

HOLMDEL TOWNSHIP COMMITTEE REGULAR MEETING

February 13, 2018

6:30 PM – Executive Session

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 Independent, and the Two River Times and posted on the bulletin board in Township Hall and filed in the Township Clerk's Office on January 5, 2018.

2. Roll Call

3. Resolution to Enter Executive Session

7:30PM – Public Meeting

4. Roll Call

Tom Critelli, Mayor
Rocco Pascucci, Deputy Mayor
Gregory Buontempo, Committeeman
Eric Hinds, Committeeman
Michael Nikolis, Committeeman

5. Pledge of Allegiance and Moment of Silent Prayer

6. Proclamations

- a. D10 and D14 Cheer Teams
- b. Ava Hernando

7. Consent Agenda

- a. Bills Payable
- b. Purchases over \$3,500
Adopt Resolution Awarding a Contract to Purchase a Harley Davidson for Police Department
- c. Adopt Resolution Appointing Class I Special Officer for 2018

- d. Adopt Resolution Refunding Recreation Fees
- e. Adopt Resolution Awarding Contract of Swim Club Concession Stand
- f. Adopt Resolution Authorizing the County of Monmouth Mosquito Control Division to Conduct Aerial Mosquito Control Operation Within The Township of Holmdel
- g. Adopt Resolution Approving Tonnage Grant Application
- h. Adopt Resolution Refunding Continued Certificate of Occupancy Fees
- i. Adopt Resolution Approving Renewal of Contract with Fyr Fyter for Fire Extinguisher & Oxygen Bottles
- j. Adopt Resolution Authorizing the Renewal of the Contract with Jacques Exclusive Caterers for rental of tents, tables, chairs and lighting for events at Bayonet Farms
- k. Adopt Resolution Authorizing the Renewal the Contract with Sparkling Pools for the Opening/Closing of Holmdel Swim club for 2018 Season
- l. Adopt Resolution Appointing HMC, Inc., David Roach, President as Bloodborne Pathogen & Right To Know Consultant
- m. Adopt Resolution Appointing Dr. Mark White as Employee Assistance Professional
- n. Adopt Resolution Approving Hiring of a Laborer in Department of Public Works
- o. Adopt Resolution Awarding Contract for Pole Storage Building to Dutchman Contracting, LLC

8. Introduction of Ordinances

- a. AN ORDINANCE AUTHORIZING THE TOWNSHIP OF HOLMDEL TO RESTRICT THE SALE OF ANIMALS IN PET SHOPS 2018-02

Motion to adopt on first reading, publish in the Asbury Park Press, and set Public Hearing for February 27, 2018.

- b. AN ORDINANCE AMENDING CHAPTER 13 PARKS AND RECREATIONAL FACILITIES, SECTION 13-3 SWIM CENTER, SECTION

13-3.2, FEES AND CHARGES OF THE CODE OF THE TOWNSHIP OF
HOLMDEL 2018-03

Motion to adopt on first reading, publish in the Asbury Park Press, and set Public Hearing for February 27, 2018.

c. AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND
EMPLOYEES OF THE TOWNSHIP OF HOLMDEL 2018-04

Motion to adopt on first reading, publish in the Asbury Park Press, and set Public Hearing for February 27, 2018.

9. Hearings on Ordinances

ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF AN
EASEMENT ACROSS BLOCK 28.01, LOT 8 ON THE TAX MAPS OF THE
TOWNSHIP OF HOLMDEL 2018-01

Clerk's Statement

Public Hearing

Motion to adopt on final reading and publish in the Asbury Park Press according to law.

10. Minutes

Approve minutes of the meetings held on December 12, 2018 and January 2,
2018.

11. Departments

- a. Administrator
- b. Chief Financial Officer

12. Professional Reports

- a. Attorney

b. Engineer

13. Boards/Committees

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.

16. Adjournment

TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

RESOLUTION TO ENTER EXECUTIVE SESSION

WHEREAS, the Open Public Meetings Act provides that the Township Committee may enter into Executive Session to discuss matters that are of a confidential nature, pursuant to N.J.S.A. 10:4-12; and

WHEREAS, it is recommended by the Township Attorney and Township Administrator that the Township Committee enter into Executive Session to discuss matters set forth hereinafter which are permissible for discussion in Executive Session.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel, County of Monmouth, State of New Jersey, that the Township Committee shall enter into Executive Session to discuss the following matters:

Litigation, Potential Litigation, Contract Negotiation – N.J.S.A. 10:4-12(b)(7)
I/M/O COAH
AD-IN Sport Foundation v. Township of Holmdel

BE IT FURTHER RESOLVED that the minutes of the Executive Session shall be released to the public when the need for confidentiality no longer exists.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

BILLS PAYABLE RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the claims listed below on the Schedule of Bills Payable on February 13, 2018 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUND DISTRIBUTION	7-01	CURRENT FUND	\$ 137,971.79
FUND DISTRIBUTION	7-07	Sewer	\$ 2,000.00
FUND DISTRIBUTION	7-12		\$ 3,286.20
		Year Total	\$ 143,257.99
FUND DISTRIBUTION	8-01	CURRENT FUND	\$ 421,914.83
FUND DISTRIBUTION	8-07	SEWER	\$ 153,231.98
FUND DISTRIBUTION	8-12		\$ 77,779.46
FUND DISTRIBUTION	8-26	POOL OPER	\$ 49.95
		YEAR TOTAL \$	652,976.22
FUND DISTRIBUTION	C-04	GENERAL CAPT	\$ 58,948.31
FUND DISTRIBUTION	C-08	SEWER	\$ 533.75
		YEAR TOTAL \$	59,482.06
FUND DISTRIBUTION	D-02	DOG TRUST	\$ 1,561.20
FUND DISTRIBUTION	G-02	STATE/FED	\$ 3,158.80
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$ 2,646.10
FUND DISTRIBUTION	T-24	FAIR HOUSING	\$ 16,901.50
		YEAR TOTAL \$	19,547.60
		Total Of All Funds:	\$ 879,983.87
		Total of all Projects:	\$ 75,648.27

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION AWARDING CONTRACT

WHEREAS, bids were received at the Municipal Building, Crawfords Corner Road, Holmdel, New Jersey for a Harley-Davidson Motorcycle; and

WHEREAS, the following bids were received:

<u>Contractor</u>	<u>Amount</u>
Hannum's Mt. Holly Sales	\$19,856.00
Shoreline Harley-Davidson	\$21,354.65
Rommel Harley-Davidson.	\$27,743.00

and

WHEREAS, the Township Qualified Purchasing Agent has recommended an award be made to Hannum's Mt. Holly Sales; and

WHEREAS, the proposal submitted by Hannum's exceeds the \$17,500 Pay-to-Play limit and therefore, disclosure forms were requested and have been on file with the Township Clerk since January 3, 2018; 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 Hannum's Mt. Holly Sales in accordance with the bid documents in the amount of \$19,856.00. .

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Hannum's Mt. Holly Sales, the Township Chief Financial Officer, Township Administrator, Township Qualified Purchasing Agent, and to each of the unsuccessful bidders together with a return of any bid security.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION HIRING EMPLOYEE

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following individual be and hereby is Appointed to the position of Class 1 Special Officer.

Daisy Agostini

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION REFUNDING RECREATION FEES

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following Recreation Fees be returned:

Bryan Wiener	Refund Daddy daughter dance	\$100.00
Francine Campis	Refund Senior Work out	\$ 84.00
Jessica Diehl	Refund cancelled class	\$110.00

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION AWARDING CONTRACT

WHEREAS, bids were received at the Municipal Building, 4 Crawfords Corner Road, Holmdel, New Jersey for the Swim Club Concession Stand; and

WHEREAS, the following bids were received;

<u>Contractor</u>	<u>Amount</u>
All Around Concessions:	\$11,500 for 2018 season
Mattellie's LLC:	\$ 9,751 for 2018 season

and;

WHEREAS, the Concession bid is for a period of one year with the option to renew for an additional two years in the amount of \$11,500 for 2019 season and \$12,000 for the 2020 season; and

WHEREAS, the contract is eligible to be bid as a competitive contract and all requirements for the competitive contracting process have been followed; and

WHEREAS, the Township Qualified Purchasing Agent has recommended an award be made to All Around Concession.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby awards a contract to All Around Concessions in accordance with the bid documents in the amount of \$11,500 for the 2018 season.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to All Around Concessions, Mattellie's, LLC, Township's Recreation Director, and the Township Qualified Purchasing Agent.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

**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, pursuant to NJSA 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 notified the Police Department of each municipality over which aerial pesticide operations are planned prior to commencement of such operations.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

**TONNAGE GRANT APPLICATION RESOLUTION
2017**

WHEREAS, the Mandatory Source Separation and "Recycling Act", P.L. 1987, c.102, has established a recycling fund from which tonnage grants may be made to municipalities in order to encourage local source separation and recycling programs; and

WHEREAS, it is the intent and the spirit of the Recycling Act to continue and to expand existing programs; and

WHEREAS, the New Jersey Department of Environmental Protection is promulgating recycling regulations to implement the Recycling Act; and

WHEREAS, NJ DEP regulations impose on municipalities certain requirements as a condition for applying for tonnage grant, including but not limited to, making and keeping accurate, verifiable records of materials collected and claimed by the municipality; and

WHEREAS, a resolution authorizing this municipality to apply for such tonnage grants will memorialize the commitment of this municipality to recycling and to indicate the assent of the Township of Holmdel to the efforts undertaken by the municipality and the requirements contained in the Recycling Act and associated NJDEP regulations; and

WHEREAS, such a resolution should designate the individual authorized to ensure the application is properly completed and timely filed.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Holmdel that Holmdel Township hereby endorses the submission of the recycling tonnage grant application to the New Jersey Department of Environmental Protection and designates Victor Stevens to ensure that the application is properly filed; and

BE IT FURTHER RESOLVED that the monies received from the recycling tonnage grant be deposited in a dedicated recycling trust to be used solely for the purposes of recycling.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION REFUNDING CONTINUED CERTIFICATE OF OCCUPANCY FEE

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following Continued Certificate of Occupancy fee be returned:

Christine and Peter Rush \$125.00

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION RENEWING CONTRACT

WHEREAS, on February 28, 2017 the Township of Holmdel awarded a contract to Fire Extinguisher/Oxygen Services for multiple facilities throughout the Township; and

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

WHEREAS, it has been determined that it is in the best interest of Holmdel Township to renew the contract with Fyr Fyter for the 2018 contract year; and

WHEREAS, the final amount of the contract will be determined by the repairs and replacement as necessary;

WHEREAS, there is no increase in rates for 2018; and

WHEREAS, a certification of availability of funds shall be provided by the Township Chief Financial Officer on each purchase order as supplies are required and prior to liability being incurred;

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby exercises the option to renew the contract with Fyr Fyter for Fire Extinguisher/Oxygen Services for the 2018 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 Fyr Fyter, Holmdel Township Police Department, Director of Operations & Infrastructure and the Township Qualified Purchasing Agent.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION RENEWING CONTRACT

WHEREAS, in December 2016 the Township of Holmdel awarded a contract, to Jacques Exclusive Caterers for the rental of tents, tables, chairs and lighting for events at Bayonet Farms, 41 Middletown Rd.; and

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

WHEREAS, it has been determined that it is in the best interest of Holmdel Township to renew the contract with Jacques Exclusive Caterers for the 2018 contract year; and

WHEREAS, the contract is awarded on an as needed basis; and

WHEREAS, a certification of availability of funds shall be provided by the Township Chief Financial Officer on each purchase order as supplies are required and prior to liability being incurred.

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby exercises the option to renew the contract with Jacques Exclusive Caterers for the rental of tents, tables, chairs and lighting services for the 2018 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 Jacques Exclusive Caterers the Townships Recreation Director and the Township Qualified Purchasing Agent.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION RENEWING CONTRACT

WHEREAS, on March 28, 2017 the Township of Holmdel awarded a contract to Sparkling Pools for the opening/closing of the Holmdel Swim Club; and

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

WHEREAS, it has been determined that it is in the best interest of Holmdel Township to renew the contract with Sparkling Pools for the 2018 contract year in the amount of \$21,400; and

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

NOW THEREFORE BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby exercises the option to renew the contract with Sparkling Pools for opening/closing services of the Holmdel Swim Club for the 2018 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 Sparkling Pools, the Townships Recreation Director and the Township Qualified Purchasing Agent.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION APPOINTING BLOODBORNE PATHOGEN AND RIGHT TO KNOW
CONSULTANT

WHEREAS, the Township of Holmdel is required, by law, to appoint a Bloodborne Pathogen; and

WHEREAS, David Roache, President of HMC, Inc. has submitted a proposal and subsequent review has determined that his qualifications suit the needs of the Township; and

WHEREAS, Mr. Roache will also be responsible for the Right to Know Training as required by law.

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

NOW, THEREFORE BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that David Roache, President of HMC, Inc. be appointed as Holmdel Township's Bloodborne Pathogen and Right to Know Consultant at an hourly rate of \$75.00 through December 31, 2018.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

Resolution Authorizing an Agreement with Employee Consulting Associates for Employee Assistance Services for 2018

WHEREAS, the Township of Holmdel wishes to retain an Employee Assistance Professional, EAP to provide EAP services to all Township employees; and

WHEREAS, Mark White PH,D, P.A. has submitted a proposal and subsequent review has determined that his qualifications suit the needs of the Township.

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

NOW THEEFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Holmdel hereby appoint Mark White PH.D, P.A. to provide Employee Assistance Services for 2018 at an annual retainer rate of \$3,500.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION HIRING EMPLOYEE DEPARTMENT OF PUBLIC WORKS

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following individual be and hereby is hired to the position of Laborer in the Department of Public Works, subject to approval by the New Jersey Civil Service Commission.

Anthony Facchini

Laborer

\$33,864

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

RESOLUTION
AWARING CONTRACT
CONSTRUCTION OF POLE BUIDLING

WHEREAS, on January 30, 2018 bids were received at the Municipal Building, 4 Crawfords Corner Road, Holmdel, New Jersey, for the construction of a pole building at the Department of Public Works; and

WHEREAS, the following bids were received:

<u>Contractor</u>	<u>Amount</u>
Dutchman Contracting, LLC	\$379,800
Pioneer Bole Buildings, Inc	\$598,658
Commercial Construction	\$439,342
Cypreco Industries, Inc.	\$521,212
Security Structures, Inc.	\$439,205
Apex Enterprises of Union	\$474,000
Brunswick Builders, LLC	\$282,518
Conestoga Buildings	\$422,737

WHEREAS, pursuant to N.J.S.A. 40A:11-23.3, a bidder may request withdrawal of a bid, due to a mistake on the part of the bidder, within five business days after a bid opening, and;

WHEREAS, Brunswick Builders, LLC, the apparent low bidder, made a request to the Township to rescind their bid due to an erroneously clerical error in the preparation of their proposal; and

WHEREAS, Holmdel Township, acting in good faith after review of Brunswick Builder's request to rescind, hereby grants the requested withdrawal and shall return the bid guarantee to the bidder, and;

WHEREAS, based upon this bid withdrawal, the Township Qualified Purchasing Agent recommends award; to the second lowest bidder, Dutchman LLC; and

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Township of Holmdel hereby awards a contract to Dutchman Contracting, LLC in the amount of \$379,800.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Dutchman Contracting, LLC and all other vendors indicated above and the Township's Qualified Purchasing Agent.

CERTIFICATION

I, Wendy L Patrovich, Deputy 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 13, 2018.

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

**ORDINANCE NO. 2018 -02
TOWNSHIP OF HOLMDEL**

**AN ORDINANCE ESTABLISHING SECTION 5-7 OF THE CODE OF THE TOWNSHIP
OF HOLMDEL, RESTRICTING THE SALE OF CATS AND DOGS**

WHEREAS, a significant number of puppies and kittens sold at pet shops come from large-scale, commercial breeding facilities where the health and welfare of the animals are not adequately provided for (“puppy mills” and “kitten mills,” respectively); and

WHEREAS, according to The Humane Society of the United States, it is estimated that 10,000 puppy mills produce more than 2,400,000 puppies a year in the United States and that most pet shop dogs and cats come from puppy mills and kitten mills; and

WHEREAS, the documented abuses endemic to puppy and kitten mills include over-breeding, inbreeding, minimal to non-existent veterinary care, lack of adequate and nutritious food, water and shelter, lack of socialization, lack of adequate space, and lack of adequate exercise; and

WHEREAS, the inhumane conditions in puppy and kitten mill facilities lead to health and behavioral issues in the animals bred in those facilities, which many consumers are unaware of when purchasing animals from pet shops due to both a lack of education on the issue and misleading tactics of pet shops in some cases; and

WHEREAS, these health and behavioral issues, which may not present themselves until sometime after the purchase of the animals, can impose exorbitant financial and emotional costs on the consumer; and

WHEREAS, current federal and state laws and regulations do not adequately address the sale of puppy and kitten mill dogs and cats in pet shops; and

WHEREAS, restricting the retail sale of puppies and kittens is likely to decrease the demand for puppies and kittens bred in puppy and kitten mills, and is likely to increase demand for animals from animal shelters and rescue organizations; and

WHEREAS, according to the New Jersey Department of Health 2016 Animal Intake and Disposition Survey, due in large part to pet overpopulation, more than 15,000 dogs and cats are euthanized in New Jersey animal shelters annually; and

WHEREAS, restricting the retail sale of puppies and kittens to only those that are sourced from animal shelters and rescue organizations will likely reduce pet overpopulation and thus the burden on such agencies and financial costs on local taxpayers; and

WHEREAS, across the country, thousands of independent pet shops as well as large chains operate profitably with a business model focused on the sale of pet services and supplies and not on the sale of dogs and cats; and

WHEREAS, many of these shops collaborate with local animal shelters and rescue organizations to offer space and support for showcasing adoptable homeless pets on their premises; and

WHEREAS, this Ordinance will not affect a consumer's ability to obtain a dog or cat of his or her choice directly from a breed-specific rescue organization or shelter, or from a hobby breeder where the consumer can see directly the conditions in which the dogs and cats are bred; and

WHEREAS, pursuant to N.J.S.A. 40:48-1 and N.J.S.A. 40:48-2, municipalities are afforded broad powers to adopt ordinances reasonably related to the public health, safety, and welfare; and

WHEREAS, the Township Committee believes it is in the best interests of this Township to adopt reasonable regulation to reduce costs to the Township and its residents, protect the citizens of the Township who may purchase cats or dogs from a pet shop or other business establishment, help prevent inhumane breeding conditions, promote community awareness of animal welfare and foster a more humane environment in the Township.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Holmdel in the County of Monmouth, State of New Jersey that the Code of the Township of Holmdel be and is hereby amended as follows:

SECTION 1. The following new sections are adopted:

5-7 RESTRICTIONS ON SALE OF CATS AND DOGS.

5-7.1 Definitions:

Animal rescue organization means an individual or group of individuals who, with or without salary or compensation, house and care for homeless animals in the home of an individual or in other facilities, with the intent of placing the animals in responsible, more permanent homes as soon as possible.

Animal rescue facility means the home or other facility in which an animal rescue organization houses or cares for animals.

Cats means a member of a species of domestic cat, *Felis catus*.

Dogs means a member of a species of domestic dog, *Canis familiaris*.

Offer for Sale means to sell, deliver, offer for sale or adoption, advertise for the sale of, barter, auction, give away, or otherwise transfer or dispose of a dog or cat.

Pet shop means a retail establishment where dogs and cats are sold, exchanged, bartered or offered for sale as pet animals to the general public at retail. Such definition shall not include an animal care facility or animal rescue organization, as defined.

5-7.2 Restrictions on the Sale of Animals.

No pet shop may offer for sale any cats or dogs. Nothing in this section shall prohibit pet shops from collaborating with animal care facilities or animal rescue organizations to offer space for such entities to showcase dogs and cats in their custody or control for adoption.

Section 2. Severability.

If any section, subsection, paragraph, sentence, clause or phrase of this Ordinance shall be declared invalid for any reason whatsoever, such decision shall not affect the remaining portions of this Ordinance which shall continue in full force and effect, and to this end, the provisions of this Ordinance are hereby declared to be severable.

Section 3. Effective Date.

This ordinance shall become effective 90 days after passage.

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 February 13, 2018 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 27, 2018 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.

Thomas Critelli, Mayor

Attest:

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

TOWNSHIP OF HOLMDEL

AN ORDINANCE AMENDING CHAPTER 13 PARKS AND RECREATIONAL FACILITIES, SECTION 13-3 SWIM CENTER, SECTION 13-3.2, FEES AND CHARGES OF THE CODE OF THE TOWNSHIP OF HOLMDEL 2018-03

BE IT ORDAINED by the Township Committee of the Township of Holmdel, County of Monmouth and State of New Jersey as follows: (additions are underlined, and deletions are in [brackets]):

Section 1. Section 13-3.2 is hereby amended as to the amount of fees as follows:

a. Memberships. The classes of membership and fees for the year are as follows. All fees shall be paid in full.

- (1) Resident family membership: Prior to April 15 [~~\$575~~] \$585
After April 15 [~~\$635~~] \$645
- (2) Resident individual membership 18 years or older, proof Required:
Prior to April 15 [~~\$325~~] \$330
After April 15 [~~\$375~~] \$385
- (3) Resident senior citizen membership 62 years or older, proof required:
Prior to April 15 [~~\$130~~] \$135
After April 15 [~~\$150~~] \$155
- (4) Non-resident family:
Prior to April 15 [~~\$770~~] \$780
After April 15 [~~\$815~~] \$830
- (5) Non-resident individual membership 18 years or older, proof required:
Prior to April 15 [~~\$415~~] \$425
After April 15 [~~\$470~~] \$475
- (6) Non-resident senior citizen membership 62 years or older, proof required:
Prior to April 15 [~~\$180~~] \$185
After April 15 [~~\$200~~] \$205

(7) August/Labor Day only Family (membership available ONLY after seasonal membership reaches capacity)

Resident family: \$400

Non-resident family: \$445

(8) August/Labor Day only Individual (membership available ONLY after seasonal membership reaches capacity)

Resident: ~~[\$225]~~ \$250

Non-resident: \$295

(9) Swim Lessons

Members: \$50 class

Non-Members: \$75 class

(10) Swim Team Fee (member)

First Child: \$80

Each Additional Child: \$65

Late Fee after 6/20/15: \$15 each child

Swim Team Individual (membership limited to swim team)

Resident ~~[\$250]~~ \$250

Non-Resident ~~[\$270]~~ \$275

Volunteer Work Bond \$50

(11) Guest Book – Book of 5 Passes \$40

(12) Daily Guest Pass (Members) \$10

Twilight Guest Pass (after 5 PM – Members) \$ 5

(13) Replacement ID Card Fee \$10

(14) Labor Day Guest Fee – Guest of Member \$ 5

(15) Family Day Entrance Fee (non-member) \$ 5

b. No Change

c. No Change

d. No Change

e. No Change

Section 2. The remainder of all other sections and subsections of the aforementioned ordinance not specifically amended by this ordinance shall remain in full force and effect.

Section 3. All Ordinances or parts thereof inconsistent with the provisions of this ordinance are hereby repealed as to such inconsistency.

Section 4. If any section paragraph, subdivision, clause or provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to the section, paragraph, subdivision, clause or provision so adjudged and the remainder of this ordinance shall be deemed valid and effective.

Section 5. This ordinance shall take effect upon its passage and publication according to law.

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 February 13, 2018 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 27, 2018 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.

Thomas Critelli, Mayor

Attest:

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

**AN ORDINANCE FIXING THE SALARIES OF CERTAIN OFFICIALS AND
EMPLOYEES OF THE TOWNSHIP OF HOLMDEL 2018-04**

WHEREAS, pursuant to N.J.S.A. 40A:9-165, the Township must set salaries for officers, employees, and elected officials not directly subject to duly adopted collective bargaining agreements by separate ordinance (collectively "Non-Aligned Employees"); and

WHEREAS, the Township has certain employees whose collective bargaining agreements establish salaries for its members pursuant to the salary ranges established under the Township's salary ordinance (collectively "Aligned Salary Ordinance Employees"); and

WHEREAS, the Township Committee wishes to establish salary ranges for the aforementioned employees and officials effective January 1, 2018.

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

SECTION 1.

The annual compensation range for Non-Aligned Employees of the Township of Holmdel effective January 1, 2018 is established as provided in the document attached hereto as Exhibit "A" and incorporated by reference.

SECTION 2.

The exact compensation to be paid to each Non-Aligned Employee listed in Exhibit "A" shall be set by resolution of the Township Committee, to the extent the exact compensation is not set by the terms of this Ordinance. Said exact compensation shall be within the ranges set forth in this Ordinance.

SECTION 3.

The annual compensation range for Aligned Salary Ordinance Employees of the Township of Holmdel effective January 1, 2018 is established as provided in the document attached hereto as Exhibit "B" and incorporated by reference.

SECTION 4.

The exact compensation to be paid to each Aligned Salary Ordinance Employee listed in Exhibit "B" shall be set by resolution of the Township Committee, to the extent the exact compensation is not set by the terms of this Ordinance and/or the applicable collective bargaining agreement. Any exact compensation set by resolution of the Township Committee shall be within the ranges set forth in this Ordinance.

SECTION 5.

Section 3 and Section 4 of this Ordinance shall be unenforceable to the extent the provisions contradict any duly executed collective bargaining agreement.

SECTION 6.

All ordinances in conflict with or inconsistent with this ordinance are hereby repealed to the extent of such conflict or inconsistency.

SECTION 7.

This Ordinance shall become effective upon adoption and publication in accordance with law with a retroactive effect to January 1, 2018.

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 February 13, 2018 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 27, 2018 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.

Thomas Critelli, Mayor

Attest:

Wendy L Patrovich, RMC/CMR
Deputy Township Clerk

Exhibit "A"

That the annual salaries of the following officials and employees for 2018 shall be as follows:

Title	Low	High
Mayor	4,749	4,749
Deputy Mayor	4,495	4,495
Township Committee Member	4,316	4,316
Account Clerk	33,000	54,621
Administrative Clerk	40,000	72,841
Administrative Secretary	40,000	67,710
Building Subcode Official	40,000	84,445
Buyer/Purchasing Agent	40,000	81,600
Chief Financial Officer/Tax Collector	80,000	137,700
Confidential Assistant	40,000	65,000
Construction Official/Plumbing/Fire Sub Code Official	60,000	122,400
Deputy Municipal Clerk/Registrar of Vital Statistics	30,000	60,241
Director of Automotive Services	50,000	104,144
Electrical Inspector	40,000	68,000
Electrical Subcode Official	40,000	91,800
Electrical Subcode Official/Building Subcode Official	40,000	91,800
Judge of Municipal Court	25,000	51,000
Municipal Administrator	125,000	170,814
Municipal Clerk	50,000	95,362
Municipal Court Administrator	40,000	86,700
Municipal Dept Head(Director of Infrastructure & Operations)	75,500	135,000
Municipal Dept Head(Director of Information Technology)	75,000	96,900
Payroll Supervisor	40,000	68,147
Police Chief	125,000	170,814
Principal Personnel Technician	40,000	80,000
Public Works Superintendent	49,500	105,295
Purchasing Assistant	40,000	75,000
Recreation Director	60,000	82,620
Recreation Supervisor	35,000	53,040
Secretary (unclassified)	30,000	52,020
Secretary Board/Commission	35,000	73,071
Tax Assessor (Full-Time)	60,000	90,424
Tax Assessor (Part-Time)	30,000	61,200
Zoning Officer, Fire Official, Fire Protection, Housing Insp.	50,000	73,358

The following positions shall be compensated at the following rates for part-time work:

Code Enforcement Officer	5,000	15,000
Computer Operator Trainee	15/hr	30/hr
Electric Subcode Official	15/hr	40/hr

(Keyboarding) Clerk1	9/hr	18/hr
Municipal Alliance Coordinator	15,000	25,512
Inspector (Bldg, Plumbing, Elect, Fire)	15/hr	35.70/hr
Public Information Officer	15/hr	20/hr
Public Safety Telecommunicator	9/hr	14.44/hr
Public Safety Telecommunicator Trainee	9/hr	14.44/hr
School Traffic Guard	9/hr	13.87/hr
Special Law Enforcement Officer – Class I & II	8/hr	15.65/hr

The following Township Employees shall be compensated at the following stipend payment:

Interim Administrator		20,000
Pesticide Applicator		3,500
Road Inspector		3,500
Training Officer	5,000	10,000

The following positions shall be compensated at the following hourly rates or stipend amount for seasonal work:

Assistant Swim Team Coach (stipend)	500	1,500
Head Swim Team Coach (stipend)	1,500	3,500
Swim Team Instructor (stipend)	300	600
Swim Club Manager (stipend)	5,500	10,000
<u>Hourly:</u>		
Activities Coordinator – Swim	9.00	20.00
Swim Club Assistant Manager	10.00	25.00
Gate Attendant	7.50	16.00
Gate Attendant Supervisor	7.50	20.00
Property Inspector	8.00	13.00
Recreation Summer Camp Supervisor	12.00	25.00
Recreation Aide	10.00	17.25
Recreation Assistant Supervisor	11.00	20.00
Laborer	8.00	13.00
Lifeguard	8.00	16.00
Lifeguard – Instructor	8.15	14.00
Head Lifeguard	8.75	18.00
Summer Maintenance Supervisor	15.00	30.00
Summer Maintenance Attendant	7.25	12.00
Tennis Assistant Instructor	7.25	15.00
Tennis Instructor	11.00	30.00
Tennis Pros	14.00	60.00
Recreation Counselor	7.25	15.00
Arts & Crafts	10.00	20.00

Exhibit "B"

That the annual salaries of the following officials and employees for 2018 shall be as follows:

Title	Low	High
Administrative Clerk	40,000	55,055
Assistant Assessor	30,000	58,543
Assistant Municipal Tax Collector	40,000	56,721
Assistant Violations Clerk	24,200	31,732
(Keyboarding) Clerk 1	25,000	31,732
(Keyboarding) Clerk 2	25,000	40,536
Deputy Municipal Court Administrator	30,000	55,458
Principal Account Clerk	25,000	40,000
Public Safety Telecommunicator	23,000	33,776
Public Safety Telecommunicator Trainee	23,000	23,032
Records Support Technician 2	25,000	39,572
Recreation Leader	25,000	58,876
Secretary Board/Commission	35,000	45,071
Senior Account Clerk	30,000	62,852
Senior Permit Clerk	35,000	62,000
Senior Public Safety Telecommunicator	30,000	63,509
Technical Assistant to Construction Official	30,000	45,071
Violations Clerk	26,400	39,449

The following positions shall be compensated at the following rates for part-time work:

Records Support Technician 1	9/hr	18.69/hr
(Keyboarding) Clerk1	9/hr	18.28/hr
Principal Tax Clerk	15/hr	24.41/hr

AN ORDINANCE AUTHORIZING THE VACATION OF A PORTION OF AN
EASEMENT ACROSS BLOCK 28.01, LOT 8 ON THE TAX MAPS OF THE TOWNSHIP
OF HOLMDEL 2018-01

WHEREAS, the Township of Holmdel ("Township") holds an easement (the "Easement") to portions of Block 28.01, Lot 8 on the Tax Maps of the Township of Holmdel, commonly known as 5 Tilton Place, Holmdel, County of Monmouth, State of New Jersey (the "Property"); and

WHEREAS, the Easement was established by way of subdivision map entitled "Final Plat, Mabern Estates, Section One," situate in the Township of Holmdel, Monmouth County, N.J., as filed in the Monmouth County Clerk's Office on November 2, 1972 in Case Number 117-19; and

WHEREAS; the current owner of the Property has petitioned the Township for a modification to the Easement pursuant to Holmdel Township Ordinance 30-58(j), to remove a 3,237 sq. ft. portion of the Easement, as depicted on the metes and bounds descriptions titled "Legal Description N/F Vacation of a Conservation Easement," attached hereto as "Exhibit A" and "Exhibit B" and incorporated by reference (collectively the "Portion Area"); and

WHEREAS, in consultation with the Township Engineer, the Township has considered the circumstances and finds that it is no longer desirable to maintain the Easement over the Portion Area; and

WHEREAS, the Easement over the Portion Area shall not be sold for less than its fair market value, \$4,700, as calculated by the Township's Tax Assessor; and

WHEREAS, the Local Buildings and Lands Law, N.J.S.A. 40A:12-13(b)(4) authorizes the Township to extinguish and vacate 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 extinguishing and terminating the 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.

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 23, 2018 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 13, 2018 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.

Thomas Critelli, Mayor

Attest:

Maureen Doloughy, RMC
Township Clerk