



# MINUTES Township Committee Meeting

Tuesday, February 28, 2023  
Executive Session - 7:00PM  
Public Session - 7:30PM  
Committee Meeting Room

The Township Committee of the Township of Holmdel was called to order on Tuesday, February 28, 2023, at 7:30 PM, in the Committee Meeting Room, with the following members present:

**COMMITTEE PRESENT:** Deputy Mayor Rocco Impreveduto  
Committeeman Brian Foster  
Committeewoman Kim LaMountain

**STAFF PRESENT:** Township Administrator Jay Delaney  
Township Clerk Wendy L Patrovich  
Township Attorney Michael Collins  
Chief Financial Officer William E. Antonides, Jr.

## 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 3, 2023.

## 2. ROLL CALL

- *DJ Luccarelli, Mayor (present via phone for Executive Session, absent from Public Session)*  
Rocco Impreveduto, Deputy Mayor  
*Gregory Buontempo, Committeeman (absent)*  
Brian Foster, Committeeman  
Kim LaMountain, Committeewoman

## 3. 7:00 PM EXECUTIVE SESSION - UPSTAIRS CONFERENCE ROOM

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

## 5. PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

## 6. PROCLAMATIONS

- The Township Committee presented a proclamation to resident Antonietta Picascia designating February 28th as "Antonietta Picascia Day" in the Township of Holmdel.

[Proclamation - Antonietta Picascia Day 2023](#)

## 7. APPROVAL OF MINUTES

- January 10, 2023 Executive and Public Sessions
- January 24, 2023 Executive and Public Sessions

## 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.

- **Lance Lupi, Line Road** - inquired about a change order on the HTPD locker room renovation

## 9. CONSENT AGENDA

**Resolutions 2023-89 to 2023-100** 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.

- *Resolution 2023-92 was removed from the consent agenda and not adopted.*  
[2023-92 NOT ADOPTED](#)
- [2023-89](#)
- [2023-90](#)
- [2023-91](#)
- [2023-93](#)
- [2023-94](#)
- [2023-95](#)
- [2023-96](#)
- [2023-97](#)
- [2023-98](#)
- [2023-99](#)
- [2023-100](#)
- Deputy Mayor Impreveduto requested a motion to approve Resolutions 2023-89 through 2023-100, with the exception of Resolution 2023-92.

<b>RESULT:</b>	<b>CARRIED.</b>
<b>MOVER:</b>	Brian Foster
<b>SECONDER:</b>	Kim LaMountain

<b>AYES:</b>	Rocco Impreveduto, Brian Foster, and Kim LaMountain
<b>ABSENT:</b>	Gregory Buontempo and DJ Luccarelli

**10. INTRODUCTION OF ORDINANCES**

- Township Clerk Patrovich read Ordinance 2023-04 by title **(An Ordinance Authorizing an Easement Swap Involving Block 25.03, Lot 16 on the Tax Maps of the Township of Holmdel)** and requested a motion to adopt on first reading and set public hearing for March 14, 2022.

[Ordinance 2023-04](#)

<b>RESULT:</b>	<b>CARRIED.</b>
<b>MOVER:</b>	Rocco Impreveduto
<b>SECONDER:</b>	Brian Foster
<b>AYES:</b>	Rocco Impreveduto, Brian Foster, and Kim LaMountain
<b>ABSENT:</b>	Gregory Buontempo and DJ Luccarelli

**11. DEPARTMENTS**

**11.1. Administrator**

**11.2. Chief Financial Officer**

- 11.2.1. Mr. Antonides gave a report about the Township applying for a grant to upgrade the restrooms at the Senior/Community Center.

**12. PROFESSIONAL REPORTS**

**12.1. Attorney**

**12.2. Engineer**

**13. BOARDS/COMMITTEES**

- **Committeewoman LaMountain** provided a report from the Department of Community Development.
- **Committeeman Foster** provided a report from the Department of Public Safety and the Department of Public Works.
- **Deputy Mayor Impreveduto** provided a report from the Department of Recreation, the Holmdel Board of Education, and the Holmdel Heritage Committee.

**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.

- **Michael Szczerbienski, Morse Way** - stated concerns about overhanging trees on South Holland Road
- Krishnamurty Kambhampati, Longview Drive** - commented on the possible preservation of the Holmdel Horn Antenna and former Crawford Hill property
- Richard Larabee, Violet Court** - commented on the possible preservation of the Holmdel Horn Antenna and former Crawford Hill property
- Billy Little, Coventry Square** - inquired about the status of the Bike Path, the best practices assessment of the Township, and the possibility of electric charging stations in the Township
- Tom Wood, Heatherhill Way** - commented on the possible preservation of the Holmdel Horn Antenna and former Crawford Hill property; provided context and history about the property
- Joseph Tetro, Middle Road** - inquired about an update on the flooding situation at his property
- Lance Lupi, Line Road** - inquired about a No Turn On Red sign on Line Road, and the traffic situation at the Middle School/High School, and the collection of fees in the Community Development Department, and commented on the possible preservation of the Holmdel Horn Antenna and former Crawford Hill property
- Robert Wilson, Valley Point Drive** - commented on the Green Team's recommendations for improving the energy efficiency of Township buildings

## 16. ADJOURNMENT

- Meeting adjourned by acclamation at 8:20pm.

---

Township Clerk

**PROCLAMATION OF THE HOLMDEL TOWNSHIP COMMITTEE**

**WHEREAS**, February is recognized as National Senior Independence Month, set aside to encourage senior citizens and community members to share resources that help the elderly live independent and full lives; and

**WHEREAS**, National Senior Independence Month is about helping senior citizens find ways to live dignified and happy lives with the help for those around them; and

**WHEREAS**, Antonietta Picascia serves as an instructor of Holmdel Recreation’s “Senior Workout” Program, reaching over 70 participants; and

**WHEREAS**, Antonietta continually challenges and inspires her class participants to do their best and to always show up for themselves; and

**WHEREAS**, Antonietta runs a monthly healthy cooking program for the Recreation Department called “Cooking with Antonietta;” and

**WHEREAS**, Antonietta is an active volunteer member of Holmdel Township Police Department’s Neighborhood Watch and the Holmdel Half Century Club; and

**WHEREAS**, every year, Antonietta donates her time, money, and expertise to host a Cooking Fundraiser for a local Holmdel family in need; and

**WHEREAS**, since arriving in Holmdel, Antonietta has developed a strong partnership with the Township and Residents of Holmdel, particularly supporting the Holmdel Seniors.

**NOW THEREFORE BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Holmdel that February 28<sup>th</sup> is hereby proclaimed to be

***ANTONIETTA PICASCIA DAY***

in the Township of Holmdel, New Jersey, to be commemorated by the residents thereof.

**BE IT FURTHER RESOLVED** that the Township Committee recognizes and thanks Antonietta for all the hard work she has done to develop a program that has a strong sense of community, friendship, and connection among senior Holmdel residents.

**PROCLAIMED** this 28<sup>th</sup> day of February, 2023.

**Attest:**  
Wendy L Patrovich, RMC/CMR  
Township Clerk

**Holmdel Township Committee**  
DJ Luccarelli, Mayor  
Rocco Impreveduto, Deputy Mayor  
Greg Buontempo, Committeeman  
Brian Foster, Committeeman  
Kimberly LaMountain, Committeewoman

# NOT ADOPTED

## TOWNSHIP OF HOLMDEL COUNTY OF MONMOUTH, STATE OF NEW JERSEY

### AUTHORIZING THE TRANSFER OF 2022 APPROPRIATION RESERVES

**WHEREAS**, it is determined that various line items within the 2022 calendar year operating budget need additional funds to cover necessary expenditures; and,

**WHEREAS**, it is also determined that sufficient balances remain in various expense accounts to cover these expenditures; and,

**WHEREAS**, New Jersey Statute 40A:4-58 allows for the transfer of funds between line items during the last two months during the fiscal year and the first three months of the following year.

**NOW, THEREFORE, BE IT RESOLVED** by the Mayor and Township Committee that the Chief Financial Officer is hereby authorized to make the attached budget transfers.

#### TRANSFERS FROM

Administration	Salaries	\$ 15,000.00
Finance	Salaries	7,000.00
Information Technology	Salaries	<u>14,100.00</u>
		\$ <u><u>36,100.00</u></u>

#### TRANSFERS TO

Administration	Other Expenses	\$ 100.00
Legal	Other Expenses	13,000.00
Planning Board	Other Expenses	1,600.00
Planner	Other Expenses	2,400.00
Zoning Board	Other Expenses	1,000.00
Parks	Other Expenses	1,000.00
Water	Other Expenses	<u>17,000.00</u>
		\$ <u><u>36,100.00</u></u>

#### 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 February 28, 2023.

Wendy L. Patrovich, RMC/CMR  
Township Clerk

BILLS PAYABLE RESOLUTION

WHEREAS, the Township of Holmdel has received certain claims against it by way of vouchers received during the period ending on February 28, 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 2023-31, 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 February 28, 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	\$	18,251.92
FUND DISTRIBUTION	2-07	SEWER OPERATING	\$	386.30
FUND DISTRIBUTION	2-28	OPEN SPACE TRUST	\$	4,388.50
		YEAR TOTAL	\$	23,026.72
FUND DISTRIBUTION	3-01	CURRENT FUND	\$	201,152.69
FUND DISTRIBUTION	3-07	SEWER OPERATING	\$	27,745.38
FUND DISTRIBUTION	3-15		\$	733.05
FUND DISTRIBUTION	3-17		\$	6,309.75
FUND DISTRIBUTION	3-26	POOL OPERATING	\$	158.04
		YEAR TOTAL	\$	236,098.91
FUND DISTRIBUTION	C-04	GENERAL CAPITAL	\$	117,285.00
FUND DISTRIBUTION	C-08	SEWER CAPITAL	\$	3,397.00
		YEAR TOTAL	\$	120,682.00
FUND DISTRIBUTION	D-14	DOG TRUST	\$	810.20
FUND DISTRIBUTION	G-02	STATE/FED GRANT	\$	6,425.45
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$	4,730.30
FUND DISTRIBUTION	T-24	FAIR HOUSING	\$	3,998.91
		YEAR TOTAL	\$	8,729.21
		TOTAL OF ALL FUNDS	\$	395,772.49
		TOTAL OF ALL PROJECTS	\$	6,30975

CERTIFICATION

2023-89

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 February 28, 2023.

Wendy L Patrovich, RMC/CMR  
Township Clerk

2023-89



**RESOLUTION**

**TOWNSHIP OF HOLMDEL  
COUNTY OF MONMOUTH**

**RESOLUTION APPROVING ACCEPTANCE OF DEED TO FEE SIMPLE INTEREST IN  
BLOCK 58.02, LOT 36**

WHEREAS, following an approved subdivision, since 1984, Block 58.02, Lot 36 (“Property”) has been listed by the Township on its tax rolls as a Township-owned property; and

WHEREAS, pursuant to Holmdel Township Ordinance 2023-02, the Township Committee approved the issuance of an easement across a portion of the Property, upon the terms set forth therein; and

WHEREAS, the Township has identified issues regarding the chain of title for the Property; and

WHEREAS, in order to ameliorate same, the Township seeks to accept a quitclaim deed from the last record owner, which is the corporate entity that obtained the subject subdivision approval, affording the Township with fee simple title to the Property.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby approves the acceptance of a quitclaim deed affording it with fee simple ownership of the Property, consistent with the foregoing.

BE IT FURTHER RESOLVED that the Township Attorney is hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

**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 February 28, 2023.

Wendy L Patrovich, RMC/CMR  
Township Clerk

2023-90

RESOLUTION

TOWNSHIP OF HOLMDEL  
COUNTY OF MONMOUTH

RESOLUTION APPROVING PERFORMANCE AND MAINTENANCE BOND RELEASE

WHEREAS, the Township of Holmdel has received a formal request seeking the release of performance bonds and letters of credit that have been posted with the Township relative to the Manors at Crystal Glenn development; and

WHEREAS, the Township has identified that a performance cash bond of \$41,713.86 and an escrow for engineering fees in the amount of \$1,174.47 remain posted; and

WHEREAS, due to the age of the approval, the Township is unable to locate the physical bond instruments that have been posted relating to same;

WHEREAS, the Township has reviewed and confirmed that all improvements relating to the Manors at Crystal Glenn development have been completed, allowing for release of the foregoing cash bond and escrow, as well as any bond instruments that were posted relating to same.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Holmdel, that it hereby authorizes the release of the foregoing cash bond and engineering fees that are posted, consistent with the foregoing.

BE IT FURTHER RESOLVED that the Township Committee authorizes the release of any bond instruments that have been posted relative to the Manors at Crystal Glenn development, and that the Township Administrator is hereby authorized and directed to execute any documents memorializing same.

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 February 28, 2023.

Wendy L. Patrovich, RMC/CMR  
Township Clerk

2023-91

RESOLUTION

TOWNSHIP OF HOLMDEL  
COUNTY OF MONMOUTH

WHEREAS, pursuant to Resolution 2023-40, the Township Committee approved appointments to the Traffic and Bike Safety Committee; and

WHEREAS, the Township Committee seeks to clarify the appointment of public members contained in same to ensure the appointments and terms are consonant with the enabling ordinance, § 2-68.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel that Paragraph 1 of Resolution 2023-40 is hereby repealed and replaced as follows:

The following individuals are appointed as public members of the Traffic and Bike Safety Committee, to the corresponding terms in office with applicable expiration dates:

Seat	Appointee	Duration of Term	Expiration Date
TABS 1	Delia Fagan	Three Years	12/31/25
TABS 2	Terry Duchi	Three Years	12/31/25
TABS 6	Patrick Castenie	One Year Unexpired	12/31/23

BE IT FURTHER RESOLVED that all other provisions of Resolution 2023-40 shall remain in full force and effect.

CERTIFICATION

I, Wendy 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 February 28, 2023.

Wendy Patrovich, RMC/CMR  
Township Clerk

2023-93

**RESOLUTION AUTHORIZING THE COUNTY OF MONMOUTH MOSQUITO  
CONTROL DIVISION TO CONDUCT AERIAL MOSQUITO CONTROL  
OPERATIONS WITHIN THE TOWNSHIP OF HOLMDEL**

WHEREAS, the Monmouth County Board of Chosen Freeholders (the “County”), pursuant to N.J.S.A 26:9-27 et seq. has elected through its Mosquito Control Division to perform all acts necessary for the elimination of mosquito breeding areas and/or to exterminate mosquitoes within the County; and

WHEREAS, the County has instituted an Integrated Pest Management Program consisting of surveillance, water management, biological control, and chemical control to exterminate the mosquito population within the County of Monmouth; and

WHEREAS, prior to conducting aerial dispensing operations over a designated “congested area”, the County is required, pursuant to Federal Aviation Administration Regulation (FAR Part 137.51) to secure prior written approval from the governing body of the political subdivision over which the aircraft is to be operated; and

WHEREAS, the Township of Holmdel is dedicated as a “congested area” by the Federal Aviation Administration and the County has requested that this governing body consent to its proposed aerial dispensing operations.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee as follows:

1. The Township Committee hereby authorizes the County of Monmouth Mosquito Control Division or its agent to apply pesticides by aircraft for mosquito control in certain areas of the municipality designed by the County as being either larval mosquito habitat or areas harboring high populations of mosquitoes constituting either a nuisance, a health hazard, or both with the understanding that:
  - a. The County shall utilize pesticides, application equipment and aircraft that are approved for aerial applications by the applicable Federal (USEPA) and State (NJDEP) agencies; and
  - b. Such operations will be performed in compliance with applicable Federal and State regulations; and
  - c. The County will notify the Police Department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

**CERTIFICATION**

I, Wendy L Patrovich, 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 February 28, 2023.

Wendy L Patrovich, RMC/CMR  
Township Clerk

2023-94

## **RESOLUTION**

WHEREAS, the Holmdel Township Police Department is in need of a Police Officer to fill a vacant position; and

WHEREAS, Jonathan Sciuto applied to fill the position; and

WHEREAS, background investigations were completed, and Jonathan Sciuto was cleared for Police Department employment beginning on March 1, 2023 at the salary of \$49,568.00 annually; and

WHEREAS, Chief Frank Allocco has recommended that the Township Committee approve the hiring of Jonathan Sciuto as a Police Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Jonathan Sciuto be and hereby is appointed as a Holmdel Township Police Officer contingent upon approval by the New Jersey Civil Service Commission.

## **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 February 28, 2023.

Wendy L Patrovich, RMC/CMR  
Township Clerk

2023-95

**RESOLUTION OF THE TOWNSHIP OF HOLMDEL,  
COUNTY OF MONMOUTH, STATE OF NEW JERSEY,  
AUTHORIZING THE CANCELLATION OF OLD  
OUTSTANDING CHECKS IN VARIOUS FUNDS**

**WHEREAS**, there currently exists old outstanding checks on the books and records of the Township of Holmdel's Current and Payroll Funds; and

**WHEREAS**, these checks, dated prior to August 2022, have not been presented to our depository for payment, nor have any inquiries been made against the Township of Holmdel; and

**WHEREAS**, the Chief Financial Officer has recommended that outstanding checks totaling (per fund) be cancelled:

Current Fund	\$ 13,084.70
Payroll Fund	\$ 1,857.76

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Holmdel, County of Monmouth, State of New Jersey, that the Chief Financial Officer is hereby authorized to cancel the outstanding checks.

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 February 28,2023.

Wendy L Patrovich, RMC/CMR  
Township Clerk

**RESOLUTION AUTHORIZING CHANGE ORDER NUMBERS 2 & 3 FOR THE  
POLICE DEPARTMENT LOCKER ROOM RENOVATION PROJECT**

WHEREAS, the Township of Holmdel awarded a contract to Pharos Enterprises, LLC for the Police Department Locker Room Renovation Project in the amount of \$717,000.00; and

WHEREAS, the work relating to this contract is ongoing, and the Township Architect has submitted a report dated February 8, 2023 requesting approval for Change Order #2 for an increase to the contract amount of \$3,888.55; and

WHEREAS, the Township Architect submitted a report on February 13, 2023 requesting approval for Change Order #3 for an increase in the contract amount of \$21,759.95; and

WHEREAS, the total net changes to the contract for Change Orders 1, 2 and 3 to the contract amount is \$29,607.08.

WHEREAS, the Chief Financial Officer has Certified that 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 #2 and #3 be approved to the referenced contract.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Pharos Enterprises, LLC, Chief Financial Officer, 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 February 28, 2023.

Wendy L Patrovich, RMC/CMR  
Township Clerk

2023-97

**RESOLUTION**

WHEREAS, the Holmdel Township Police Department is in need of a Police Officer to fill a vacant position; and

WHEREAS, Dylan DeWysockie applied to fill the position; and

WHEREAS, background investigations were completed, and Dylan DeWysockie was cleared for Police Department employment with a beginning date to be determined at the salary of \$49,568.00 annually; and

WHEREAS, Chief Frank Allocco has recommended that the Township Committee approve the hiring of Dylan DeWysockie as a Police Officer.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Dylan DeWysockie be and hereby is appointed as a Holmdel Township Police Officer contingent upon approval by the New Jersey Civil Service Commission.

**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 February 28,2023.

Wendy L Patrovich, RMC/CMR  
Township Clerk



**RESOLUTION AWARDING CONTRACT  
RENTALS AT BAYONET FARM & SWIM CLUB**

**WHEREAS**, bids were received on February 23, 2023 for Rental of Tents/Chairs/Tables and Lights for Bayonet Farm, and Jacques Exclusive Caterers was the sole bidder at a total unit price of \$17,020; and

**WHEREAS**, the contract term will be from January 1, 2023 through December 31, 2023 with the option to renew for an additional one year; and

**WHEREAS**, bids were simultaneously received for tent rental for the Holmdel Swim Club as a separate contract, and Jacques Exclusive Caterers was the sole bidder at a total unit price of \$14,500; and

**WHEREAS**, the contract term for this contract will be from May 1, 2023 through September 15, 2023 with an option to renew for an additional one year; and

**WHEREAS**, the Township Qualified Purchasing Agent has recommended an award for both contracts be made to Jacques Exclusive Caterers; and

**WHEREAS**, the Chief Financial Officer has certified to the purchasing agent that fund are available.

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Holmdel hereby awards a contract to Jacques Exclusive Caterers in accordance with the bid documents for the rentals at Bayonet Farm and the Holmdel Swim Club in the respective amounts of \$8,460 and \$7,000.

**BE IT FURTHER RESOLVED** that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Jacques Exclusive Caterers, Township Director of Recreation and the 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 February 28, 2023.

Wendy L. Patrovich, RMC/CMR  
Township Clerk

2023-99

**RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF  
HOLMDEL AUTHORIZING THE HOUSING REHABILITATION PROGRAM  
ADMINISTRATOR TO PROCEED WITH THE REHABILITATION OF THE  
PROPERTY LOCATED AT 155 YARMOUTH COURT**

**WHEREAS**, the Township of Holmdel filed a declaratory judgment action captioned In the Matter of the Application of the Township of Holmdel, Superior Court of New Jersey, Law Division-Monmouth County, Docket No. MON-L-2523-15 (the “Mt. Laurel Litigation”) in July 2015 following the New Jersey Supreme Court’s decision in the matter of In Re Adoption of N.J.A.C. 5:96 and 5:97 by the New Jersey Council on Affordable Housing (the “Mt. Laurel IV”), wherein the Supreme Court directed that municipalities which were before the Council on Affordable Housing, such as the Township of Holmdel were required to file declaratory judgment actions in the Superior Court to evaluate compliance with their *Mount Laurel* obligations in order to maintain immunity from builder’s remedy litigation; and

**WHEREAS**, the Fair Share Housing Center (“FSHC”) has been recognized by the Supreme Court as an interested party that may participate as a matter of right in all cases filed by municipalities pursuant to the Mount Laurel IV case, including the Township’s declaratory judgment matter; and

**WHEREAS**, the Township entered into a First Amended Settlement Agreement with Fair Share Housing Center on January 11, 2019 and the Court conducted a Fairness Hearing on April 4, 2019 and entered an Order on May 1, 2019 approving the First Amended Settlement Agreement and finding it fair and reasonable to low and moderate income households; and

**WHEREAS**, the Court conducted a Final Compliance Hearing and found that Holmdel Township is entitled to a Final Judgment of Compliance and Repose protecting it from builder’s remedy litigation through July 1, 2025.

**WHEREAS**, the Holmdel Township adopted a Rehabilitation Program known as the Holmdel Township Improvement Program as a condition of compliance in obtaining court approval of its court approved Settlement Agreement and appointed Community Grants Planning & Housing (“CGP&H) as the Township’s Rehabilitation Program Administrator

**WHEREAS**, CGP&H qualified a household for certificate of occupancy standard home improvements located at 155 Yarmouth Court (the “Residence”) and received bids on behalf of the homeowner for such improvements with the low bidder being American Plumber, 379 Route 79, Morganville, NJ 07757 in the amount of \$15,100.00; and

**WHEREAS**, CGP&H is recommending that the Township authorize the improvements of the Residence and authorize CGP&H to award a contract to the lowest responsive bidder, American Plumber of Morganville, NJ with the funding of such home improvement work at the Residence from the Township’s Affordable Housing Trust Fund; and

**WHEREAS**, the Township Committee believes it is in the best interest to authorize CGP&H to proceed with the contract award to rehabilitate the Residence to remain in compliance with its Final Judgment of Repose and Compliance.

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of the Township of Holmdel, County of Monmouth hereby authorizes Community Grants Planning and Housing to implement the rehabilitation of 155 Yarmouth Court through the award of a contract

to American Plumber, Morganville, New Jersey in an amount not to exceed \$15,100.00 and the Chief Financial Officer is authorized to expend monies from the Affordable Housing Trust Fund for such purposes; and

**BE IT FURTHER RESOLVED** that a copy of this Resolution shall be provided to the following:

1. Beth McCann, Community Grants Planning & Housing
2. William Antonides, Chief Financial Officer

CERTIFICATION

I, Wendy L. Patrovich, RMC/CMR, 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 February 28, 2023.

Wendy L. Patrovich, RMC/CMR  
Township Clerk

**ORDINANCE 2023-04**

**TOWNSHIP OF HOLMDEL  
COUNTY OF MONMOUTH**

**AN ORDINANCE AUTHORIZING AN EASEMENT SWAP INVOLVING BLOCK 25.03,  
LOT 16 ON THE TAX MAPS OF THE TOWNSHIP OF HOLMDEL**

**WHEREAS**, the Township of Holmdel (“Township”) holds an open space easement (the “Easement”) to portions of Block 25.03, Lot 16 on the Tax Map of the Township of Holmdel, commonly known as 2 Yellowbrook Road, Holmdel, County of Monmouth, State of New Jersey (the “Property”); and

**WHEREAS**, the Easement was established by way of subdivision map for Falcon’s Ridge II, filed in the Monmouth County Clerk’s Office in Case 247-16 on August 20, 1993 (the “Filed Map”); and

**WHEREAS**, on or about May 7, 2020, through their counsel, the owners of the Property (the “Owners”) petitioned the Township for relief pursuant to Holmdel Township Ordinance 30-58(j) in order to construct a fence within the Easement; and

**WHEREAS**, upon review by the Township Engineer and the Township Attorney, the Township determined that the requested relief would be appropriately provided through an easement swap (the “Easement Swap”) that would vacate the easement in the subject portion that would allow for the construction of the proposed improvements; and

**WHEREAS**, the terms of the Easement Swap are further described in the survey attached hereto as **Exhibit A** and the metes and bounds descriptions attached hereto as **Exhibits B and C**; and

**WHEREAS**, under the proposed Easement Swap, the Township shall deed to the Owners an extinguishment of its Open Space Easement over a 2412.52 sq. ft. portion of the Property, as provided in the “Portion to be vacated” listed in **Exhibit B**, in exchange for the Owners granting a deed of Open Space Easement to the Township over a 2412.52 sq. ft. portion of the Property, in addition to the current Open Space Easement established under the Filed Map, as provided in the “Proposed Easement newly described” listed in **Exhibit C**; and

**WHEREAS**, the Township Engineer has approved the descriptions contained in **Exhibits B and C** from an engineering standpoint; and

**WHEREAS**, the Township’s Tax Assessor has certified that the “full and fair value” of the easements to be exchanged under the Swap are equal; and

**WHEREAS**, N.J.S.A. 40A:12-16 authorizes the Township to approve the Easement Swap by ordinance.

**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, Deputy Mayor, and Township Clerk are hereby authorized to execute a Deed extinguishing and terminating the Easement over the property listed in Exhibit B, in exchange for a Deed granting to the Township an Open Space Easement over the property listed in Exhibit C. The form and substance of the deeds shall be subject to the review and approval of the Township Attorney.
3. The Mayor, Deputy Mayor, Township Clerk, Township Attorney, and Township Administrator are hereby authorized and directed to prepare, 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, including but not limited to a Contract for Exchange of Real Estate.
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.

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 February 28, 2023 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on March 14, 2023 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.

Domenico Luccarelli, Mayor

Attest:  
Wendy L Patrovich, RMC/CMR  
Township Clerk