.00. Bids were received on April 20, 2016. After review by the Attorney, it was determined that the low bidder had deficiencies in their bid submittal and the award will be made to the second low bidder.

10. As requested by the applicant, Mr. Broberg inspected the Cornerstone Power Holmdel LLC project to determine the amount of bondable improvements satisfactorily installed. Although the majority of the site work is complete there are some landscaping items that remain and must be completed prior to the release of the bond. Since the bonds were previously reduced to the minimum guarantee, he is recommending that the Performance Bond release request be denied. A Resolution has been prepared.

11. Change Order No. 2 for the 2015 Capital Improvement Program reflects additional curb constructed on Line Road due to resident concerns and for drainage and soil erosion.

12. With certain cases conflicts arise with the Attorney for Tax Appeals. It is recommended that the Committee adopt the resolution appointing Harry Haushalter as Conflict Tax Assessor Attorney.

13. The Township Engineer has inspected the improvements associated with the Leslie and Cliff Sneyers subdivision. As outlined in the Engineer's letter the project is now on Maintenance for Phases I, II, III, and IV. However a Performance Bond was posted for the planting of a Sugar Maple Tree and six American Larch trees. The Landscaping has been completed and the Engineer is recommending that the Performance Cash Bond be released. A Resolution has been prepared.

#### Introduction of Ordinances

14. Chapter II Section 2-29, Fire Department, has been deleted in its entirety and replaced with Proposed Ordinance 2016-08 which addresses Holmdel Fire Company #1 and Holmdel Fire and Rescue Company #2

## **HOLMDEL TOWNSHIP**

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### **OFFICE OF THE TOWNSHIP CLERK**

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#### Hearings on Ordinances

15. Ordinance 2016-05 repeals the section of the Parks and Recreation Ordinance listing the fee schedule and, instead, authorizes the Recreation Director to sponsor adult and youth programs and establish fees.

16. Ordinance 2016-06 authorizes the Township to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology and telecommunications equipment, new additional furnishings and new automotive vehicles, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable.

17. Ordinance 2016-07 authorizes the Township to enter into a Lease of Property agreement with AD-IN Sport Foundation, Inc., a non-profit company to maintain and manage the Tennis Center as well as furnish tennis services and lessons.

#### **Professionals**

##### Attorney

18. This Resolution authorizes the Township Attorney and the appropriate municipal officials to execute and to carryout the terms of the attached Consent Order with Jag Holding Company regarding the renewal of Jag Holding Company's Plenary Retail Consumption License.

##### Engineer

19. In March the Monmouth County Parks System advised that Holmdel was awarded a grant in the amount of \$137,000 for the installation of a tot lot at Cross Farm Park. The Township must now sign the agreement and submit it to the County prior to June 17, 2016.

20. The Committee previously authorized the preparation of plans and specifications for the Phase I Sanitary Sewer Repairs. Mr. Broberg is recommending the project be advertised during the week of May 9 in order for the project to be awarded in early June subject to the receipt of reasonable bids.

As always, if you have questions or cannot attend the meeting please call me at 732-946-2820.

# Holmdel Township

4 CRAWFORDS CORNER ROAD  
HOLMDEL, NEW JERSEY 07733-0410

Tel: 732-946-2820

Fax: 732-946-0116

## HOLMDEL TOWNSHIP COMMITTEE REGULAR MEETING

May 3, 2016

7:00 PM Executive Session  
7:30 PM Open Session

Date

Time

Call meeting to order.

Statement to be read by Mayor:

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 Independent, and the Two River Times and posted on the bulletin board in Township Hall and filed in the Township Clerk's Office on January 9, 2016.

Roll Call:

	Present	Absent
Eric Hinds, Mayor	_____	_____
Gregory Buontempo, Deputy Mayor	_____	_____
Patrick Impreveduto, Committeeman	_____	_____
Joseph Ponisi, Committeeman	_____	_____
Thomas Critelli, Committeeman	_____	_____

Also Present:

E.G. Broberg, Engineer	_____	_____
Robert F. Munoz, Attorney	_____	_____
Donna Vieiro, Township Administrator	_____	_____
Jeanette Larrison, Chief Financial Officer	_____	_____
Maureen Doloughty, Township Clerk	_____	_____

Pledge of Allegiance and Moment of Silent Prayer

The Township Committee may adjust the order of the Agenda Items at their discretion

Township Committee Meeting – May 3, 2016

**Resolution to Close Meeting** – Action May be Taken in Public After  
Adjournment

**Presentations**

1. Paint the Town Pink
2. Proclaim May 2016 Older American Month

**Chief Financial Officer**

3. Adopt Resolution Accepting the Assessment Report Prepared by Sockler Realty Services Group, Inc.

**Clerk**

***Consent Agenda***

4. Approve Bills Payable
5. Approve Purchases over \$3,500
6. Adopt Resolution Refunding Tax Overpayment for Block 11 Lot 72.13
7. Adopt Resolution Refunding Tax and Sewer Payments for Block 58 Lot 53.01 CN 027
8. Approve Katelyn E. Lynch as a Holmdel Firefighter
9. Adopt Resolution Awarding Contract for New Cab/Chassis with Body & Accessories to Beyer Ford in the Amount of \$67,676
10. Adopt Resolution Denying Release of Performance Bond Posted for Cornerstone Power Holmdel, LLC
11. Adopt Resolution Approving Change Order No. 2 for the 2015 Capital Improvement Program
12. Adopt Resolution Appointing Harry Haushalter as Conflict Tax Assessor Attorney
13. Adopt Resolutions Releasing Performance for Leslie and Cliff Sneyers

### **Introduction of Ordinances**

- 14 ORDINANCE AMENDING CHAPTER II (ADMINISTRATION), SECTION 2-29 (FIRE DEPARTMENT) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY 2016-08

Motion to adopt on first reading, publish in the Asbury Park Press and set public hearing for May 17, 2016.

### **Hearings on Ordinances**

15. ORDINANCE AMENDING CHAPTER XIII (PARKS AND RECREATIONAL FACILITIES), CHAPTER 13.2 FACILITY USAGE FEES, SECTION 13-2, INDOOR; SECTION 13-2.3 OUTDOOR FACILITIES; 13.2-4 ANNUAL FEES FOR CERTAIN USER GROUPS; 13-2.5 FEE ADJUSTMENT; 13-2.6 PROGRAM FEES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY 2016-05

### **Clerk's Statement**

### **Public Hearing**

Motion to adopt on final reading and publish in the Asbury Park Press according to law.

16. BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,915,000 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS. 2016-06

Township Committee Meeting – May 3, 2016

Clerk's Statement

Public Hearing

Motion to adopt on final reading and publish in the Asbury Park Press according to law.

17. AN ORDINANCE AUTHORIZING ENTRY INTO A LEASE AGREEMENT FOR A PORTION OF LOT 79, BLOCK 46. ORD. NO 2016-07

Clerk's Statement

Public Hearing

Motion to adopt on final reading and publish in the Asbury Park Press according to law.

**Departments**

Administrator

**Professionals**

Attorney

18. Adopt Resolution Authorizing Execution of JAG Consent Order

Engineer

19. Execution of the Agreement for the Monmouth County Open Space Grant Program – Cross Farm Park Improvements – Paul Glitz
20. Authorize Advertisement of Sanitary Sewer Phase I Improvements

**Boards/Committees**

**Business From the Committee**

**Public Portion – Agenda and Non-Agenda Items**

**Adjournment**

**TOWNSHIP OF HOLMDEL**

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**TOWNSHIP COMMITTEE AGENDA ITEM # 2**

*Meeting Date: May 3, 2016*

**Subject:** Proclamation

*Submitted by:* Bob Ward

*Approved by:* Bob Ward

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**RECOMMENDATION:** It is recommended to the Committee to Proclaim May 2016 as Older American Month.

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**PREVIOUS ACTION**

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**BACKGROUND:** It is recommended that the Township Committee proclaim the month of May as Older Americans Month

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**FISCAL IMPACT**

None

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**Attachments:**

***History of Older Americans Month***

When Older Americans Month was established in 1963, only 17 million living Americans had reached their 65th birthday. About a third of older Americans lived in poverty and there were few programs to meet their needs. Interest in older Americans and their concerns was growing. A meeting in April 1963 between President John F. Kennedy and members of the National Council of Senior Citizens led to designating May as "Senior Citizens Month," the prelude to "Older Americans Month."

Historically, Older Americans Month has been a time to acknowledge the contributions of past and current older persons to our country, in particular those who defended our country. Every President since Kennedy has issued a formal proclamation during or before the month of May asking that the entire nation pay tribute in some way to older persons in their communities. Older Americans Month is celebrated across the country through ceremonies, events, fairs, and other such activities.

<b><u>For Internal Use</u></b>	
<i>Township Committee Action</i>	
Approve	Denied
Other	
Comments: _____	
_____	

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 3

Meeting Date: May 3, 2016

Subject: Assessment Report

Submitted by: Maureen Doloughty

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee accept and adopt the Report

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**PREVIOUS ACTION**

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**BACKGROUND**

In 2013 the Township Committee adopted the Bond Ordinance to allow for the installation of water mains in the area of Stevens Drive. The project has been certified complete and an Appraisal Report has been prepared. A Resolution has been prepared accepting and adopting the Report and scheduling a Public Hearing on May 17, 2016 to set the Assessment for the residents.

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**FISCAL IMPACT**

None

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**Attachments:**

Resolution

<i>For Internal Use</i>	
Township Committee Action	
Approve	Denied
Other	
Comments: _____	
_____	
_____	

## **RESOLUTION APPROVING WATER ASSESSMENT**

WHEREAS, the Township Committee of the Township of Holmdel adopted Ordinance 2013-34 on October 22, 2013; and

WHEREAS, said Ordinance authorized the Township to install water mains and make related improvements, including the installation of service connections to behind the curb line and water meters, in the Stillwell Road area, including a portion of Stillwell Road, Stevens Drive, Douglas Drive and Randall Road (the project); and

WHEREAS, the project has been certified complete and the Township authorized the preparation of an Appraisal Report; and

WHEREAS, Sockler Realty Services Group, Inc. has prepared a report consisting of 123 pages reviewing the Purpose of the Study, Identification of Properties, Scope of Study, Area and Neighborhood Analysis, Market Analysis, Zoning Analysis, Factors Considered within the Study Process, Methodology and Comparables Used within the Study Process, Research and Interviews, Statistical Analysis, and Conclusion; and

WHEREAS, the report has been forwarded to the Township Committee for review; and

WHEREAS, the Committee has reviewed the report and agrees that the properties involved have increased in value because of the project.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee that the Committee hereby approves and adopts the Assessment Report prepared by Sockler Realty Services Group, Inc. which results in a charge of \$12,740.29 for each property to be made in 10 annual installments of \$1,274.03 plus legal interest.

BE IT FURTHER RESOLVED that a Public Hearing regarding the Water Assessment will be held on May 17, 2016 to provide all affected residents the opportunity to be heard.

### **CERTIFICATION**

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

## BILLS PAYABLE RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the claims listed below on the Schedule of Bills Payable on April 28, 2016 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUND DISTRIBUTION	5-01	CURRENT FUND	\$ 1,842.87
FUND DISTRIBUTION	6-01	CURRENT FUND	\$1,098,165.70
FUND DISTRIBUTION	6-07	SWR	\$ 54,294.15
FUND DISTRIBUTION	6-12		\$ 4,388.75
FUND DISTRIBUTION	6-26	SWM	\$ 2,730.95
		Year Total:	\$ 1,159,579.55
FUND DISTRIBUTION	C-04	ORD	\$ 252,311.27
FUND DISTRIBUTION	D-02	DOG TRUST	\$ 66.60
FUND DISTRIBUTION	G-02	ST/FED GRANT	\$ 1,290.00
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$ 55,817.31
FUND DISTRIBUTION	T-24	FAIR HOUSING	\$ 4,965.78
		Year Total:	\$ 60,783.09
		Total Of All Funds:	\$ 1,475,873.38
		Total of all Projects:	\$ 13,079.21

### CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

Totals by Year-Fund										
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	Total		
CURRENT FUND	5-01	1,842.87	0.00	1,842.87	0.00	0.00	0.00	1,842.87		
CURRENT FUND	6-01	1,098,165.70	0.00	1,098,165.70	0.00	0.00	0.00	1,098,165.70		
SEWER OPERATING	6-07	54,294.15	0.00	54,294.15	0.00	0.00	0.00	54,294.15		
	6-12	4,388.75	0.00	4,388.75	0.00	0.00	13,079.21	17,467.96		
POOL OPERATING ACCOUNT	6-26	2,730.95	0.00	2,730.95	0.00	0.00	0.00	2,730.95		
	Year Total:	1,159,579.55	0.00	1,159,579.55	0.00	0.00	13,079.21	1,172,658.76		
GENERAL CAPITAL	C-04	252,311.27	0.00	252,311.27	0.00	0.00	0.00	252,311.27		
DOG TRUST	D-02	66.60	0.00	66.60	0.00	0.00	0.00	66.60		
STATE/FEDERAL GRANT FUND:	G-02	1,290.00	0.00	1,290.00	0.00	0.00	0.00	1,290.00		
OTHER TRUSTS	T-12	55,817.31	0.00	55,817.31	0.00	0.00	0.00	55,817.31		
FAIR HOUSING TRUST	T-24	4,965.78	0.00	4,965.78	0.00	0.00	0.00	4,965.78		
	Year Total:	60,783.09	0.00	60,783.09	0.00	0.00	0.00	60,783.09		
Total of All Funds:		1,475,873.38	0.00	1,475,873.38	0.00	0.00	13,079.21	1,488,952.59		

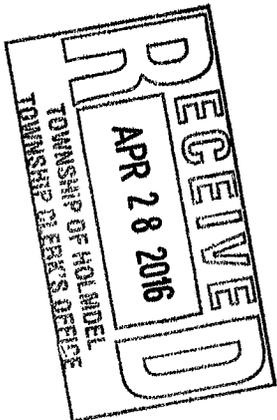
Project Description	Project No.	Rcvd Total	Held Total	Project Total
FIBERTECH NETWORKS, LLC	OCB-FIBERT	250.00	0.00	250.00
FIBERTECH NETWORKS, LLC	OS-000021	3,000.00	0.00	3,000.00
POLO CLUB OF HOLMDEL/JAG HOLD.	PB-POLO CL	3,867.50	0.00	3,867.50
SALANGH ENTER/KIDDIE ACADEMY	PB-SALANGH	2,795.00	0.00	2,795.00
STILLWELL2-CHARPAK-TEW79 pb635	PB-STILLWE	116.25	0.00	116.25
TOLL NJ IX, L.P./HOMES	PB-TOLL NJ	541.92	0.00	541.92
TOLL NJ IX LP/TOWNSHOUSES	PB-TOLLTWN	473.54	0.00	473.54
VILLAGE GRANDE @ HOLMDEL HOA	PB-VILLAGE	1,190.00	0.00	1,190.00
JIAH CORP/EXXON/PALMER AV/DUNK	ZB-JIAH EX	195.00	0.00	195.00
NJ NATURAL GAS/REGULATOR SOLAR	ZB-NJNATGA	260.00	0.00	260.00
OUTFRONT MEDIA	ZB-OUTFRON	390.00	0.00	390.00
Total of All Projects:		<u>13,079.21</u>	<u>0.00</u>	<u>13,079.21</u>

April 28, 2016  
12:34 PM

TOWNSHIP OF HOLMDEL  
Bill List By Vendor Id

Page No: 24

Vendor # Name	P.O. #	Date	Description	Amount	Charge Account	PO Type	Acct Type Description	Stat/chk	First Rcvd	Enc Date	chk/Void	Invoice	Excl
<hr/>													
<b>W.B. Mason Co., Inc. Continued</b>													
16-01171	04/21/16	12	digit printing calculator	61.94	6-07-55-502-509	Continued							
2	12		digit printing calculator	123.88			B SEWER: Operations	R	04/27/16	04/27/16		I33949396	N
			Vendor Total:	538.83									
Total Purchase Orders:				136	Total P.O. line Items:		239	Total List Amount:		1,488,952.59	Total Void Amount:		0.00



TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 6

*Meeting Date:* May 3, 2016

*Subject:* Refund of Tax Overpayment for Block 11 Lot 72.13 – 12 Raintree Court

Submitted by: Jeanette M Larrison, CFO/CTC

*Approved by:*

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**RECOMMENDATION**

Approve a resolution to refund overpayment of taxes in the amount of \$3,214.87 to Mortgage Service Corelogic; Block 11 Lot 72.13– 12 Raintree Court – Property owner Rick Taddio

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**PREVIOUS ACTION**

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**BACKGROUND**

Mr. Taddio is responsible for paying his property taxes directly. On February 8, 2016 Corelogic, a servicing company utilized by his mortgage company, erroneously submitted payment in the amount of \$3,214.87 for the 1<sup>st</sup> quarterly installment and is now requesting refund of the same.

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**FISCAL IMPACT**

None – The property owner is responsible for tax payments and has effected payment in full for the 2016 tax year.

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**Attachments:**

<b><u>For Internal Use</u></b>	
<i>Township Committee Action</i>	
Approve	Denied

## **RESOLUTION AUTHORIZING TRANSFER OF OVERPAYMENT OF TAXES**

WHEREAS, property owner, Rick Taddio, Block 11 Lot 72.13 also known as 12 Raintree Court, is responsible for payment of property taxes associated with this property, and;

WHEREAS, Corelogic, the servicing company utilized by his mortgage company, erroneously submitted payment on February 8, 2016 for taxes due on this parcel due February 1, 2016 in the amount of \$3,214.87, and;

WHEREAS, a refund is now due and owing to Corelogic for this erroneous payment.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Tax Collector is hereby authorized to refund Corelogic in the amount of \$3,214.87.

### **CERTIFICATION**

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 7

*Meeting Date:* May 3, 2016

*Subject:* Refund of Tax and Sewer Payments for Block 58 Lot 53.01 CN027 – 27 Lexington Court

Submitted by: Jeanette M Larrison, CFO/CTC

*Approved by:*

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**RECOMMENDATION**

Approve a resolution to refund overpayment of taxes in the amount of \$590.71 to property owner Gregory Egan; Block 58 Lot 53.01 CN027 – 27 Lexington Court

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**PREVIOUS ACTION**

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**BACKGROUND**

Mr. Egan's mortgage company is responsible for paying property taxes for this property. In error, Mr. Egan submitted payment for the 2016 1<sup>st</sup> quarter installment in the amount of \$590.71 and has requested a refund of the same.

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**FISCAL IMPACT**

None – The mortgage company pays the quarterly tax installments

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**Attachments:**

<b><u>For Internal Use</u></b>	
<i>Township Committee Action</i>	
Approve	Denied

## **RESOLUTION AUTHORIZING TRANSFER OF OVERPAYMENT OF TAXES**

WHEREAS, property owner, Gregory Egan, Block 58 Lot 53.01 CN027, also known as 27 Lexington Court, submitted a payment of \$590.71 on January 29, 2016 for the 1<sup>st</sup> quarter installment of property taxes, and;

WHEREAS, Mr. Egan's mortgage company is responsible for paying property taxes on his behalf and such payment will create an overpayment of the 1<sup>st</sup> quarter installment, and;

WHEREAS, a refund of is now due and owing to Mr. Egan for his erroneous payment.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Tax Collector is hereby authorized to refund Gregory Egan in the amount of \$590.71.

### **CERTIFICATION**

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP COMMITTEE AGENDA ITEM # 8

*Meeting Date:* May 3, 2016

***Subject:*** Holmdel Township Fire Fighter Approval

*Submitted by:* Barbara Kovelesky

*Approved by:* Donna M. Vieiro, Township Administrator

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**RECOMMENDATION**

It is recommended that the Committee approve a fire fighter application

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**PREVIOUS ACTION**

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**BACKGROUND**

A Fire Fighter application was received by Katelyn E. Lynch

The application, background check and physical have been approved by the Police Department.

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**FISCAL IMPACT**

None

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**Attachments:**

None

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 9

*Meeting Date:* May 3, 2016  
*Subject:* Award of Contract – New Cab/Chassis with Body & Accessories  
*Submitted by:* Barbara Kovelesky, Purchasing Assistant  
*Approved by:* Donna M. Vieiro, Township Administrator

**RECOMMENDATION**

It is recommended the Township Committee award a contract for the purchase of one new and unused Cab/Chassis with Completed Body and Accessories to Beyer Ford in the amount of \$67,676.00.

**PREVIOUS ACTION**

**BACKGROUND**

Bids were received on April 20, 2016 for the New Cab/Chassis. Two bids were received as follows:

Winner Ford \$67,399  
Beyer Ford \$67,676

Bid documents were review by the Township Attorney. Winner Ford was the apparent low bidder, however due to a deficiency in their bid submittal it is recommended by the Attorney that Beyer Ford be awarded the contract.

**FISCAL IMPACT**

The CFO has certified funds are available

**Attachments:**

<b><u>For Internal Use</u></b>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		
_____		
_____		
Date Delegated: _____		
Signature: _____		

**RESOLUTION AWARDING CONTRACT**

WHEREAS, bids were received on April 20, 2016 at the Municipal Building, Crawfords Corner Road, Holmdel, New Jersey for New Cab/Chassis with Body & Accessories; and

WHEREAS, the following bids were received:

<u>Contractor</u>	<u>Amount</u>
Winner Ford	\$67,399
Beyer Ford	\$67,676

And

WHEREAS, Winner Ford was the apparent low bidder, however due to a deficiency in their bid submittal it is recommended by the Attorney that Beyer Ford be awarded the contract.

WHEREAS, the Township Purchasing Assistant has recommended an award be made to Beyer Ford; and

WHEREAS, the Chief Financial Officer has certified to the Township Clerk that funds are available.

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby awards a contract to Beyer Ford in accordance with the bid documents in the amount of \$67,676.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Beyer Ford, the Township Chief Financial Officer, Township Administrator, Township Director of Infrastructure, and to each of the unsuccessful bidders together with a return of any bid security.

**CERTIFICATION**

I, Maureen Doloughy, Township Clerk of the Township of Holmdel, do hereby certify that the above is a true copy of the Resolution adopted by the Holmdel Township Committee at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 10

Meeting Date: May 3, 2016

Subject: Cornerstone Power Holmdel, LLC

Submitted by: Maureen Doloughty

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee adopt the Resolution

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**PREVIOUS ACTION**

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**BACKGROUND**

As requested by the applicant, Mr. Broberg inspected the Cornerstone Power Holmdel LLC project to determine the amount of bondable improvements satisfactorily installed. Although the majority of the site work is complete there are some landscaping items that remain and must be completed prior to the release of the bond. Since the bonds were previously reduced to the minimum guarantee, he is recommending that the Performance Bond release request be denied. A Resolution has been prepared.

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**FISCAL IMPACT**

None

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**Attachments:**

Resolution  
Engineer's Letter

*For Internal Use*

Township Committee Action

Approve

Denied

Other

Comments: \_\_\_\_\_

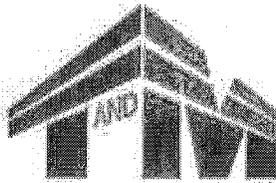
## RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee that the release of Performance Bond #016051418 issued by Liberty Mutual Insurance Company in the posted for Cornerstone Power Holmdel, LLC be denied in accordance with the Engineer's letter dated April 27, 2016.

## CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on April 27, 2016.

Maureen Doloughy, RMC  
Township Clerk



YOUR GOALS. OUR MISSION.

HOLM-I2260  
HOZB-R2260

April 27, 2016

Ms. Maureen Doloughy  
Township Clerk  
Township of Holmdel  
Holmdel, NJ 07733

**Re: Cornerstone Power Holmdel, LLC  
(a.k.a. Holmdel Corporate Center, LLC)  
Preliminary and Final Major Site Plan (#11-1)  
Performance Bond No. 016051418  
Third Performance Guarantee Release Request**

Dear Ms. Doloughy:

Per the applicant's request for a release of Performance Surety Bond No. 016051418 issued by Liberty Mutual Insurance Company in the reduced amount of \$222,941.70 and performance cash bond in the reduced amount of \$24,771.30, I inspected the site on April 19, 2016 to determine the amount of bondable improvements satisfactorily installed to date. Although the majority of the site work is complete there are some landscaping items that remain and must be completed prior to the release of the bond:

- Four (4) *X cupressocyparis Leylandii* Leyland Cypress (10 feet in height) were found to be dead/dying and must be replaced.
- Seven (7) *Picea Abies* Norway Spruce trees (10 feet in height) were found to be dead/dying and must be replaced.
- Two (2) *Picea Abies* Norway Spruce trees (10 feet in height) are missing and must be installed.
- Two (2) *Betula Nigra 'Heritage'* Heritage River Birch (3"-3.5" in caliper) were found to be dead/dying and must be replaced.
- One (1) *Gleditsia Triacanthos Inermis 'Halka'* Halka Thornless Honey Locust (3"-3.5" in caliper) was found to be dead/dying and must be replaced.
- One (1) *Acer Rubrum 'Autum Blaze'* Autum Blaze Red Maple (3"-3.5" in caliper) is missing and must be installed.
- Two (2) *Styrax Japonicus* Japanese Snowbell (8 - 10 feet in height) were found to be dead/dying and must be replaced.



HOLM-I2260  
HOZB-R2260  
April 27, 2016  
Page 2

**Le:** Ms. Maureen Doloughy  
Township Clerk

**Re:** Cornerstone Power Holmdel, LLC  
(a.k.a. Holmdel Corporate Center, LLC)  
Preliminary and Final Major Site Plan (#11-1)  
Performance Bond No. 016051418  
Third Performance Guarantee Release Request

- One (1) *Styrax Japonicus* Japanese Snowbell (8 - 10 feet in height) is missing and must be installed.
- Twenty eight (28) *Cornus Sericea* "Ivory Halo" Variegated Redtwig Dogwood (2.5 - 3 feet in height) are dead and must be replaced.
- Three (3) *Cornus Sericea* "Ivory Halo" Variegated Redtwig Dogwood (2.5 - 3 feet in height) are missing and must be installed.
- Ten (10) *Ilex X Meserveae* 'Blue Princess' Tm Blue Princess Holly (2.5 - 3 feet in height) are dead and must be replaced.
- Three (3) *Ilex X Meserveae* 'Blue Princess' Tm Blue Princess Holly (2.5 - 3 feet in height) are missing and must be installed.
- Ten (10) *Prunus Laurocerasus* 'Otto Luyken' Luykens Laurel (2.5 - 3 feet in height) are missing and must be installed.
- Eight (8) *Rhus Aromatica* 'Grow-Low' Gro-Low Fragrant Sumac (6 - 12 inches in height) are dead and must be replaced.
- Nine (9) *Rhus Aromatica* 'Grow-Low' Gro-Low Fragrant Sumac (6 - 12 inches in height) are missing and must be installed.
- Eight (8) *Viburnum Carlesii* Korean Spice Viburnum (3 - 4 feet in height) are missing and must be installed.

Pursuant to Municipal Land Use Law, Chapter 291, Section 40:55D-55, the performance guarantee may be reduced with respect to approved improvements, except for that portion adequately sufficient to ensure completion or correction of the improvements not yet approved and provided that thirty percent (30%) of the original amount posted be retained. The minimum reduced guarantee amount for this project is \$247,713.00 (thirty percent (30%) of the total original guarantee of \$825,710.00). Since the bonds were previously reduced to the minimum guarantee amount, I recommend that the performance bond release request be denied by formal resolution.



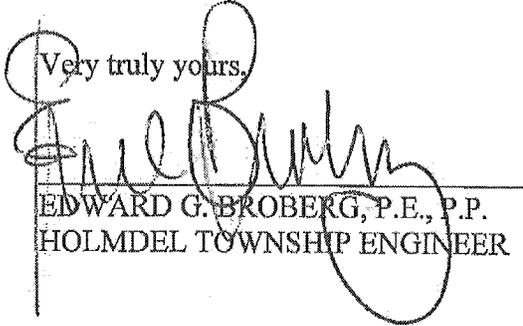
HOLM-I2260  
HOZB-R2260  
April 27, 2016  
Page 3

**Le:** Ms. Maureen Doloughy  
Township Clerk

**Re:** Cornerstone Power Holmdel, LLC  
(a.k.a. Holmdel Corporate Center, LLC)  
Preliminary and Final Major Site Plan (#11-1)  
Performance Bond No. 016051418  
Third Performance Guarantee Release Request

If you have any questions or require additional information, please call.

Very truly yours,

  
EDWARD G. BROBERG, P.E., P.P.  
HOLMDEL TOWNSHIP ENGINEER

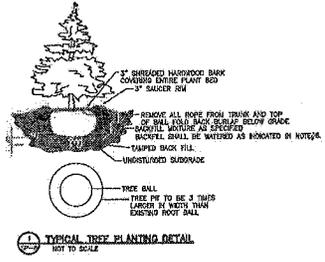
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c: Donna Vieiro, Township Administrator  
Duane Davison, Township Attorney  
Jeanette Larrison, Chief Financial Officer  
Robert Faye, Construction Official  
David Olsen, Zoning Officer  
Steven P. Gouin, Esq., Giordano, Halleran & Ciesla, P.C.  
Cornerstone Power Holmdel, LLC, 5 Concourse Parkway, Suite 2500, Atlanta, GA 30328  
Richard S. Pelizzoni, P.E., Whitman, 116 Tices Lane, Unit B-1, East Brunswick, NJ 08816  
[hbailey@pcisolarpower.com](mailto:hbailey@pcisolarpower.com)  
Heejoo Kim(HKKim@missionsolar.com)

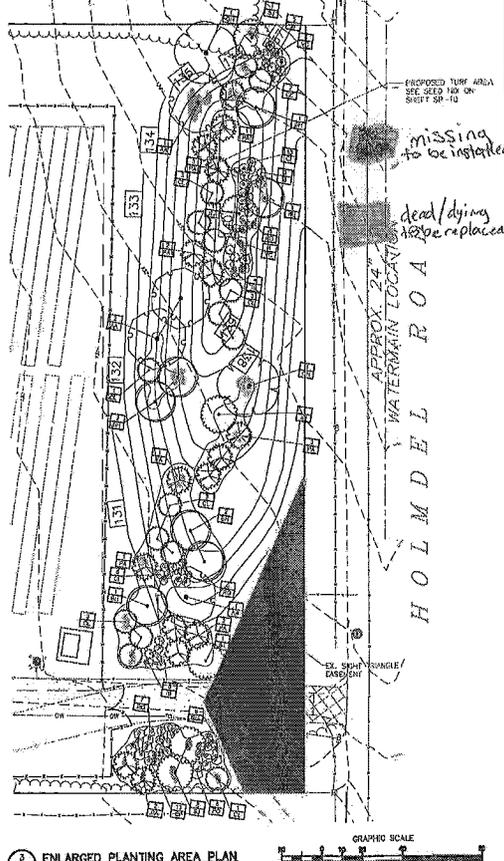
**LANDSCAPE NOTES**

1. THIS PLAN IS PREPARED FOR LANDSCAPE PURPOSES ONLY AND SHALL NOT BE USED FOR ANY OTHER PURPOSE, INCLUDING THE LAYOUT AND CONSTRUCTION OF THE EXPOSED TURF AREA.
2. ALL PLANT MATERIALS LISTED SHALL BE TO BE MAINTAINED AND IN COMPLIANCE WITH THE MAINTENANCE SCHEDULE FOR PLANTING AND CARE AS PROVIDED BY THE AMERICAN ASSOCIATION OF LANDSCAPERS.
3. ALL TREES SHALL BE PLANTED WITHIN THE SPECIFIED PLANTING AREAS. ALL PLANTS SHALL BE PLANTED WITHIN THE SPECIFIED PLANTING AREAS. ALL PLANTS SHALL BE PLANTED WITHIN THE SPECIFIED PLANTING AREAS. ALL PLANTS SHALL BE PLANTED WITHIN THE SPECIFIED PLANTING AREAS.
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1. PLANTING OPERATIONS SHALL BE CONDUCTED UNDER FAVORABLE WEATHER CONDITIONS DURING THE SPECIFIED PLANTING SEASON FROM MAY 15 TO THE END OF THE PLANTING SEASON (DECEMBER 1) TO NOVEMBER 30.
2. THE CONTRACTOR SHALL OBTAIN THE SERVICES OF A QUALIFIED PERSON TO SUPERVISE THE PLANTING OPERATIONS. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE SERVICES OF A QUALIFIED PERSON TO SUPERVISE THE PLANTING OPERATIONS.
3. ANY CHANGE TO THE LOCATION OF THE LANDSCAPING SHALL BE APPROVED IN WRITING BY THE ARCHITECT. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE SERVICES OF A QUALIFIED PERSON TO SUPERVISE THE PLANTING OPERATIONS.
4. TREES SHALL BE PLANTED IN HOLES THAT ARE DEEPER THAN THE SPAN OF THE ROOT BALL. THE DEPTH OF THE HOLES SHALL BE AS NECESSARY TO ACCOMMODATE THE ROOTS OF THE TREES. THE HOLES SHALL BE FILL WITH SOFT SAND OR OTHER LIGHT MATERIAL. THE HOLES SHALL BE FILL WITH SOFT SAND OR OTHER LIGHT MATERIAL.
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| SYMBOL |
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| CI     |
| IB     |
| PD     |
| RE     |
| VE     |



**WHITMAN**

7. PARSONS HILL ROAD  
CHANGING HILLS ROAD  
TEL: (201) 590-0500  
FAX: (201) 590-0400  
OFFICE OF ARCHITECTURE  
30. INDEPENDENCE

**oci**  
solar power

3.52044 MW (DC)  
PHOTOVOLTAIC SYSTEM

970 HOLMDEL ROAD  
HOLMDEL, NJ 07733  
MONMOUTH COUNTY

LANDSCAPING NOTES  
AND DETAILS

SP-8

14 OF 23

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 11

*Meeting Date:* May 3, 2016  
*Subject:* **Change Order No. 2 for the 2015 Road Improvement Program**  
*Submitted by:* Edward G. Broberg, P.E., Township Engineer  
*Approved by:*

**RECOMMENDATION**

I recommend the Governing Body authorize Change Order No. 2 that reflects additional curb constructed on Line Road due to resident concerns and for drainage and soil erosion. The change order reflects a net increase of \$7,305.89

**PREVIOUS ACTION**

In previous actions, the Governing Body authorized a comprehensive Road Program for 2015 and Change Order No. 1 which decreased the contract amount by \$96.61 for the as-built conditions of the Commons Way, Wildhedge Lane and Plum Lane/Hawthorne Avenue projects.

**BACKGROUND**

The 2015 Road Improvement Program is part of an ongoing and expanded effort to improve infrastructure in Holmdel.

**FISCAL IMPACT**

The fiscal impact of this Change Order is a **net increase** of \$7,305.89.

**Attachments:**

Change Order No. 2

H:\HOLM\G1601\Correspondence\Agenda Report\_2016 Change Order #2 (Addition) 2015 Road Program.doc

<b><u>For Internal Use</u></b>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		
_____		
_____		
Date Delegated: _____		
Signature: _____		

## RESOLUTION AUTHORIZING CHANGE ORDER

WHEREAS, the Township of Holmdel awarded a contract for the 2015 Capital Improvement Program to Jads Construction; and

WHEREAS, the work relating to that contract is ongoing and;

WHEREAS, the Township Engineer has submitted a detailed report dated May 3, 2016 requesting approval of Change Order #2 for an increase in the amount of \$7,305.89 for this contract; and

WHEREAS, the funding is available for this purpose.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Change Order #1 and amendment to the referenced contract is hereby approved.

BE IT FURTHER RESOLVED that the Township report dated May 3, 2016 is hereby incorporated by reference.

### CERTIFICATION

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

T&M ASSOCIATES  
CONSULTING & MUNICIPAL ENGINEERS  
ELEVEN TINDALL ROAD  
MIDDLETOWN, NEW JERSEY 07748

SHEET NO. 1 OF 2  
PROJECT NO. HOLM-06070

CHANGE ORDER NO. 2

DATE: April 25, 2016  
PROJECT: 2015 Road Improvement Program  
OWNER: Township of Holmdel  
CONTRACTOR: Jads Construction Company, Inc.

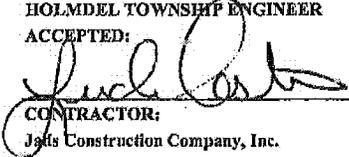
DESCRIPTION OF CHANGE:

REDUCTIONS:

EXTRA:

SUPPLEMENTARY:

Item S7 was introduced to reflect additional curb required for safety and erosion control on Line Road

APPROVAL RECOMMENDED:  
  
EDWARD G. BROBERG, P.E.  
HOLMDEL TOWNSHIP ENGINEER  
ACCEPTED:  
  
CONTRACTOR:  
Jads Construction Company, Inc.

SEE ATTACHED DETAIL	ADDITIONAL	REDUCTION
A. TOTAL REDUCTIONS THIS C.O.	XXXXXXXXXXXX	\$0.00
B. TOTAL EXTRAS THIS C.O.	\$0.00	XXXXXXXXXXXX
C. TOTAL SUPPLEMENTARY THIS C.O.	\$7,402.50	XXXXXXXXXXXX
TOTALS THIS C.O.	\$7,402.50	\$0.00
NET CHANGE THIS CHANGE ORDER	\$7,402.50	\$0.00
PREVIOUS CHANGE ORDERS	\$0.00	\$96.61
TOTAL CHANGE ORDERS TO DATE	\$7,402.50	\$96.61
NET CHANGE IN CONTRACT	\$7,305.89	\$0.00

OWNER'S APPROVALS:

NOTE: All work to be done according to Contract Specifications.

ORIGINAL CONTRACT BID PRICE	\$2,145,329.25
CHANGE ORDERS TO DATE	\$7,305.89
REVISED CONTRACT PRICE	\$2,152,635.14

PROJECT: 2015 Road Improvement Program

OWNER: Township of Holmdel

CONTRACTOR: Jads Construction Company, Inc.

	ITEM NO.	DESCRIPTION	QUANTITY	UNIT PRICE	AMOUNT
	R E D U C T I O N				

A. TOTAL REDUCTIONS \$0.00

E X T R A					
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B. TOTAL EXTRA \$0.00

S U P P L E M E N T A R Y	S7.	Additional curb Line Road	315.00 LF	\$23.50	\$7,402.50
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C. TOTAL SUPPLEMENTARY \$7,402.50

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # *12*

Meeting Date: May 3, 2016

Subject: Conflict Tax Assessor Attorney

Submitted by: Maureen Doloughy

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee adopt the Resolution

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**PREVIOUS ACTION**

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**BACKGROUND**

With certain cases conflicts arise with the Attorney for Tax Appeals. It is recommended that the Committee adopt the resolution appointing Harry Haushalter as Conflict Tax Assessor Attorney.

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**FISCAL IMPACT**

None

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**Attachments:**

Resolution

---

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*For Internal Use*

Township Committee Action

Approve

Denied

Other

Comments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## **RESOLUTION**

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Harry Haushalter be and hereby is appointed as the Conflict Tax Assessor Attorney.

## **CERTIFICATION**

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 13

Meeting Date: May 3, 2016

Subject: Sneyers Performance Bond

Submitted by: Maureen Doloughty

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee adopt the Resolution

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**PREVIOUS ACTION**

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**BACKGROUND**

The Township Engineer has inspected the improvements associated with the Leslie and Cliff Sneyers subdivision. As outlined in the Engineer's letter the project is now on Maintenance for Phases I, II, III, and IV. However a Performance Bond was posted for the planting of a Sugar Maple Tree and six American Larch trees. The Landscaping has been completed and the Engineer is recommending that the Performance Cash Bond be released. A Resolution has been prepared.

---

**FISCAL IMPACT**

None

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**Attachments:**

Resolution  
Engineer's Letter

*For Internal Use*

Township Committee Action

Approve

Denied

Other

Comments: \_\_\_\_\_

## **RESOLUTION**

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Performance Cash Bond in the amount of \$540.00 for the planting of the Sugar Maple and the Performance Cash Bond in the amount of \$3,600.00 for the planting of the American Larch trees be released in accordance with the Engineer's letter dated April 28, 2016.

## **CERTIFICATION**

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on May 3, 2016.

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 14

Meeting Date: May 3, 2016

Subject: Fire Department Ordinance

Submitted by: Maureen Doloughy

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee Introduce the Ordinance

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**PREVIOUS ACTION**

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**BACKGROUND**

Chapter II Section 2-29, Fire Department, has been deleted in its entirety and replaced with Proposed Ordinance 2016-08 which addresses Holmdel Fire Company #1 and Holmdel Fire and Rescue Company #2

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**FISCAL IMPACT**

None

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**Attachments:**

Proposed Ordinance 2016-08

<i>For Internal Use</i>	
Township Committee Action	
Approve	Denied
Other	
Comments: _____	
_____	
_____	

**ORDINANCE AMENDING CHAPTER II (ADMINISTRATION), SECTION 2-29 (FIRE DEPARTMENT) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY 2016-08**

BE IT ORDAINED by the Township Committee of the Township of Holmdel, County of Monmouth and State of New Jersey as follows:

**I**

Chapter II, Administration, Section 2-29, Fire Department, is hereby deleted in its entirety and replaced with the following:

**2-29 FIRE DEPARTMENT.**

**2-29.1 Statutory Authority.**

The Holmdel Township Fire Department, (sometimes hereafter "Fire Department") is hereby designated as the authorized fire protection agency in the Township of Holmdel in accordance with N.J.S.A. 40A:14-68.

**2-29.1A Fire Department Organization.**

The Fire Department shall be comprised of the Holmdel Fire Company No. 1 and the Holmdel Fire and Rescue Company #2. Both companies shall adhere to the authority of the Fire Chief and the rules, regulations standard operating procedures and policies of the Fire Department as it relates to the fire protection of the Township, emergency response and the day-to-day operations of the department. This shall not serve to interfere with the management of individual internal or business operations and affairs of each Fire Company as stipulated in 2-29.21.

**2-29.2 Municipal Supervision and Control.**

Pursuant to N.J.S.A. 40A:14-68, the members of the Fire Department shall be under the supervision and control of the Township of Holmdel at all times, acting through its Township Administrator or his/her designee, and in performing fire duty shall be deemed to be exercising a governmental function.

**2-29.2A Emergency Services Committee.**

The Fire Department is a Department of the Township of Holmdel, and therefore falls within the Township's Table of Organization directly under the Township Administrator. The Administrator or his/her designee will ~~have direction over~~ manage the Fire Department with the advice of the Emergency Services Committee, which will consist of the department heads of the Police, Fire, First Aid, and Office of Emergency Management.

### **2-29.3 Members; Maximum/Minimum Number.**

At no time shall there be more than forty (40) firefighters serving in each Fire Company. No person shall be permitted to serve in the Fire Department unless and until such person shall have made a volunteer's application to the Fire Department.

In order to ensure the safety of all Fire Department members as well as that of the population of Holmdel, at no time will the membership of a Fire Company fall below eight (8) active members. If this occurs the Fire Chief will immediately notify the Township Administrator who will determine, assure and/or arrange for appropriate fire services to the Township. If the Fire Chief fails to report drop in membership, action will be taken as allowed for in Chapter I, Section 1-5, General Penalty.

If the Company is suspended due to a lack of membership it can be restored upon meeting the membership requirement with the approval of the Township Committee.

### **2-29.4 Background Checks.**

The Company Chief will have potential members complete an application pursuant to Chapter IX, Section 9-11 et seq.

### **2-29.5 Approval of Members.**

When recommending an applicant for approval, the Fire Chief will discuss the results of the background investigation and any other pertinent information obtained with the members of the Township Committee. The Township Committee of the Township of Holmdel will either approve or deny such application by resolution or motion adopted at a regular Township meeting.

Fire Department members must be approved by the Township Committee prior to any performance of fire service. Additionally, prospective firefighters will be required to have a pre-appointment physical by a physician designated by the Township Committee.

### **2-29.6 Classes of Membership; Qualifications.**

Classes of membership and requisite qualifications for membership in the Holmdel Fire Company shall be as follows:

a. *Active Members.*

1. Must be at least eighteen (18) years of age;
2. Must be a citizen of the United States or resident alien, a resident of the Township of Holmdel, or must reside within three (3) miles of any border of the Township of Holmdel, or must be employed within the Township of Holmdel; and
3. Must be a certified firefighter.
4. Must respond annually to twenty (20%) percent of calls, and attend fifty (50%) percent of trainings.

b. *Non-Active /Associate / Probationary Members/Fire Police.*

1. Must be at least eighteen (18) years of age;
2. Must be a citizen of the United States or resident alien, a resident of the Township of Holmdel, or must reside within three (3) miles of any border of the Township of Holmdel, or must be employed within the Township of Holmdel; and
3. Must be fire or fire-police certified or actively applying to become fire or fire-police certified at the time of appointment.

c. *Junior Firefighters' Auxiliary/Explorer Members.*

1. Creation of Auxiliary or Establishment of Explorer program. The volunteer Fire Company may have a Junior Firefighters' Auxiliary or Explorer program whose members shall not be required to perform duties which would expose them to the same degree of hazard as an active member.

2. Rules and Regulations. Each junior firefighter/explorer shall be governed by the following rules and regulations:

- (a) A junior firefighter/explorer may attend after joining.
- (b) A junior firefighter shall be between the ages of sixteen (16) and eighteen (18). An explorer shall have completed the eighth grade and is fourteen (14) years of age, or fifteen (15) years of age but have not yet reached their 21st birthday.
- (c) A junior firefighter/explorer must be a citizen of the United States or a resident of the State of New Jersey.
- (d) A junior firefighter/explorer shall wear full turnout gear while riding fire apparatus and performing fire duties.
- (e) At no time during a fire shall a junior firefighter/explorer enter a burning structure or any hazardous atmosphere.
- (f) A junior firefighter/explorer may deliver such items as hand lights, exhaust fans, axes, and pike poles from the fire apparatus to the active/non-active firefighters fighting fires, but only to those firefighters outside the structure.
- (g) At the scene of a fire, a junior firefighter/explorer may roll hose or help repack hose onto the fire apparatus.
- (h) Once a fire has been extinguished a junior firefighter/explorer may, upon the instruction of and the direction of a line officer, assist in the inside cleanup operations.
- (i) A junior firefighter/explorer may only ride in the jump seat or cab of the apparatus.
- (j) Under the instruction and at the direction of a line officer, a junior firefighter/explorer during drills may perform certain duties such as holding water lines, ladder work, and practice rescue work and pumper operations.

(k) A junior firefighter/explorer shall assist in keeping the fire apparatus, firehouses and grounds clean and shall also assist in all Fire Company and department activities.

3. Parental Consent. A copy of the rules and regulations and of any additional rules and regulations imposed by the volunteer Fire Company whose auxiliary the junior member or explorer member wishes to join shall be given to the parents or guardian of the junior/explorer firefighter. A copy of the rules and regulations signed by the parents or guardian and of written permission to participate in the auxiliary/explorer program shall be required from each junior/explorer member prior to membership in an auxiliary.

**2-29.7 Reserved.**

**2-29.8 Fire Department Officers.**

Together, the Fire Chief and Line Officer's carry out the day to day operations of the Fire Department as it relates to fire protection of the Township.

The Fire Chief's and Line Officers shall meet at least monthly. The Fire Chief's shall appoint committees as necessary to provide research and recommendations regarding Fire Department operations and procedures.

a. *Fire Chief.*

1. The Fire Department shall be managed, supervised and commanded by the Chief of the Department (sometimes hereafter "Fire Chief"). Pursuant to the procedure set out in section 2-29.8A, the Fire Department shall elect a Chief of the Department to serve a two (2) year term and a Deputy Chief to serve a two (2) year term. The Fire Chief shall report to the Township Administrator or his/her designee.

2. The Fire Chief will serve, in accordance with applicable laws and ordinances, recognized standards, Fire Department rules, regulations and policies and Fire Company membership by-laws.

b. *Fire Chief Qualifications.*

1. Minimum Experience and Membership Requirements:

- a) Shall be an Active Member of the Fire Department.
- b) Shall be a Member in Good Standing according to Fire Company Bylaws.
- c) Shall have served as a member of a Fire Company or Department for a minimum of six (6) years.
- d) Shall have served as a Line Officer for a minimum of five (5) years, one (1) of which shall have been served as Captain.

2. Minimum Training Requirements:

- a) Shall possess a Firefighter I certification from the State of New Jersey
- b) Shall be a qualified operator of all departments Class A Engines and Aerial Devices and have intimate knowledge regarding the operation of all other department apparatus.
- c) Shall possess an IMS Level III certification from the State of New Jersey.

- d) Shall possess Haz-Mat Awareness and Operational certifications from the State of New Jersey.
- e) Shall possess a Fire Officer I certification from the State of New Jersey.
- f) Successful completion of an Incident Safety Officer course.
- g) Successful completion of an Emergency Response to Terrorism course.
- h) Successful completion of a Rapid Intervention Awareness course.
- i) Successful completion of an Introduction to Motor Vehicle Extrication course.

c. *Duties of the Fire Chief*

1. In all cases of fire threatening danger or destruction of property within a particular area of the Township, the Fire Chief shall take prompt and efficient measures and use all the means of the Fire Department to extinguish the fire. The Fire Chief shall, at such time, and on all occasions of fire alarm, have sole and absolute control and command over all the apparatus and all members of the Fire Department. The Fire Chief shall have sole control and command of all other fire apparatus and persons aiding and assisting the Fire Department in cases of actual fire pursuant to N.J.S.A. 40A:14-54.1, Powers of Fire Chief to supersede local police authority within fire lines.

2. The Fire Chief shall periodically inspect all apparatus and satisfy himself/herself that it has been properly cleaned, maintained, and made ready for use when needed. The Fire Chief shall call upon a sufficient number of firefighters to assist in the work of putting and keeping everything in readiness for service. The Fire Chief shall keep closely informed to the physical condition of the equipment, apparatus, and firehouses and take all necessary measures to have all portions thereof, ready for instant use. To this end, he/she shall make, or cause to be made, frequent visits for the purpose of inspections at least quarterly at the firehouse, and shall keep a record of such inspection by date and in detail as to the conditions then existing. Information/details obtained through these inspections will be included by the Fire Chief as part of his next monthly status report to the Township Administrator.

The Emergency Services Committee will authorize a representative of the Township's Joint Insurance Fund (JIF) to conduct an annual inspection of all Fire Company buildings, vehicles, apparatus, and related equipment for compliance with all applicable laws and rules and to ensure for the safety of fire department personnel.

3. The Fire Chief shall render to the Township Committee through the Township Administrator an annual report giving in detail a record of the services of the Fire Department during the previous year. The report shall include and describe each actual fire and the cause as well as the loss estimate sustained. In addition, the report shall also include full information as to the organization, personnel, equipment, apparatus, firehouse(s) and shall be accompanied by a financial statement of the company, if necessary, as provided by N.J.S.A. 40A:14-34. The Fire Chief shall also make recommendations for the maintenance and betterment of the fire service. Furthermore, the Fire Chief shall make specific reports on matters relating to the Fire Department whenever directed to do so by the Township Administrator and/or Township Committee.

4. The Fire Chief shall be responsible for the proper management, discipline, and training of Fire Department members. He/she shall approve all tools, appliances, equipment and apparatus used by the Fire Department.

5. The Fire Chief shall have the authority to establish, organize, and manage subdivisions of the Fire Department to carry out its mission subject to review and approval of the Township Administrator or his/her designee.

6. The Fire Chief shall set Fire Department policy, establish rules and regulations, and standard operating guidelines for the efficient operation of the Fire Department. The Fire Chief shall solicit the input of all Department Line Officer's when considering new policies and procedures or when making changes to existing policies and procedures.

7. By October 1st of each year, the Fire Chief shall submit to the Township Administrator a proposed budget for the following calendar year which shall be considered by the Township Committee as part of the Township's budgeting process.

8. The Fire Chief shall administer discipline he/she deems necessary for the orderly and efficient functioning of the Fire Department when necessary or when recommended by the Disciplinary Review Board. The Fire Chief shall prescribe the specifications for, and the manner of wearing of, all Fire Department uniforms and personal protective clothing used in the Department.

9. Attend (or send a designee) to a minimum of two (2) Township Safety Awareness Committee (SAC) Meetings per year.

10. Required to submit monthly status reports to the Township Administrator by the 15th of the following month.

d. *Line Officers.*

1. Each Fire Company shall elect its own line officers according to recognized standards, applicable laws and ordinances, mandatory certification requirements, department policies and Fire Company Bylaws as it relates to membership in good standing. Line Officers shall report to the Fire Chief.

2. The Fire Companies shall continue to determine how many line officer positions shall be required to adequately oversee operations, with the advice and consent of the Township Administrator or his/her designee and subject to this section

3. At no time shall the number of Line Officers exceed the following number per position:

(a) Captain [not to exceed one (1)]

(b) Lieutenant [not to exceed four (4)]

**2-29.8A Election of Fire Chief**

a. *Eligibility to Vote*

1. Only Department Active Members may vote in the Chief election process; and

2. Voting members must be members in Good Standing according to Fire Company Bylaws.
  3. The Secretary of each Fire Company will be required to provide the Township Clerk with a list of eligible voters prior to the election.
- b. *Eligibility for Nomination*
1. Only Department Active Members are eligible to run for the position of Fire Chief or Deputy Chief.
  2. Meet all of the Qualifications in Holmdel Township Ordinance 2-29.8 prior to nomination.
- c. *Nominations, Review Board and Company Election*
1. Each Fire Company shall hold nominations during the regular business meeting of September in an election year.
  2. The nominee or nominees shall be forwarded to the Eligibility Review Board (hereafter the "Review Board")
    - (a) The Review Board is responsible for verifying the nominees meet all of the requirements for the position of Fire Chief.
    - (b) The Fire Department shall be represented on the Review Board, but shall also be comprised of impartial parties from the Township.
    - (c) The Review Board shall be comprised of the sitting Fire Chief, the President's of both Fire Companies, the Township Committee member who serves on the Emergency Services Committee and the OEM Director.
    - (d) If the Review Board confirms a nominee or nominees, the Fire Company shall hold an election of the nominees. The election shall be held during the regular business meeting of November in an election year.
  3. The winner must obtain a majority vote of at least 51% of the ballots cast. If a nominee runs unopposed, the voting members shall cast a yes or no vote.
- d. *Department Elections*
1. The election of Fire Chief shall be held on the first Saturday of December in an election year.
  2. The election shall be hosted by the Fire Company whose member is to be promoted to the office of Fire Chief of the Department.
  3. The election shall be ballot style.
  4. The nominee must obtain a majority vote of 51% of the ballots cast.
  5. Polls for voting shall open at 7:00 PM and close at 9:00 PM.
  6. The President and Secretary of the hosting Fire Company, or in their absence or inability to act, the Vice President and Treasurer shall act as judge and clerk of all elections.
  7. In the event a nominee does not receive a majority vote, the nominating Fire Company shall hold another nomination vote within ten (10) days of the department election.
  8. If the nominee has not previously been approved by the Review Board, the nominee shall be reviewed.
  9. A new department election shall be held within seven (7) days of approval of the nominee(s) by the Review Board.
- e. *Alternate Candidate*

1. The nomination of an alternate member to the position of Fire Chief of the Department or Deputy Fire Chief shall be permitted only if the member who is currently serving in the position resigns or is found to be serving "unjustly" by no less than 80% of the voting membership who shall indicate so in writing to the Fire Chief of the Department and Township Administrator. In the event that an alternate nominee is permitted, the entire voting membership must be notified in writing by the Township Clerk of the intent to nominate an alternate as well as the date, time and place in which such nominations / elections will take place.
- f. *Rotation and Term Limits*
1. The Fire Chief will serve two (2) year terms.
  2. Deputy Fire Chief who successfully complete their terms shall automatically be promoted to and sworn in to the position of Fire Chief of the Department.
  3. The rotation of Fire Chief will commence the first January following the adoption of this ordinance and continue to rotate as follows indefinitely.
    - (a) Years 1 & 2 – Chief=HFRC2, Deputy=HFC1
    - (b) Years 3 & 4 – Chief=HFC1, Deputy=HFRC2
    - (c) Years 5 & 6 – Chief=HFRC2, Deputy=HFC1

**2-29.9 Reserved.**

**2-29.10 Powers and Duties of Officers.**

The , Fire Chiefs and all Line Officers of the Fire Department shall be responsible to the Township Administrator or his/her designee, for implementing and carrying out the fire protection and fire prevention services within the Township as required by law.

**2-29.11 Insurance.**

The members and officers of the Fire Department shall comply with any and all requirements as set forth by the Mid-Jersey Joint Insurance Fund or any other insurance carrier designated by the Township.

**2-29.12 Certificates; Register.**

The Township Clerk shall keep a list of each Company's membership. Said list will include the name of each member, the date of his/her acceptance, current address, current telephone number, and driver's license number.

It shall be the responsibility of the Fire Chief to notify the Township Clerk of any changes in such list and status as they occur throughout the year. By December 1st of each year, the Fire Chief will furnish the Township Clerk with a complete list with the information listed above, of each member of the Company and their status within said Company.

**2-29.13 Fire Police.**

There may be active or associate members of the Fire Department who may also be designated as fire police pursuant to N.J.S.A. 15:8-4. These members shall serve at the direction of the Fire Chief or designee. Before commencing their duties as fire police, such members must qualify as fire police by taking and subscribing to an oath to be administered by the Municipal

Clerk that they shall justly, impartially and faithfully discharge their duties to the best of their ability and understanding. Fire police shall perform their duties under the supervision of the fire officer in charge of the fire or fire drill. Such duties shall include:

- a. Protection of property and contents;
- b. Establishing and maintaining fire lines;
- c. Performing such traffic duties as necessary, from the fire station to and at the vicinity of the fire, fire drill, or other emergency call, until the arrival of a duly authorized police officer;

Nothing set forth in this subsection is intended to give the fire police the right to supersede a duly authorized police officer.

#### **2-29.14 Drivers.**

a. *Certified Drivers.* Certified drivers shall operate the Fire Company's assigned apparatus. Each driver must complete Coaching the Emergency Vehicle Operator (CEVO) class and an approved Driver Training Program must be completed prior to being certified.

b. *Eligibility as Certified Driver.* To be eligible as a certified driver of Fire Department apparatus, a member must be at least twenty-one (21) years of age, possess a valid State of New Jersey driver's license, hold IMS Level I State Certification and qualify annually on each apparatus.

c. *Duties of Driver.* In addition to driving the apparatus, all drivers shall see that the apparatus are in serviceable condition when returned to the fire station after a call.

d. *Effect of Loss of Driver's License.* Any Fire Department member whose license is expired, suspended, revoked, or otherwise forfeited or cancelled shall immediately notify the Fire Chief. If this situation occurs, the driver shall become disqualified. Additionally, drivers shall be subject to control of the Fire Chief, who may, for just cause, remove a driver or impose a suspension.

e. The Township Administrator will ensure that driver's license checks are done on all Fire Department members annually.

#### **2-29.15 Apparatus.**

a. *Use of Apparatus.* Fire apparatus representing the Township of Holmdel shall be removed from the firehouses in which they are housed only upon dispatch to an incident or for training, maintenance, refueling or other approved reason. Frivolous use of fire apparatus is prohibited. The Fire Chief shall report any violations of this provision to the Township Administrator or his/her designee, and may suspend or remove the driver responsible.

b. *Cleaning and Care.* The drivers shall be responsible for the cleaning and care of all Township fire apparatus.

c. *Apparatus Leaving Township.* No portion of the equipment or apparatus of the Fire Department shall be permitted to leave the Township to attend social functions (parades, musters, etc.) except with the approval of the Township Administrator or his/her designee.

Response to calls for aid outside of the municipality shall be in accordance with State, County, and local mutual aid protocols. In such cases, the Fire Chief shall designate which portion of equipment or apparatus may be sent.

d. *Speed of Fire Apparatus.*

1. No fire apparatus shall be driven upon any street at a speed exceeding that permitted by law, provided that when answering an alarm of fire any apparatus so engaged may proceed at a safe rate of speed commensurate with conditions.

2. Fire apparatus shall be driven at all times with due regard to the safety of persons and property upon the streets, roads and highways.

(Ord. No. 2014-11)

**2-29.16 Discipline.**

It shall be the duty of all officers and members to maintain proper discipline and decorum at all times. All members shall faithfully and promptly obey the rules, regulations, policies, and procedures set forth by the Fire Department and the lawful orders of superiors. Written charges may be filed against any member by any other member, a member of the public, or a public or private entity. The Fire Chief shall have the authority to summarily discipline any offender, or he/she may choose to convene a Disciplinary Review Board.

a. *Options.* Disciplinary action may take the form of a verbal warning, written notice to improve performance, official written reprimand, revocation of privileges, suspension not to exceed one (1) year, or expulsion from the Fire Department.

b. *Authority to Impose.* The Fire Chief may administer all levels of disciplinary action. An expulsion order shall only be drawn up upon recommendation from the Disciplinary Review Board.

c. *Disciplinary Review Board.*

1. *Composition.* A Disciplinary Review Board shall consist of three (3) individuals as follows: the Township Administrator or his/her designee, and the Fire Chief and the Police Chief. When the Board meets, the Administrator/designee shall chair the proceedings. If a prospective Board member is a party in the case, or has some other conflict of interest, he/she shall be disqualified from serving on that particular case and be replaced by the chief officer from another Fire Company, the County Fire Marshall or his/her designee, or a representative of the New Jersey Division of Fire Safety.

2. *Duties.* The Disciplinary Review Board shall conduct impartial hearings to review formal charges brought against members. After hearing testimony from both sides, the Board shall deliberate and render a decision. If the decision sustains the charges, the Board shall also recommend disciplinary action.

3. Within ten (10) days of reaching a decision, the Board shall provide written copies of its findings to both parties.

4. *Proceedings.* A hearing shall commence before the Disciplinary Review Board within a reasonable time following submission of written charges. The accused shall be

provided an opportunity to present his/her defense, with or without the assistance of an attorney, and to present witnesses and cross-examine any person testifying against him/her. All testimony shall be given under oath. If deemed necessary, a court reporter may be hired to record and transcribe the proceedings, with the total costs thereof being evenly split between the accused and the Fire Company of the accused.

5. Implementation of Decision. The Fire Chief shall implement disciplinary action upon a guilty finding by the Disciplinary Review Board. Implementation shall begin after the time period for appeal has expired, or immediately after an appeal has been denied.

6. Appeals. An appeal may be taken to the appointing authority if written notice of appeal is served on the Administrator within five (5) calendar days of receipt of the decision of the Disciplinary Review Board. If notice of appeal is not served within this time period, the right to appeal shall be deemed waived. The appointing authority shall make their determination based upon the written findings and/or transcript, if one has been prepared, by the Disciplinary Review Board. The appointing authority may elect to hear additional testimony. The decision of the appointing authority shall be final.

**2-29.17 Reserved.**

**2-29.18 Fire Appropriations.**

a. On or before October 1st of every year following adoption of this section, the Fire Company shall be required to submit to the Township Administrator or Designee budget requests for equipment, supplies and materials for consideration as part of the Fire Department budget process for the following calendar year which shall be considered by the Township Committee as part of the Township's overall budget process.

b. The Township may disburse funds to the Fire Company for the purchase of fire equipment, supplies and materials as provided by N.J.S.A. 40A:14-34. In order to receive such disbursements from the Township, the Fire Company must submit a detailed description of each proposed expenditure to the Township Administrator or designee. Authorization of the requested funds may be dispersed to the Fire Company pursuant to Township purchasing procedures.

**2-29.19 Rights of Volunteer Firemen Unaffected.**

This section shall not affect the term of service or exemption rights acquired by any volunteer firefighter of the Township.

**2-29.20 Length of Service Awards Program.**

Eligible members of the Fire Department shall be participants in the Township's Length of Service Awards Program (LOSAP) in accordance with Chapter II, subsection 2-34.1 of the Revised General Ordinances of the Township of Holmdel.

**2-29.21 Fire Companies.**

a. *Management.* The volunteer Fire Companies shall have latitude in the management of its firehouse and in the conduct of internal affairs, consistent with the purpose for which it was

organized and maintained, and with the ordinances of the Township, the rules and regulations of the Fire Department and the laws of the State of New Jersey.

b. *Constitution and Bylaws.* The constitution and bylaws of each Fire Company shall conform to the provisions of this chapter and Statutes. The Fire Companies may adopt bylaws, which impose stricter standards than would otherwise be imposed by ordinance, Fire Department rules and regulations, or Statute, as long as the by-law is not in conflict or does not violate any Township ordinance, Fire Department rule or regulation, or Statute.

c. *Elections.* Fire Company elections shall be held in the final quarter of the year as provided for in the by-laws of the company. The term of elected officers shall commence at 12:00 p.m. on the succeeding January 1st. The Fire Companies in accordance with its by-laws shall fill a vacancy.

d. *Financial Statements.* The budget year of the Fire Company shall be the calendar year. An annual financial statement, prepared by a Certified Public Accountant and an IRS 990 form, covering the full fiscal year shall be rendered by the company over the signature of the President and Treasurer, and attested to by its Secretary, under the seal of the company, and shall show in detail the sources of all receipts from the Township and the purpose of all disbursements made from funds received by the Township pursuant to N.J.S.A. 40A:14-34. Such reports shall be subject to audit at the discretion of the Township Administrator or Chief Financial Officer. These reports shall be included as part of his/her annual / monthly report to the Administrator / Township Committee. The Company may, but is not required to, include receipts from other sources, or disbursements made from funds received from other sources.

## II

This Ordinance shall take effect upon adoption and publication according to law.

## III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

## LEGAL NOTICE

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on May 3, 2016 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on May 17, 2016 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Eric Hinds, Mayor

Attest:

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 15

Meeting Date: May 3, 2016

Subject: Recreation Programs & Fees Ordinance 2016-05

Submitted by: Maureen Doloughy

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee Adopt the Ordinance after the Public Hearing

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**PREVIOUS ACTION**

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**BACKGROUND**

Ordinance 2016-05 repeals the section of the Parks and Recreation Ordinance listing the fee schedule and, instead, authorizes the Recreation Director to sponsor adult and youth programs and establish fees.

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**FISCAL IMPACT**

None

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**Attachments:**

Ordinance 2016-05

<i>For Internal Use</i>	
Township Committee Action	
Approve	Denied
Other	
Comments: _____	
_____	
_____	

I, Maureen Doloughty, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of an Ordinance published in the Asbury Park Press on April 22, 2016.

*Maureen Doloughty*  
Maureen Doloughty, RMC  
Township Clerk

Notice Authentication Number:  
201604261523259918461  
1616712045

Notice Publish Date:  
Friday, April 22, 2016

**Notice Content**

TOWNSHIP OF HOLMDEL ORDINANCE AMENDING CHAPTER XIII (PARKS AND RECREATIONAL FACILITIES), CHAPTER 13.2 FACILITY USAGE FEES, SECTION 13-2, INDOOR; SECTION 13-2.3 OUTDOOR FACILITIES; 13.2-4 ANNUAL FEES FOR CERTAIN USER GROUPS; 13-2.5 FEE ADJUSTMENT; 13-2.6 PROGRAM FEES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY 2016-05 BE IT ORDAINED by the Township Committee of the Township of Holmdel, County of Monmouth, State of New Jersey, as follows: Chapter XIII, Township Committee, Section 13-2 Indoor Facilities; 13-2.3 Outdoor Facilities; 13-2.4 Annual Fees for Certain User Groups; 13-2.5 Fee Adjustments; 13-2.6 Program Fees are hereby deleted and replaced with the following: I 13-2 Indoor and Outdoor Facilities; Application for Permit; User Groups; Scheduling. (a) The Holmdel Township Department of Parks and Recreation shall sponsor adult and youth programs and the fees will be recommended by the Recreation Director. (b) The Township Recreation Director shall establish user fees for activities at Township Facilities and to update the fees on a periodic basis as may be required. II All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed. III If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance. LEGAL NOTICE The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on April 19, 2016 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on May 3, 2016 at Township Hall, 4 Crawford's Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity. Eric Hinds, Mayor Attest: Maureen Doloughty, RMC Township Clerk (\$79.50)

TOWNSHIP OF HOLMDEL

ORDINANCE AMENDING CHAPTER XIII (PARKS AND RECREATIONAL FACILITIES), CHAPTER 13.2 FACILITY USAGE FEES, SECTION 13-2, INDOOR; SECTION 13-2.3 OUTDOOR FACILITIES; 13-2.4 ANNUAL FEES FOR CERTAIN USER GROUPS; 13-2.5 FEE ADJUSTMENT; 13-2.6 PROGRAM FEES OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY 2016-05

BE IT ORDAINED by the Township Committee of the Township of Holmdel, County of Monmouth, State of New Jersey, as follows:

Chapter XIII, Township Committee, Section 13-2 Indoor Facilities; 13-2.3 Outdoor Facilities; 13-2.4 Annual Fees for Certain User Groups; 13-2.5 Fee Adjustments; 13-2.6 Program Fees are hereby deleted and replaced with the following:

I 13-2 Indoor and Outdoor Facilities; Application for Permit; User Groups; Scheduling.

(a) The Holmdel Township Department of Parks and Recreation shall sponsor adult and youth programs and the fees will be recommended by the Recreation Director.

(b) The Township Recreation Director shall establish user fees for activities at Township Facilities and to update the fees on a periodic basis as may be required.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

LEGAL NOTICE

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on April 19, 2016 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on May 3, 2016 at Township Hall, 4 Crawford's Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Eric Hinds, Mayor

Attest:  
Maureen Doloughty, RMC  
Township Clerk  
(\$79.50)

000717054-01

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 16

Meeting Date: May 3, 2016, 2016

Subject: Bond Ordinance 2016-06

Submitted by: Maureen Doloughty

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee Adopt the Ordinance after the Public Hearing

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**PREVIOUS ACTION**

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**BACKGROUND**

Ordinance 2016-06 authorizes the Township to make various public improvements and to acquire new additional or replacement equipment and machinery, new information technology and telecommunications equipment, new additional furnishings and new automotive vehicles, including original apparatus and equipment, in, by and for said Township, as more particularly described in Section 4 hereof. Said improvements shall include all work, materials and appurtenances necessary and suitable.

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**FISCAL IMPACT**

None

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**Attachments:**

Ordinance 2016-06

<i>For Internal Use</i>	
Township Committee Action	
Approve	Denied
Other	
Comments: _____	

Notice Authentication Number:  
201604261524351669644  
1616712045

Notice Publish Date:  
Friday, April 22, 2016

### Notice Content

HOLMDEL TOWNSHIP NOTICE OF PENDING BOND ORDINANCE AND SUMMARY  
The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Holmdel, in the County of Monmouth, State of New Jersey, on April 19, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at its meeting room in the Town Hall, 4 Crawfords Corner Road, Holmdel, New Jersey, on May 3, 2016 at 7:30 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows: Title: BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,915,000 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS, TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS. The purposes, appropriations, bonds/notes authorized and grants appropriated in this multipurpose bond ordinance are as follows: SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS A. Undertaking of the "2016 Paving, Curb, Sidewalk and Drainage Program" at various locations in the Township, as set forth on a list on file with the Township Administrator, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law"). Appropriation and Estimated Cost \$1,375,000 State Grant Appropriated \$ 175,000 Down Payment Appropriated \$ 57,150 Bonds and Notes Authorized \$1,142,850 Period of Usefulness 10 years B. Undertaking of various improvements to parks. Appropriation and Estimated Cost \$ 574,000 County Grant Appropriated \$ 137,000 Down Payment Appropriated \$ 20,810 Bonds and Notes Authorized \$ 416,190 Period of Usefulness 15 years C. Acquisition of new additional or replacement equipment and machinery, new information technology and telecommunications equipment, new additional furnishings and new automotive vehicles, including original apparatus and equipment, for the use of various Township departments, offices and agencies: Various Departments, Offices and Agencies computer and telecommunications equipment Department of Public Works ("DPW") dump truck with attachments Fire Department turnout gear helmets and boots computers and

related equipment Construction Code Office SUVs Police Department SUVs office chairs and furniture computer equipment mobile video recorders weapons and related equipment safety equipment security cameras and related security equipment Depending upon contract prices and other exigent circumstances, and upon approval of the Township Committee, there may be additions to or deletions from the above list. Appropriation and Estimated Cost \$ 661,000 Down Payment Appropriated \$ 31,515 Bonds and Notes Authorized \$ 629,485 Period of Usefulness 5 years D. Acquisition of new additional or replacement equipment and machinery for the use of the DPW consisting of (i) a loader with attachments and (ii) a mower. Appropriation and Estimated Cost \$ 305,000 Down Payment Appropriated \$ 14,525 Bonds and Notes Authorized \$ 290,475 Period of Usefulness 15 years ----- Aggregate Appropriation and Estimated Cost \$2,915,000 Aggregate Grants Appropriated \$ 312,000 Aggregate Down Payment Appropriated \$ 124,000 Aggregate Amount of Bonds and Notes Authorized \$2,479,000 Section 20 Costs: \$330,000 Useful Life: 10.15 years This Notice is published pursuant to N.J.S.A. 40A:2-17. \_\_\_\_\_ Township Clerk Township of Holmdel County of Monmouth State of New Jersey (\$190.50)

I, Maureen Doloughty, Township Clerk of the Township of Holmdel do hereby certify this to be true copy of an Ordinance published in the Asbury Park Press on April 22, 2016.

*Maureen Doloughty*  
 Maureen Doloughty, RMC  
 Township Clerk

HOLMDEL TOWNSHIP

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

The bond ordinance, the summary terms of which are included herein, was introduced and passed upon first reading at a meeting of the Township Committee of the Township of Holmdel, in the County of Monmouth, State of New Jersey, on April 19, 2016. It will be further considered for final passage, after public hearing thereon, at a meeting of the Township Committee to be held at its meeting room in the Town Hall, 4 Crawford's Corner Road, Holmdel, New Jersey, on May 3, 2016 at 7:30 P.M. During the week prior to and up to and including the date of such meeting copies of the full ordinance will be available at no cost and during regular business hours, at the Clerk's office for the members of the general public who shall request the same. The summary of the terms of such bond ordinance follows:

Title: BOND ORDINANCE TO AUTHORIZE THE MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW INFORMATION TECHNOLOGY AND TELECOMMUNICATIONS EQUIPMENT, NEW ADDITIONAL FURNISHINGS AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,915,000 TO PAY THE COST THEREOF, TO APPROPRIATE VARIOUS GRANTS TO MAKE A DOWN PAYMENT, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS.

The purposes, appropriations, bonds/notes authorized and grants appropriated in this multipurpose bond ordinance are as follows:

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

A. Undertaking of the "2016 Paving, Curb, Sidewalk and Drainage Program" at various locations in the Township, as set forth on a list on file with the Township Administrator, and hereby approved as if set forth herein in full. Depending upon the contract price and other exigent circumstances, and upon approval by the Township Committee, there may be additions to or deletions from the aforesaid list. It is hereby determined and stated that said roads being improved are of "Class B" or equivalent construction as defined in Section 22 of the Local Bond Law (Chapter 2 of Title 40A of the New Jersey Statutes Annotated, as amended; the "Local Bond Law").

Appropriation and Estimated Cost	\$ 1,375,000
State Grant Appropriated	\$ 175,000
Down Payment Appropriated	\$ 57,150
Bonds and Notes Authorized	\$ 1,142,850
Period of Usefulness	10 years

B. Undertaking of various improvements to parks.

Appropriation and Estimated Cost	\$ 574,000
County Grant Appropriated	\$ 137,000
Down Payment Appropriated	\$ 20,810
Bonds and Notes Authorized	\$ 416,190
Period of Usefulness	15 years

C. Acquisition of new additional or replacement equipment and machinery, new information technology and telecommunications equipment, new additional furnishings and new automotive vehicles, including original apparatus and equipment, for the use of various Township departments, offices and agencies:

Various Departments, Offices and Agencies  
 computer and telecommunications equipment

Department of Public Works ("DPW")  
 dump truck with attachments

Fire Department  
 turnout gear  
 helmets and boots  
 computers and related equipment

Construction Code Office  
 SUVs

Police Department  
 SUVs  
 office chairs and furniture  
 computer equipment  
 mobile video recorders  
 weapons and related equipment  
 safety equipment  
 security cameras and related security equipment

Depending upon contract prices and other exigent circumstances, and upon approval of the Township Committee, there may be additions to or deletions from the above list.

Appropriation and Estimated Cost	\$ 661,000
Down Payment Appropriated	\$ 31,515
Bonds and Notes Authorized	\$ 629,485
Period of Usefulness	5 years

D. Acquisition of new additional or replacement equipment and machinery for the use of the DPW consisting of (i) a loader with attachments and (ii) a mower.

Appropriation and Estimated Cost	\$ 305,000
Down Payment Appropriated	\$ 14,525
Bonds and Notes Authorized	\$ 290,475
Period of Usefulness	15 years

Aggregate Appropriation and Estimated Cost	\$2,915,000
Aggregate Grants Appropriated	\$ 312,000
Aggregate Down Payment Appropriated	\$ 124,000
Aggregate Amount of Bonds and Notes Authorized	\$2,479,000

Section 20 Costs: \$330,000  
 Useful Life: 10.15 years

This Notice is published pursuant to N.J.S.A. 40A:2-17.

Township Clerk  
 Township of Holmdel  
 County of Monmouth  
 State of New Jersey  
 (\$190.50)

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # : 17

Meeting Date: May 3, 2016

Subject: Ordinance 2016-07

Submitted by: Maureen Doloughy

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee Adopt the Ordinance after the Public Hearing

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**PREVIOUS ACTION**

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**BACKGROUND**

Ordinance 2016-07 authorizes the Township to enter into a Lease of Property agreement with AD-IN Sport Foundation, Inc., a non-profit company to maintain and manage the Tennis Center as well as furnish tennis services and lessons.

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**FISCAL IMPACT**

None

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**Attachments:**

Proposed Ordinance 2016-07

<i>For Internal Use</i>	
Township Committee Action	
Approve	Denied
Other	
Comments: _____	
_____	
_____	

Notice Authentication Number:

201604251114144014166

1616712045

Notice URL:

Notice Publish Date:

Friday, April 22, 2016

### Notice Content

TOWNSHIP OF HOLMDEL AN ORDINANCE AUTHORIZING ENTRY INTO A LEASE AGREEMENT FOR A PORTION OF LOT 79, BLOCK 46. ORD. NO 2016-07 BE IT ORDAINED by the Township Committee of the Township of Holmdel, County of Monmouth and State of New Jersey as follows: I WHEREAS, Township is the owner in fee simple of a parcel of land located in the Township of Holmdel, County of Monmouth and State of New Jersey, designated as Lot 79, Block 46, more commonly known as the "Tennis Center" (the "Property"); and WHEREAS, a portion of the Property contains excess land formerly used for outdoor tennis courts; and WHEREAS, there is a demand for tennis facilities within the Township; and WHEREAS, the deterioration of the former tennis facilities and funding the rehabilitation of the tennis facilities creates a fiscal challenge to the Township in its efforts to deliver quality facilities given the competing demands for recreational uses in the Township; and WHEREAS, the opportunity for tennis facilities to be created, maintained and managed for the benefit of residents of Holmdel presents the chance for the Township to provide additional and diverse recreational facilities; and WHEREAS, the assistance of a non-profit organization to provide the construction, maintenance and management of a tennis facility enhances the ability of the Township to provide the recreational opportunities for the general welfare of its residents; and WHEREAS, AD-IN Sport Foundation, Inc. is a non-profit company organized under the laws of the State of New Jersey that develops, maintains and manages tennis facilities as well as furnishing tennis services and lessons; and WHEREAS, AD-IN Sport Foundation, Inc. (the "Tenant") desires to lease a portion of the Property ("Leased Premises") from the Township and rehabilitate, refurbish and manage the Leased Premises herein to create recreational opportunities; and WHEREAS, the Township Committee of the Township of Holmdel finds that a significant number of residents in the Township seek and will benefit from the tennis recreation facilities; and WHEREAS, the Township desires to lease the Leased Premises to the Tenant, pursuant to N.J.S.A. 40A:12-14(c) and N.J.S.A. 40A:12-15.1, and WHEREAS, the Township of Holmdel and the Tenant desire to enter into a Lease of Property agreement to provide tennis facilities to Holmdel Township residents. NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Holmdel, County of Monmouth and State of New Jersey as follows: 1. It hereby authorizes entry into the Lease of Property agreement with AD-IN Sport Foundation, Inc. 2. It hereby authorizes the Mayor and Township Clerk to execute the Lease of Property agreement. 3. It hereby accepts the terms and conditions set forth in the Agreement. 4. This Ordinance shall remain in effect for the term of the Lease of Property agreement. 5. The Tenant shall file a report annually with the Township Administrator detailing the use of the Leased Premises including financial reports, the activities of Tenant undertaken or

provided in furtherance of the public purpose, the appropriate value or cost of such activities in furtherance of the public purpose and affirmation or proof of the continuing tax exempt status of the Tenant corporation pursuant to State and Federal law as required by N.J.S.A. 40A:12-14(c). 6. A certified copy of this Ordinance shall be provided by the Municipal Clerk to: a. AD-IN Sport Foundation, Inc. b. Robert F. Muñoz, Esq., Holmdel Township Attorney. c. Donna Vieiro, Township Administrator

**LEGAL NOTICE** The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on April 19, 2016 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on May 3, 2016 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity. Eric Hinds, Mayor Attest: Maureen Doloughy, RMC Township Clerk (\$145.50)

I, Maureen Doloughy, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of Ordinance 2016-07 published in the Asbury Park Press on April 22, 2016.

*Maureen Doloughy*  
 Maureen Doloughy, RMC  
 Township Clerk

TOWNSHIP OF HOLMDEL

AN ORDINANCE AUTHORIZING ENTRY INTO A LEASE AGREEMENT FOR A PORTION OF LOT 79, BLOCK 46. ORD. NO 2016-07

BE IT ORDAINED by the Township Committee of the Township of Holmdel, County of Monmouth and State of New Jersey as follows:

WHEREAS, Township is the owner in fee simple of a parcel of land located in the Township of Holmdel, County of Monmouth and State of New Jersey, designated as Lot 79, Block 46, more commonly known as the "Tennis Center" (the "Property"); and

WHEREAS, a portion of the Property contains excess land formerly used for outdoor tennis courts; and

WHEREAS, there is a demand for tennis facilities within the Township; and

WHEREAS, the deterioration of the former tennis facilities and funding the rehabilitation of the tennis facilities creates a fiscal challenge to the Township in its efforts to deliver quality facilities given the competing demands for recreational uses in the Township; and

WHEREAS, the opportunity for tennis facilities to be created, maintained and managed for the benefit of residents of Holmdel presents the chance for the Township to provide additional and diverse recreational facilities; and

WHEREAS, the assistance of a non-profit organization to provide the construction, maintenance and management of a tennis facility enhances the ability of the Township to provide the recreational opportunities for the general welfare of its residents; and

WHEREAS, AD-IN Sport Foundation, Inc. is a non-profit company organized under the laws of the State of New Jersey that develops, maintains and manages tennis facilities as well as furnishing tennis services and lessons; and

WHEREAS, AD-IN Sport Foundation, Inc. (the "Tenant") desires to lease a portion of the Property ("Leased Premises") from the Township and rehabilitate, refurbish and manage the Leased Premises herein to create recreational opportunities; and

WHEREAS, the Township Committee of the Township of Holmdel finds that a significant number of residents in the Township seek and will benefit from the tennis recreation facilities; and

WHEREAS, the Township desires to lease the Leased Premises to the Tenant, pursuant to N.J.S.A. 40A:12-14(c) and N.J.S.A. 40A:12-15.1, and

WHEREAS, the Township of Holmdel and the Tenant desire to enter into a Lease of Property agreement to provide tennis facilities to Holmdel Township residents.

NOW, THEREFORE, BE IT ORDAINED, by the Mayor and Township Committee of the Township of Holmdel, County of Monmouth and State of New Jersey as follows:

1. It hereby authorizes entry into the Lease of Property agreement with AD-IN Sport Foundation, Inc.

2. It hereby authorizes the Mayor and Township Clerk to execute the Lease of Property agreement.

3. It hereby accepts the terms and conditions set forth in the Agreement.

4. This Ordinance shall remain in effect for the term of the Lease of Property agreement.

5. The Tenant shall file a report annually with the Township Administrator detailing the use of the Leased Premises including financial reports, the activities of Tenant undertaken or provided in furtherance of the public purpose, the appropriate value or cost of such activities in furtherance of the public purpose and affirmation or proof of the continuing tax exempt status of the Tenant corporation pursuant to State and Federal law as required by N.J.S.A. 40A:12-14(c).

6. A certified copy of this Ordinance shall be provided by the Municipal Clerk to:

- a. AD-IN Sport Foundation, Inc.
- b. Robert F. Muñoz, Esq., Holmdel Township Attorney.
- c. Donna Vieiro, Township Administrator

LEGAL NOTICE

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on April 19, 2016 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on May 3, 2016 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Attest:  
 Maureen Doloughy, RMC  
 Township Clerk  
 (\$145.50)

Eric Hinds, Mayor

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 18

Meeting Date: May 3, 2016

Subject: JAG Consent Order

Submitted by: Maureen Doloughty

Approved by:

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**RECOMMENDATION**

It is recommended that the Committee adopt the Resolution

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**PREVIOUS ACTION**

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**BACKGROUND**

This Resolution authorizes the Township Attorney and the appropriate municipal officials to execute and to carryout the terms of the attached Consent Order with Jag Holding Company regarding the renewal of Jag Holding Company's Plenary Retail Consumption License.

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**FISCAL IMPACT**

None

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**Attachments:**

Resolution

*For Internal Use*

Township Committee Action

Approve

Denied

Other

Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

RESOLUTION AUTHORIZING EXECUTION OF CONSENT ORDER WITH JAG  
HOLDING COMPANY. RESOLUTION NO. \_\_\_\_\_

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BE IT RESOLVED that the Township Attorney of the Township of Holmdel is hereby authorized to execute and the appropriate municipal officials to carryout the terms of the attached Consent Order with Jag Holding Company regarding the renewal of Jag Holding Company's Plenary Retail Consumption License No. 1318-33-005-010) in the matter of Jag Holding Company v. Mayor and Township Committee of the Township of Holmdel, bearing Docket No's., Agency Docket No. 7822, OAL Docket No. ABC 12787-2014S.

BE IT FURTHER RESOLVED that a copy of this Resolution certified to be a true copy by the Township Clerk, be forwarded to:

1. Jason C. Mandia, Esq., attorney for Jag Holding Company, 685 Neptune Boulevard, Neptune, NJ 07753.
2. Robert F. Munoz, Esq., Holmdel Township Attorney.
3. Honorable John Schuster, III, Office of Administrative Law, P.O. Box 049, Trenton, New Jersey 08625-0049.
4. Lisa Ellison Barata, DAG, Division of Alcoholic Beverage Control, 140 Front Street, Trenton, New Jersey 08625-0087.

CERTIFICATION

I, Maureen Doloughty, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Holmdel Township Committee at a meeting held on May 3, 2016.

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM #

19

Meeting Date: May 3, 2016

Subject: Monmouth County Open Space Grant Program  
Cross Farm Park Improvements  
Grant Agreement

Submitted by: Edward G. Broberg, P.E., Township Engineer EGB/DK

Approved by:

**RECOMMENDATION**

I recommend the Governing Body authorize the execution of the attached grant agreement with Monmouth County.

**PREVIOUS ACTION**

The Governing Body authorized the submission of the grant to Monmouth County and held a public hearing on the project on September 1, 2015.

**BACKGROUND**

In a letter dated March 4, 2016, the Monmouth County Parks System advised that Holmdel was awarded a grant in the amount of \$137,000 for the installation of a tot lot at Cross Farm Park. As noted in the letter, the Township must now sign the attached grant agreement and submit same to the County prior to June 17, 2016.

**FISCAL IMPACT**

This grant has a 50% matching grant; therefore, the Township must match the \$137,000 grant amount.

**Attachments:**

Letter dated March 4, 2016 from the Monmouth County Parks System

Copy of Grant Agreement

H:\HOLM\G1601\Correspondence\Agenda Report\_MCTY Open Space Grant Agreement.doc

<u>For Internal Use</u>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		
_____		
_____		
Date Delegated: _____		
Signature: _____		



# Monmouth County Park System

Providing Open Space, Parks, and Recreation

Board of  
Recreation  
Commissioners

805 Newman Springs Road, Lincroft, NJ 07738-1695 732-842-4000  
monmouthcountyparks.com

Fred J. Rummel,  
*Chairman*  
Kevin Mandeville,  
*Vice Chairman*

Michael G. Harmon  
Violeta Peters  
Thomas E. Hennessy, Jr.  
David W. Horsnall  
Mark E. Zelina  
Patricia M. Butch  
Thomas W. Adcock

March 4, 2016

Donna Viero, Township Manager  
Township of Holmdel  
4 Crawfords Corner Road  
Holmdel, NJ 07733

**RE: MUNICIPAL OPEN SPACE GRANT PROGRAM – APPLICATION  
#15-18 –CROSS FARMS PARK IMPROVEMENTS**

James J. Truncer,  
*Secretary-Director*  
Lillian G. Burry,  
*Freeholder-Liaison*

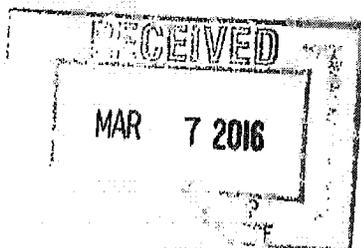
Dear Ms. Viero:

Congratulations on the grant award for the Cross Farms Park Improvements Project. As you know, this project has been selected to receive \$137,000 in funding for Part 1, the installation of the Tot Lot and associated improvements, through the Monmouth County Municipal Open Space Grant Program.

Program guidelines require Holmdel to conduct a Preliminary Assessment and Site Inspection (PASI) for the properties identified in the grant application package. The purpose of the assessment is to identify and remedy any existing on-site contamination that may pose a potential health risk to users of the property. Enclosed are instructions for completing the PASI. ***The PASI must be completed before the County will execute the grant agreement.***

Two copies of the Municipal Open Space Program Grant Agreement are also enclosed. Please review and familiarize yourself with the content of this document including Exhibit 1 that describes the scope of the funded project. ***Please note: Part 2, the installation of batting cages was not funded at this time. Failure to complete the project as described in the grant agreement may result in the withholding of some or all of the grant award – any proposed changes must be approved by the County in advance – major changes in the scope will not be permitted.*** Please advise this office if any changes to Exhibit 1 are recommended prior to execution.

Program guidelines require that the Grant Agreement be executed within 6 months of the application selection date. Therefore, ***the deadline for completing the Grant Agreement is June 17, 2016.*** Both copies of the agreement should be signed by municipal officials and returned to this office at least two weeks before the deadline. Upon execution by the County, a signed copy will be returned to you for your records along with detailed instructions on seeking reimbursement when the project is completed.

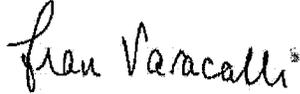


The Nation's First Accredited Park and Recreation Agency



Any questions and correspondence about completing the PASI or the Grant Agreement should be addressed to the Monmouth County Park System, Acquisition and Design Office, Attn: Municipal Open Space Grant Program, 805 Newman Springs Road, Lincroft, NJ 07738 or by telephone at 732-842-4000, Ext. 4472.

Sincerely,

A handwritten signature in cursive script that reads "Fran Varacalli".

Fran Varacalli  
Program Administrator

Enc.

Pc: Clerk  
Mayor

**The County of Monmouth  
Municipal Open Space Program  
Grant Agreement**

**BETWEEN** the Township of Holmdel having its office at 4 Crawfords Corner Road Holmdel, New Jersey 07733, hereinafter "Grantee," and the Monmouth County Board of Chosen Freeholders, Hall of Records Annex, One East Main Street, P.O. Box 1255, Freehold, New Jersey 07728, hereinafter "County."

This Agreement was entered into by the Monmouth County Board of Chosen Freeholders on:

Date: \_\_\_\_\_

**WITNESSETH:**

**WHEREAS**, Grantee has made application to the County for financial assistance under the Municipal Open Space Program hereinafter "Program"; and

**WHEREAS**, the County has reviewed said application and has found it to be in conformance with the scope and intent of the Program and has approved Grantee's request for funding;

**NOW, THEREFORE**, in consideration of the award of funding, and in accordance with the application heretofore filed, the County and Grantee agree to perform in accordance with the terms and conditions set forth in this agreement.

1. The Grantee agrees to perform Cross Farm Park Improvements in the manner set forth in this agreement and Exhibit 1 - Approved Project Description for the consideration stated herein.
2. The period of performance under this Agreement is specified as thirty months from the project selection, for which period, funds are available and allotted. There shall be no obligation on the part of the County to renew or extend this time period.
3. The amount of the award to be provided by the County under this subcontract is \$137,000. The County award is based upon the Grantee's application #15-18 to the County for financial assistance dated September 16, 2015 and as supplemented. In the event that the anticipated amount of the Grantee's contribution as provided for in the Program Grant Application decreases, then the County's obligation to provide the award set forth in this paragraph shall be void by the County and at the County's option.
4. The Grantee agrees to provide all funds necessary for completion of the Approved Project (Exhibit 1) and to complete the Approved Project in accordance with this Agreement and the conditions, specifications, plans, estimates, project proposals and maps submitted to the County and incorporated herein by reference.
5. Program funds shall be dispersed on a reimbursement basis after the satisfactory completion of the project.

6. Grantee agrees that any Program funds received from the County shall be used only for the purposes described herein.
7. Costs eligible for assistance shall be limited to those eligible costs listed in the Policy and Procedures Manual for the Program. The County award of funding specifically does not include financial assistance for any soft costs, including but not limited to, any costs for title searches, title insurance, surveys, attorney fees, recording fees, and real estate taxes.
8. The Grantee shall furnish and deliver all necessary documentation within the timeframe and in the manner requested by the County and shall grant County personnel and any authorized representatives of the County reasonable access to all records related to the Approved Project.
9. Grantee shall maintain and preserve all land and improvements described herein and provide such police protection as may be necessary.
10. Grantee shall execute and donate to the County of Monmouth at no charge a Deed of Open Space Easement, pursuant to P.L. 1979, c.378 (C) 13:8B-1 et seq. on any land to be (acquired/developed) using funds received from the Monmouth County Open Space and Farmland Preservation, Recreation and Conservation and Historic Preservation Trust Fund (N.J.S.A. 40:14-19(d)(5)), which easement shall include the following language.
  - a. It is the purpose of this Easement to guarantee that the Property will be retained forever for public park, recreation and open space uses and to prevent any use of the Property that will significantly impair or interfere with the park and open space values of the Property.
  - b. The property shall be held in trust in perpetuity and used exclusively for the purposes authorized by the Open Space and Farmland Preservation, Recreation and Conservation and Historic Preservation Act, as may be amended from time to time (N.J.S.A. 40:12-15.6b).
  - c. The Township of Holmdel agrees to make and keep the open space accessible to the public, unless the municipality and County determines that public accessibility would be detrimental to the lands, waters or improvements thereon, or to any natural resources associated therewith (N.J.S.A. 40:12-15.6d(3)).
  - d. The Township of Holmdel agrees not to lease, sell, exchange or donate the property described herein which is being acquired pursuant to P.L. 1997 c. 24, NJSA 40:12-15.6(A) except upon approval of the Monmouth County Board of Chosen Freeholders and upon such conditions as the Monmouth County Board of Chosen Freeholders may establish (N.J.S.A. 40:12-15.6d(4)), including but not limited to replacement with land of no less or greater utility, acreage, and value.
11. Grantee shall provide a copy of the deed of record to the Program Administrator in care of the Monmouth County Park System for recordkeeping purposes.

12. Grantee shall display a sign on the property reflecting the use of County Open Space funds for purchase of or improvement to the property, which sign shall be provided by the Program Administrator.
13. Grantee shall cause the funded property to be listed on the Municipal Recreation and Open Space Inventory at the time it is filed with the New Jersey Green Acres Program or its successor.
14. Grantee shall provide access to the facility/property for County staff to conduct an annual inspection.
15. No official or employee of the Grantee who is authorized in his/her official capacity to negotiate, make, accept or approve, or take part in such decisions regarding a contract or subcontract in connection with the Approved Project shall have any financial or other personal interest in any such contract or subcontract.
16. In the event Grantee does not perform any of the services, obligations, or responsibilities provided for under this Agreement, or in the event that the services do not attain the objectives set forth in the initial application or this agreement to the sole satisfaction of the County, then the County may withhold all, or a portion of, any payment to be made under this agreement, and in addition, may declare this subcontract null and void. In the event of termination, the County shall have no further liability to the Grantee and in no event will the County be liable to pay for services not actually rendered.
17. The County will provide a Program Administrator for the program that will advise the Grantee in performance of the required services. Contact:

Monmouth County Park System  
Attn: Acquisition & Design Department  
805 Newman Springs Road  
Lincroft, NJ 07728-1695  
732-842-4000

18. The Grantee, at the request of the County, may be required to prepare a progress report and submit to the County within 30 calendar days after the date requested. The report shall include a narrative description of the status of the Approved Project and the date on which the Approved Project will be completed.
19. The Grantee now complies with all applicable State and Federal Laws in connection with its business and activities related to the services to be provided including, without limitation, any applicable Federal or State Civil Rights Law, order or regulation.
20. The execution of this Agreement has been authorized by the Grantee's governing body and the Monmouth County Board of Chosen Freeholders.
21. The Grantee shall indemnify and hold the County of Monmouth harmless from any and all loss, damages, suits, penalties, expenses, including but not limited to reasonable investigation and legal expenses, arising out of the operation of the program, or arising out of, or under this Agreement. The Grantee further agrees

to indemnify the County of Monmouth from suits or actions of every nature or description brought against it, or damages received or sustained by any party or parties, by or from any of the acts of the Grantee or of the Grantee's, Director's employees, agents or volunteers.

22. The Grantee shall procure and maintain at its own expense, liability insurance for any personal injury or property damage to be reviewed and accepted by the County of Monmouth caused by the Grantee in its normal and usual course of business. The Grantee expressly understands and agrees that any insurance protection required by this Agreement shall in no way limit the Grantee's obligations assumed in this Agreement and shall not be construed to relieve the Grantee from liability in excess of such coverage.

IN WITNESS WHEREOF, the parties have executed this contract as of the day and year first above written.

ATTEST/SEAL

\_\_\_\_\_

Date \_\_\_\_\_

Monmouth County Board of Chosen Freeholders

BY \_\_\_\_\_

\_\_\_\_\_

Freeholder Director

ATTEST/SEAL

\_\_\_\_\_

Date \_\_\_\_\_

For the GRANTEE:

BY \_\_\_\_\_

\_\_\_\_\_

(Typed Name)

\_\_\_\_\_

(Title)

## Exhibit 1: Approved Project Description

Application #: 15-18

Grantee: Township of Holmdel

Address: 4 Crawfords Corner Road, Holmdel, NJ 07733

Phone: 732-946-2820

E-mail: [dvieiro@holmdeltownship-nj.com](mailto:dvieiro@holmdeltownship-nj.com)

Contact Person: Donna Viero, Township Administrator

Project Name: **Cross Farm Park Improvements**

Project Location:

Street Address: 10 Longbridge Rd. Holmdel, NJ 07733

Block 3, Lots 9 & 15

Type of Application: Development

Grant Award: \$137,000

Project Period: Thirty months from the project selection by the Board of Chosen Freeholders, this date being June 15, 2018.

Project Scope: Installation of tot lot with safety surface; and installation of six (6) benches. PLEASE NOTE: Funding provided for Part 1 – Tot Lot only, Part 2 – Batting Cages is not funded at this time.

Project Conditions: County grant funds are payable on a reimbursable basis. The final award shall not exceed the above grant amount or 50% of the actual eligible project costs, whichever is less.

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM #

20

Meeting Date: May 3, 2016

Subject: Authorize Advertisement of Sanitary Sewer Phase I Improvements

Submitted by: Edward G. Broberg, P.E., Township Engineer

Approved by:

**RECOMMENDATION**

I recommend that the Phase I Sewer Improvements be advertised during the week of May 9. That the project be awarded in early June subject to the receipt of reasonable bids.

**PREVIOUS ACTION**

In previous action, the Governing Body authorized the preparation of plans and specifications for the Phase I Sanitary Sewer Repairs.

**BACKGROUND**

This project is necessitated by an Agreement with the BRSA that requires inspection and repair of the Township Sewer System over a 10 year period.

**FISCAL IMPACT**

It is estimated this project will cost approximately \$325,000. I have verified that funding is available in the Sewer Utility at a recent meeting with Ms. Larrison.

**Attachments:**

None

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<b><u>For Internal Use</u></b>		
<i>Township Committee Action</i>		
Approve	Denied	Other
Comments: _____		
_____		
_____		
Date Delegated: _____		
Signature: _____		