

Township Committee Meeting – June 9, 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
Thomas Critelli, Township Committeeman
Michael Nikolis, Township Committeeman

Absent

Patrick Impoveduto, Township Committeeman

Also Present:

Jeanette Larrison, Chief Financial Officer
Edward G. Broberg, Township Engineer
Robert F. Munoz, Township Attorney
Maureen Doloughy, 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:

- Palmer Avenue

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

Amend Consent Agenda

Motion was made by Mayor Hinds seconded by Mr. Critelli to amend the Consent Agenda to include the appointment of an Alternate Prosecutor. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Imprevduto

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 June 2, 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	\$ 1,887.96
FUND DISTRIBUTION	6-01	CURRENT FUND	\$ 345,406.95
FUND DISTRIBUTION	6-07	SWR	\$ 29,514.09
FUND DISTRIBUTION	6-12		\$ 176.43
FUND DISTRIBUTION	6-26	SWM	\$ 14,037.82
		Year Total:	\$ 389,135.29
FUND DISTRIBUTION	C-04	ORD	\$ 406,105.33
FUND DISTRIBUTION	D-02	DOG TRUST	\$ 142.50
FUND DISTRIBUTION	G-02	ST/FED GRANT	\$ 636.00
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$ 1,855.59
FUND DISTRIBUTION	T-24	FAIR HOUSING	\$ 9,433.42
		Year Total:	\$ 11,289.01
		Total Of All Funds:	\$ 809,196.09
		Total of all Projects:	\$ 58,324.07

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

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 June 6, 2016 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

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FUND DISTRIBUTION	6-01	CURRENT FUND	\$	78.00
Total of All Funds:			\$	78.00

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

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 June 3, 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	\$	8,468.79
Total of All Funds:			\$	8,468.79

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

Purchases over \$3,500

Motion was made by Mr. Critelli seconded by Mayor Hinds to approve the following purchases over \$3500:

- Freehold Ford – Engine for Truck #12 \$5,225.006

Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

Resolution Approving Lawn Maintenance Lien for 18 Candelight Drive

WHEREAS, the Revised General Ordinances of the Township of Holmdel contain a section, Chapter XI, which outlines the requirements for Property Maintenance; and

WHEREAS, the purpose of Chapter XI is to protect the health, safety, and welfare, and preserve property values by establishing minimum standards governing the maintenance, appearance, and condition of residential and non residential properties; and

WHEREAS, Holmdel Township's Property Maintenance Code Section 11-2.1 states *"Except as otherwise provided by subsection 11-1.5c, it shall be the duty of the owner, tenant or person in possession of any dwelling or lands in the Township, except for dedicated conservation easements, to keep the lands free of brush, weeds, grass of six (6) inches or higher, heavily matted cut grass, dead and dying trees, stumps, roots, obnoxious growths, filth, garbage, litter, trash and debris, and any solid waste stored in such a way that is accessible to and likely to be strewn about by animals such as but not limited to dogs, cats, raccoons, birds or rodents, where the same are inimical to the*

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preservation of public health, safety and general welfare of the Township, or which may constitute a fire hazard.”; and

WHEREAS, the property has been abandoned since 2009, is in foreclosure, the owner has left the country and the Mortgage Service Company has not responded to the requests to maintain the property; and

WHEREAS, the Township of Holmdel previously placed a lien upon the property in June 2009, 2013, 2014, and 2015 in the amount of \$2,401.60; and

WHEREAS, the Township awarded a contract to Clintar New Jersey on June 13, 2013 for property clean up for cleanup on an as needed basis; and

WHEREAS, on April 29, 2016 a complaint was received from the neighbors stating that in addition to the grass cutting, 2 dead trees needed to be removed causing the Director of Infrastructure to reach out to Clintar, New Jersey; and

WHEREAS, a quote was received in the amount of \$1,175.00 and the clean-up performed and a notice was sent to Selective Portfolio Servicing, Inc. advising of the additional lean.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Clintar New Jersey be and hereby is authorized to cut the grass at 18 Candelight Drive, Holmdel, NJ.

BE IT FURTHER RESOLVED that an additional lien in the amount of \$1,175.00 will constitute an additional lien on the property for a total lien amount of \$2,401.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Holmdel Township Tax Collector.

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

Seasonal Laborer

Motion was made by Mr. Critelli seconded by Mayor Hinds to approve the Appointment of Anthony Soccia as Seasonal Laborer at a Salary of \$10.00 per hour in the Department of Public Works. . Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Imprevduto

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Resolution Transferring Refunds from New Jersey American Water Company to Residents in the Stillwell Road Area

WHEREAS, Holmdel Township passed Ordinance 13-034 for the construction of a New Jersey American Water lateral in the Stillwell Road area; and,

WHEREAS, New Jersey American Water agreed to reimburse all affected property owners that connected to the main \$6,258.50; and,

WHEREAS, New Jersey American Water's policy is to refund the developer of the construction, which in this case was the Township of Holmdel; and,

WHEREAS, all property owners were given the choice of receiving a cash refund or credit to the resulting Special Assessment; and,

WHEREAS, the following requests were received:

Block	Lot	Address	Refund	Credit
9	14.09Q	74 Stillwell Road	X	
9	14.01Q	78 Stillwell Road	X	
10	15.10	4 Douglas Drive		X

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel, in the County of Monmouth, New Jersey that Chief Financial Officer is hereby authorized to transfer the refunds as requested in the table above.

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

Confidential Aide

Motion was made by Mr. Critelli seconded by Mayor Hinds to approve the Appointment of Valerie Zudonyi to the Position of Confidential Aide in the Police Department Effective January 1, 2016. . Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

Resolution Requesting Approval of Items of Revenue and Appropriation in the Amount of \$50,495.86 for Clean Communities 2016

WHEREAS, NJS 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any special item of revenue in the budget of any county or municipality when such item shall have been made available by law and the amount was not determined at the time of the adoption of the budget; and

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WHEREAS, the Director may also approve the insertion of an item of appropriation for equal amount,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Committee of the Township of Holmdel in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2016 in the sum of \$50,495.86, which is now available from NJ Solid Waste Administration in the amount of \$50,495.86.

BE IT FURTHER RESOLVED, that the like sum of \$50,495.86 is hereby appropriated under the caption Clean Communities 2016; and

BE IT FURTHER RESOLVED that the above is the result of funds from Clean Communities 2016 in the amount of \$50,495.86.

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

Resolution Authorizing Refund of Sewer Overpayment

WHEREAS, Samidheni Raghunandan, previous owner of 3 Wagner Court, paid the 1st qtr sewer bill of \$100.00 on May 7, 2016; and

WHEREAS, she subsequently sold her property and on ay 21, 2016, A Absolute Escrow made payment of \$200.51 for the 1st and 2nd quarter sewer bills;

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 the overpayment of \$100.00 to the previous property.

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

Summer Camp and Swim Club Hires

Motion was made by Mr. Critelli seconded by Mayor Hinds to approve Appointment of Counselors for Summer Camp and Swim Club Hires. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

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Violations Clerk

Motion was made by Mr. Critelli seconded by Mayor Hinds to approve Appointment of Janice Nolan to the Position of Violations Clerk. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

Alternate Prosecutor

Motion was made by Mr. Critelli seconded by Mayor Hinds to approve the appointment of Morgan R. Montano, Esquire as an Alternate Municipal Prosecutor. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

Introduction of Ordinances

AN ORDINANCE AMENDING CHAPTER IV (GENERAL LICENSING), SECTION 4-5 (LICENSING AND REGULATING OF PERSONS ENGAGING IN THE PURCHASE OF PRECIOUS METALS, GEMS AND JEWELRY) SECTION 4-5.6 BOND OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL, MONMOUTH COUNTY, NEW JERSEY. 2016-10

Motion was made by Mr. Critelli seconded by Mr. Buontempo to adopt on first reading, publish in the Asbury Park Press and set Public Hearing for June 21, 2016. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

AN ORDINANCE AMENDING SECTION CHAPTER IV (GENERAL LICENSING), SECTION 4-7 (MOTOR VEHICLE TOWING AND STORAGE), SECTION 4-7.2 DEFINITIONS, SECTION 4-7.4 ESTABLISHMENT AND OPERATION OF TOW LIST, SECTION 4-7.6 STANDARDS AND QUALIFICATIONS (e) MOTOR VEHICLE STORAGE, AND 4-7.7 TOWING AND STORAGE FEES (e) FEE SCHEDULE OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF HOLMDEL, MONMOUTH COUNTY, NEW JERSEY. 2016-11

Motion was made by Mr. Critelli seconded by Mr. Nikolis to adopt on first reading, publish in the Asbury Park Press and set Public Hearing for June 21, 2016. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

Hearings on Ordinances

AN ORDINANCE OF THE TOWNSHIP OF HOLMDEL APPROVING A FINANCIAL AGREEMENT FOR A LONG TERM TAX EXEMPTION WITH THE REDEVELOPER OF BLOCK 11, LOTS 38.04 AND 38.06, PURSUANT TO THE LONG TERM TAX EXEMPTION LAW (N.J.S.A. 40A:20-1 ET SEQ.) 2016-09

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.

Anthony Cooper, Orchard Avenue, stated that the public has not had a chance to review the Financial Document labeled "Exhibit A" and he asked that the Committee defer taking action on this Ordinance until that document is made available. Mayor Hinds stated that this will be postponed until June 21 in order for the public to have ample time to review the document.

Motion was made by Mayor Hinds seconded by to carry this Ordinance until the Regular Meeting of June 21, 2016. Carried on roll call vote: Mr. Buontempo, Mr. Critelli, Mr. Nikolis, Mayor Hinds; Nays: None; Abstain: None; Absent: Mr. Impeveduto

Departments

Zoning

Toll Bros. Temporary Relief from Sign Ordinance

There was no motion to accept the temporary relief request by Toll Bros.

Professionals

Engineer

Resolution Awarding the Contract for the 2014 Sanitary Sewer Lining and Trenchless Rehabilitation to Aqua Infrastructure Rehabilitation Co., LLC in the amount of \$165,240.00

WHEREAS, bids were received on June 1, 2016 at the Municipal Building, Crawfords Corner Road, Holmdel, New Jersey for Contract for the 2014 Sanitary Sewer Lining and Trenchless Rehabilitation; and

WHEREAS, the following bids were received:

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<u>Contractor</u>	<u>Amount</u>
Aqua Infrastructure Rehabilitation Co, LLC dba Tri State Gardening;	\$165,240
National Water Main Cleaning Co;	\$195,280

and

WHEREAS, the Township Engineer has recommended an award be made to Aqua Infrastructure Rehabilitation Co, LLC dba Tri State Gardening; and

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby awards a contract to Aqua Infrastructure Rehabilitation Co, LLC dba Tri State Gardening in accordance with the bid documents in the amount of \$165,240 plus inspection and contract administration fees in the amount of \$14,250.00 subject to review and approval of the bids by the Township Attorney and the availability of funds.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Aqua Infrastructure Rehabilitation Co, LLC dba Tri State Gardening, the Township Chief Financial Officer, Township Administrator, Township Engineer, and to each of the unsuccessful bidders together with a return of any bid security.

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

Business From the Committee

Mayor Hinds stated that the Township Committee has received numerous emails and phone calls regarding the JCP&L Reliability Project. He wanted to state that the Committee is equally surprised and upset by this project. The Committee is listening and learning and trying to figure out what options are available. There have been a number of public meetings and the Committee has attended them. Deputy Mayor Buontempo met with the other Mayors involved and JCP&L. He and Mr. Imprevuduto have met with Senator Kyrillos. JCP&L did not ask for the Township's permission, they do not need the Township's permission. This is a State issue and it will be in the hands of the Board of Public Utilities.

Public Portion – Agenda and Non-Agenda Items

Carole Balmer, Middletown Road, asked if JCP&L could put the lines underground. Mr. Buontempo stated he had that conversation at the meeting and was told the railroad will not allow it. He asked if they could follow Route 35 and he was told that was not feasible.

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Fred Klatsky, Pheasant Run, he has concerns regarding the recent award of the lease for the Tennis Center. His concern is with the process. This was given to a non-profit. He thinks there are major legal problems with this process. He wants the Committee to rescind the lease and go out to bid. He thinks the terms of the lease are too cheap. He would have bid on that. He stated that there are two leases.

Mr. Munoz clarified that there are not two leases there is only one lease. Someone signed the wrong lease. One of the pages of the lease had to be revised. Mr. Munoz stated that there are different ways the lease could have been done. It was not done in secret, the process for the not for profit was done over a period of 1-1/2 years. Mr. Munoz stated that Mr. Klatsky knew about the Lease and did not appear at the Public Hearing when the Ordinance authorizing the Lease was discussed.

Mr. Klatsky stated that the lease contains a clause that states that the tenant must be a non-profit. He questioned the validity of the tenant's status. Mr. Munoz stated that what is required is that a form 1023 be filled out and approved by the IRS. Mr. Munoz has demanded that.

Mr. Klatsky stated that the lease is for a term of 30 years. He has never heard of a lease of that length in this state for this type of situation. He also questioned the Township agreeing to plow the parking lot. Mr. Munoz stated that the tennis area is part of the same parking lot as the Swim Club and other facilities. That's why it is included. Mr. Klatsky asked why the Swim Club would be plowed in the winter. Mr. Munoz stated that all Township facilities must be plowed.

Mayor Hinds stated that the Lessee came to the Township with an idea. Negotiations were started. That land sat there vacant for 10 or 12 years. He is going to spend \$3 million to rehabilitate the facility. It was not felt that this was a bad deal for the town since the town had virtually no investment. He was willing to invest this money with the Township still owning the land. Mr. Klatsky thinks the lease should be rescinded and the Township should go to bid. The Township will get better terms and someone with experience. He thinks this will become a white elephant.

Ms. Larrison stated that several years ago the Township did go out to bid for the Tennis Center. There was only one bidder. It never panned out.

Lisa DeGulio, Wildhedge Lane, stated that the roads in the development are dangerous to the residents. There are no sidewalks and the roads are in terrible shape. She asked why Sweetbriar was paved and Wildhedge was not. Mr. Broberg stated that that section of Sweetbriar was in the worst condition of the neighborhood. That is why it was done. The section of Sweetbriar closer to Route 34 was paved. Other improvements such as drainage were made to Wildhedge last year. The first section of paving for Wildhedge will be done this year in the 2016 Capital Program. He will go out for bid in July and, weather permitting, the loop closest to Route 34 will be paved this year. The second half will be paved in the next Capital Program.

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Scott Darragh, Wildhedge Lane stated that 20% of the development is done. He asked what would be the schedule for completing the development. Mr. Broberg stated that the loop closest to Route 34 is in the 2016 Capital Program which will be bid in July. At the end of the year less that 50% will be paved. The remainder will be subject to Township Committee approval in 2017.

Michelle Gomez, Wildhedge asked if there is a way to consider doing the entire circle on Wildhedge. Mr. Broberg stated that the Township's policy would be to do a subdivision at one time. However, the money is not available for that now. The cost to do the entire Wildhedge section would be approximately \$500,000. The total Road Program amount available is \$1.4 million. There are many different areas that need work. If the money were available that would be the objective.

Michael Sockol, Wildhedge Lane, stated that this is one of the oldest neighborhoods in town and has contributed tax dollars for the overall benefit of the town. He appreciates the Committee listening to the residents. He stated that when the PILOT was first discussed, it was for the building. He does not understand why the Township Committee continues to move in this direction. He disagrees with the pattern of behavior. He doesn't know what the benefit of the PILOT would be when money is taken away from school and other residents have to pay for it. He thinks this is not the right way to go. It is going to be paid by the residents of the town. Mayor Hinds stated that the Township Committee has made a commitment to the schools. The PILOT will be very fruitful to the Township.

Pradeep Jandeeep, Takolusa Drive, thinks that with the PILOT the Township will end up with less dollars for town. There will be less revenue.

Adjournment

Motion was made by Mr. Critelli seconded by Mr. Nikolis to adjourn the meeting at 9:15 PM. Carried by unanimous voice vote.

Respectfully submitted,



Maureen Doloughty, RMC
Township Clerk

