



MINUTES

Township Committee Meeting

Tuesday, January 10, 2023
6:30 PM - Executive Session
7:30 PM - Public Session
Committee Meeting Room

The Township Committee of the Township of Holmdel was called to order on Tuesday, January 10, 2023, at 7:30 PM, in the Committee Meeting Room, with the following members present:

COMMITTEE PRESENT: Mayor DJ Luccarelli
Deputy Mayor Rocco Impreveduto
Committeeman Greg Buontempo
Committeeman Brian Foster
Committeewoman Kim LaMountain

STAFF PRESENT: Interim Administrator/CFO William E. Antonides, Jr.
Township Clerk Wendy L Patrovich
Township Attorney Michael Collins
Township Engineer Robert Yuro

1. ANNOUNCEMENT OF MEETING (OPEN PUBLIC MEETINGS ACT NOTICE)

- 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 Two River Times and posted on the bulletin board in Township Hall and filed in the Township Clerk's Office on January 4, 2023.

2. ROLL CALL

- DJ Luccarelli, Mayor
Rocco Impreveduto, Deputy Mayor
Gregory Buontempo, Committeeman
Brian Foster, Committeeman
Kim LaMountain, Committeewoman

3. 6:30 PM EXECUTIVE SESSION - UPSTAIRS CONFERENCE ROOM

4. 7:30 PM PUBLIC SESSION - COMMITTEE CONFERENCE ROOM

5. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

6. PROCLAMATION RADON ACTION MONTH

7. SPECIAL ANNOUNCEMENT

- Mayor Luccarelli announced that the Township Committee would be hiring Joseph J. "Jay" Delaney as Township Administrator. Township Attorney Collins read the approving resolution by title and requested a motion to approve.

[2023-54](#)

RESULT:	CARRIED.
MOVER:	Rocco Impeveduto
SECONDER:	Brian Foster
AYES:	Gregory Buontempo, DJ Luccarelli, Rocco Impeveduto, Brian Foster, and Kim LaMountain

8. PUBLIC COMMENT- AGENDA ITEMS ONLY

Members of the public are invited to provide comments up to three (3) minutes in duration on agenda items only. Commenters are asked to state his or her full name and address for the record before entering comments.

- Mayor Luccarelli opened for public comment on agenda items. Seeing no requests for comment the mayor closed the public hearing.

9. CONSENT AGENDA

Resolutions 2023-46 to 2023-53 All matters listed under the Consent Agenda are considered routine by the Township Committee and will be adopted by one motion in the form listed below. There will be no separate discussion of these items. If discussion is desired of any item by a member of the Township Committee, the item will be considered separately.

◦ [2023-46](#)

◦ [2023-47](#)

◦ [2023-48](#)

◦ [2023-49](#)

◦ [2023-50](#)

◦ [2023-51](#)

◦ [2023-52](#)

◦ [2023-53](#)

- Mayor Luccarelli requested a motion to approve Resolutions 2023-46 through 2023-53.

RESULT:	CARRIED.
MOVER:	Brian Foster
SECONDER:	Kim LaMountain
AYES:	Gregory Buontempo, DJ Luccarelli, Rocco Impeveduto, Brian Foster, and Kim LaMountain

10. INTRODUCTION OF ORDINANCES

- Township Clerk read Ordinance 2023-02 by title (**Ordinance authorizing the conveyance of an easement across a portion of Block 58.02, Lot 36 on the tax maps of the Township of Holmdel**) and requested a motion to adopt of first reading, publish in the Asbury Park Press and set public hearing for January 24, 2023.

[Ordinance 2023-02](#)

RESULT:	CARRIED.
MOVER:	Rocco Impeveduto
SECONDER:	Brian Foster
AYES:	Gregory Buontempo, DJ Luccarelli, Rocco Impeveduto, Brian Foster, and Kim LaMountain

11. DEPARTMENTS

11.1. Interim Administrator/CFO

- 11.1.1. Mr. Antonides provided an update about the Alex Ching dog park's winter moratorium, the Town Hall closures in observance of MLK, Jr. Day, and the Township's application for a grant to replace equipment at Phillips Park.

12. PROFESSIONAL REPORTS

12.1. Attorney

12.2. Engineer

13. BOARDS/COMMITTEES

- **Committeeman Buontempo** provided an update from the Holmdel Library about the appointment of a new head librarian and from the Veterans Program about a staff update.
- **Committeeman Foster** provided an update from the Public Safety Department about a new School Resource Officer and a new Juvenile Detective, the Citizens Police Academy, a reminder to lock homes and vehicles, fire-police applicants, cadet applicants, and the number of service calls for the fire department. He also provided an update from the Public Works Department about the completion of the leaf collection program, the start of the Christmas tree collection program, the DPW pole barn building, and plastic bag recycling.
- **Committeewoman LaMountain** provided an update from the Community Development Department on the new landlord insurance law, a new part-time fire specialist hire, and updates on ongoing projects.
- **Deputy Mayor Impeveduto** provided an update from the Recreation Department on daddy/daughter and mother son dances, the senior Valentines luncheon, and Rec Department cooking classes. He provided an update from the Board of Education on their upcoming meeting, the BOE's inclusion in the newsletter, and an update on shared services with the BOE. He provided an

update from the Holmdel Heritage Committee on heritage related events in Holmdel, collaborating on communication efforts, and supporting the Jersey Shore Chinese School's Lunar New Year celebration.

- **Mayor Luccarelli** provided an update on the Township Committee's radon test kit distribution program, an update about the ANCHOR Tax Relief Program, the storm water management study, assigning Committeeman Buontempo as liaison to the Public Works Committee, and an appointment to the Environmental Commission.

14. BUSINESS FROM THE COMMITTEE

15. PUBLIC COMMENT

Members of the public are invited to provide comments up to three (3) minutes in duration. Commenters are asked to state his or her full name and address for the record before entering comments.

- **Fred Carl, Neptune Township Resident** - commented on the efforts to protect the Holmdel Horn Antenna, encouraged the Township to establish a cosmology and astronomy education center.
Kim Casola, Holmdel Road - offered congratulations to the mayor and new committee members, commented on the New Jersey Natural Gas litigation, inquired whether the Township would continue to fight the regulator station
Ron Emma, Ladwood Drive - inquired about the new Township Administrator's background and referral, inquired about an update to the Barbera Drive fire, inquired about the possibility of a paid/partially paid fire department

16. ADJOURNMENT

- Township Attorney Collins recommended that the Township Committee return to executive session to complete its discussion of topics on the original executive session resolution, and advised that the Township Committee would not return to take any public action.

RESULT:	CARRIED.
MOVER:	Rocco Impreveduto
SECONDER:	Brian Foster

- Approved by acclamation.

Township Clerk

RESOLUTION

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**RESOLUTION APPOINTING JOSEPH J. “JAY” DELANEY, JR. AS TOWNSHIP
ADMINISTRATOR AND AUTHORIZING ENTRY INTO EMPLOYMENT
AGREEMENT**

WHEREAS, pursuant to N.J.S.A. 40A:9-136 et seq., Section 2-5 et seq. of the Revised General Ordinances of the Township of Holmdel establishes the position of Township Administrator and, among other things, sets forth the duties and responsibilities therein; and

WHEREAS, following the conducting of interviews, the Township Committee seeks to appoint Mr. Joseph J. “Jay” Delaney, Jr. to the position of Township Administrator; and

WHEREAS, pursuant to Holmdel Township’s Salary Ordinance, the salary for the Township Administrator shall be established by individual contract; and

WHEREAS, the Township Committee and Mr. Delaney have negotiated an Employment Agreement setting forth a salary and various terms of employment for the position of Township Administrator, a copy of which is attached hereto and incorporated by reference; and

WHEREAS, said agreement shall represent the complete and final understanding on all bargaining issues between the parties, subject to the applicable provisions of state law.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel, in the County of Monmouth, hereby appoints Mr. Joseph J. “Jay” Delaney, Jr. as Township Administrator, as established pursuant to State law and Holmdel ordinance, consistent with the foregoing.

BE IT FURTHER RESOLVED that the foregoing appointment shall be expressly contingent upon Mr. Delaney’s successful completion of a background check and other reviews prescribed by the Township’s personnel policy.

BE IT FURTHER RESOLVED that the Township Committee hereby approves entry into an Employment Agreement between the Township of Holmdel and Mr. Delaney for the position of Township Administrator, consistent with the foregoing.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized and directed to execute any and all documents necessary to effectuate the foregoing.

BE IT FURTHER RESOLVED that this Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that, upon Mr. Delaney’s commencement of work as Township Administrator, the provisions of Resolution 2022-111A (appointing Interim Administrator and related actions) shall be deemed superseded in accordance with Paragraph 6 of said Resolution.

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at the Meeting held on January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

2023-54

BILLS PAYABLE RESOLUTION

WHEREAS, the Township of Holmdel has received certain claims against it by way of vouchers received during the period ending on January 10, 2023.

WHEREAS, the Chief Financial Officer has certified that there is a sufficient budget appropriation amount to cover the payment of said claims; and

WHEREAS, certain claims contained herein may have been prepaid by the Chief Financial Officer pursuant to the authority contained in N.J.S.A. 40:5-17, Local Finance Notice 2019-02, and Holmdel Township Committee Resolution 2020-36, but remain subject to formal approval by the Township Committee.

NOW, THEREFORE, 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 January 10, 2023 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims:

FUND DISTRIBUTION	2-01	CURRENT FUND	\$	209,636.91
FUND DISTRIBUTION	2-07	SEWER OPERATING	\$	129,029.56
FUND DISTRIBUTION	2-17		\$	19,138.80
FUND DISTRIBUTION	2-28	OPEN SPACE TRUST	\$	78,792.71
		YEAR TOTAL	\$	436,591.98
FUND DISTRIBUTION	C-04	GENERAL CAPITAL	\$	891,377.87
FUND DISTRIBUTION	C-08	SEWER CAPITAL	\$	4,938.50
		YEAR TOTAL	\$	896,316.37
FUND DISTRIBUTION	D-14	DOG TRUST	\$	13.80
FUND DISTRIBUTION	G-02	STATE/FED GRANT	\$	38,962.79
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$	13,200.32
FUND DISTRIBUTION	T-24	FAIR HOUSING TRUSTS	\$	3,507.94
		YEAR TOTAL	\$	16,708.26
		TOTAL OF ALL FUNDS	\$	1,388,593.20
		TOTAL OF ALL PROJECTS	\$	19,132.80

CERTIFICATION

I, Wendy L Patrovich, 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 January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

BILLS PAYABLE RESOLUTION # 2

WHEREAS, the Township of Holmdel has received certain claims against it by way of vouchers received during the period ending on January 10, 2023; and

WHEREAS, the Chief Financial Officer has certified that there is a sufficient budget appropriation amount to cover the payment of said claims; and

WHEREAS, certain claims contained herein may have been prepaid by the Chief Financial Officer pursuant to the authority contained in N.J.S.A. 40:5-17, Local Finance Notice 2019-02, and Holmdel Township Committee Resolution 2020-36, but remain subject to formal approval by the Township Committee.

NOW, THEREFORE, 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 January 10, 2023 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims:

FUND DISTRIBUTION	2-01	CURRENT FUND	\$	120.00
FUND DISTRIBUTION	2-01	CURRENT FUND	\$	18,808.94
FUND DISTRIBUTION	2-17	CURRENT FUND	\$	19,346.92
FUND DISTRIBUTION	2-01	CURRENT FUND	\$	120.00
			Total of All Funds:	\$ 38,395.86
			Total of all Projects	\$ 19,346.92

CERTIFICATION

I, Wendy L Patrovich, 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 January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following candidates be appointed as Holmdel Township Part-Time Public Safety Tele-Communicator Trainee, subject to approval by the New Jersey Civil Service Commission:

Erica Corbett Public Safety Tele-Communicator Trainee \$14.50 Per Hour

CERTIFICATION

I, Wendy L Patrovich, 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 January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

2023-48

**RESOLUTION RENEWING CONTRACT – 2023
CONCRETE CURB & SIDEWALK INSTALLATION**

WHEREAS, in March 2022, the Township of Holmdel awarded a contract for Concrete Curb & Sidewalk Replacement/ Installation to Discover Construction.; and

WHEREAS, the contract was awarded for a term of one year with the option to renew for an additional one (1) year term; and

WHEREAS, it has been determined that it is in the best interest of Holmdel Township to renew the contract for the additional year option with Discover Construction in the amount not to exceed \$234,500.48 per their original bid proposal; and

WHEREAS, the Chief Financial Officer has certified to the Purchasing Agent that funds are available.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Holmdel that the Township of Holmdel hereby exercises the option to renew the contract with Discover Construction for the 2023 contract year.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Discover Construction Director of Infrastructure & Operations, and Township Qualified Purchasing Agent.

CERTIFICATION

I, Wendy L Patrovich, 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 January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

2023-49

RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following candidates be appointed as Holmdel Township Full-Time Public Safety Tele-Communicator Trainees, subject to approval by the New Jersey Civil Service Commission:

Gabriella Malinconico Public Safety Tele-Communicator Trainee \$31,500 Annually

CERTIFICATION

I, Wendy L Patrovich, 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 January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

2023-50

RESOLUTION

WHEREAS, the Township of Holmdel desires to apply for and obtain a grant from the New Jersey Department of Community Affairs for approximately \$100,000.00 to carry out a project for playground replacement/renovations at Phillips Park, 110 Telegraph Hill Road, Block 47, Lot 1.01, Holmdel, New Jersey.

WHEREAS, that the Township of Holmdel does hereby authorize the application for such a grant; and

WHEREAS, recognizes and accepts that the Department may offer a lesser or greater amount and therefore, upon receipt of the grant application from the New Jersey Department of Community Affairs, does further authorize the execution of any such grant agreement, and also, upon receipt of the fully executed agreement from the Department, does further authorize the expenditure of the funds pursuant to the terms of the agreement between the Township of Holmdel and the New Jersey Department of Community Affairs

BE IT FURTHER RESOLVED, that the Township Administrator and Township Grant Coordinator are hereby authorized to take any and all steps reasonably necessary to effectuate the foregoing, including the execution of a grant application on behalf of the Township consistent with the terms of this Resolution.

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at the Meeting held on January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

HOLMDEL TOWNSHIP, NEW JERSEY

RESOLUTION AUTHORIZING HOLMDEL TOWNSHIP, NEW JERSEY THROUGH THE HOLMDEL TOWNSHIP POLICE DEPARTMENT TO PARTICIPATE IN THE DEFENSE LOGISTICS AGENCY, LAW ENFORCEMENT SUPPORT OFFICE, 1033 PROGRAM TO ENABLE THE HOLMDEL TOWNSHIP POLICE DEPARTMENT TO REQUEST AND ACQUIRE EXCESS DEPARTMENT OF DEFENSE EQUIPMENT.

WHEREAS, the United States Congress authorized the Defense Logistics Agency (DLA) Law Enforcement Support Office (LESO) 1033 Program to make use of excess Department of Defense personal property by making that personal property available to municipal, county and State law enforcement agencies (LEAs); and

WHEREAS, DLA rules mandate that all equipment acquired through the 1033 Program remain under the control of the requesting LEA; and

WHEREAS, participation in the 1033 Program allows municipal and county LEAs to obtain property they might not otherwise be able to afford in order to enhance community preparedness, response, and resiliency; and

WHEREAS, although property is provided through the 1033 Program at no cost to municipal and county LEAs, these entities are responsible for the costs associated with delivery, maintenance, fueling, and upkeep of the property, and for specialized training on the operation of any acquired property; and

WHEREAS, N.J.S.A. 40A:5-30.2 requires that the governing body of the municipality or county approve, by a majority of the full membership, both enrollment in, and the acquisition of any property through, the 1033 Program.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel that the Holmdel Township Police Department is hereby authorized to enroll in the 1033 Program for a one-year period, with authorization to participate commencing on January 1, 2023 and terminating on December 31, 2023.

BE IT FURTHER RESOLVED that the Holmdel Township Police Department is hereby authorized to acquire items of non-controlled property designated "DEMIL A" which may include: office supplies, office furniture, computers, electronic equipment, generators, field packs, non-military vehicles, clothing, traffic and transit signal systems, exercise equipment, farming and moving equipment, storage devices and containers, tools, medical and first aid equipment and supplies, personal protection equipment and supplies, construction materials, lighting supplies, beds and sleeping mats, wet and cold weather equipment and supplies, respirators, binoculars, and any other supplies or equipment of a non-military nature identified by the LEA, if it shall become available in the period of time for which this resolution authorizes, based on the needs of the Holmdel Township Police Department, without restriction.

BE IT FURTHER RESOLVED that the Holmdel Township Police Department is hereby authorized to acquire “DEMIL B through Q” property, as set forth on the attached list marked EXHIBIT A, if it shall become available in the period of time for which this resolution authorizes.

BE IT FURTHER RESOLVED that the Holmdel Township Police Department shall develop and implement a full training plan and policy for the maintenance and use of the acquired property.

BE IT FURTHER RESOLVED that the Holmdel Township Police Department shall provide a quarterly accounting of all property obtained through the 1033 program which shall be available to the public upon request.

BE IT FURTHER RESOLVED that this resolution shall take effect immediately and shall be valid to authorize requests to acquire “DEMIL A” property and “DEMIL B through Q” property that may be made available through the 1033 Program during the period of time for which this resolution authorizes, with authorization to participate commencing on January 1, 2023 and terminating on to December 31, 2023.

CERTIFICATION

I, Wendy L Patrovich, 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 January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

RESOLUTION

TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

**RESOLUTION APPROVING AMENDMENT TO SHARED SERVICES AGREEMENT
WITH BOE FOR DUNCAN SMITH THEATER AND RELATED PROCUREMENTS**

WHEREAS, on or about September 10, 2019, the Township of Holmdel (“Township”) and Holmdel Township Board of Education (“BOE”) entered into a “Shared Services Agreement Relative to the Duncan Smith Theater, in the Township of Holmdel” (the “SSA”); and

WHEREAS, under the SSA, the Township and BOE recognized the “well-established role of the Duncan Smith Theater [(“Theater”)] to the Holmdel arts,” and that “the Township finds that the Theater serves a substantial public purpose to the Holmdel community, to which it seeks to provide certain support in cooperation with the BOE”; and

WHEREAS, the BOE maintains a ground lease with Holmdel Theater Company, Inc. for the Theater, pursuant to which there are various covenants to effectuate the Theater’s public purpose, including that the Theater “shall be at all times used and employed primarily for the operation of a theater for the performing arts, including related activities such as rehearsals, fund raising events, and meetings”; and

WHEREAS, consistent with same, under the SSA, the Township agreed to purchase and install certain improvements to the Theater, in exchange for the BOE agreeing “to make a good faith effort to maintain and not impair the Covenants contained in the Lease for the duration of this Agreement, in support of their corresponding public purpose”; and

WHEREAS, the Township and BOE now wish to amend the SSA to allow for the Township to assist with further improvements to the Theater; and

WHEREAS, the Township Committee also seeks to authorize the associated procurements contemplated by the SSA amendment, as set forth herein, which are completed in accordance with the quotes process under the Local Public Contracts Law, N.J.S.A. 40A:11-1 et seq., and with any vendor to the extent necessary complying with the requirements of the pay-to-play disclosures under N.J.S.A. 19:44A-20.1 et seq.; and

WHEREAS, the Chief Financial Officer has certified as to the sufficiency of funds for the procurements to be approved within this Resolution.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel, as follows:

1. The foregoing recitals are hereby incorporated as if set forth at length.
2. The Township Committee hereby approves entry into an amendment to the SSA (the “SSA Amendment”), upon the terms substantially set forth in the attached draft attached hereto, subject to final negotiations and approval as to legal form by the

Township Attorney. Upon full execution, the Township Clerk shall submit a true copy of the SSA Amendment to the Director of the Division of Local Government Services in the Department of Community Affairs in accordance with law.

3. The Township Committee hereby approves the following procurements, contingent upon the Township and BOE's execution of the SSA Amendment:

TK Heating and Air Conditioning	Upgrade/Replace HVAC Systems	\$11,000
New Jersey Door Works	Door Replacements	\$19,344

4. This resolution shall take effect immediately.

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at the Meeting held on January 10, 2023.

Wendy L Patrovich, RMC/CMR
Township Clerk

ORDINANCE NO. 2023-02

TOWNSHIP OF HOLMDEL

COUNTY OF MONMOUTH

**AN ORDINANCE AUTHORIZING THE CONVEYANCE OF AN EASEMENT ACROSS A
PORTION OF BLOCK 58.02, LOT 36 ON THE TAX MAPS OF THE TOWNSHIP OF
HOLMDEL**

WHEREAS, the Township of Holmdel (“Township”) owns land known as Bayberry Drive, located at Block 58.02, Lot 8 on the Tax Maps of the Township of Holmdel,

WHEREAS, Brightview Holmdel, LLC (“Brightview”), a Limited Liability Company, with an address of 2018 N. Charles Street, Suite 220, Baltimore, Maryland 21201, is a contract purchaser of land commonly known as Route 35 North, located at Block 58, Lot 29 on the Tax Maps of the Township of Holmdel (“the property”),

WHEREAS, Block 58.02, Lot 8 is adjacent to Block 58, Lot 29,

WHEREAS, Brightview, a contract purchaser of the property, has received Planning Board approval to undertake the following project on the property (“the project”): (1) construct a new, three-story congregate care senior residence and assisted living facility on a footprint of approximately 79,000 square feet and having an approximate gross floor area of 203,921; and (2) various site improvement associated with the foregoing.

WHEREAS, the project will require a connection to an existing sanitary sewer main on Bayberry Drive, requiring Brightview to access the Township’s property,

WHEREAS, to access the Township’s property, Brightview will need an Easement from the Township,

WHEREAS, in consultation with the Township Engineer, the Township has considered the circumstances and finds that it is desirable to grant the said Easement over its land for the purpose of connecting to the existing sanitary sewer main on Bayberry Drive; and

WHEREAS, the Easement over the Portion Area shall not be sold for less than its fair market value, \$2,105, as calculated by the Township’s Tax Assessor; and

WHEREAS, the Local Buildings and Lands Law, N.J.S.A. 40A:12-13(b)(5) authorizes the Township to convey an easement and to execute a deed confirming same provided that action is authorized by Ordinance; and

WHEREAS, pursuant to N.J.S.A. 40A:12-13(b), the Township Clerk has filed a sworn affidavit verifying the publication of advertisements as required by this section to the Director of the Division of Local Government Services in the Department of Community Affairs.

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

1. The findings set forth in the foregoing preamble are hereby incorporated as if fully restated.
2. The Mayor and Township Clerk are hereby authorized and directed to execute a Deed granting an Easement over the Portion Area, the form and substance of which shall be subject to the review and approval of the Township Attorney.
3. The Mayor, Township Clerk, Township Attorney, and Township Administrator are hereby authorized and directed to execute and file any and all such documents and undertake any and all such actions as may be reasonably necessary to effectuate the terms hereof.
4. All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.
5. This Ordinance shall take effect upon passage and publication in accordance with law.

CERTIFICATION

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 January 10, 2023 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on January 24, 2023 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

DJ Luccarelli, Mayor

Attest:
Wendy L Patrovich, RMC/CMR
Township Clerk

This is a true copy of an ordinance that was passed at the January 24, 2023 Township Committee Meeting.

Wendy L Patrovich, RMC/CMR
Township Clerk