

HOLMDEL TOWNSHIP COMMITTEE REGULAR MEETING

May 8, 2018

7:00 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, 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. Pledge of Allegiance and Moment of Silent Prayer

5. Roll Call

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

6. Approval of Minutes

February 13, 2018 – Public Session
February 27, 2018 – Public Session

7. Consent Agenda

- a. Bills Payable #1
- b. Bills Payable #2
- c. Adopt Resolution Awarding a Contract to Hunter Jersey Peterbilt for 2011 Dump Truck engine rebuilt repair
- d. Adopt Resolution Approving the Promotion of Daniel Presti to Road Inspector for the Department of Public Works

- e. Adopt Resolution Approving the Hiring of 2 Seasonal Laborers for Department of Public Works
- f. Adopt Resolution Confirming Mayor's Nominations to the Agricultural Advisory Committee
- g. Adopt Resolution Approving Refunding of Recreation Fees
- h. Adopt Resolution Approving the Hiring Employees for the 2018 Swim Club Season
- i. Adopt Resolution Approving the Hiring of Part-time Camp Counselors for 2018 Season
- j. Adopt Resolution Authorizing the Refund of Overpayment of Taxes

8. Hearings on Ordinances

AN ORDINANCE AUTHORIZING AN EASEMENT SWAP INVOLVING BLOCK 50.15,
LOT 3 ON THE TAX MAPS OF THE TOWNSHIP OF HOLMDEL (9 CARLA COURT)
Ordinance # 2018-07

Clerk's Statement

Public Hearing

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

9. Departments

- a. Administrator
- b. Chief Financial Officer

10. Professional Reports

- a. Attorney
- b. Engineer

11. Boards/Committees

12. Business from the Committee

13. 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.

14. 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:

Legal Issues, Litigation, Potential Litigation, Contract Negotiation, Attorney-Client Privilege – N.J.S.A. 10:4-12(b)(7)

Legal Advice Regarding 2018 Budget and Potential Bond Ordinances Issued Pursuant Thereto

Legal Advice Regarding Open Public Records Act compliance

In re Petition of New Jersey Natural Gas

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, Maureen Doloughty, 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 May 8, 2018.

Maureen Doloughty, RMC
Township Clerk

7A

BILLS PAYABLE RESOLUTION #1

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 May 8, 2018 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims.

FUND DISTRIBUTION	8-01	CURRENT FUND	\$	13,258.77
		Total Of All Funds:	\$	13,258.77

CERTIFICATION

I, Maureen Doloughty, 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 May 8, 2018.

Maureen Doloughty, RMC
Township Clerk

May 2, 2018
11:49 AM

TOWNSHIP OF HOLMDEL
Check Register By Check Id

Manual Check
Page No: 1

Range of Checking Accts: CASH CLEARING to CASH CLEARING Range of Check Ids: 39109 to 39109
Report Type: All Checks Report Format: Detail Check Type: Computer: Y Manual: Y Dir Deposit: Y

Check #	Check Date	Vendor	Amount Paid	Charge Account	Account Type	Reconciled/Void	Ref Num
PO #	Item	Description				Contract	Ref Seq Acct
39109	05/02/18	WEXB0005 Wex Bank					2716
18-01312	1	APR 24 Bill;# 0496-00-333452-1	13,258.77	8-01-31-460-460-401	Budget		1 1
				GAS/OIL: Township - All Departments			

Report Totals	Paid	Void	Amount Paid	Amount Void
Checks:	1	0	13,258.77	0.00
Direct Deposit:	0	0	0.00	0.00
Total:	1	0	13,258.77	0.00

May 2, 2018
11:49 AM

TOWNSHIP OF HOLMDEL
Check Register By Check Id

Totals by Year-Fund	Fund	Budget Total	Revenue Total	G/L Total	Total
Fund Description					
CURRENT FUND	8-01	13,258.77	0.00	0.00	13,258.77
Total of All Funds:		<u>13,258.77</u>	<u>0.00</u>	<u>0.00</u>	<u>13,258.77</u>

7B

BILLS PAYABLE RESOLUTION #2

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 May 8, 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	\$ 7,981.02
FUND DISTRIBUTION	8-01	CURRENT FUND	\$ 280,404.28
FUND DISTRIBUTION	8-07	SEWER	\$ 3,289.40
FUND DISTRIBUTION	8-12		\$ 12,137.65
FUND DISTRIBUTION	8-26	POOL OPER	\$ 99.95
		YEAR TOTAL	\$ 295,931.28
FUND DISTRIBUTION	C-04	GENERAL CAPT	\$ 40,539.42
FUND DISTRIBUTION	G-02	STATE/FED	\$ 35,895.00
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$ 16,269.34
FUND DISTRIBUTION	T-24	FAIR HOUSING	\$ 3,407.50
		YEAR TOTAL	\$ 19,676.84
		Total Of All Funds:	\$ 400,023.56
		Total of all Projects:	\$ 11,296.49

CERTIFICATION

I, Maureen Doloughy, 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 May 8, 2018.

Maureen Doloughy, RMC
Township Clerk

Vendor # Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Enc Date	Date	Chk/Void	Invoice	1099
WBMA0001 W. B. Mason Co., Inc.															
	18-00177	01/17/18	OFFICE SUPPLIES 2018			B									
	13		WINDEX WIPES	112.56	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	14		MOUSE PADS	8.50	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	15		PENDAFLEX HANGING FOLDERS	4.32	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	16		CALCULATOR PAPER 12PK	7.78	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	17		STAPLER	9.59	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	18		STAPLER-HEAVY DUTY NO JAM	4.98	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	19		XEROX TONER CYAN	167.24	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	20		XEROX TONER MAGENTA	167.24	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	05/01/18			154475789	N
	21		Pendaflex Pressboard Blue Fold	64.80	8-01-20-100-100-110	R		B ADMIN: Office Supplies	R	01/17/18	04/23/18			154239357	N
				547.01											
			Vendor Total:	547.01											
WHP00001 W. H. Potter & son															
	18-00972	03/29/18	Light Equipment												
	1		Light Equipment	48.99	8-01-26-315-315-297	R		B CRF: Light Equipment Parts and Supplies	R	03/29/18	04/26/18			226417	N
			Vendor Total:	48.99											
WIRE0001 wireless Communications															
	18-00566	02/16/18	BLANKET: RADIO MAINTENANCE			B									
	3		RADIO MAINTENANCE/MARCH 2018	617.00	8-01-25-240-240-308	R		B POL: Patrol	R	02/16/18	04/26/18			M58325	N
	18-01025	04/03/18	BLANKET PO APRIL-DEC 2018			B									
	2		RADIO MAINTENANCE/APRIL 2018	617.00	8-01-25-240-240-308	R		B POL: Patrol	R	04/03/18	04/26/18			M58326	N
			Vendor Total:	1,234.00											
Total Purchase Orders: 139 Total P.O. Line Items: 204 Total List Amount: 400,023.56 Total Void Amount: 0.00															

Totals by Year-Fund	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Project Total	Total
Fund Description								
CURRENT FUND	7-01	7,981.02	0.00	7,981.02	0.00	0.00	0.00	7,981.02
CURRENT FUND	8-01	280,404.28	0.00	280,404.28	0.00	0.00	0.00	280,404.28
SEWER OPERATING	8-07	3,289.40	0.00	3,289.40	0.00	0.00	0.00	3,289.40
	8-12	841.16	0.00	841.16	0.00	0.00	11,296.49	12,137.65
POOL OPERATING ACCOUNT	8-26	49.95	0.00	49.95	50.00	0.00	0.00	99.95
Year Total:		284,584.79	0.00	284,584.79	50.00	0.00	11,296.49	295,931.28
GENERAL CAPITAL	C-04	40,539.42	0.00	40,539.42	0.00	0.00	0.00	40,539.42
STATE/FEDERAL GRANT FUND:	G-02	35,895.00	0.00	35,895.00	0.00	0.00	0.00	35,895.00
OTHER TRUSTS	T-12	16,269.34	0.00	16,269.34	0.00	0.00	0.00	16,269.34
FAIR HOUSING TRUST	T-24	3,407.50	0.00	3,407.50	0.00	0.00	0.00	3,407.50
Year Total:		19,676.84	0.00	19,676.84	0.00	0.00	0.00	19,676.84
Total of All Funds:		388,677.07	0.00	388,677.07	50.00	0.00	11,296.49	400,023.56

7C

RESOLUTION
AWARD OF CONTRACT – HUNTER JERSEY PETERBILT, L.P.

WHEREAS, a 2011 Dump Truck utilized by our Department of Public Works is in need of engine rebuilt repair; and

WHEREAS, the Department of Public Fleet Maintenance Manager solicited and received two formal quotes as follows:

<u>Bidder</u>	<u>Base Amount</u>
Hunter Jersey Peterbilt	\$20,702.10
Cummins Sales and Service	\$21,287.10

WHEREAS, the Township Qualified Purchasing Agent has recommended an award be made to Hunter Jersey Peterbilt; and

WHEREAS, Jersey Peterbilt has completed and submitted a Business Entity Disclosure Certification which certifies that they have not may any reportable contributions to a candidate or candidate committee in the Township of Holmdel in the previous one-year, and that this contract will prohibit them from making any reportable contributions through the term of the contract; 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 Hunter Jersey Peterbilt, L.P. in the amount of \$20,702.10.

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification be placed on file with this resolution.

CERTIFICATION

I, Maureen Doloughty, 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 May 8, 2018.

Maureen Doloughty, RMC
Township Clerk

7D

RESOLUTION PROMOTING EMPLOYEE DEPARTMENT OF PUBLIC WORKS

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following be and hereby are promoted to the position indicated in the Department of Public Works effective May 11, 2018, pending final approval from the New Jersey Civil Service Commission.

Daniel Presti

Road Inspector

CERTIFICATION

I, Maureen Doloughy, 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 May 18, 2018.

Maureen Doloughy, RMC
Township Clerk

7E

RESOLUTION HIRING SEASONAL EMPLOYEES DEPARTMENT OF PUBLIC WORKS

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following individuals be and hereby are hired to the position of Seasonal Laborers in the Department of Public Works.

Tyler Jones	Seasonal Laborer	\$12.50 per hour
Robert Migliazza	Seasonal Laborer	\$12.50 per hour

CERTIFICATION

I, Maureen Doloughty, 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 May 8, 2018.

Maureen Doloughty, RMC
Township Clerk

TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

WHEREAS, the Township Committee of the Township of Holmdel maintains an Agricultural Advisory Committee (AAC), constituted most recently at the Township’s reorganization meeting on January 2, 2018; and

WHEREAS, members of a municipal AAC are required to be appointed by the mayor with the advice and consent of the municipal governing body, pursuant to N.J.S.A. 4:1C-43.1

WHEREAS, the Township is required to maintain an AAC in order to receive funding from the State Agriculture Development Committee (SADC), pursuant to N.J.A.C. 2:76-17A.3; and

WHEREAS, the Township Committee wishes to re-affirm the standing membership of its AAC, in order to successfully continue the Township’s farmland preservation efforts in cooperation with the SADC, including the pending application for the preservation of Callan Farm; and

WHEREAS, Mayor Thomas Critelli of the Township of Holmdel has nominated the following individuals to serve as members of the Holmdel Township AAC, for a two-year unexpired term concluding on December 31, 2019:

- D.J. Lucarelli
- Kim Casola
- Victoria Flynn
- Ryan Kaplan
- Patrick Depalma
- Rocco Pascucci (Alternate)

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby confirms the Mayor’s foregoing nominations to the Agricultural Advisory Committee, for a two-year unexpired term concluding on December 31, 2019.

BE IT FURTHER RESOLVED that the Township Committee of the Township of Holmdel expresses its continued appreciation to the State Agriculture Development Committee, Monmouth County Agriculture Development Board, and the Monmouth Conservation Foundation, for their continued support of farmland preservation in the Township of Holmdel, and that a certified copy of this resolution be forwarded to each of these partner entities.

CERTIFICATION

I, Maureen Doloughy, 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 May 8, 2018.

Maureen Doloughy, RMC
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:

Jennifer Hip-Flores	Refund summer camp	\$240.00
Michelle Richards	Refund soccer squirts	\$160.00
Jacqueline Morreale	Refund multi-sports squirts	\$160.00
Scott Mann	Refund zumba class	\$ 40.00
Sandra Whitten	Refund cooking class	\$ 30.00
Alexis Antonetti	Refund canceled program	\$167.00
Neha Sharma	Refund canceled program	\$180.00

CERTIFICATION

I, Maureen Doloughy, 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 May 8, 2018.

Maureen Doloughy, RMC
Township Clerk

RESOLUTION HIRING EMPLOYEES FOR 2018 SWIM CLUB SEASON

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following individuals be and hereby are hired to the following positions for the 2018 Swim Club Season at the listed salaries:

Marissa Campusano	Lifeguard	\$8.75/hour
Gina Ciruolo	Lifeguard	\$9.50/hour
Abby Mills	Head Lifeguard	\$12.00/hour
	Ast. Swim Team Coach	\$1300/stipend
Megan Jew	Lifeguard	\$9.50/hour
Anthony Saporito	Lifeguard	\$9.00/hour
Paul DeSilva	Lifeguard	\$8.75/hour
Julia Coppola	Lifeguard	\$8.75/hour
Alex Socha	Lifeguard	\$9.50/hour
Shannon Foreback	Lifeguard	\$8.75/hour
Alex Chrystal	Lifeguard	\$8.75/hour
Kyle Mulvey	Lifeguard	\$8.75/hour
Bailey Powers	Lifeguard	\$8.75/hour
Katherine Shiu	Lifeguard	\$9.00/hour
	Ast. Swim Team Coach	\$1300/stipend
Emily Broguszewski	Lifeguard	\$8.75/hour
Cassidy Antonucci	Lifeguard	\$8.75/hour
Zach Wellman	Lifeguard	\$8.75/hour
Thomas Anderson	Maintenance/ Camp Counselor	\$8.75/hour
Lara Kalajian	Maintenance	\$8.50/hour
Diane Squillace	Gate Attendant	\$10.25/hour
Kelly Ratkowski	Gate Attendant	\$8.75/hour
Evelyn Toscarelli	Gate Attendant	\$8.50/hour
Sofia Mocchi	Gate Attendant	\$8.50/hour
Sydney Coffaro	Activities – Sports	\$8.75/hour
Marina Uliano	Lifeguard	\$8.50/hour
Haadi Marashi	Maintenance	\$8.50/hour
Shayna Rosenstrach	Lifeguard	\$8.50/hour
Colin McCauly	Lifeguard	\$8.50/hour
Nellie Youssef	Lifeguard	\$8.50/hour
Kate Donnelly	Lifeguard	\$8.50/hour
Hope Funcheon	Lifeguard (substitute)	\$8.75/hour

CERTIFICATION

I, Maureen Doloughy, 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 May 8, 2018.

Maureen Doloughy, RMC
Township Clerk

71

RESOLUTION HIRING EMPLOYEES FOR 2018 CAMP COUNSELORS

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the following individuals be and hereby are hired to the following positions as part time camp counselors for Summer Day Camp 2018 at the listed salaries:

NAME	TITLE	SALARY
Anderson, Robert	Counselor	7.75
Anderson, Thomas	Counselor	8.50
Bodnar, William	Counselor	7.25
Boivin, Antoine	Counselor	7.25
Boivin, Maxime	Counselor	7.75
Brew, Conner	Counselor	8.25
DiBona, Alexander	Counselor	7.25
D'Achille, Nicole	Counselor	9.25
D'Ambrosio, Kaitlin	Arts and Craft Teacher	13.00
DiBona, Emily	Counselor	8.75
Fasciano, Amanda	Counselor	8.50
Fryefield, Rachel	Counselor	7.75
Kaston, Brendan	Counselor	7.75
Kaston, Jeremy	Counselor	8.50
McDonnald, Tim	Counselor	8.50
Monticciolo, Salvatore	Counselor	7.25
Porcelli, Danielle	Counselor	7.25
Protentis, Pauline	Counselor	8.00
Ricottone, Gabriella	Counselor	7.75
Rutigliano, Julia	Counselor	7.25
Ristovski, Aleksander	Counselor	8.50
Schier, Mehan	Counselor	7.75
Stoneham, Michael	Counselor	8.50
Vetri, Anne	Gym Supervisor	11.00
Vetrano, Kathleen	Counselor	8.75
Vetrano, Kristen	Counselor	9.25
Wronski, Nicole	Supervisor	15.00
Campuzano, Magnus	Counselor	7.25

CERTIFICATION

I, Maureen Doloughy, 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 May 8, 2018.

Maureen Doloughy, RMC
Township Clerk

75

RESOLUTION AUTHORIZING REFUND OF OVERPAYMENT OF TAXES

WHEREAS, property owners John & Rebecca Falco (Applicants) appealed property tax assessments for the year 2017 to the State Tax Court in a case Docketed as #3125-2017; and;

WHEREAS, The State Tax Court awarded judgment in favor of the Applicants as follows:

Property Owner	Block	Lot	Assessment Reduction	Tax Year	Tax Rate	Tax Refund
John & Rebecca Falco	30.07	30.07	123,200	2017	2.029	\$ 2,499.73

WHEREAS, the Township has received a request form the Applicants Counsel Jacobus & Associates, LLC that the tax refund be issued to same as trustee for Applicant.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel, County of Monmouth, State of New Jersey, that the Tax Collector is hereby authorized to release an overpayment reimbursement to Jacobus & Associates, LLC for John & Rebecca Falco in the amount of \$2,499.73.

CERTIFICATION

I, Maureen Doloughty, 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 May 8, 2018.

Maureen Doloughty, RMC
Township Clerk

ORDINANCE #2018 - 07

8

TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

AN ORDINANCE AUTHORIZING AN EASEMENT SWAP INVOLVING BLOCK 50.15,
LOT 3 ON THE TAX MAPS OF THE TOWNSHIP OF HOLMDEL (9 CARLA COURT)

WHEREAS, the Township of Holmdel (“Township”) holds an easement (the “Easement”) to portions of Block 50.15, Lot 61 on the Tax Maps of the Township of Holmdel, commonly known as 9 Carla Court, Holmdel, County of Monmouth, State of New Jersey (the “Property”); and

WHEREAS, the Easement was established by way of filed subdivision map for Beauridge Section 5, filed in the Monmouth County Clerk’s Office in Case 207, Page 22 on April 24, 1986; and

WHEREAS, dating back to 1991, the then-owners of the Property engaged with the Township to address easement encroachments that existed on the Property and agreed to take various curative steps; and

WHEREAS, at that time, the then-owners of the Property and the Township failed to execute certain deeds to effectuate an easement swap, which would have ameliorated the principal easement encroachment issue currently at issue; and

WHEREAS, beginning on August 21, 2017, the Township received a request by the former and current owners of the Property (“Owners”) to effectuate a new easement swap that the Township Engineer confirms would ameliorate any and all encroachments upon the Township-held easement (the “Swap”); and

WHEREAS, under the Swap, the Township shall deed to the Owners an extinguishment of its Open Space Easement over the 2496 sq. ft. portion of the Property, as provided in the description attached hereto as Exhibit A, in exchange for the Owners granting a deed of Open Space Easement to the Township over the 2496 sq. ft. portion of the Property, as provided in the description attached hereto as Exhibit B; and

WHEREAS, the Township Engineer has approved the descriptions contained in Exhibit A and Exhibit B 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, the Township hereby seeks to ameliorate issues relating to Township-held easements that date back to 1991, while preserving the amount of acreage that is dedicated to the Township in the form of Open Space Easements; and

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

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 to execute a Deed extinguishing and terminating the easement over the property depicted in Exhibit A, in exchange for a Deed granting to the Township and Open Space Easement over the property depicted in Exhibit B. The form and substance of the deeds 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.

LEGAL NOTICE

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on April 24, 2018 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on May 8, 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 Doloughty, RMC
Township Clerk