

Township Committee Meeting – May 3, 2016

The Regular Meeting of the Holmdel Township Committee was called to order by Mayor Hinds at 7:00 PM.

Statement read by Mayor:

I hereby announce that pursuant to Section 5 of the Open Public Meetings Act adequate notice of this meeting has been provided in the notice which was sent to the Asbury Park Press, the Courier, the Independent and the Two River Times and posted on the bulletin board in the lobby at Town Hall, and a copy filed in the Township Clerk's Office on January 9, 2016.

Present on Roll Call:

Mayor Eric Hinds
Deputy Mayor Gregory Buontempo
Patrick Impreveduto, Township Committeeman
Thomas Critelli, Township Committeeman

Also Present:

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

Resolution to Close Meeting - Read by Clerk at 7:00 PM.

BE IT RESOLVED that the following portion of this meeting dealing with the following generally described shall not be open to the public:

Attorney Client Privilege

- Water Assessment
- Fire Company Ordinance
- ADP
- JAG

BE IT FURTHER RESOLVED that it is anticipated that matters to be considered in private may be disclosed to the public upon completion of said matters.

Motion was made by Mr. Critelli seconded by Mr. Buontempo to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mayor Hinds; Nays: None; Abstain: None

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The Meeting reconvened at 7:30 PM and Mayor Hinds led the Pledge of Allegiance.

Township Committee Position

Mayor Hinds stated that Joseph Ponisi has submitted his resignation for his Township Committee position and that has been accepted.

Motion was made by Mr. Buontempo seconded by Mr. Impreveduto to nominate Michael Nikolis to fill the unexpired term of Joseph Ponisi. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mayor Hinds; Nays: None; Abstain: None

Deputy Director Freeholder Serena DiMaso administered the Oath of Office to Mr. Nikolis.

Presentations

Paint the Town Pink

Kaylen Harper, Meridian Health, stated that she is proud to celebrate 10 years of Paint the Town Pink. The mission of Paint the Town Pink is to make women aware of the importance of annual mammograms and how early detection can save your life. his program began in Red Bank with only a few businesses involved. Ten years later this Program is in three counties - Monmouth, Ocean, and Middlesex – and over 1500 businesses participate. There is also a ‘Pink Fund’ which helps underprivileged and underinsured women receive their mammogram. This Program will run through the Month of May and Holmdel will become “Pinkdel” with the banner placed on the property at Crawfords Corner Road and Holmdel Road.

Proclaim May 2016 Older American Month

WHEREAS, the month of May is traditionally set aside each year to recognize with gratitude the achievements and contributions of senior citizens; and

WHEREAS, it has been so proclaimed by the President of the United States, and by the Governor of the State of New Jersey; and

WHEREAS, life expectancy has increased and more than 47 million Americans are 60 years of age or older; and

WHEREAS, older people are living longer and staying healthier and more active much later in life; and

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WHEREAS, OLDER AMERICANS MONTH is an excellent time to focus attention on the experiences of older Americans and on the efforts of those who have worked to preserve the security, health and independence of our nation's elders, including individuals and organizations who have joined with the aging network in collective efforts to enhance vital services for at risk elderly in their community.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby proclaims the month of May 2016 as

“OLDER AMERICANS MONTH”

BE IT FURTHER RESOLVED that the Township Committee of the Township of Holmdel urges all Monmouth County residents to honor senior citizens and their significant contributions to society.

Chief Financial Officer

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

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

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

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

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

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

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

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

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

Motion was made by Mayor Hinds seconded by Mr. Buontempo to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis, Mr. Impreveduto

Clerk

Consent Agenda

Bills Payable

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

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

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

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Resolution Refunding Tax Overpayment for Block 11 Lot 72.13

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

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

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

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

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

Resolution Refunding Tax and Sewer Payments for Block 58 Lot 53.01 CN 027

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

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

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

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

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

Katelyn E. Lynch

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to approve Katelyn E. Lynch as a Holmdel Firefighter. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

Resolution Awarding Contract for New Cab/Chassis with Body & Accessories to Beyer Ford in the Amount of \$67,676

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

WHEREAS, the following bids were received:

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

And

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

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

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

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

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

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

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Resolution Denying Release of Performance Bond Posted for Cornerstone Power Holmdel, LLC

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

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

Resolution Approving Change Order No. 2 for the 2015 Capital Improvement Program

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

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

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

WHEREAS, the funding is available for this purpose.

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

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

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

Resolution Appointing Harry Haushalter as Conflict Tax Assessor Attorney

WHEREAS, there exists a need for Conflict Tax Assessor Attorney Services; and

WHEREAS, funds are available for these purposes, and,

WHEREAS, the Local Public Contracts Law (NJSA 40A:11-1 et. seq.) requires that a notice of the resolution awarding contracts for professional services without competitive bids must be publicly advertised.

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NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Mayor and Clerk are hereby authorized and directed to execute an agreement with Henry Haushalter.

BE IT FURTHER RESOLVED that this contract is awarded without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because the person hereby appointed is licensed Conflict Tax Assessor Attorney a recognized profession licensed and regulated by law, and the rates for the professional services will be and will be approved upon acceptance by the Mayor and Township Committee, and,

BE IT FURTHER RESOLVED that notice of the adoption of this resolution shall be published in the Asbury Park Press as required by law within 10 days of its passage.

Motion was made by Mr. Impeveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impeveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

Resolution Releasing Performance for Leslie and Cliff Sneyers

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

Motion was made by Mr. Impeveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impeveduto, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None

Introduction of Ordinances

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

Motion was made by Mr. Impeveduto seconded by Mr. Critelli to adopt on first reading, publish in the Asbury Park Press and set public hearing for May 17, 2016. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impeveduto, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis

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Hearings on Ordinances

TOWNSHIP OF HOLMDEL

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

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

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

I

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

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

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

II

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

III

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

LEGAL NOTICE

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

Eric Hinds, Mayor

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

0001217054-01

The Township Clerk announced that this Ordinance was published in the Asbury Park Press, posted on the bulletin board in Town Hall and copies have been made available through the Clerk's office and on the table in the rear of the room.

Mayor Hinds opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Motion was made by Mr. Buontempo seconded by Mr. Critelli to adopt Ordinance 2016-05 on final reading and publish in the Asbury Park Press according to law. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis

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HOLMDEL TOWNSHIP

NOTICE OF PENDING BOND ORDINANCE AND SUMMARY

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

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

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

SCHEDULE OF IMPROVEMENTS, PURPOSES AND AMOUNTS

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

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

B. Undertaking of various improvements to parks.

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

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

Various Departments, Offices and Agencies
computer and telecommunications equipment

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

Fire Department
turnout gear
helmets and boots
computers and related equipment

Construction Code Office
SUVs

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

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

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

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

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

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

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

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

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

The Township Clerk announced that this Ordinance was published in the Asbury Park Press, posted on the bulletin board in Town Hall and copies have been made available through the Clerk's office and on the table in the rear of the room.

Mayor Hinds opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Motion was made by Mr. Critelli seconded by Mr. Impreveduto to adopt Ordinance 2016-06 on final reading and publish in the Asbury Park Press according to law. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis

Township Committee Meeting – May 3, 2016

TOWNSHIP OF HOLMDEL

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

a. AD-IN Sport Foundation, Inc.

b. Robert F. Muñoz, Esq., Holmdel Township Attorney.

c. Donna Vieiro, Township Administrator

LEGAL NOTICE

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

Eric Hinds, Mayor

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

0001212066.01

The Township Clerk announced that this Ordinance was published in the Asbury Park Press, posted on the bulletin board in Town Hall and copies have been made available through the Clerk's office and on the table in the rear of the room.

Mayor Hinds opened the Public Hearing. No one wished to be heard and the Public Hearing was closed.

Motion was made by Mr. Critelli seconded by Mr. Imprevuto to adopt on Ordinance 2016-07 final reading and publish in the Asbury Park Press according to law. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Imprevuto, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis

Professionals

Attorney

Resolution Authorizing Execution of JAG Consent Order

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

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

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

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adopt the above resolution. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis

Engineer

Execution of the Agreement for the Monmouth County Open Space Grant Program – Cross Farm Park Improvements

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

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Motion was made by Mr. Impreveduto seconded by Mr. Critelli to authorize the Mayor to execute the Agreement for the Monmouth County Open Space Grant Program Cross Farm Improvements. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis

Advertisement of Sanitary Sewer Phase I Improvements

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

Mr. Broberg stated that the year one improvements will be 2 construction contracts to seal leaks in the sewer system and replace deficient pipes.

Motion was made by seconded by Mayor Hinds seconded by Mr. Impreveduto to authorize Mr. Broberg to Go to Bid for the Sanitary Sewer Phase I Improvements. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Impreveduto, Mayor Hinds; Nays: None; Abstain: Mr. Nikolis

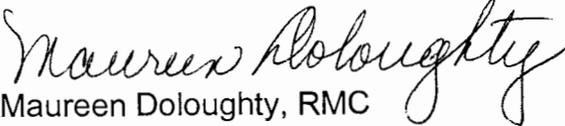
Public Portion – Agenda and Non-Agenda Items

Mayor Hinds opened the Public Portion. No one wished to be heard and the Public Portion was closed.

Adjournment

Motion was made by Mr. Impreveduto seconded by Mr. Critelli to adjourn the meeting at 7:58 PM. Carried by unanimous voice vote.

Respectfully submitted,


Maureen Dolougherty, RMC
Township Clerk

