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## HOLMDEL TOWNSHIP

OFFICE OF THE TOWNSHIP CLERK

TO: Mayor and Township Committee

FROM: Maureen Doloughty, RMC, Township Clerk

DATE: October 6, 2016

RE: **Agenda Items for the Meeting of October 11, 2016**

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

Proclamations

1. Sergeant Thomas Durdack retired from the Holmdel Township Police Department after 29 years of service to the Township.
2. The Holmdel High School Girls Tennis Team won their fifth consecutive Shore Conference Title.

Presentation

3. The Green Team will be present to update the Township Committee on their activities.

Chief Financial Officer

4. The Best Practices Inventory is completed each year and forwarded to certify Municipal compliance with Best Practices as outlined by the State of New Jersey. The questionnaire is completed and forwarded to the DCA for review. Municipalities scoring below the minimum score of 73.3% are subject to forfeiting, on a sliding scale, a percentage of their State Aid.

Consent

5. The list of Bills Payable has been forwarded to you for review. The Resolution of Approval has been prepared.
6. The List of Purchases over \$3,500 is enclosed for your review.

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## HOLMDEL TOWNSHIP

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OFFICE OF THE TOWNSHIP CLERK

7. Proposals were solicited for the 2016 traffic striping program. There is \$17,000 in the budget line item this year for this re-striping program. The Director of Infrastructure & Operations will determine the roadways which are in most need of re-striping and the contractor will be directed accordingly. 2 proposals were received and the recommendation is to award the contract to the lowest bidder, Traffic Lines. A Resolution has been prepared.

8. It is recommended the Township Committee exercise the option to renew the solid waste contract for the 2017 contract term with Waste Management of New Jersey, Inc. in the monthly amounts as follows: Town Hall and DPW: \$270; Sr/Community Center: \$84.15 per month for 12 months; Swim & Tennis Center: \$270 per month for 5 months (May – Sept) and Cross Farm Park (April – Nov): \$270 for 8 months. This contract was awarded on September 29, 2015 and is bid for a term of one year with the option to renew for an additional one year.

9. The Township Committee approved the previous agreement with CGP&H on September 22, 2015. The Home Improvement Program is a mandatory component of the Township's affordable obligation. It is recommended the Township Committee approve the above referenced professional service agreement with Community Grants Planning & Housing (CGP&H) for the administration of the Township's Home Improvement Program for the total amount of \$36,325. This Professional Service Agreement is being awarded as non fair and open. Pay to Play Disclosure documentation has been on file with the Township Clerk as of September 22, 2016.

10. A Resolution has been prepared refunding Recreation Fees for the month of September.

11. The Engineer has inspected the Reserve at Holmdel Phase 1 project to determine the amount of bondable improvements satisfactorily installed to date. He has recommended that the performance bond and the performance cash bond be reduced. A Resolution has been prepared.

12. The Engineer has inspected the Reserve at Holmdel Phase 2 project to determine the amount of bondable improvements satisfactorily installed to date. He has recommended that the performance bond and the performance cash bond be reduced. A Resolution has been prepared.

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## HOLMDEL TOWNSHIP

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OFFICE OF THE TOWNSHIP CLERK

13. It is recommended the Township Committee award a contract for the Operation and Maintenance of the Township owned compost facility to D&M Mazza Demolition, Inc. in the amount of \$73,631 for the term 1/1/17 – 12/31/17. The Township reserves the right to exercise the option to renew the contract for one additional year.

14. The ABC Renewal License for Bella Hospitality was denied by the Division of Alcoholic Beverage Control since a "Special Ruling"( required every two years for an inactive 'pocket ' license) was needed. The Petitioner filed the request for the Township to consider a renewal application and that was approved. A Resolution has been prepared renewing the ABC License for Bella Hospitality for the 2016-2017 License Term.

15. Funds are posted annually by the concessionaire for this contract and are routinely returned following recommendation by the Recreation Director that the facility has been cleaned appropriately and there are no outstanding conditions which need to be addressed. Jason Heleotis/Aloha Grill posted a cashier's check in lieu of a bid bond for the concession stand contract at the Holmdel Swim Club. The season has ended and the Recreation Director has recommended the Township Committee authorize release of the funds being held in the amount of \$1,220.

16. The Request is being made to promote Brian Derechailo to the position of Equipment Operator in the Department of Public Works effective October 14, 2016.

17. Chubby Cheeks Concession filed an application and paid appropriate fees to receive a Temporary Food Handler's License for the Harvest Fest which was rescheduled due to rain.

18. It is recommended the Township Committee exercise the option to renew the contract for mowing services for the 2017 contract term with D'Onofrio & Son, Inc. Landscaping in the amount of \$65,435. This contract is bid for a term of one year with the option to renew for an additional one year. This contract includes mowing of all the parks, Bayonet Farm, certain roadside sites and the Swim & Tennis Center.

19. The Township recently released the Performance Bond posted for the Laurel Avenue subdivision subject to the acceptance of a Maintenance Bond. The Developer has submitted the Maintenance Bond which has been reviewed by the Township Engineer and the Township Attorney and found to be in order. A Resolution of Acceptance has been prepared.

Engineer

20. Joanne and Alphonse Procaccino purchased 6 Red Coach Lane on April 11, 1994. At the time to of the purchase the survey showed a drainage easement in the rear yard of the premises. The Procaccinos' applied for a permit to install a 65' x 43' in ground swimming pool, pool equipment, pool patio and fence. . Alice Karlquist issued a Zoning Permit on May 11, 1999 for the installation of a pool, patio, fence and equipment. When the home was sold the new owners had a survey prepared for their purchase which disclosed the existence of an open space easement in the rear yard of the premises and it disclosed that the pool, fence and pool equipment were installed within the easement area. A new survey has been prepared with the areas to be swapped. The Engineer has reviewed the attached documents and has rendered an opinion. The appropriate \$1,500.00 escrow has been paid.

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

Tel: 732-946-2820

Fax: 732-946-0116

## HOLMDEL TOWNSHIP COMMITTEE REGULAR MEETING

October 11, 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	_____	_____
Thomas Critelli, Committeeman	_____	_____
Michael Nikolis, Committeeman	_____	_____

Also Present:

E.G. Broberg, Engineer	_____	_____
Robert F. Munoz, Attorney	_____	_____
Donna Vieiro, Township Administrator	_____	_____
Jeanette Larrison, Chief Financial Officer	_____	_____
Maureen Doloughy, Township Clerk	_____	_____
Wendy Patrovich, Deputy 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 – October 11, 2016

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

**Proclamations**

1. Sergeant Thomas Durdack
2. Holmdel High School Girls Tennis Team

**Presentation**

3. Green Team

**Chief Financial Officer**

4. Best Practices Inventory

**Clerk**

***Consent Agenda***

5. Approve Bills Payable
6. Approve Purchases over \$3,500
7. Adopt Resolution Awarding the Contract for the 2016 Traffic Re-Striping Program to Traffic Lines in the amount of 0.125 cents per linear foot
8. Adopt Resolution Exercising the Option to Renew the Contract for Solid Waste Services for 2017 with Waste Management of New Jersey
9. Adopt Resolution Awarding the Professional Services Contract for with Community Grants Planning & Housing for the Administration of the Township's Home Improvement Program for an Amount of \$36,325
10. Adopt Resolution Refunding Recreation Fees
11. Adopt Resolution Reducing the Performance Bond Posted for The Reserve at Holmdel Phase 1
12. Adopt Resolution Reducing the Performance Bond Posted for The Reserve at Holmdel Phase 2

Township Committee Meeting – October 11, 2016

13. Adopt Resolution Awarding Contract for the Operation and Maintenance of the Township Owned Compost Facility for 2017 to D&J Mazza Demolition in the amount of \$73,631
14. Adopt Resolution Approving ABC License for Bella Hospitality Holmdel LLC
15. Adopt Resolution Releasing Cash Bond in the Amount of \$1,220 Posted by Jason Heleotis/Aloha Grill
16. Approve Promotion of Brian Derechailo to the Position of Equipment Operator in the Department of Public Works Effective October 14, 2016
17. Adopt Resolution Refunding Fees for Temporary Food Handler's License to Chubby Cheeks Concession
18. Adopt Resolution Exercising the Option to Renew the Contract for Mowing Services for the 2017 Contract Term with D'Onofrio & Son, Inc. Landscaping in the Amount of \$65,435
19. Adopt Resolution Accepting Maintenance Bond Posted for Laurel Avenue Subdivision

**Departments**

Administrator

**Professionals**

Attorney

Engineer

20. Open Space Easement Swap

**Boards/Committees**

**Business From the Committee**

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

**Adjournment**

## 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 October 11, 2016 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUND DISTRIBUTION	6-01	CURRENT FUND	\$ 291,491.60
FUND DISTRIBUTION	6-07	SWR	\$ 22,291.10
FUND DISTRIBUTION	6-12		\$ 33,312.94
FUND DISTRIBUTION	6-26	SWM	\$ 10,152.50
		Year Total:	\$ 357,248.14
FUND DISTRIBUTION	C-04	ORD	\$ 221,397.48
FUND DISTRIBUTION	C-02	Dog Trust	\$ 329.80
FUND DISTRIBUTION	G-02	ST/FED GRANT	\$ 4,000.00
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$ 6,136.07
FUND DISTRIBUTION	T-24	FAIR HOUSING	\$ 9,297.44
		Year Total:	\$ 15,433.51
		Total Of All Funds:	\$ 598,408.93
		Total of all Projects:	\$ 12,137.11

## 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 Township Committee of the Township of Holmdel at a meeting held on October 11, 2016.

Maureen Doloughty, 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	6-01	291,491.60	0.00	291,491.60	0.00	0.00	0.00	291,491.60	
SEWER OPERATING	6-07	22,291.10	0.00	22,291.10	0.00	0.00	0.00	22,291.10	
	6-12	20,190.83	0.00	20,190.83	985.00	0.00	12,137.11	33,312.94	
POOL OPERATING ACCOUNT	6-26	9,162.50	0.00	9,162.50	990.00	0.00	0.00	10,152.50	
Year Total:		343,136.03	0.00	343,136.03	1,975.00	0.00	12,137.11	357,248.14	
GENERAL CAPITAL	C-04	221,397.48	0.00	221,397.48	0.00	0.00	0.00	221,397.48	
Dog Trust	D-02	329.80	0.00	329.80	0.00	0.00	0.00	329.80	
STATE/FEDERAL GRANT FUND:	G-02	4,000.00	0.00	4,000.00	0.00	0.00	0.00	4,000.00	
OTHER TRUSTS	T-12	6,136.07	0.00	6,136.07	0.00	0.00	0.00	6,136.07	
FAIR HOUSING TRUST	T-24	9,297.44	0.00	9,297.44	0.00	0.00	0.00	9,297.44	
Year Total:		15,433.51	0.00	15,433.51	0.00	0.00	0.00	15,433.51	
Total of All Funds:		584,296.82	0.00	584,296.82	1,975.00	0.00	12,137.11	598,408.93	

October 6, 2016  
02:39 PM

TOWNSHIP OF HOLMDEL  
Bill List By Vendor Id

Vendor # Name	PO #	PO Date	Description	Amount	Charge Account	Contract PO Type	Acct Type Description	Stat/chk	First Rcvd	Enc Date	Date	Chk/Void	Invoice	1099
ZEPPO001 Zep Sales and Service														
Continued														
	16-02951	09/09/16	DPW Chemicals	558.70	6-01-26-290-290-213		B RR&M: Chemical Supply	R	09/09/16	09/23/16			9002445225	N
			Vendor Total:	1,054.54										
Total Purchase Orders: 241 Total P.O. Line Items: 350 Total List Amount: 598,408.93 Total Void Amount: 0.00														

Project Description	Project No.	Rcvd Total	Held Total	Project Total
JOHN/GRACE MODLA	OCB-MODIA	275.00	0.00	275.00
SOMERSET INV HL	OS-00014	52.50	0.00	52.50
POLO CLUB OF HOLMDEL/JAG HOLD.	PB-POLO CL	997.50	0.00	997.50
ELIZABETH LUBIN	PEF-000111	1,625.00	0.00	1,625.00
CAVDENZAR ASSOC/MERIDIAN	PEF-000167	526.75	0.00	526.75
PINNACLE HOPBROOK DEVEL.LLC	PEF-000204	651.50	0.00	651.50
SOMERSET HOLMDEL LLC	PEF-000241	238.61	0.00	238.61
COUNTRYSIDE DEVEL./LAUREL AVE	PEF-000245	24.60	0.00	24.60
HOLMDEL ROUTE 35 LLC (LUKOTL)	PEF-000249	621.08	0.00	621.08
TOLL BROS/RESERVE@HOLMDEL	PEF-000257	5,087.87	0.00	5,087.87
CRUZ ASSOCIATES LLC	PEF-000260	49.20	0.00	49.20
SAMIR AJGAONKAR	ZB-AJGAONK	130.00	0.00	130.00
CORNERSTONE POWER HOLMDEL LLC	ZB-CORNSTO	192.50	0.00	192.50
JIAH CORP/EXXON/PALMER AV/DUNK	ZB-JIAH EX	65.00	0.00	65.00
NJ NATURAL GAS/REGULATOR SOLAR	ZB-NJNATGA	690.00	0.00	690.00
OUTFRONT MEDIA	ZB-OUTFRON	65.00	0.00	65.00
VARSHAVSKY, ALEXANDER	ZB-VARSHAV	845.00	0.00	845.00
Total of All Projects:		<u>12,137.11</u>	<u>0.00</u>	<u>12,137.11</u>



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 October 11, 2016 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUND DISTRIBUTION	6-01	CURRENT FUND	\$	8,950.33
		Total of All Funds:	\$	8,950.33

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 Township Committee of the Township of Holmdel at a meeting held on October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk

October 6, 2016  
11:29 AM

TOWNSHIP OF HOLMDEL  
Check Register By Check Id

*New*

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	6-01	8,950.53	0.00	0.00	8,950.53
Total of All Funds:		<u>8,950.53</u>	<u>0.00</u>	<u>0.00</u>	<u>8,950.53</u>

October 6, 2016  
11:29 AM

TOWNSHIP OF HOLMDEL  
Check Register By Check Id

Page No: 1

Range of Checking Accts: CASH CLEARING to CASH CLEARING    Range of Check Ids: 34301 to 34301  
Report Type: All Checks    Report Format: Detail    Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
34301	10/06/16	WEXB0005 Wex Bank					2432
16-03270	1	SEP 30 Bill; a/c#369-666-630-8	8,950.53	6-01-31-460-460-401	Budget		1 1
GAS/OIL: TOWNSHIP & FACILITIES							

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	8,950.53	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	8,950.53	0.00

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 October 11, 2016 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUND DISTRIBUTION	6-12	CURRENT FUND	\$	2,721.00
		Total of All Funds:	\$	2,721.00

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 Township Committee of the Township of Holmdel at a meeting held on October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk

*New*

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Totals by Year-Fund Fund Description	Fund	Budget Total	Revenue Total	G/L Total	Total
	6-12	2,721.00	0.00	0.00	2,721.00
Total Of All Funds:		<u>2,721.00</u>	<u>0.00</u>	<u>0.00</u>	<u>2,721.00</u>

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*manual check*

October 4, 2016  
09:26 AM

TOWNSHIP OF HOLMDEL  
Check Register By Check Id

Page No: 1

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Range of Checking Accts: CASH CLEARING to CASH CLEARING    Range of Check Ids: 34300 to 34300  
Report Type: All Checks    Report Format: Detail    Check Type: Computer: Y    Manual: Y    Dir Deposit: Y

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Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void Contract	Ref Num
PO #	Item	Description					Ref Seq Acct
34300	10/04/16	9CIA0001 CIAVO Design					2430
16-03078	2	First Half Payment	2,721.00	6-12-56-852-013-812 Recreation Publicity/Ads	Budget		1 1

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Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	2,721.00	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	2,721.00	0.00

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TOWNSHIP COMMITTEE AGENDA ITEM # 4

Meeting Date: October 11, 2016

Subject: Best Practices Checklist

Submitted by: Jeanette M. Larrison, CFO/CTC

Approved by:

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**RECOMMENDATION**

Adopt Resolution acknowledging review of the Best Practices Work Sheet for 2015 as required by the Division of Local Government Services.

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**PREVIOUS ACTION**

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**BACKGROUND**

The Best Practices Inventory is completed each year and forwarded to the DCA to determine the amount of the Township's State Aid.

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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 ACKNOWLEDGING REVIEW OF BEST PRACTICES WORK SHEET**

WHEREAS, The State's Fiscal Year Appropriations Act requires the Division of Local Government Services to determine how much of each municipality's allocation of final 5% allocation of CMPTRA and ETR aid will be disbursed based on the results of a Best Practices Inventory ("Inventory") to be completed by each municipality; and

WHEREAS, the Inventory encourages municipalities to embrace practices that promote financial accountability and transparency.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Governing Body acknowledges receipt and review of the Best Practices Work Sheet for 2016.

### **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 Township Committee of the Township of Holmdel at a meeting held on October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP COMMITTEE AGENDA ITEM # 7

*Meeting Date:* October 11, 2016  
*Subject:* Award of Contract – 2016 Traffic Re-Striping Program  
*Submitted by:* Barbara Kovelesky, QPA  
*Approved by:* Donna M. Vieiro, Township Administrator

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**RECOMMENDATION**

It is recommended the Township Committee award a contract to Traffic Lines for the above referenced project in the amount of .125 cents per linear foot.

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**PREVIOUS ACTION**

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**BACKGROUND**

Proposals were solicited for the 2016 traffic striping program. There is \$17,000 in the budget line item this year for this re-striping program. The Director of Infrastructure & Operations will determine the roadways which are in most need of re-striping and the contractor will be directed accordingly. 2 proposals were received:

Traffic Lines: .125 cents per linear foot (zero dollars and twelve and one half cents)  
Denville Line Painting, Inc.: 0.18 cents per linear foot (zero dollars and eighteen cents)

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**FISCAL IMPACT**

The fiscal impact shall be \$17,000.

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**Attachments:**

Resolution

<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 at the Municipal Building, Crawfords Corner Road, Holmdel, New Jersey for 2016 Traffic Re-Striping Program; and

WHEREAS, the following bids were received:

<u>Contractor</u>	<u>Amount</u>
Traffic Lines, Inc.	\$.125 per linear foot (zero dollars and twelve and one half cents)
Denville Line Painting, Inc.	\$.018 per linear foot (zero dollars and eighteen cents)

and

WHEREAS, the Township Qualified Purchasing Agent has recommended an award be made to Traffic Lines, Inc.; 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 Traffic Lines, Inc. in accordance with the bid documents in the amount of \$.125 per linear foot linear foot

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Traffic Lines, Inc., the Township Chief Financial Officer, Township Administrator, Township Engineer, 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 October 11, 2016.

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 8

Meeting Date: October 11, 2016
Subject: Option to Renew – Solid Waste Services
Submitted by: Barbara Kovelesky, QPA
Approved by: Donna M. Vieiro, Township Administrator

RECOMMENDATION

It is recommended the Township Committee exercise the option to renew the solid waste contract for the 2017 contract term with Waste Management of New Jersey, Inc. in the monthly amounts as follows:

Town Hall and DPW: \$270; Sr/Community Center: \$84.15 per month for 12 months
Swim & Tennis Center: \$270 per month for 5 months (May – Sept) and Cross Farm Park (April – Nov): \$270 for 8 months.

PREVIOUS ACTION

None

BACKGROUND

This contract was awarded on September 29, 2015 and is bid for a term of one year with the option to renew for an additional one year..

FISCAL IMPACT

The fiscal impact will be \$8,029.80.

Attachments:

Resolution

Form for internal use with fields for Township Committee Action (Approve, Denied, Other), Comments, Date Delegated, and Signature.

## RESOLUTION

WHEREAS, the Township of Holmdel awarded a contract to Waste Management for Solid Waste Pickup at Municipal Buildings on September 29, 2016; and

WHEREAS, the contract contained a clause which allowed the Township of Holmdel to renew the contract for an additional year.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee that the Township of Holmdel wishes to exercise the option to renew the contract with Waste Management for Solid Waste Pickup at Municipal Buildings for monthly costs as follows:

Town Hall and DPW: \$270;  
Sr/Community Center: \$84.15 per month for 12 months  
Swim & Tennis Center: \$270 per month for 5 months (May – Sept);  
Cross Farm Park (April – Nov): \$270 for 8 months.

## 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 October 11, 2016. .

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 9

Meeting Date: October 11, 2016
Subject: Award of Professional Service Contract Affordable Home Improvement Program
Submitted by: Barbara Kovelesky, QPA
Approved by: Donna M. Vieiro, Township Administrator

RECOMMENDATION

It is recommended the Township Committee approve the above referenced professional service agreement with Community Grants Planning & Housing (CGP&H) for the administration of the Township's Home Improvement Program for the total amount of \$36,325.

PREVIOUS ACTION

The Township Committee approved the previous agreement with CGP&H on September 22, 2015. The Home Improvement Program is a mandatory component of the Township's affordable obligation.

BACKGROUND

This Professional Service Agreement is being awarded as non fair and open. Pay to Play Disclosure documentation has been on file with the Township Clerk as of September 22, 2016.

FISCAL IMPACT

All costs associated with the Home Improvement Program are allowable expenditures from the Fair Housing Trust Fund.

Attachments:

Resolution
Professional Service Agreement

For Internal Use
Township Committee Action
Approve Denied Other
Comments:
Date Delegated:
Signature:

## RESOLUTION AWARDING CONTRACT

WHEREAS, the Township Committee awarded a contract to Community Grants Planning and Housing on June 21, 2012; and

WHEREAS, that contract was awarded for a term of five years for a set price; and

WHEREAS, it has been determined that it is in the best interest of the Township to renew the contract with Community Grants Planning and Housing for the year 2016 in the amount of \$36,325.00

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Township of Holmdel hereby renews the contract with Community Grants Planning and Housing for the year 2017 in the amount of \$36,325.00

### 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 Township Committee of the Township of Holmdel at a meeting held on October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

TOWNSHIP COMMITTEE AGENDA ITEM # 10

Meeting Date: October 11, 2016

Subject: Refunds

Submitted by: Laurie LaRussa

Approved by: Bob Ward

**RECOMMENDATION**

It is recommended that the Committee Adopt the following resolutions ~

**PREVIOUS ACTION**

Routine refunds for cancellation of classes, weddings, memberships and or security deposit refunds.

**BACKGROUND**

In accordance with the CFO guidelines the following refunds are submitted:

**FISCAL IMPACT**

Darlene Bruzzi ~ refund pony grooming class	\$260.00
Lilly Rakoski ~ refund pony grooming class/2 children	\$520.00
Andrea Lee ~ refund August swim club membership	\$445.00
Yvonne Giunta ~ refund pony camp	\$ 45.00
Maureen Campbell ~ refund security deposit Bayonet Farm	\$1,500.00
David Mullins ~ refund alcohol permit Bayonet Farm	\$500.00
Cosmo Mezzina ~ refund soccer squirts/2 children	\$318.00
Dan Spengeman ~ refund security deposit Bayonet Farm	\$1,000.00
Elaine Assuncao ~ refund security deposit Bayonet Farm	\$1,500.00
Karen Werner ~ refund price difference/transferred programs	\$8.00

**Attachments:**

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

## RESOLUTION

BE IT RESOVED by the Mayor and Township Committee that the following Recreation Department Fees be returned:

Darlene Bruzzi ~ refund pony grooming class	\$260.00
Lilly Rakoski ~ refund pony grooming class/2 children	\$520.00
Andrea Lee ~ refund August swim club membership	\$445.00
Yvonne Giunta ~ refund pony camp	\$ 45.00
Maureen Campbell ~ refund security deposit Bayonet Farm	\$1,500.00
David Mullins ~ refund alcohol permit Bayonet Farm	\$500.00
Cosmo Mezzina ~ refund soccer squirts/2 children	\$318.00
Dan Spengeman ~ refund security deposit Bayonet Farm	\$1,000.00
Elaine Assuncao ~ refund security deposit Bayonet Farm	\$1,500.00
Karen Werner ~ refund price difference/transferred programs	\$8.00

## 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 Township Committee of the Township of Holmdel at a Meeting held on October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 11

*Meeting Date:* October 11, 2016

*Subject:* Reserve at Holmdel Performance Bond Reduction

*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**

The Engineer has inspected the project to determine the amount of bondable improvements satisfactorily installed to date. He has recommended that the performance bond and the performance cash bond be reduced. A Resolution has been prepared.

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**FISCAL IMPACT**

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**Attachments:**

Resolution  
Engineer's Letter

## RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Performance Surety Bond #58731381 issued by Western Surety Company in the amount of \$2,407,563.00 posted for Reserve at Holmdel – Phase 1 be reduced to \$1,210,446.00.

BE IT FURTHER RESOLVED that the Performance Cash Bond in the original amount of \$267,507.00 be reduced to \$134,494.00 in accordance with the Engineer's letter dated September 20, 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 the Regular Meeting held on October 20, 2016.

Maureen Doloughy, RMC  
Township Clerk



YOUR GOALS. OUR MISSION.

HOLM-I2350/HOPB-R2350

September 20, 2016

Ms. Maureen Doloughty, Township Clerk  
Township of Holmdel  
4 Crawfords Corner Road  
Holmdel, NJ 07733

Re: Toll NJ IX LP – Reserve at Holmdel: Single Family Homes  
Subdivision 649  
Preliminary and Final Major Subdivision  
Block 11, Portion of Lots 38, 38.02, 73.01, 73.02, 73.03 And 73.04  
Performance Bond No. 58731381  
Performance Guarantee Reduction – Phase 1

Dear Ms. Doloughty:

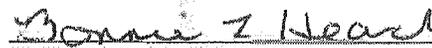
Per the applicant's request for a reduction of Performance Bond No. SUR012781, issued by Western Surety Company, I have inspected the referenced project to determine the amount of bondable improvements satisfactorily installed to date. Be advised construction and landscaping items remain to be completed. I have enclosed a revised Performance Bond estimate which shows the remaining bonded improvements.

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 \$802,521.00 (thirty percent (30%) of the total original guarantee of \$2,675,070.00). Since the value of the work remaining is more than the minimum reduced guarantee amount, I recommend the Performance Bond No. 58731381, issued by Western Surety Company, in the amount of \$2,407,563.00 be reduced to \$1,210,446.00 by Formal Resolution. I further recommend the performance cash bond, in the amount of \$267,507.00 be reduced to \$134,494.00 by Formal Resolution.

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

Very truly yours,

T&M ASSOCIATES  
FRANCIS W. MULLAN, P.E.  
ACTING HOLMDEL TOWNSHIP ENGINEER

  
BONNIE L. HEARD, P.E., CME  
SUPERVISING ENGINEER

FWM:BLH:EST

Enclosure

c: Donna Vieiro, Township Administrator  
Robert F. Munoz, Township Attorney  
Jeanette Larrison, Chief Financial Office  
Bonnie Imposimato, Administrative Officer  
Robert Faye, Construction Official  
Carmine Merlucci, Toll Bros. (cmerlucci@tollbrothersinc.com)

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PERFORMANCE BOND ESTIMATE  
TOLL NJ IX LP -RESERVE AT HOLMDEL - PHASE 1  
SUBDIVISION 649, BLOCK 11, PORTION OF LOTS 38, 38.02, 73.01, 73.02, 73.03 AND 73.04  
SCHEDULE "A"

DESCRIPTION	QUANTITY	EA	UNIT PRICE	% NOT COMPLETE	TOTAL AMOUNT	BOND AMOUNT
<b><u>SOIL EROSION &amp; SEDIMENT CONTROL</u></b>						
1 GRADING	232320	SY	\$0.25	50	\$29,040.00	\$34,848.00
2 INLET PROTECTION	23	EA	\$160.00	10	\$368.00	\$441.60
3 SILT FENCE	11640	LF	\$2.50	10	\$2,910.00	\$3,492.00
4 TOPSOIL STOCKPILE	2	EA	\$575.00	50	\$575.00	\$690.00
5 CONSTRUCTION ENTRANCE	688	SY	\$10.50	25	\$1,806.88	\$2,168.25
6 TREE PROTECTION FENCE	600	LF	\$2.50	25	\$375.00	\$450.00
<b><u>DEMOLITION &amp; CLEARING SITE</u></b>						
7 CLEAR & GRUB, CUT & CHIP TREES	16	AC	\$2,000.00	0	\$0.00	\$0.00
<b><u>SITE WORK</u></b>						
8 SURFACE COURSE, HMA 9.5M64 2" THK.	1560	TON	\$85.00	100	\$132,600.00	\$159,120.00
9 BIT. STAB. BASE COURSE, HMA 19M64 4" THK.	3120	TON	\$85.00	10	\$26,520.00	\$31,824.00
10 DENSE GRADED AGGREGATE, 6" THK	13000	SY	\$5.00	10	\$6,500.00	\$7,800.00
11 BELGIAN BLOCK CURB	9200	LF	\$25.00	10	\$23,000.00	\$27,600.00
12 CONCRETE SIDEWALK 4" THICK	2078	SY	\$60.00	100	\$124,666.67	\$149,600.00
13 CONCRETE DRIVEWAY, REINFORCED, 6" THICK	142	SY	\$80.00	100	\$11,377.78	\$13,653.33
14 CURB RAMP DETECTABLE WARNING	112	SF	\$35.00	100	\$3,920.00	\$4,704.00
15 FENCE, WOOD 3-RAIL	1410	LF	\$20.00	100	\$28,200.00	\$33,840.00
16 GUIDE RAIL, WOOD BEAM	705	LF	\$25.00	100	\$17,625.00	\$21,150.00
17 TRAFFIC STRIPING, 4" WIDE	200	LF	\$1.00	100	\$200.00	\$240.00
18 STOP BAR, 24" WIDE	81	LF	\$5.00	100	\$405.00	\$486.00
19 TRAFFIC MARKINGS	2	EA	\$125.00	100	\$250.00	\$300.00
20 SIGNS, STREET	4	EA	\$100.00	0	\$0.00	\$0.00
21 SIGNS, TRAFFIC	1	EA	\$100.00	0	\$0.00	\$0.00
22 SIGNS, DETENTION BASIN	1	EA	\$100.00	100	\$100.00	\$120.00
23 REATINING WALL (IF & WHERE DIRECTED)	25	SF	\$30.00	100	\$750.00	\$900.00
24 GRASSPAVE	204	SY	\$5.00	100	\$1,022.22	\$1,226.67
25 GRASSPAVE STONE	34	CY	\$6.00	100	\$204.44	\$245.33
26 PET STATION	1	EA	\$200.00	100	\$200.00	\$240.00
27 CLEAN & STREAMBED (DESILT & DESNAG)	610	LF	\$15.00	100	\$9,150.00	\$10,980.00
<b><u>DRAINAGE</u></b>						
28 MANHOLE, STORMWATER	3	EA	\$2,000.00	5	\$300.00	\$360.00
29 INLET, TYPE 'B'	21	EA	\$2,000.00	5	\$2,100.00	\$2,520.00
30 INLET, TYPE 'DOUBLE B'	1	EA	\$3,300.00	5	\$175.00	\$210.00
31 INLET, TYPE 'E'	1	EA	\$2,000.00	5	\$100.00	\$120.00
32 PIPE, 15" RCP	402	LF	\$65.00	5	\$1,306.50	\$1,567.80
33 PIPE, 18" RCP	615	LF	\$75.00	5	\$2,306.25	\$2,767.50
34 PIPE, 24" RCP	505	LF	\$85.00	10	\$4,292.50	\$5,151.00
35 PIPE, 30" RCP	307	LF	\$100.00	5	\$1,535.00	\$1,842.00
36 HEADWALL, 24"	1	EA	\$1,800.00	100	\$1,800.00	\$2,160.00
37 HEADWALL, 30"	1	EA	\$1,800.00	5	\$90.00	\$108.00
38 DETENTION BASIN EXACATION	16340	CY	\$4.00	25	\$16,340.00	\$19,608.00
39 OUTLET CONTROL STRUCTURE	1	EA	\$5,000.00	25	\$1,250.00	\$1,500.00
40 RIVER STONE	390	CY	\$30.00	100	\$11,700.00	\$14,040.00
41 BROKEN STONE RIP-RAP	9	CY	\$25.00	100	\$225.00	\$270.00
42 BROKEN STONE BEDDING	995	CY	\$25.00	25	\$6,218.75	\$7,462.50
43 WET POND AREATOR	1	EA	\$5,000.00	100	\$5,000.00	\$6,000.00
44 WET POND WELL	1	EA	\$15,000.00	100	\$15,000.00	\$18,000.00
45 WATER QUALITY STRUCTURE	2	EA	\$50,000.00	25	\$25,000.00	\$30,000.00
46 K5 SAND	3195	SY	\$5.00	100	\$15,975.00	\$19,170.00
47 CLAY	1150	CY	\$8.00	100	\$9,200.00	\$11,040.00
48 BROKEN STONE BEDDING, DRYWELL	1055	CY	\$25.00	100	\$26,375.00	\$31,650.00
49 DRYWELL	17	EA	\$2,000.00	100	\$34,000.00	\$40,800.00
50 FILTER FABRIC, DRYWELL	665	SY	\$2.00	100	\$34,000.00	\$40,800.00
<b><u>LANDSCAPING &amp; LIGHTING</u></b>						
51 OCTOBER GLORY RED MAPLE 3"-3.5" CAL.	93	EA	\$580.00	100	\$53,940.00	\$64,728.00
52 SCARLET OAK 3"-3.5" CAL.	38	EA	\$760.00	100	\$28,880.00	\$34,656.00
53 BLACK GUM 3"-3.5" CAL.	36	EA	\$875.00	100	\$31,500.00	\$37,800.00
54 WILLOW OAK	36	EA	\$580.00	100	\$20,880.00	\$25,056.00
55 BLOODGOOD LONDON PLANETREE 3"-3.5" CAL.	16	EA	\$520.00	100	\$8,320.00	\$9,984.00
56 PRINCETON AMERICAN ELM	30	EA	\$540.00	100	\$16,200.00	\$19,440.00
57 GREEN VASE ZELKOVA 3"-3.5" CAL.	14	EA	\$570.00	100	\$7,980.00	\$9,576.00
58 TUSCAROARA CRAPEMYRTLE 2"-2.5" CAL.	22	EA	\$50.00	100	\$1,100.00	\$1,320.00
59 THUNDERCLOUD PURPLELEAF PLUM 2"-2.5" CAL	18	EA	\$290.00	100	\$5,220.00	\$6,264.00
60 NORWAY SPRUCE 10'-11'	56	EA	\$580.00	100	\$32,480.00	\$38,976.00
61 NORWAY SPRUCE 11'-12'	43	EA	\$665.00	100	\$28,595.00	\$34,314.00
62 COLORADO BLUE SPRUCE 10'-11'	16	EA	\$350.00	100	\$5,600.00	\$6,720.00
63 COLORADO BLUE SPRUCE 11'-12'	11	EA	\$400.00	100	\$4,400.00	\$5,280.00
64 DOUGLAS FIR 10'-11'	60	EA	\$525.00	100	\$31,500.00	\$37,800.00

HOLM-12350  
 3/6/2015  
 REVISED 5/29/2015  
 REVISED 7/10/15  
 REDUCED 9/15/2016

PERFORMANCE BOND ESTIMATE  
 TOLL NJ IX LP -RESERVE AT HOLMDEL - PHASE 1  
 SUBDIVISION 649, BLOCK 11, PORTION OF LOTS 38, 38.02, 73.01, 73.02, 73.03 AND 73.04  
 SCHEDULE "A"

DESCRIPTION	QUANTITY	EA	UNIT PRICE	% NOT COMPLETE	TOTAL AMOUNT	BOND AMOUNT
65 DOUGLAS FIR 11'-12'	49	EA	\$525.00	100	\$25,725.00	\$30,870.00
66 RED TWIG DOGWOOD 30"-36"	56	EA	\$36.00	100	\$2,016.00	\$2,419.20
67 MOUNTAIN FIRE ANDROMEDA 30"-36"	53	EA	\$175.00	100	\$9,275.00	\$11,130.00
68 KNOCKOUT ROSE	36	EA	\$50.00	100	\$1,800.00	\$2,160.00
69 IRRIGATION	1	EA	\$15,000.00	100	\$15,000.00	\$18,000.00
70 DETENTION BASIN SEEDING	2136	SY	\$1.00	100	\$2,136.00	\$2,563.20
71 CONSERVATION EASMENT SEEDING	15470	SY	\$1.00	100	\$15,470.00	\$18,564.00
72 POST TOP LIGHT	20	EA	\$1,500.00	100	\$30,000.00	\$36,000.00
<b><u>BUFFER LANDSCAPING</u></b>						
73 RED MAPLE, 2" CAL	25	EA	\$380.00	100	\$9,500.00	\$11,400.00
74 RIVER BIRCH, 2" CAL	25	EA	\$245.00	100	\$6,125.00	\$7,350.00
75 BLACK GUM, 2" CAL	25	EA	\$460.00	100	\$11,500.00	\$13,800.00
76 BLACK WILLOW, 2" CAL	25	EA	\$365.00	100	\$9,125.00	\$10,950.00
77 SWAMP OAK, 2" CAL	25	EA	\$400.00	100	\$10,000.00	\$12,000.00
78 RED CHOKEBERRY, 1'-2' HT.	72	EA	\$35.00	100	\$2,520.00	\$3,024.00
79 RED OSIER DOGWOOD, 1'-2' HT.	72	EA	\$35.00	100	\$2,520.00	\$3,024.00
80 INKBERRY, 1'-2' HT.	72	EA	\$50.00	100	\$3,600.00	\$4,320.00
81 WITCH HAZEL, 1'-2' HT.	72	EA	\$100.00	100	\$7,200.00	\$8,640.00
82 ARROWWOOD VIBURNUM, 1'-2' HT.	72	EA	\$45.00	100	\$3,240.00	\$3,888.00
<b><u>SANITARY SEWER</u></b>						
83 PIPE, 8" PVC	1560	LF	\$28.00	5	\$2,184.00	\$2,620.80
84 PIPE, 4" PVC	1315	LF	\$23.00	5	\$1,512.25	\$1,814.70
85 MANHOLES, SANITARY 0'-10'	6	EA	\$2,000.00	5	\$600.00	\$720.00
86 MANHOLES, SANITARY 10'-14'	11	EA	\$3,000.00	5	\$1,650.00	\$1,980.00
87 MANHOLES, SANITARY 14'-20'	8	EA	\$4,000.00	5	\$1,600.00	\$1,920.00
88 BROKEN STONE	1150	CY	\$25.00	5	\$1,437.82	\$1,725.39
89 SANITARY LATERAL CONNECTIONS	36	EA	\$350.00	100	\$12,600.00	\$15,120.00
90 SANITARY CLEANOUTS	72	EA	\$75.00	100	\$5,400.00	\$6,480.00
<b><u>MONUMENTS, POSTS &amp; PINS</u></b>						
91 CONCRETE MONUMENT	18	EA	\$250.00	100	\$4,500.00	\$5,400.00
92 CONSERVATION EASTMENT POST	10	EA	\$150.00	100	\$1,500.00	\$1,800.00
93 IRON PIN	84	EA	\$100.00	100	\$8,400.00	\$10,080.00

TOTAL \$1,120,786.06 \$1,344,940.00

90% OF BOND AMOUNT POSTED IN FORM OF SURETY BOND \$1,210,446.00  
 10% OF BOND AMOUNT POSTED IN FORM OF CASH \$134,494.00

INSPECTION FEE \$56,040.00

NOTE 1:  
 EROSION/SLOPE CONTROL MEASURES TO BE OBSERVED BY THE DEVELOPER TO CONTROL SILTATION IN ACCORDANCE WITH THE FREEHOLD SOIL CONSERVATION DISTRICT CERTIFIED PLAN AND PROVISIONS OF THE SOIL EROSION AND SEDIMENT CONTROL ACT, AND/OR AS DIRECTED BY THE MUNICIPAL ENGINEER AT THE TIME OF CONSTRUCTION.

NOTE 2:  
 ADDITIONAL DRAINAGE, IF REQUIRED, DUE TO FIELD CONDITIONS AT THE TIME OF CONSTRUCTION AND AS DIRECTED BY THE MUNICIPAL ENGINEER.

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 12

*Meeting Date:* October 11, 2016

*Subject:* Reserve at Holmdel Phase 2 Performance Bond Reduction

*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**

The Engineer has inspected the project to determine the amount of bondable improvements satisfactorily installed to date. He has recommended that the performance bond and the performance cash bond be reduced. A Resolution has been prepared.

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**FISCAL IMPACT**

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**Attachments:**

Resolution  
Engineer's Letter

## RESOLUTION

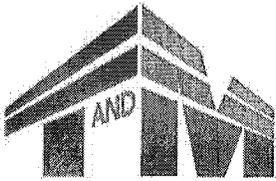
BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Performance Surety Bond #58731378 issued by Western Surety Company in the amount of \$917,370.00 posted for Reserve at Holmdel – Phase 2 be reduced to \$436,608.00.

BE IT FURTHER RESOLVED that the Performance Cash Bond in the amount of \$101,930.00 be reduced to \$48,512.00 in accordance with the Engineer's letter dated September 20, 2016.

## 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 Township Committee of the Township of Holmdel at the Regular Meeting held on October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk



YOUR GOALS. OUR MISSION.

HOLM-I2350/HOPB-R2350

September 20, 2016

Ms. Maureen Doloughy, Township Clerk  
Township of Holmdel  
4 Crawford's Corner Road  
Holmdel, NJ 07733

Re: **Toll NJ IX LP – Reserve at Holmdel: Single Family Homes  
Subdivision 649  
Preliminary and Final Major Subdivision  
Block 11, Portion of Lots 38, 38.02, 73.01, 73.02, 73.03 And 73.04  
Performance Bond No. 58731378  
Performance Guarantee Reduction – Phase 2**

Dear Ms. Doloughy:

Per the applicant's request for a reduction of Performance Bond No. SUR012781, issued by Western Surety Company, I have inspected the referenced project to determine the amount of bondable improvements satisfactorily installed to date. Be advised construction and landscaping items remain to be completed. I have enclosed a revised Performance Bond estimate which shows the remaining bonded improvements.

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 \$305,790.00 (thirty percent (30%) of the total original guarantee of \$1,019,300.00). Since the value of the work remaining is more than the minimum reduced guarantee amount, I recommend the Performance Bond No. 58731378, issued by Western Surety Company, in the amount of \$917,370.00 be reduced to \$436,608.00 by Formal Resolution. I further recommend the performance cash bond, in the amount of \$101,930.00 be reduced to \$48,512.00 by Formal Resolution.

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

Very truly yours,

T&M ASSOCIATES  
FRANCIS W. MULLAN, P.E.  
ACTING HOLMDEL TOWNSHIP ENGINEER

  
BONNIE L. HEARD, P.E., CME  
SUPERVISING ENGINEER

FWM:BLH:EST:dk  
Enclosure

c: Donna Vieiro, Township Administrator  
Robert F. Munoz, Township Attorney  
Jeanette Larrison, Chief Financial Office  
Bonnie Imposimato, Administrative Officer  
Robert Faye, Construction Official  
Carmine Merlucci, Toll Bros. (cmerlucci@tollbrothersinc.com)  
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PERFORMANCE BOND ESTIMATE  
 TOLL NJ IX LP -RESERVE AT HOLMDEL - PHASE 2  
 SUBDIVISION 649, BLOCK 11, PORTION OF LOTS 38, 38.02, 73.01, 73.02, 73.03 AND 73.04  
 SCHEDULE "A"

DESCRIPTION	QUANTITY	EA	UNIT PRICE	% NOT COMPLETE	TOTAL AMOUNT	BOND AMOUNT
<b><u>SOIL EROSION &amp; SEDIMENT CONTROL</u></b>						
1 GRADING	80150	SY	\$0.25	50	\$10,018.80	\$12,022.56
2 INLET PROTECTION	10	EA	\$160.00	10	\$160.00	\$192.00
3 SILT FENCE	5490	LF	\$2.50	10	\$1,372.50	\$1,647.00
4 TOPSOIL STOCKPILE	1	EA	\$575.00	50	\$287.50	\$345.00
5 TREE PROTECTION FENCE	250	LF	\$2.50	25	\$156.25	\$187.50
<b><u>DEMOLITION &amp; CLEARING SITE</u></b>						
6 CLEAR & GRUB, CUT & CHIP TREES	5	AC	\$2,000.00	0	\$0.00	\$0.00
<b><u>SITE WORK</u></b>						
7 SURFACE COURSE, HMA 9.5M64 2" THK.	395	TON	\$85.00	100	\$33,575.00	\$40,290.00
8 BIT. STAB. BASE COURSE, HMA 19M64 4" THK.	795	TON	\$85.00	10	\$6,757.50	\$8,109.00
9 DENSE GRADED AGGREGATE, 6" THK	3300	SY	\$5.00	10	\$1,650.00	\$1,980.00
10 BELGIAN BLOCK CURB	1822	LF	\$25.00	10	\$4,555.00	\$5,466.00
11 CONCRETE SIDEWALK 4" THICK	1214	SY	\$60.00	100	\$72,820.00	\$87,384.00
12 CONCRETE DRIVEWAY, REINFORCED, 6" THICK	87	SY	\$80.00	100	\$6,942.22	\$8,330.67
13 FENCE, WOOD 3-RAIL	910	LF	\$20.00	100	\$18,200.00	\$21,840.00
14 SIGNS, DETENTION BASIN	1	EA	\$100.00	100	\$100.00	\$120.00
15 REATINING WALL (IF & WHERE DIRECTED)	25	SF	\$30.00	100	\$750.00	\$900.00
16 GRASSPAVE	143	SY	\$5.00	100	\$715.56	\$858.67
17 GRASSPAVE STONE	24	CY	\$6.00	100	\$143.11	\$171.73
18 CLEAN STREAMBED (DESILT & DESNAG)	1400	LF	\$15.00	100	\$21,000.00	\$25,200.00
<b><u>DRAINAGE</u></b>						
19 MANHOLE, STORMWATER	3	EA	\$2,000.00	5	\$300.00	\$360.00
20 MANHOLE, DOGHOUSE	2	EA	\$2,500.00	5	\$250.00	\$300.00
21 INLET, TYPE 'B'	10	EA	\$2,000.00	5	\$1,000.00	\$1,200.00
22 PIPE, 15" RCP	398	LF	\$65.00	5	\$1,293.50	\$1,552.20
23 PIPE, 18" RCP	67	LF	\$75.00	5	\$251.25	\$301.50
24 PIPE, 24" RCP	270	LF	\$85.00	5	\$1,147.50	\$1,377.00
25 PIPE, 30" RCP	711	LF	\$100.00	5	\$3,555.00	\$4,266.00
26 PIPE, 36" RCP	103	LF	\$100.00	5	\$515.00	\$618.00
27 HEADWALL, 30"	1	EA	\$1,800.00	5	\$90.00	\$108.00
28 DETENTION BASIN EXACATION	8120	CY	\$4.00	25	\$8,120.00	\$9,744.00
29 OUTLET CONTROL STRUCTURE	1	EA	\$5,000.00	25	\$1,250.00	\$1,500.00
30 BROKEN STONE RIP-RAP	10	CY	\$25.00	100	\$250.00	\$300.00
31 BROKEN STONE BEDDING	2000	CY	\$25.00	25	\$12,500.00	\$15,000.00
32 K5 SAND	4875	SY	\$5.00	25	\$6,093.75	\$7,312.50
33 PIPE, 8" HDPE	1422	LF	\$15.00	25	\$5,332.50	\$6,399.00
34 FILTER FABRIC	11376	SY	\$2.00	25	\$5,688.00	\$6,825.60
47 BROKEN STONE BEDDING, DRYWELL	550	CY	\$25.00	100	\$13,750.00	\$16,500.00
48 DRYWELL	11	EA	\$2,000.00	100	\$22,000.00	\$26,400.00
49 FILTER FABRIC, DRYWELL	430	SY	\$2.00	100	\$860.00	\$1,032.00
<b><u>LANDSCAPING &amp; LIGHTING</u></b>						
50 OCTOBER GLORY RED MAPLE 3"-3.5" CAL.	23	EA	\$580.00	80	\$10,672.00	\$12,806.40
51 BLACK GUM 3"-3.5" CAL.	25	EA	\$875.00	80	\$17,500.00	\$21,000.00
52 WILLOW OAK	8	EA	\$380.00	100	\$4,640.00	\$5,568.00
53 PRINCETON AMERICAN ELM	37	EA	\$540.00	100	\$19,980.00	\$23,976.00
54 NORWAY SPRUCE 10'-11'	27	EA	\$580.00	65	\$10,179.00	\$12,214.80
55 NORWAY SPRUCE 11'-12'	19	EA	\$665.00	65	\$8,212.75	\$9,855.30
56 COLORADO BLUE SPRUCE 10'-11'	23	EA	\$350.00	65	\$5,232.50	\$6,279.00
57 COLORADO BLUE SPRUCE 11'-12'	16	EA	\$400.00	60	\$3,840.00	\$4,608.00

PERFORMANCE BOND ESTIMATE  
 TOLL NJ IX LP -RESERVE AT HOLMDEL - PHASE 2  
 SUBDIVISION 649, BLOCK 11, PORTION OF LOTS 38, 38.02, 73.01, 73.02, 73.03 AND 73.04  
 SCHEDULE "A"

DESCRIPTION	QUANTITY	EA	UNIT PRICE	% NOT COMPLETE	TOTAL AMOUNT	BOND AMOUNT
58 DOUGLAS FIR 10'-11'	20	EA	\$525.00	65	\$6,825.00	\$8,190.00
59 DOUGLAS FIR 11'-12'	15	EA	\$525.00	70	\$5,512.50	\$6,615.00
60 RED TWIG DOGWOOD 30"-36"	7	EA	\$36.00	100	\$252.00	\$302.40
61 MOUNTAIN PINE ANDROMEDA 30"-36"	9	EA	\$175.00	100	\$1,575.00	\$1,890.00
62 DETENTION BASIN SEEDING	4872	SY	\$1.00	25	\$1,218.00	\$1,461.60
63 CONSERVATION EASMENT SEEDING	31130	SY	\$1.00	100	\$31,130.00	\$37,356.00
64 IRRIGATION	1	EA	\$10,000.00	100	\$10,000.00	\$12,000.00
65 POST TOP LIGHT	1	EA	\$1,500.00	100	\$1,500.00	\$1,800.00
<b>MONUMENTS, POSTS &amp; PINS</b>						
66 CONCRETE MONUMENT	3	EA	\$250.00	100	\$750.00	\$900.00
67 IRON PIN	18	EA	\$100.00	100	\$1,800.00	\$2,160.00
<b>TOTAL</b>					<b>\$404,268.69</b>	<b>\$485,120.00</b>
90% OF BOND AMOUNT POSTED IN FORM OF SURETY BOND			\$436,608.00			
10% OF BOND AMOUNT POSTED IN FORM OF CASH			\$48,512.00			
INSPECTION FEE			\$20,220.00			

NOTE 1:

EROSION/SLOPE CONTROL MEASURES TO BE OBSERVED BY THE DEVELOPER TO CONTROL SILTATION IN ACCORDANCE WITH THE FREEHOLD SOIL CONSERVATION DISTRICT CERTIFIED PLAN AND PROVISIONS OF THE SOIL EROSION AND SEDIMENT CONTROL ACT, AND/OR AS DIRECTED BY THE MUNICIPAL ENGINEER AT THE TIME OF CONSTRUCTION.

NOTE 2:

ADDITIONAL DRAINAGE, IF REQUIRED, DUE TO FIELD CONDITIONS AT THE TIME OF CONSTRUCTION AND AS DIRECTED BY THE MUNICIPAL ENGINEER.

TOWNSHIP COMMITTEE AGENDA ITEM # 13

Meeting Date: October 11, 2016  
Subject: Award of Contract – D&J Mazza Demolition, Inc.  
Submitted by: Barbara Kovelesky, QPA  
Approved by: Donna M. Vieiro, Township Administrator

**RECOMMENDATION**

It is recommended the Township Committee award a contract for the Operation and Maintenance of the Township owned compost facility to D&M Mazza Demolition, Inc. in the amount of \$73,631 for the term 1/1/17 – 12/31/17. The Township reserves the right to exercise the option to renew the contract for one additional year.

**PREVIOUS ACTION**

**BACKGROUND**

Bids were received on October 4, 2016 for the above referenced contract. There were two bidders:

D&J Mazza Demolition	\$73,631
L&S Contracting, Inc.	\$79,722

**FISCAL IMPACT**

**Attachments:**

Resolution

<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 October 4, 2016 at the Municipal Building, Crawfords Corner Road, Holmdel, New Jersey for the Operation and Maintenance of the Township owned Compost Facility for 2017; and

WHEREAS, the following bids were received:

Contractor	Amount
D&J Mazza Demolition	\$73,631
L&S Contracting, Inc.	\$79,722

and

WHEREAS, the Township Qualified Purchasing Agent has recommended an award be made to; 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 D&J Mazza Demolition in accordance with the bid documents in the amount of \$73,631.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to D&J Mazza Demolition, the Township Chief Financial Officer, Township Administrator, Township Engineer, and to each of the unsuccessful bidders together with a return of any bid security.

### CERTIFICATION

I, Maureen Doloughty, 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 October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 14

Meeting Date: October 11, 2016

Subject: Bella Hospitality at Holmdel ABC License

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 ABC Renewal License for Bella Hospitality was denied by the Division of Alcoholic Beverage Control since a "Special Ruling" (required every two years for an inactive 'pocket' license) was needed. The Petitioner filed the request for the Township to consider a renewal application and that was approved. A Resolution has been prepared renewing the ABC License for Bella Hospitality for the 2016-2017 License Term.

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**FISCAL IMPACT**

None

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**Attachments:**

Resolution  
Special Ruling

## RESOLUTION

WHEREAS, the necessary inspections by the Board of Health and the Police Department of the Township of Holmdel have been made, the application has been filed and the necessary fees paid,

WHEREAS, Bella Hospitality Holmdel, LLC trading as Bella Hospitality Holmdel LLC required a Special Ruling from the State in order to maintain their licenses as "Pocket Licenses"; and

WHEREAS, the Special Ruling to Permit Renewal of Inactive License Pursuant to NJSA 33:1-12.39 was approved on September 20, 2016.

NOW, THEREFORE, BE IT RESOLVED, that the renewal application of Bella Hospitality Holmdel, L.L.C., trading as Bella Hospitality Holmdel LLC, which is an inactive pocket license, for a Plenary Retail Consumption License No. 1318-33-009-001 for 2016-2017 be granted and that the Township Clerk be and hereby is directed to issue said license.

## CERTIFICATION

I, Maureen Shepherd, 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 October 11, 2016

Maureen Doloughty, RMC  
Township Clerk



ABC  
Agendas  
10-11

**STATE OF NEW JERSEY**  
**OFFICE OF THE ATTORNEY GENERAL**  
**DEPARTMENT OF LAW AND PUBLIC SAFETY**  
**DIVISION OF ALCOHOLIC BEVERAGE CONTROL**

CHRIS CHRISTIE  
GOVERNOR

CHRISTOPHER S. PORRINO  
ATTORNEY GENERAL

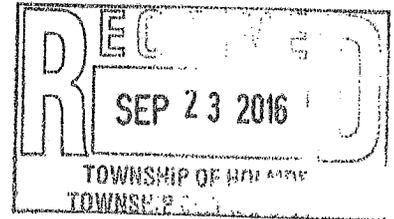
KIM GUADAGNO  
LT. GOVERNOR

JONATHAN A. ORSEN  
ACTING DIRECTOR

P.O. Box 087  
TRENTON, NJ 08625-0087  
PHONE: (609) 984-2830 FAX: (609) 633-6078  
WWW.NJ.GOV/OAG/ABC

September 20, 2016

**RE: SPECIAL RULING TO PERMIT RENEWAL OF INACTIVE  
LICENSE PURSUANT TO N.J.S.A. 33:1-12.39  
FOR THE 2016-2017 and 2017-2018 LICENSE TERM(S);  
LIC. NO. 1318-33-009-001  
LIC. NAME: BELLA HOSPITALITY HOLMDEL LLC  
Docket No. 09-16-621 Job No. 114605**



Dear Petitioner:

Enclosed please find a Special Ruling to permit consideration of a renewal application for the above-referenced inactive license pursuant to N.J.S.A. 33:1-12.39. As noted in the enclosed document, this Ruling merely determined that good cause exists for the issuing authority to consider your application. It is now within the purview of the local issuing authority to either grant or deny your renewal application in the reasonable exercise of its discretion.

**Be advised that if your license is merely inactive and is sited at a premises, in order to activate this license during any of the license terms referenced above, you are required to file an amendment to your license application pursuant to N.J.A.C. 13:2-2.14. To properly file the amendment, pages 1, 2, and 11 of the 12 page license application must be filed with the local issuing authority not more than 10 days prior to, or 10 days after, opening the business. The local issuing authority will then present you with a current license certificate which must be prominently displayed where it can be readily seen by customers. N.J.A.C. 13:2-23.13(a)1.**

**However, if your license is a "pocket license," (a license not sited at a premises) and you wish to activate your license at a premises during any of the license terms referenced above, you must file a full 12-page application transferring the license from "pocket" status to the intended premises. Please contact your local issuing authority to comply with all requirements regarding the transfer.**

I suggest that you contact the local issuing authority immediately to determine what steps are necessary to complete your license application renewal process.

Very truly yours,

Donna Pereksta Luhn  
Deputy Attorney General

c: ABC Licensing Bureau  
Maureen Doloughty, Holmdel Municipal Clerk



STATE OF NEW JERSEY  
DEPARTMENT OF LAW AND PUBLIC SAFETY  
DIVISION OF ALCOHOLIC BEVERAGE CONTROL

LIC. NO. 1318-33-009-001

DOCKET NO. 09-16-621

JOB NO. 114605

IN THE MATTER OF THE APPLICATION	)	
TO PERMIT THE RENEWAL OF AN	)	
INACTIVE LICENSE PURSUANT TO	)	SPECIAL RULING
<u>N.J.S.A.</u> 33:1-12.39 FOR THE 2016-2017	)	
AND 2017-2018 LICENSE TERM(S)	)	
	)	
	)	
BELLA HOSPITALITY HOLMDEL LLC	)	
_____	)	

BY THE DIRECTOR:

The petitioner or licensee has filed a verified petition requesting authorization for the local issuing authority to consider a renewal application for License No. 1318-33-009-001 for the 2016-2017 and 2017-2018 license term(s) pursuant to the provisions of N.J.S.A. 33:1-12.39.

I have reviewed the petition filed in this matter and have considered all the facts and circumstances related to the inactive status of this license. I find that the petitioner or licensee has established good cause in accordance with the statutory requirements to warrant an application for renewal of the license for the 2016-2017 and 2017-2018 license term(s).

Accordingly, the municipal issuing authority is hereby authorized to consider the application for renewal of the subject license for the 2016-2017 and 2017-2018 license term(s) and to thereupon grant or deny said application in the reasonable exercise of its discretion. This authorization does not abrogate the licensee's obligation to timely submit the license renewal application and requisite fees prior to any consideration of renewal, including obtaining a tax clearance.

Please note that the approval granted herein is conditional, and is based upon the representations set forth in the petitioner's notarized letter(s). This approval is subject to review and/or modification should the factual circumstances warrant.



\_\_\_\_\_  
JONATHAN A. ORSEN  
ACTING DIRECTOR

DATED: September 20, 2016

TOWNSHIP COMMITTEE AGENDA ITEM # 15

Meeting Date: October 11, 2016  
Subject: Release of Bid Bond – Aloha Grill/Swim Club  
Submitted by: Barbara Kovelesky, QPA  
Approved by: Donna M. Vieiro, Township Administrator

**RECOMMENDATION**

Jason Heleotis/Aloha Grill posted a cashier's check in lieu of a bid bond for the concession stand contract at the Holmdel Swim Club. The season has ended and the Recreation Director has recommended the Township Committee authorize release of the funds being held in the amount of \$1,220.

**PREVIOUS ACTION**

**BACKGROUND**

Funds are posted annually by the concessionaire for this contract and are routinely returned following recommendation by the Recreation Director that the facility has been cleaned appropriately and there are no outstanding conditions which need to be addressed.

**FISCAL IMPACT**

No fiscal impact.

**Attachments:**

Resolution

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

## RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Cash Bond posted by Jason Heliotis/Aloha Grill in lieu of a bid bond for the Concession Stand Contract at the Holmdel Swim in the amount of \$1,220 be released.

## 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 October 11, 2016

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

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TOWNSHIP COMMITTEE AGENDA ITEM # 16

*Meeting Date:* October 11, 2016  
*Subject:* Promotion of Equipment Operator  
*Submitted by:* Denise Fluck  
*Approved by:* Administrator Donna Vieiro

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**RECOMMENDATION**

Request approval to promote Brian Derechailo to the position of Equipment Operator in the Department of Public Works effective October 14, 2016.

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**PREVIOUS ACTION**

None

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**BACKGROUND**

The above promotion is provisional and is pending final approval through the NJ Civil Service Commission's promotional exam procedures.

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**FISCAL IMPACT**

Funds are available in the 2016 budget.

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**Attachments:**

None

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

TOWNSHIP OF HOLMDEL

---

TOWNSHIP COMMITTEE AGENDA ITEM # 17

Meeting Date: October 11, 2016  
Subject: Refund Food Vendor Fee/Harvest Fest  
Submitted by: Wendy L Patrovich  
Approved by: Donna M. Vieiro, Township Administrator

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**RECOMMENDATION**

It is recommended the Township Committee adopt the following Resolutions

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**PREVIOUS ACTION**

Holmdel's Harvest Fest Scheduled for October 1-2, 2016 was canceled due to weather.

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**BACKGROUND**

Chubby Cheeks Concession filed an application and paid appropriate fees to receive Temporary Food Handler's License at the festival is not able to attend the rescheduled rain date and is due a reimbursement. In accordance with the CFO guidelines the following refund is submitted.

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**FISCAL IMPACT**

Chubby Cheeks Concession - -refund \$25.00

---

**Attachments:**

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

## RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee that the following refunds be approved:

Chubby Cheeks Concession-refund of temporary food handler's license at Harvest Fest

## 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 October 11, 2016.

Maureen Doloughy, RMC  
Township Clerk

TOWNSHIP COMMITTEE AGENDA ITEM # 18

*Meeting Date:* October 11, 2016  
*Subject:* Option to Renew – Mowing Services 2017  
*Submitted by:* Barbara Kovelesky, QPA  
*Approved by:* Donna M. Vieiro, Township Administrator

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**RECOMMENDATION**

It is recommended the Township Committee exercise the option to renew the contract for mowing services for the 2017 contract term with D’Onofrio & Son, Inc. Landscaping in the amount of \$65,435

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**PREVIOUS ACTION**

None

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**BACKGROUND**

This contract is bid for a term of one year with the option to renew for an additional one year. This contract includes mowing of all the parks, Bayonet Farm, certain roadside sites and the Swim & Tennis Center.

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**FISCAL IMPACT**

The fiscal impact will be \$65,435 for the 2017 contract year. There is no increase in pricing for 2017.

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**Attachments:**

Resolution

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

## **RESOLUTION**

WHEREAS, on February 2, 2016 the Township of Holmdel awarded a contract to D'Onofrio & Son, Inc. for Mowing and Bayonet Farm Lawn Care; and

WHEREAS, the Township of Holmdel retained the option to renew the contract for 2017; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee that the Township of Holmdel hereby exercises the option to renew the contract with D'Onofrio & Son, Inc. for the period of January 1, 2017 through December 31, 2017 for an amount of \$65.435.

## **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 Township Committee of the Township of Holmdel at a meeting held on October 11, 2016.

Maureen Doloughty, RMC  
Township Clerk

TOWNSHIP OF HOLMDEL

---

TOWNSHIP COMMITTEE AGENDA ITEM # 19

*Meeting Date:* October 11, 2016

*Subject:* Laurel Avenue Subdivision Maintenance 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 recently released the Performance Bond posted for the Laurel Avenue subdivision subject to the acceptance of a Maintenance Bond. The Developer has submitted the Maintenance Bond which has been reviewed by the Township Engineer and the Township Attorney and found to be in order. A Resolution of Acceptance has been prepared.

---

**FISCAL IMPACT**

None

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**Attachments:**

Resolution  
Bond

## RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee that Maintenance Bond No. FP0020966M issued by First Indemnity of America Insurance Company for the Laurel Avenue Subdivision in the amount of \$69,781.50 be accepted.

## 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 October 11, 2016.

Maureen Doloughy, RMC  
Township Clerk

## Maureen Doloughty

---

**From:** Toni Whalen [twhalen@demplaw.com]  
**Sent:** Monday, August 22, 2016 12:49 PM  
**To:** Maureen Doloughty  
**Cc:** Bonnie Heard (bheard@tandmassociates.com); Bonnie Imposimato; Terry Sherman  
**Subject:** Maintenance Bond for Laurel Avenue Subdivision  
**Attachments:** maintenance bond.pdf; acknowledgment corp countryside.doc; 3bclean-control.bin

I have reviewed the attached copy of Maintenance Bond No. FP0020966M issued by First Indemnity of America Insurance Company in the amount of \$69,781.50. The Bond is executed by Terry Sherman as President of Countryside Developers, Inc. and Jason Sherman, whom I believe is the Secretary of the Countryside Developers, Inc. If Jason Sherman is the Secretary of Countryside Developers, Inc., I would request that Terry Sherman have the attached Acknowledgment completed and delivered to your office. After your office receives the completed and notarized Acknowledgment, it should be attached to the Bond. After it is attached the Bond will be acceptable, subject to review and approval by the Township Engineer's office.

### **Toni Whalen**

Paralegal to Duane O. Davison, Esq., Robert F. Munoz, Esq.,  
Christina D. Hardman-O'Neal, Esq. and Blake R. Laurence, Esq.

**DAVISON EASTMAN MUNOZ**

100 Willow Brook Road, Suite 100

Freehold, NJ 07728

(732) 410-2355 direct

(732) 462-7170 main

(732) 462-0498 fax

[www.demplaw.com](http://www.demplaw.com)

(My hours are 8:00 a.m. - 3:00 p.m., M-F)

**E-mail address:** [twhalen@demplaw.com](mailto:twhalen@demplaw.com)

**\*\*Municipal Law and Estate and Business Planning Center\*\***

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Managing Shareholder James A. Paone, II, Esq.,

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FIRST INDEMNITY OF AMERICA INSURANCE COMPANY

2740 Rt. 10 West, Suite 205
Morris Plains, New Jersey 07950
(973) 402-1200

Bond No.: FP0020966M

The standardized form for a maintenance surety bond required by an approving authority pursuant to section 41 of P.L. 1975, c.291 (N.J.S.A. 40:55D-53) and as adopted at N.J.A.C. 5:39-1.2 (effective date July 16, 2001) shall be as follows:

STANDARD NEW JERSEY
MAINTENANCE SURETY BOND

We, COUNTRYSIDE DEVELOPERS, INC., having offices at 76 STILLWELL ROAD, HOLMDEL, NJ 07733 as principal, and

FIRST INDEMNITY OF AMERICA INSURANCE COMPANY, having offices at 2740 Rt. 10 W, Suite 205 Morris Plains, New Jersey 07950, a corporation duly licensed to transact a surety business in the State of New Jersey, as surety, are indebted to the to the municipality of TOWNSHIP OF HOLMDEL in the County of Monmouth, obligee, in the sum of (\$69,781.50) Dollars SIXTY NINE THOUSAND SEVEN HUNDRED EIGHTY ONE AND 50/100, for which payment we bind ourselves and our respective heirs, legal representatives, successors, and assigns, jointly and severally.

On April 4, 2006 (date), principal was granted approval by the planning board of the TOWNSHIP OF HOLMDEL (approving authority) for final site plan approval for premises known as; Laurel Avenue Subdivision, Block 52, Lots 7 and 9.

This bond shall become effective upon approval or acceptance of the improvements by the governing body, as certified by the resolution of the governing body, which is, or shall be, attached hereto and made a part hereof. The improvements subject to this bond are as follows: items contained within the Engineer's Estimate attached and made a part hereto.

The certification of the cost of such improvements by the municipal engineer is attached hereto and made a part hereof.

Pursuant to municipal ordinance, adopted under authority of the Municipal Land Use Law (N.J.S.A. 40:55D-1 et seq.), the principal, as a condition of approval or acceptance of improvements, hereby furnishes this maintenance bond in the amount of (\$69,781.50) Dollars SIXTY NINE THOUSAND SEVEN HUNDRED EIGHTY ONE AND 50/100 (not to exceed 15 percent of the cost of the improvements as certified by the municipal engineer), written by FIRST INDEMNITY OF AMERICA INSURANCE COMPANY, a surety licensed in the State of New Jersey, guarantying full and faithful compliance with all terms and conditions of the approval.

The bond shall continue in effect for a period of two (2) years (not to exceed two years) from the date of approval or acceptance of the said improvements.

This bond is issued subject to the following expressed conditions:

1. This bond shall not be subject to cancellation either by the principal or by the surety for any reason until the end of the period for which it is required to be maintained.
2. The aggregate liability of the surety under this bond shall not exceed the sum set forth above.
3. In the event that the improvements subject to this bond exhibit any defects in functioning, material or quality of work, the municipal governing body may, at its option, and upon at least 30 days prior written notice to the principal and to the surety by personal delivery or by certified or registered mail or courier, declare the principal to be in default and, in the event that the surety fails or refuses to perform the necessary corrective work, claim payment under this bond for the cost of any work required for the proper correction of any such defects in the said improvements. In the event that any action is brought against the principal under this bond, written notice of such action shall be given to the surety by the municipality by personal delivery or by registered or certified mail or courier at the same time.
4. The surety shall have the right to repair any defects in functioning, materials or quality of work and, to that end, to do such corrective work as may be necessary in accordance with the terms and conditions of original approval, either with its own employees or in conjunction with the principal or another contractor; provided, however, that as an alternative to performing such maintenance or corrective work it may, in its sole discretion, make a monetary settlement with the municipality.
5. This bond shall inure to the benefit of the municipality only and no other party shall acquire any rights hereunder.

Date: This 26th day of July, 2016

SEAL:

Terry Sherman  
Witness/Attest:

Countryside Developers, Inc.

BY: Terry Sherman  
Principal Terry Sherman, President

SEAL:

Aileen MacDonald  
Witness/Attest: Aileen MacDonald

Surety: First Indemnity of America Insurance Company

BY: Cristina Carpenter  
Cristina Carpenter, Attorney-In-Fact

STATE OF NEW JERSEY:

:ss

CORPORATE ACKNOWLEDGMENT

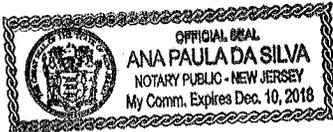
COUNTY OF MONMOUTH :

On this 25<sup>th</sup> day of August, 2016, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared JASON SHERMAN, who, being by me duly sworn on his oath, deposes and makes proof to my satisfaction, that he is the Secretary of COUNTRYSIDE DEVELOPERS, INC., the Corporation named in the within Instrument; that TERRY SHERMAN is the President of said Corporation; that the execution, as well as the making of this Instrument, has been duly authorized by a proper Resolution of the Board of Directors of said Corporation; that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in the presence of deponent, who thereupon subscribed his name thereto as attesting witness.

Sworn and Subscribed to  
before me the date aforesaid.

Ana Paula da Silva  
NOTARY PUBLIC OF NEW JERSEY

Jason Sherman  
JASON SHERMAN, Secretary



STATE OF NEW JERSEY:

:ss

CORPORATE ACKNOWLEDGMENT

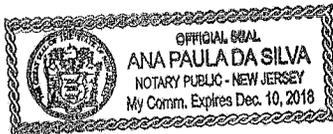
COUNTY OF MONMOUTH :

On this 25<sup>th</sup> day of August, 2016, before me, the subscriber, a Notary Public of the State of New Jersey, personally appeared JASON SHERMAN, who, being by me duly sworn on his oath, deposes and makes proof to my satisfaction, that he is the Secretary of COUNTRYSIDE DEVELOPERS, INC., the Corporation named in the within Instrument; that TERRY SHERMAN is the President of said Corporation; that the execution, as well as the making of this Instrument, has been duly authorized by a proper Resolution of the Board of Directors of said Corporation; that deponent well knows the corporate seal of said Corporation; and that the seal affixed to said Instrument is the proper corporate seal and was thereto affixed and said Instrument signed and delivered by said President as and for the voluntary act and deed of said Corporation, in the presence of deponent, who thereupon subscribed his name thereto as attesting witness.

Sworn and Subscribed to  
before me the date aforesaid.

Ana Paula da Silva  
NOTARY PUBLIC OF NEW JERSEY

Jason Sherman  
JASON SHERMAN, Secretary



## SURETY ACKNOWLEDGEMENT

State of New Jersey

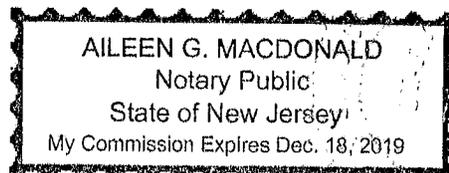
ss:

County of Morris

On this 26th day of July, 2016, before me personally comes

Cristina Carpenter to me known; who, being by me duly sworn, deposes and says that he/she resides in Morris Plains, that he/she is the Attorney-in-Fact of the First Indemnity of America Insurance Company the Corporation described in and which executed the foregoing instrument; that he/she knows the seal of the said Corporation; that the seal affixed to the said instrument is such Corporate seal; that it was so affixed by the order of the Board of Directors of the said Corporation, and that he/she signed his/her name thereto by like order.

Aileen G. MacDonald  
(Signature & Title of Official Taking Acknowledgment)



TOWNSHIP COMMITTEE AGENDA ITEM # 20

*Meeting Date:* September 6, 2016  
*Subject:* 6 Red Coach Lane- Open Space Easement Swap  
*Submitted by:* Loni Lucina, Administrative Clerk/Code Enforcement Officer  
*Approved by:* Donna M. Vieiro, Township Administrator

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**RECOMMENDATION**

It is recommended that the Township Committee review the attached documentation and determine if a swap of part of the Open Space Easement will be granted.

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**PREVIOUS ACTION**

None.

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**BACKGROUND**

Joanne and Alphonse Procaccino purchased 6 Red Coach Lane on April 11, 1994 (see attached deed) At the time to of the purchase they were provided with a survey of the property done for the prior owners dated November 19, 1986. The survey showed a drainage easement in the rear yard of the premises (see attached). Mr. and Mrs. Procaccino had a second survey prepared for them and it showed the same easements (see attached). Relying on those surveys, the Procaccinos' applied for a permit to install a 65' x 43' in ground swimming pool, pool equipment, pool patio and fence. As per the survey all the proposed items were within the allowed area and did not encroach within any setbacks or easements. Alice Karlquist issued a Zoning Permit on May 11, 1999 and the pool, patio, fence and equipment were subsequently installed. On June 3, 2015 the Procaccino's entered into a contract to sell their home to the Chiricolos, in the course of the transaction, the Chiricolos had a survey prepared for their purchase. The survey disclosed the existence of an open space easement in the rear yard of the premises and it disclosed that the pool, fence and pool equipment were installed within the easement area. The existence of this open space easement was a complete surprise to the Procaccinos who had no knowledge of the existence of the easement and relied on the two (2) prior surveys in order to obtain the Zoning Permit. A new survey has been prepared with the areas to be swapped, (see attached).

The Engineer has reviewed the attached documents and has rendered an opinion (see attached). The appropriate \$1,500.00 escrow has been paid.

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**FISCAL IMPACT**

None



**LAW OFFICES OF  
VALERIE F. AVRIN  
BETHANY COMMONS  
1 BETHANY ROAD, BLDG. 3, SUITE 45  
HAZLET, NEW JERSEY 07730**

---

N.J. and N.Y. BARS  
Georgia@avrinlaw.com

TELEPHONE (732) 888-1202  
FAX (732) 888-9295

October 5, 2015

Holmdel Township Committee  
4 Crawfords Corner Rd.  
Holmdel, NJ 07733

Re: 6 Red Coach Lane, Holmdel

Dear Committee Members:

I am the attorney representing Joanne and Alphonse Procaccino.

My clients purchased 6 Red Coach Lane on August 1, 2005. At the time of their purchase, they were provided with a survey of the property done for the prior owners dated November 19, 1986. This survey showed a drainage easement in the front yard of the property and a 25 foot drainage easement in the rear yard of the premises. (Attached as Schedule A)

My clients had a second survey performed for them as is routinely done in connection with the purchase of real property. That survey dated March 22, 1994, showed the existence of a drainage easement in the front yard and a 25 foot drainage easement along the property line in the rear yard just as the prior survey did. (Attached as Schedule B)

Relying on those surveys, which are attached, my clients applied for a permit to install a 65' X 43' in ground swimming pool, pool equipment, pool patio and fence. As per the survey, all proposed items were within the allowed area and did not encroach within setback areas or within the existing drainage easements. As a result, a zoning permit was issued by Alice Karlquist, Holmdel Zoning Officer. The pool, patio, fence and equipment were subsequently installed.

On June 3, 2015, the Procaccino's entered into a contract to sell their home to Geraldo & Heather Chiricolo.

In the course of this transaction, the Chiricolo's had a land survey performed for their purchase. This survey disclosed the existence of an open space easement in the rear yard of the premises. As the latest survey demonstrated, the swimming pool, the fence and pool equipment were installed in the open space easement area. The existence of this easement was a complete surprise to the Procaccino's, who had no knowledge of the existence of this easement and relied on the two prior land surveys and the granting of their zoning permit for these items.

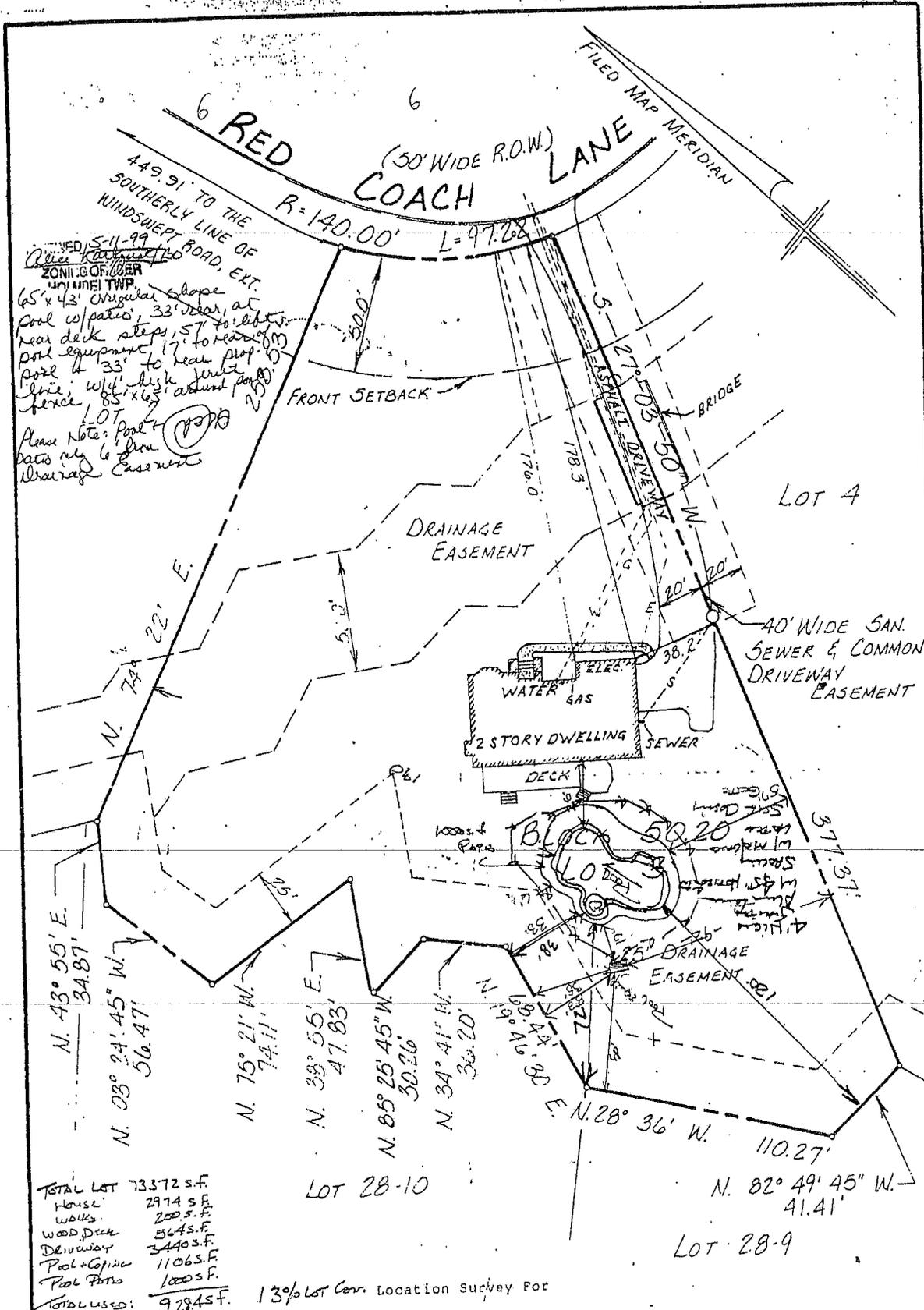
As per the terms of their contractual agreement with the Chiricolo's, the Procaccino's agreed to bring this matter before the Township Committee to seek a resolution to the encroachment. The Procaccino's are proposing that the open space easement on the premises be relocated from the rear yard to the front yard to correct for the zoning approval error. This will allow the municipal's intent of preserving open space to be met, while allowing the Procaccino's to deliver title to the property free from the zoning error. A proposed survey demonstrating the proposed new easement area is also attached.

Very Truly Yours,



Valerie F. Avrin

Enclosures



5-11-99  
 ZONING BOARD  
 65' x 43' original slope  
 pool w/ patio, 33' rear, at  
 rear deck steps, 57' to edge  
 pool equipment 17' to rear  
 pool 4' 33' to rear prop.  
 fence, w/ high white  
 fence 85' x 62' around pool  
 Please Note: pool  
 data may be from  
 drainage easement

TOTAL LOT	73372 S.F.
House	2974 S.F.
Walls	200 S.F.
WOOD DECK	5645 S.F.
Driveway	3440 S.F.
Pool + Gravel	11065 S.F.
Pool Patio	1000 S.F.
TOTAL USED:	92845 S.F.

13% Lot Conv. Location Survey For  
 DENNIS F. & MARYELLEN L. ADAMS

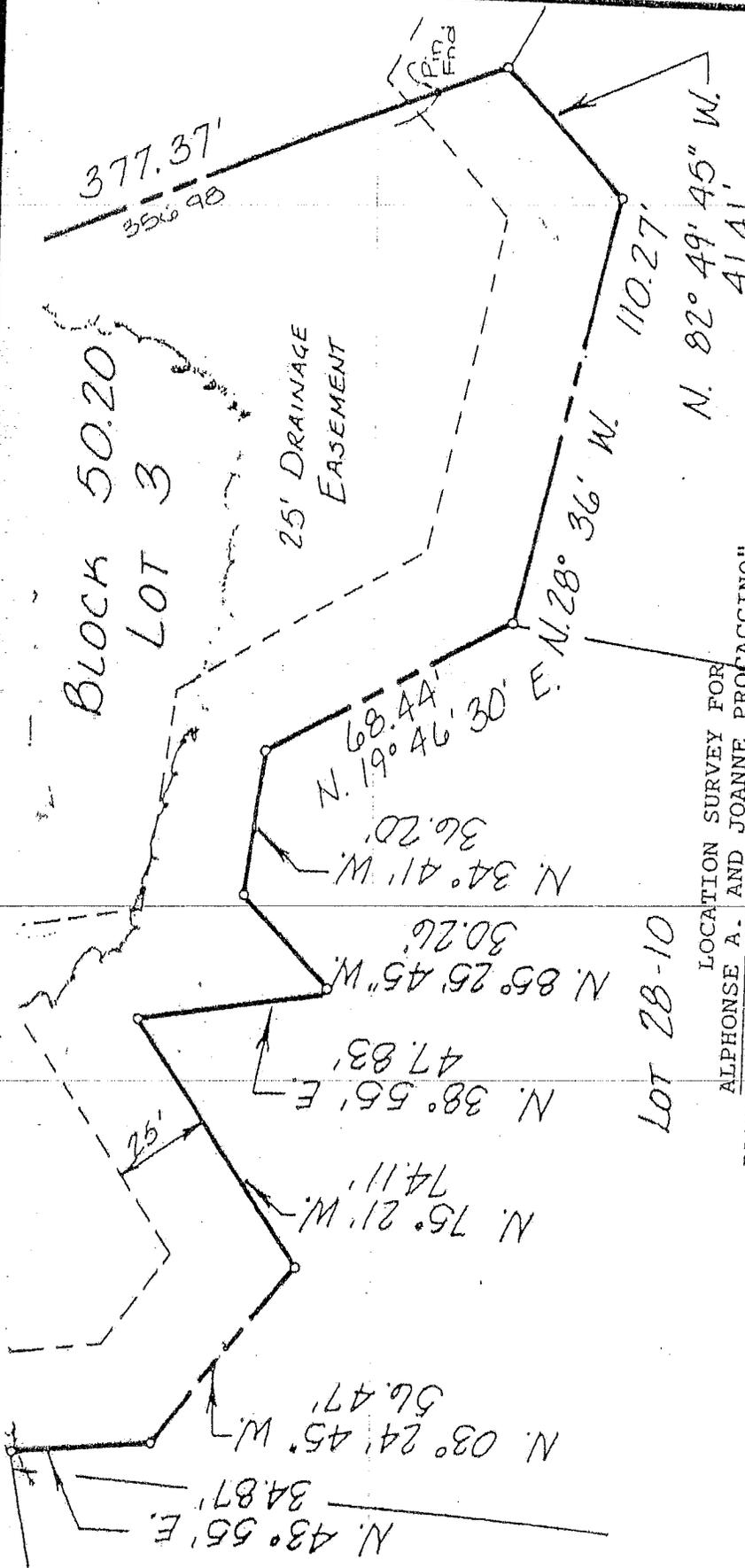
Being Lot 3 Block 50.20 as shown on the map of "Windswept Development Corp. Sect. II",  
 Holmdel Township, Monmouth County, New Jersey. Filed in the county clerk's office  
 24 October 1985, Case 203-31.

I hereby certify to the above owners, Trans-County Title Agency, National State Bank  
 that this survey has been accurately prepared with the best of my information, knowledge,  
 and belief. No apparent encroachments exist except as shown here on.

SCALE: 1"=40'

RICHARD E. STOCKTON & ASSOCIATES, INC.  
 Professional Land Surveyors  
 P. O. Box 124, Atlantic Highlands, N. J.  
 N. J. License 151C2

732-272-2827 TRACY  
 DATE: 19 Nov. 1986



LOCATION SURVEY FOR  
ALPHONSE A. AND JOANNE PROCACCINO  
PREMISES KNOWN AS NUMBER 6 "RED COACH LANE" LOT 28-9

Being known as Lot 3 Block 50.20 as shown on the map of "Windswept Development Corp." Section II, Holmdel Township, Monmouth County, New Jersey, Filed in the Monmouth County Clerk's Office October 24, 1985, Case 203-31

This is to certify to the above named purchasers (Alphonse A. & Joanne Procaccino) "Mortgage City, Inc." its successors and/or assigns as their interest may appear (As Mortgagee for the above named purchasers only) "Select Title Agency, Inc." /Commonwealth Land Title Insurance Company", Richard Silverlieb, Esq. that this map, or plat and Land Title surveys" jointly established and adopted by ALTA and ACSM in 1993 and pursuant to the accuracy standards in effect on the date of this certification of an Suburban Survey.

Scale 1" = 40 feet

RICHARD E. STOCKTON & ASSOCIATES, INC.  
Surveying, Mapping \* Land Planning \*  
426 Highway Route 36, Highlands, N.J. 07732

*Richard E. Stockton*  
RICHARD E. STOCKTON  
Professional Land Surveyor  
New Jersey License No. 15102

March 22, 1994  
Dwg. B-205d

HOLMDEL TOWNSHIP ZONING PERMIT

No: 99-233 Issued: 05-11-99

BLOCK: 50.20

LOT: 3

ZONING DISTRICT: R40 A

DATE OF APPLICATION: 05-04-99

OWNER: JOANNE PROCACCINO

ADDRESS: 6 RED COACH LANE

HOLMDEL, NJ 07733

TELEPHONE NO: 732-888-4994

LOCATION:

This is to certify that the above described premises, together with any building thereon, are used or proposed to be used as or for:

65' X 43' IRREGULAR SHAPE POOL W/PATIO, 33' TO REAR PROPERTY LINE, AT REAR DECK STEPS, 57' TO LEFT PROPERTY LINE; POOL EQUIPMENT 17' TO REAR OF POOL & 33' TO REAR PROPERTY LINE; W/4' HIGH JERITH FENCE 85' X 65' AROUND POOL.

PLEASE NOTE: POOL & PATIO ONLY 6' FROM DRAINAGE EASEMENT.

Which is a:

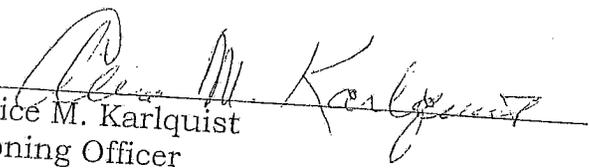
(X) Use permitted by Ordinance.

( ) Use permitted by variance approved on

subject to any special conditions attached to the grant thereof.

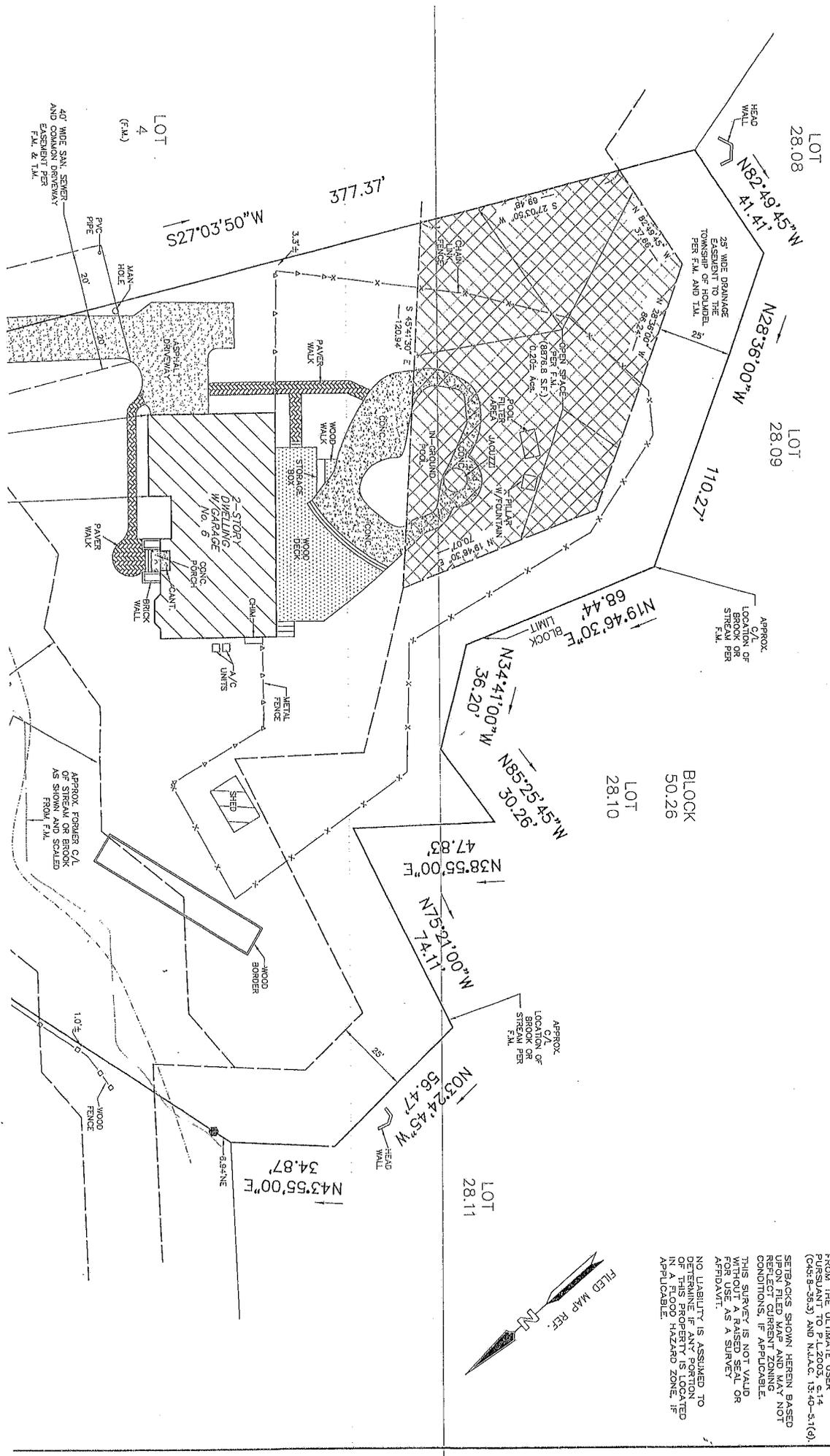
( ) Valid non-conforming use as established by ( ) finding of the Zoning Board of Adjustment, or ( ) by the undersigned zoning officer on the basis of evidence supplied by applicant as specified on the reverse hereof. Also specified on the reverse hereof is a detailed statement of all aspects of the non-conforming use, or ( ) other

( ) There is a non-conforming structure on the premises by reason of insufficient ( ) setback, ( ) side yard, ( ) rear yard, ( ) other (specify).

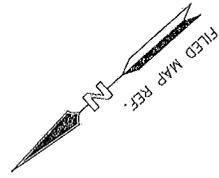
  
Alice M. Karlquist  
Zoning Officer

APT WAS MADE OR LIABILITY IS ASSUMED  
 NAME IF ANY PORTION OF THIS PROPERTY IS  
 IDENTALLY SENSITIVE AREAS ARE NOT LOCATED  
 SURVEY.

THIS SURVEY IS NOT  
 FOR CONSTRUCTION PURPOSES!



THIS SURVEY IS SUBJECT TO  
 CONDITIONS WHICH AN ACCURATE  
 TITLE SEARCH MIGHT DISCLOSE.  
 PROPERTY CORNERS TO BE SET  
 UNLESS A WRITTEN WAIVER AND  
 DIRECTION NOT TO SET CORNER  
 MARKERS HAS BEEN OBTAINED  
 PURSUANT TO P.L.2003, S.14  
 (CHS-B-35.3) AND N.J.A.C. 13:40-5.1(6).  
 SETBACKS SHOWN HEREIN BASED  
 UPON FILED MAP AND MAY NOT  
 REFLECT CURRENT ZONING  
 CONDITIONS, IF APPLICABLE.  
 THIS SURVEY IS NOT VALID  
 WITHOUT A RAISED SEAL OR  
 AFFIDAVIT.  
 NO LIABILITY IS ASSUMED TO  
 DETERMINE IF ANY PORTION  
 OF THIS PROPERTY IS LOCATED  
 IN A FLOOD HAZARD ZONE, IF  
 APPLICABLE.



BLOCK  
 50.26  
 LOT  
 28.10

LOT  
 28.11

LOT  
 4  
 (F.M.)

**GUNNING & SCALA P.C.**

828 Gilmores Island Road  
Toms River, New Jersey 08753  
732-270-4201  
Fax 732-270-2350  
[gscalaesq@gmail.com](mailto:gscalaesq@gmail.com)

Township Committee  
4 Crawford Corners Road  
Holmdel New Jersey 07733

October 6, 2015

Re: 6 Red Coach Lane  
Holmdel, NJ

Dear Sirs/Madams:

I represent the owners of 6 Red Coach Lane, Gerardo and Heather Chiricolo. Drs. Chiricolo closed on the purchase on August 14th, 2015.

The prior owners, Alphonse and Joanne Procaccino, installed a pool approximately 8 years ago. They applied for and received both a permit and subsequently a CO from the town. When a survey was performed by the Chiricolos during the purchase process it was discovered, unbeknownst to either the Procaccinos or the Chiricolos that the a portion of the pool was built in an "Open Space" area on the property (See attached survey).

As the part of the transaction, the Procaccinos are making an application for relief from this situation. The Chiricolos ask, in support of said application, that the Committee provide the requested relief.

The request for relief is that the pool be allowed to stay in its location and the "Open Space" area be placed in a different part of the property. Enlarging the open space where it exists now to accommodate the area which is now pool or pool area won't work as there is a drainage easement which runs the entire back edge of the property.

In the alternative, it is requested that new "Open Space" area on the property be swapped for the existing area. One possible swap is depicted on the second survey attached. The area in front of the property is approximately the same size as the current open area space.

The Chiricolos hope for a quick resolution to this issue and are available for any further input required.

Sincerely,

Gerard P. Scala, Esq  
CC: Clients

D E E D

This Deed is made on April 11, 1994,

BETWEEN

DENNIS ADAMS and MARYELLEN ADAMS, h/w

whose address is 6 Red Coach Lane, Holmdel, New Jersey 07733

referred to as the Grantor,

AND

ALPHONSE A. PROCACCINO, JR., and JOANNE PROCACCINO, h/w

whose address is 3 Ridge Hill Way, Holmdel, New Jersey 07733,

referred to as the Grantee. The words "Grantor" and "Grantee" shall mean all Grantors and all Grantees listed above.

Transfer of Ownership. The Grantor grants and conveys (transfers ownership of) the property described below to the Grantee. This transfer is made for the sum of SIX HUNDRED FIFTY TWO THOUSAND FIVE HUNDRED DOLLARS (\$652,500.00)----- The Grantor acknowledges receipt of this money.

Tax Map Reference. (N.J.S.A. 6:15-2.1) Municipality of HOLMDEL

Block No. 50.20, Lot No. 3

Property. The property consists of the land and all the buildings and structures on the land in the TOWNSHIP of HOLMDEL, County of MONMOUTH and State of New Jersey. The legal description is:

SEE ATTACHED DESCRIPTION

BEING the same premises conveyed to grantors herein by deed from Country Hills, Inc. dated December 16, 1986 and recorded on December 24, 1986 in Deed Book 4719 at Page 0194 of the Monmouth County Clerk's Office.

Subject to all restrictions and easements of record including but not limited to, the common driveway easement as shown on Map Case No. 203-31 in the Monmouth County Clerk's Office.

COUNTY OF MONMOUTH
CONSIDERATION 652,500
RTF 4983.25 add'l RTF 753.25
DATE 4/13/94 BY [Signature]

*JA*  
*MA*

Not Certified Copy

This Document was prepared by:

*Mark Goldstein*  
MARK GOLDSTEIN, Esq.

DB5303-0405

BEING known and designated as Lot 3 in Block 50.20 as shown  
"Final Map Section II Windswept Development Corp., Windswept Road,  
Holmdel Township, Monmouth County, New Jersey" duly filed in the  
office of the Clerk of Monmouth County on October 24, 1985 Case No.  
203-31.

Being more particularly described in accordance with a survey  
prepared by Richard E. Stockton & Associates, Inc., dated March 22,  
1994.

BEGINNING at a point on the southwesterly sideline of Red Coach  
Lane, distant 449.91 feet southerly along various courses from the  
southerly sideline of Windswept Road, if extended; and running  
thence

- 1) along the southwesterly sideline of Red Coach Lane, on a curve  
to the left having a radius of 140.00 feet and an arc length of  
97.22 feet to a point; thence
- 2) leaving said sideline of Red Coach Lane, South 27 degrees 03  
minutes 50 seconds West, a distance of 37.97 feet to a point;  
thence
- 3) North 82 degrees 49 minutes 45 seconds West, a distance of  
41.41 feet to a point; thence
- 4) North 28 degrees 36 minutes West, a distance of 110.27 feet to  
a point; thence
- 5) North 19 degrees 46 minutes 30 seconds East, a distance of  
68.44 feet to a point; thence
- 6) North 34 degrees 41 minutes West, a distance of 36.20 feet to  
a point; thence
- 7) North 85 degrees 25 minutes 45 seconds West, a distance of  
30.26 feet to a point; thence
- 8) North 38 degrees 55 minutes East, a distance of 47.83 feet to  
a point; thence
- 9) North 45 degrees 21 minutes West, a distance of 74.11 feet to  
a point; thence
- 10) North 03 degrees 24 minutes 45 seconds West, a distance of  
56.47 feet to a point; thence
- 11) North 43 degrees 55 minutes East, a distance of 34.87 feet to  
a point; thence
- 12) North 74 degrees 22 minutes East, a distance of 258.53 feet to  
a point on the southwesterly sideline of Red Coach Lane and  
the point and place of BEGINNING.

For informational purposes only, the above described premises are  
further known and designated as Tax Lot 3 in Block 50.20, as shown  
on the current tax map of the Township of Holmdel.

DB5303-0406

Not Certified Copy

209412

RECORDED  
APR 13 1994 1:50 PM  
MONMOUTH COUNTY CLERK  
JANE G. CLAYTON

Promises by Grantor. The Grantor promises that the Grantor has done no act to encumber the property. This promise is called a "covenant as to grantor's acts" (N.J.S.A.46:4-6). This promise means that the Grantor has not allowed anyone else to obtain any legal rights which affect the property (such as by making a mortgage or allowing a judgment to be entered against the Grantor).

Signatures. The Grantor signs this Deed as of the date at the top of the first page.

Witnessed or Attested by:

*Mark Goldstein*

DENNIS ADAMS

*Mary Ellen Adams*

MARIELLEN ADAMS

STATE OF NEW JERSEY, COUNTY OF MIDDLESEX SS:

I CERTIFY that on April 11th, 1994, Dennis Adams & Mary Ellen Adams, personally came before me and acknowledged under oath, to my satisfaction, that this person (or if more than one, each person):

- (a) is named in and personally signed this Deed;
- (b) signed, sealed and delivered this Deed as his or her act and deed; and
- (c) made this Deed for \$652,500.00 as the full and actual consideration paid or to be paid for the transfer of title. (such consideration is defined in N.J.S.A. 46:15-5.)

*Mark Goldstein*  
Mark Goldstein, Esq.  
Attorney at Law, State of NJ.

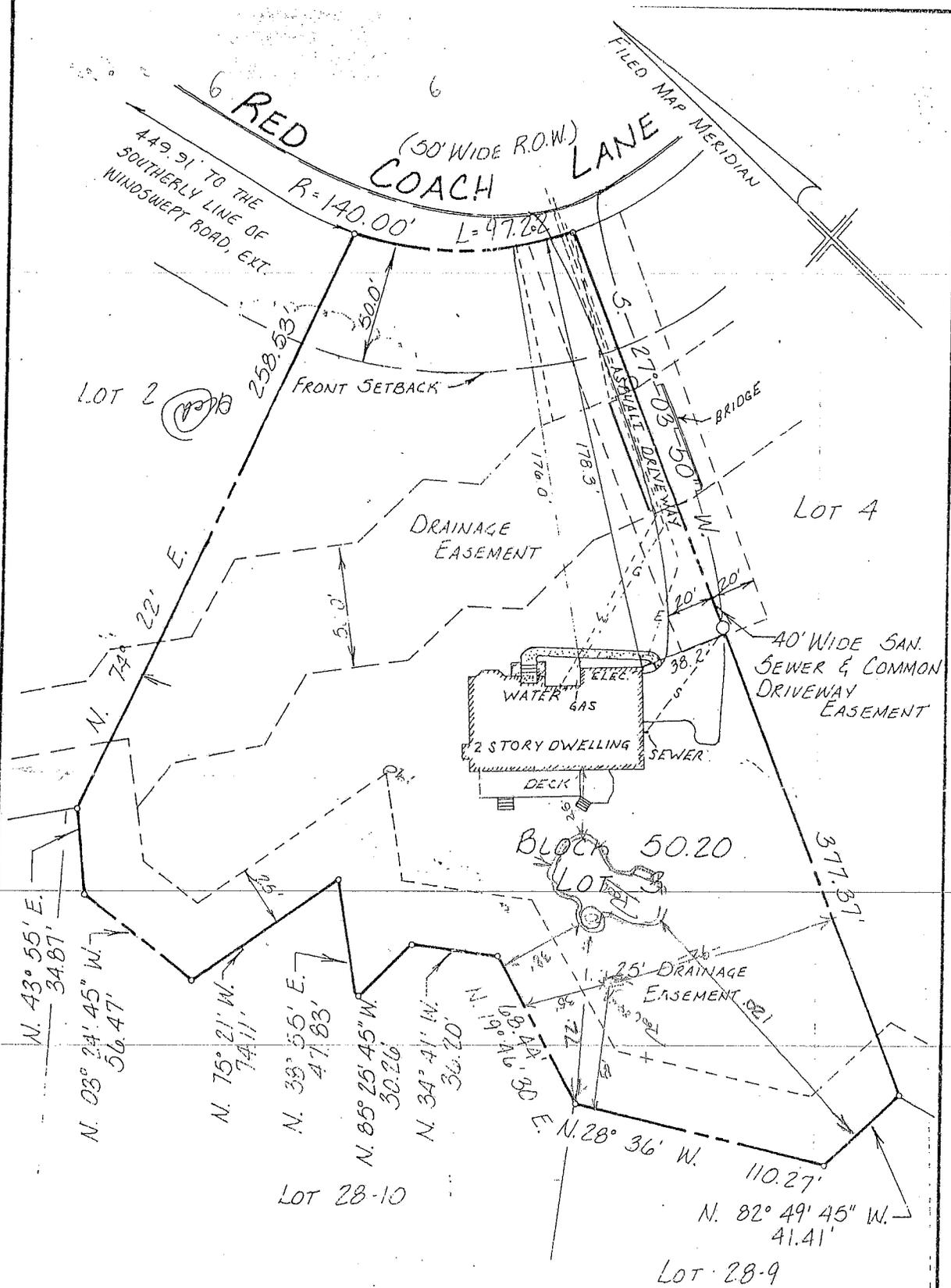
RECORD AND RETURN TO:

Richard R. Silverlieb, Esq.  
70 South Orange Avenue  
Livingston, NJ 07039

PA 22  
RTF PA 3037.50

END OF DOCUMENT

085303-0407



Location Survey For

DENNIS F. & MARYELLEN L. ADAMS

Being Lot 3 Block 50.20 as shown on the map of "Windswept Development Corp. Sect. II", Holmdel Township, Monmouth County, New Jersey. Filed in the county clerk's office 24 October 1985, Case 203-31.

I hereby certify to the above owners, Trans-County Title Agency, National State Bank that this survey has been accurately prepared with the best of my information, knowledge, and belief. No apparent encroachments exist except as shown here on.

SCALE: 1"=40'

*Richard E. Stockton*  
 RICHARD E. STOCKTON & ASSOCIATES, INC.  
 Professional Land Surveyors

DATE: 19 Nov. 1986

P. O. Box 124, Atlantic Highlands, N. J.  
 N. J. License 151C2

JOB: 1916 WW-402

DWG: B-205c





YOUR GOALS. OUR MISSION.

HOLM-G1601

August 25, 2016

Loni Lucina, Code Enforcement Officer  
Township of Holmdel  
4 Crawfords Corner Road  
Holmdel, NJ 07733

**Re: 6 Red Coach Lane  
Block 50.20; Lot 3  
Third Open Space Swap Review**

Dear Ms. Lucina:

As requested, we have reviewed the submitted documents for the above referenced project. Submitted is as follows:

- Plan of Survey prepared by Robert W. Smith, Jr., P.L.S. of Seneca Survey Co., Inc., dated August 8, 2015, revised through April 29, 2016.
- Revised Portion of Open Space Area prepared by Seneca Survey Company, Inc., dated August 18, 2016, consisting of two (2) sheets.
- ~~Northeast Relocation of a Portion of a Proposed Open Space Area prepared by Seneca Survey Company, Inc., dated August 18, 2016, consisting of two (2) sheets.~~
- Northwest Relocation of a Portion of a Proposed Open Space Area prepared by Seneca Survey Company, Inc., dated August 18, 2016, consisting of two (2) sheets.

The previous owners obtained a permit on May 11, 1999 to construct an in-ground pool with associated pool equipment, fence and patio. It is our understanding that the construction of the pool and associated structures was completed approximately 8 years ago. Subsequently, the previous owner constructed part of the pool and patio, Jacuzzi, pool filter, fence and fountain.

The site consists of 1.68 acre and is located on the southwest side of Red Coach Lane. The rear of the property contains wetlands and a stream and these is an existing tributary of East Creek that runs across the front yard.

The current owner is requesting approval for an open space land swap for portions of the existing open space that occupies the south corner of the tract of land consisting of 3,679.93 square feet for an 1,391.24 square foot portion of the area between the north lot line and the 50 foot wide drainage easement and for an 2,288.69 square foot portion of the area between the 25 wide drainage easement, 50 wide drainage easement and the north lot line for a total of 3,679.93 square feet area. Based on our review we offer the following comments:



**Le:** Loni Lucina, Code Enforcement Officer  
Holmdel Township

HOLM-G1601  
August 25, 2016  
Page 2

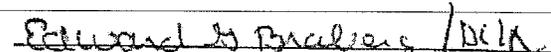
**Re:** 6 Red Coach Lane  
Block 50.20; Lot 3  
Third Open Space Swap Review

1. The applicant must submit the deed of easement for each proposed portion of open space to the Attorney's Office and our office for review and approval prior to recording in the Monmouth County Clerk's office. Please note we have reviewed the 3 metes and bounds descriptions submitted on August 19, 2016 and find them to be acceptable from an engineer's standpoint.
2. Although Section 30-58.f of the Development Regulation requires as a condition of any easement swap that concrete monuments be installed along the proposed new easement limits at each change of direction and no further than 250 feet apart. The ordinance further recommends that the easement markers and wood posts easement be installed as required by Section 30-58.h of the Development Regulation. Since the development predates these ordinance requirements I have no objection to the Governing Body granting relief for same from an engineering standpoint.

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

Very truly yours,

---

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

EGB:BLH:EST:dk

cc: Donna Vieira, Township Administrator  
Victor Stevens, Director of Infrastructure  
Toni Whalen, Township Attorney's Office

**SENECA SURVEY COMPANY, INC.**  
*Surveyors and Planners*

1470 Route 88 West  
Brick, NJ 08724



(732) 840-8040  
senecaco@comcast.net

Project No. 16-15-58308(1)

REVISED PORTION OF OPEN SPACE AREA

All that certain lot, tract, or parcel of land and premises, situate, lying and being in the Township of Holmdel, County of Monmouth and State of New Jersey, more particularly described as follows:

Beginning at a point in the division line of Lots 3 and 4 in Block 50.20 as shown on a filed map hereinafter mentioned, said point being distant the following two courses from the southeasterly terminus of a curve connecting the southeasterly line of Windswept Road, (60 feet wide), to the southwesterly line of Red Coach Lane and running; thence

A. Southeastwardly its various courses along the southwesterly line of Red Coach Lane 389.00 feet to a point therein; thence

B. Along said division line of Lots 3 and 4, South 27 degrees 03 minutes 50 seconds West, 281.30 feet to a point therein and from said Beginning Point running; thence

1. Along the division line of Part of Lots 3 and 4, South 27 degrees 03 minutes 50 seconds West, 69.48 feet to a point therein; thence

2. Running through Lot 3, North 82 degrees 49 minutes 45 seconds West, 37.66 feet to a point; thence

3. North 28 degrees 36 minutes 00 seconds West, 86.24 feet to a point; thence

4. North 19 degrees 46 minutes 30 seconds East, 21.13 feet to a point; thence

5. South 39 degrees 50 minutes 32 seconds East 45.65 feet to a point; thence

6. South 89 degrees 34 minutes 23 seconds East, 45.03 feet to a point; thence

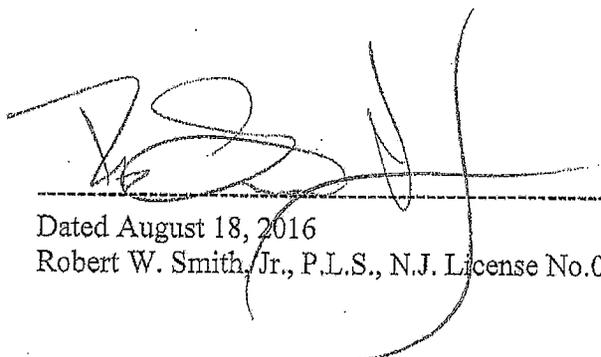
7. North 48 degrees 04 minutes 07 seconds East, 18.00 feet to a point; thence

8. South 45 degrees 41 minutes 30 seconds East, 21.58 feet to a point in the easterly line of Lot 3 and in the division line of Lots 3 and 4, said point being the Point and Place of Beginning.

Being known and designated as a portion of the open space area in Lot 3 in Block 50.20 as shown on a certain map entitled, "Final Plat Map Of Section II, Lands Known As Windswept Development Corp., Windswept Road, Township Of Holmdel, Monmouth County, New Jersey," and filed in the Monmouth County Clerk's Office on October 24, 1985 in Case number 203, Sheet 31.

Also being known and designated as a portion of Lot(s) 3 in Block 50.20 as shown on the official Tax Maps of the Township of Holmdel, Monmouth County, New Jersey.

The above description was drawn in accordance with a survey prepared by Seneca Survey Company, Inc., Robert W. Smith, Jr., P.L.S., dated August 6, 2015 and revised April 29, 2016.

A handwritten signature in black ink, appearing to be 'RWS', is written over a horizontal dashed line.

Dated August 18, 2016  
Robert W. Smith, Jr., P.L.S., N.J. License No.023934

**SENECA SURVEY COMPANY, INC.**  
*Surveyors and Planners*

1470 Route 88 West  
Brick, NJ 08724



(732) 840-8040

Project No. 16-15-58308(2)

RELOCATION OF A PORTION OF A PROPOSED OPEN SPACE AREA

All that certain lot, tract, or parcel of land and premises, situate, lying and being in the Township of Holmdel, County of Monmouth and State of New Jersey, more particularly described as follows:

Beginning at a point in the division line of Lots 2 and 3 in Block 50.20 as shown on a filed map hereinafter mentioned, said point being distant the following two courses from the southeasterly terminus of a curve connecting the southeasterly line of Windswept Road, (60 feet wide), to the southwesterly line of Red Coach Lane and running; thence

A. Southeastwardly its various courses along the southwesterly line of Red Coach Lane 291.78 feet to a point therein; thence

B. Along said division line of Lots 2 and 3, South 47 degrees 22 minutes 00 seconds West, 112.91 feet a point therein and from said Beginning Point running; thence

1. Running through Lot 3, South 15 degrees 38 minutes 00 seconds East, 52.21 feet to a point; thence

2. North 49 degrees 25 minutes 00 seconds West, 43.77 feet to a point; thence

3. South 79 degrees 39 minutes 00 seconds West, 35.97 feet to a point; thence

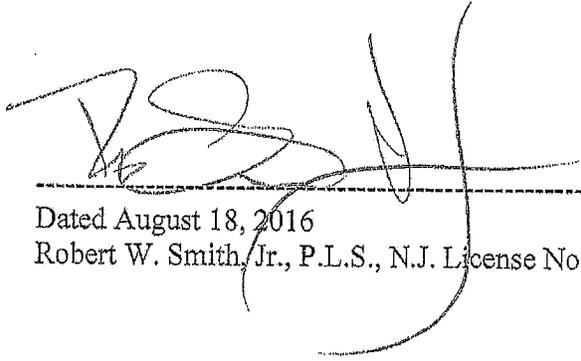
4. North 50 degrees 49 minutes 00 seconds West, 15.32 feet to a point in the northwesterly line of Lot 3 and in the division line of Lots 2 and 3; thence

5. Along the division line of Part of Lot 2 and 3, North 74 degrees 22 minutes 00 seconds East 68.98 feet to a point in the northwesterly line of Lot 2 and in the division line of Lots 2 and 3, said point being the Point and Place of Beginning.

Being known and designated as a relocation of a portion of a proposed open space area in Lot 3 in Block 50.20 as shown on a certain map entitled, "Final Plat Map Of Section II, Lands Known As Windswept Development Corp., Windswept Road, Township Of Holmdel, Monmouth County, New Jersey," and filed in the Monmouth County Clerk's Office on October 24, 1985 in Case number 203, Sheet 31.

Also being known and designated as a portion of Lot(s) 3 in Block 50.20 as shown on the official Tax Maps of the Township of Holmdel, Monmouth County, New Jersey.

The above description was drawn in accordance with a survey prepared by Seneca Survey Company, Inc., Robert W. Smith, Jr., P.L.S., dated August 6, 2015 and revised April 29, 2016.

A handwritten signature in black ink, appearing to read 'RWS', is written over a horizontal dashed line. The signature is stylized and somewhat cursive.

Dated August 18, 2016  
Robert W. Smith, Jr., P.L.S., N.J. License No.023934

# SENECA SURVEY COMPANY, INC.

*Surveyors and Planners*

1470 Route 88 West  
Brick, NJ 08724



(732) 840-8040  
senecaco@comcast.net

Project No. 16-15-58308(3)

## RELOCATION OF A PORTION OF A PROPOSED OPEN SPACE AREA

All that certain lot, tract, or parcel of land and premises, situate, lying and being in the Township of Holmdel, County of Monmouth and State of New Jersey, more particularly described as follows:

Beginning at a point in Lot 2 in Block 50.20 as shown on a filed map hereinafter mentioned, said point being distant the following three courses from the southeasterly terminus of a curve connecting the southeasterly line of Windswept Road, (60 feet wide), to the southwesterly line of Red Coach Lane and running; thence

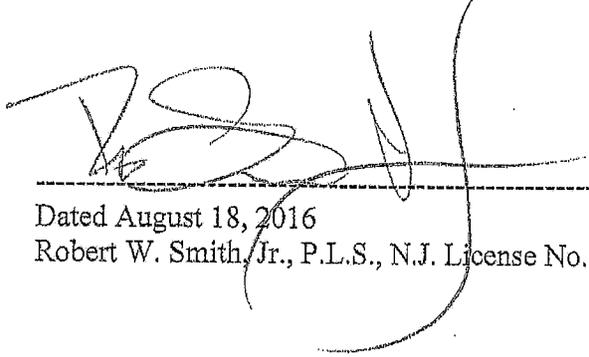
- A. Southeastwardly its various courses along the southwesterly line of Red Coach Lane 291.78 feet to a point therein; thence
- B. Along the division line of Lots 2 and 3, South 47 degrees 22 minutes 00 seconds West, 258.53 feet a point therein; thence
- C. Leaving said division line and running through Lot 2, South 45 degrees 17 minutes 55 seconds East, 25.00 feet to a point in Lot 2 and from said Beginning Point running; thence

- 
- 1. South 89 degrees 42 minutes 00 seconds East, 23.97 feet to a point; thence
  - 2. South 50 degrees 49 minutes 00 seconds East, 15.95 feet to a point; thence
  - 3. South 39 degrees 11 minutes 00 seconds West, 21.33 feet to a point; thence
  - 4. South 18 degrees 21 minutes 26 seconds East, 14.12 feet to a point; thence
  - 5. North 79 degrees 37 minutes 41 seconds East 15.10 feet to a point; thence
  - 6. South 05 degrees 50 minutes 32 seconds West, 21.29 feet to a point; thence
  - 7. North 75 degrees 21 minutes 00 seconds West, 56.54 feet to a point; thence
  - 8. North 03 degrees 24 minutes 45 seconds West, 27.37 feet to a point; thence
  - 9. North 43 degrees 55 minutes 00 seconds East, 23.57 feet to a point, said point being the Point and Place of Beginning.

Being known and designated as a relocation of a portion of a proposed open space area in Lot 3 in Block 50.20 as shown on a certain map entitled, "Final Plat Map Of Section II, Lands Known As Windswept Development Corp., Windswept Road, Township Of Holmdel, Monmouth County, New Jersey," and filed in the Monmouth County Clerk's Office on October 24, 1985 in Case number 203, Sheet 31.

Also being known and designated as a portion of Lot(s) 3 in Block 50.20 as shown on the official Tax Maps of the Township of Holmdel, Monmouth County, New Jersey.

The above description was drawn in accordance with a survey prepared by Seneca Survey Company, Inc., Robert W. Smith, Jr., P.L.S., dated August 6, 2015 and revised April 29, 2016.

A handwritten signature in black ink, appearing to read 'R. Smith, Jr.', is written over a horizontal dashed line. The signature is stylized and somewhat cursive.

Dated August 18, 2016

Robert W. Smith, Jr., P.L.S., N.J. License No.023934