

MINUTES Township Committee Meeting

7:30 PM - Tuesday, June 9,
2020

Remote Meeting via Zoom

The Township Committee of the Township of Holmdel was called to order on Tuesday, June 9, 2020, at 7:00 PM, through a Remote Meeting via Zoom, with the following members present:

COMMITTEE PRESENT: Mayor Gregory Buontempo
Deputy Mayor Cathy Weber
Committeeman Thomas Critelli
Committeeman Rocco Pascucci
Committeeman Prakash Santhana

STAFF PRESENT: Administrator Cherron Rountree
Township Attorney Michael Collins
Acting CFO Bill Antonides
Township Clerk/Registrar Wendy Patrovich

STAFF ABSENT: Committeeman Rocco Pascucci

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 Two River Times, posted on the bulletin board in Township Hall and filed in the Township Clerk's Office on June 4, 2020.

2 ROLL CALL

- Gregory Buontempo, Mayor
Cathy Weber, Deputy Mayor
Tom Critelli, Committeeman
Prakash Santhana, Committeeman

3 7:00 PM EXECUTIVE SESSION - REMOTE MEETING

- [2020-178A](#)

4 7:30 PM PUBLIC SESSION - REMOTE MEETING

5 PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

6 COMMITTEEMAN SANTHANA READ A STATEMENT INTO THE RECORD

- Committeeman Prakash Santhana read a statement in support of the Black Lives Matter movement.

Deputy Mayor Cathy Weber followed up on Committeeman Santhana's statement and read a letter from Chief John Miodiuszewski expressing the Holmdel Township Police Department's response to same.

7 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.

- Karen Strickland, Blue Hills Drive- Ms. Strickland stated that the fair share housing resolution on the consent agenda uses the term "the project" and she asked that the Committee use a different term with respect to the Township's affordable housing obligation.

8 RESOLUTION 2020-166 - TABLED FROM MAY 26, 2020 MEETING

- [2020-166](#)

9 CONSENT AGENDA

Resolutions 2020- 179 to 2020-190 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.

- Bills Payable #1
[2020-179](#)
- Bills Payable #2
[2020-180](#)
- Over \$3,500 List for Approval
[2020-181](#)
- NJDOT Crawford's Corner Road Reconstruction Phase IV & V
[2020-182](#)
- Authorization - Increase of Bid Threshold
[2020-183](#)
- Authorizing NJ State Contract for First Aid Portable Radios
[2020-184](#)
- Recreation Refunds
[2020-185](#)

- Permitting Certain Temporary Signage within the Township of Holmdel
[2020-186](#)
- Permitting Outdoor Dining
[2020-187](#)
- Resolution Approving Holmdel Township Park Partners Program
[2020-188](#)
- Resolution Confirming the Need for the Construction of a 50 Unit Income Restricted Family Residential Housing Development in Furtherance of the Township's Constitutional obligation to Provide for its Fair Share Affordable Housing
[2020-189](#)
- Refund of Escrow
[2020-190](#)
- Mayor Buontempo pulled Resolution 2020-188 and 2020-189 for further discussion, and requested a motion to adopt the remaining Resolutions on the consent agenda. Deputy Mayor Weber voted affirmatively with a note referring to her recusal placed on the record at the February 11, 2020 Township Committee meeting.

RESULT:	CARRIED.
MOVER:	Cathy Weber
SECONDER:	Prakash Santhana
AYES:	Gregory Buontempo, Cathy Weber, Thomas Critelli, and Prakash Santhana
ABSENT:	Rocco Pascucci

- Township Attorney Michael Collins requested that Resolution 2020-188 be adopted with an amendment delegating the authority to the Administrator that she have the ability to make minor changes to the program as needed. Mayor Buontempo requested a motion to adopt the Resolution as amended.

RESULT:	CARRIED.
MOVER:	Cathy Weber
SECONDER:	Prakash Santhana
AYES:	Gregory Buontempo, Cathy Weber, Thomas Critelli, and Prakash Santhana
ABSENT:	Rocco Pascucci

- Mayor Buontempo stated that the Township is legally required to address its affordable housing obligation and that Resolution 2020-189 is part of that, though he still has concerns about affordable housing. Committeeman Critelli asked for background on the Resolution. Administrator Rountree stated this Resolution is regarding the Middle Road Project and stated that the Township has a need for Affordable Housing and allows the developer to apply for tax credits. The application is due on June 18th. Mayor Buontempo requested a motion to adopt. During roll call vote, Mr. Collins inquired and Mr. Critelli confirmed that he was abstaining but not exercising a recusal. Mr. Collins stated that three affirmative votes were required for passage.

RESULT:	DEFEATED.
MOVER:	Cathy Weber
SECONDER:	Prakash Santhana
AYES:	Cathy Weber
NAYS:	Gregory Buontempo and Prakash Santhana
ABSTAINED:	Thomas Critelli

10 INTRODUCTION OF ORDINANCES

- BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,755,000 FOR 2020 ROAD IMPROVEMENT PROGRAM IN AND BY THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,350,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

RESULT:	CARRIED.
MOVER:	Thomas Critelli
SECONDER:	Prakash Santhana
AYES:	Gregory Buontempo, Cathy Weber, Thomas Critelli, and Prakash Santhana
ABSENT:	Rocco Pascucci

[Ordinance 2020-11](#)

- Township Clerk Wendy Patrovich read the title to Ordinance 2020-11 and requested a motion to adopt on first reading, publish in the Asbury Park Press and set public hearing for June 23, 2020.

11 DEPARTMENTS

- **Administrator**
 - None.
- **Chief Financial Officer**
 - None.

12 PROFESSIONAL REPORTS

- **Attorney**
 - None.
- **Engineer**
 - Township Engineer Bennett Matlack presented the plans for the Firehouse.

13 BOARDS/COMMITTEES

- Deputy Mayor Weber stated that the first Traffic and Bike Safety Committee meeting with Ptl. Menosky and Ptl. Struble took place, and the Committee discussed their duties and upcoming plans. They are looking at educational initiatives for bikers and drivers, and looking into potential risks around town and grants they could apply for.

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.

- Mike Sockoll, Wild Hedge Lane- Mr. Sockoll stated that he is the Vice President of the Board of Education and that he is disappointed in the attacks on the proposed school budget. He added that the Township Committee could help to cut tax increases by using a portion of the PILOT money to help offset educational and school expenses.

Kelly Guerin, Chippewa Court- Ms. Guerin asked that the Township publicly announce their support for the Black Lives Matter movement and publicly denounce the All Lives Matter movement.

Rachel Brudner, Bristol Road- Ms. Brudner stated her support of the Black Lives Matter movement and encouraged the community as a whole to do their part to make a change.

Natasha Kostic, Sunrise Circle- Ms. Kostic stated that Holmdel could make itself a safer and more welcoming community by reducing police presence, and redirecting Police funds to other entities to better serve the community.

Christopher O'Neill, Crape Myrtle Drive- Mr. O'Neill reiterated and agreed with Ms. Kostic's statement.

Sameera Anifowoshe, Stonehenge Drive- Ms. Anifowoshe stated she has personally experienced discrimination in Holmdel and wishes to see changes made by everyone including the Police Department.

Valentina Malikova, Fairmont Drive- Ms. Malikova stated that she is a co-author of a letter addressed to the Holmdel Board of Education regarding the need to update the curriculum and teacher training within the school district.

Rachel Seinbar- Ms. Seinbar stated that she is a co-author of the letter Ms. Malikova mentioned and they are asking the Board of Education to include a study of racial inequity and systemic racism in their yearly curriculum.

Lindsay Newberger, Goldsmith Drive- Ms. Newberger suggested that instead of paying to have officers stationed at each school, the Board of Education and the Township should put those funds towards towards Mental Health programs.

Jay Yanello, Ladwood Drive- Mr. Yanello stated that he appreciated hearing the personal experiences and the suggestions made by everyone.

Hannah Friedman, Ardmore Drive- Ms. Friedman thanked everyone for the thoughtful comments made and agreed that there are many changes that need to be made.

Sarah Stark, Sunrise Circle- Ms. Stark stated that racism is deeply rooted in American history and change needs to be made immediately. She also thanked everyone else for their comments.

Sam Golden, Sage Street- Mr. Golden stated he supports the comments made by Ms. Friedman.

Christiana Lehaf, Riverside Lane- Ms. Lehaf stated her support of the Black Lives Matter movement, and encouraged the youth of Holmdel to get involved in politics and activism.

Kimberly Tan, Takolusa Drive- Ms. Tan stated her support of everyone's statements made and said that Holmdel needs to make changes.

Paige Singer, Deerfield Road- Ms. Singer stated that even though Holmdel has less black population than the National average it doesn't mean that residents shouldn't participate in political activism. She added that she organized a rally to be held on Thursday in support of the Black Lives Matter movement.

Township Clerk Wendy Patrovich read a comment made by resident Shawn Mcdermott via Zoom Chat. In his comment Mr. Mcdermott asked if Mr. Santhana would be discussing the budget with the finance committee and if he would provide their feedback. He also asked if the Township would have to raise taxes to make up for lost revenue due to the Covid-19 pandemic.

16 ADJOURNMENT

- Mayor Buontempo requested a motion to re-enter into executive session. Mr. Collins advised the public that no formal action would be taken by the Township Committee.

RESULT:	CARRIED.
MOVER:	Cathy Weber
SECONDER:	Prakash Santhana
AYES:	Gregory Buontempo, Cathy Weber, Thomas Critelli, and Prakash Santhana
ABSENT:	Rocco Pascucci

- At the close of the executive session the meeting was adjourned by acclimation.

Township Clerk

**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:

Lease of Lands – N.J.S.A. 10:4-12(b)(5)

DePalma Lease – ATOD June 2020

Public Safety – N.J.S.A. 10:4-12(b)(6); Contract Negotiation – N.J.S.A. 10:4-12(b)(7)

Holmdel Swim Club – ATOD June 2020

Holmdel Recreation Camps – ATOD June 2020

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

I/M/O Somerset Redevelopment Agreement – ATOD July 2020

I/M/O COAH – ATOD July 2020

New Jersey Natural Gas v. Township of Holmdel – ATOD September 2020

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, with an estimate of the circumstances and/or time for public disclosure provided in the above-listed anticipated times of decision (“ATOD”).

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 June 9, 2020.

Wendy L Patrovich, RMC/CMR
Township Clerk

2020-178A

TOWNSHIP OF HOLMDEL

**RESOLUTION AUTHORIZING ACQUISITION OF PROPRIETARY SOFTWARE
(ALCOTEST 9510 SYSTEM) FOR THE EVIDENTIAL BREATH
ALCOHOL DEVICE**

WHEREAS, pursuant to N.J.S.A. 40A:11-5(1) (dd), the Township may, by resolution and without advertising for bids, purchase goods or services for the support, maintenance, and acquisition of proprietary computer hardware and software; and

WHEREAS, the Township of Holmdel's Police Department is in need of acquiring Alcotest 9510 System to be used as an evidential breath alcohol device; and

WHEREAS, Drager has provided "sole source" to our Police Department; and

WHEREAS, Drager has provided a quote dated January 31, 2019 in the amount of \$19,268.00; and

WHEREAS, the Interim Chief Financial Officer has certified funds are available in the Budget line account # C-04-18-009-000-908.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that a proprietary contract be awarded to Drager for the purchase of Alcotest 9510 System.

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 May 26, 2020.

Wendy L. Patrovich, RMC/CMR
Township Clerk

2020-166

BILLS PAYABLE RESOLUTION # 1

WHEREAS, the Township of Holmdel has received certain claims against it by way of vouchers received during the period ending on June 9, 2020; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the claims listed below on the Schedule of Bills Payable on June 9, 2020 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims:

FUND DISTRIBUTION	0-01	CURRENT FUND	\$	220,864.50
FUND DISTRIBUTION	0-07	SEWER OPRATING	\$	23,783.54
FUND DISTRIBUTION	0-12		\$	28,048.63
FUND DISTRIBUTION	0-26	POOL OPERATING	\$	2,127.76
		YEAR TOTAL	\$	274,824.43
FUND DISTRIBUTION	9-01	CURRENT FUND	\$	11,575.52
FUND DISTRIBUTION	9-07	SEWER OPERATING	\$	2,500.00
FUND DISTRIBUTION	9-12		\$	248.20
FUND DISTRIBUTION	9-26	POOL OPERATING	\$	231.86
		YEAR TOTAL	\$	14,555.58
FUND DISTRIBUTION	C-04	GENERAL CAPT	\$	62,007.58
FUND DISTRIBUTION	D-02	DOG TRUST	\$	160.00
FUND DISTRIBUTION	G-02	STATE/FED GRANT	\$	1,001.15
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$	4,019.79
FUND DISTRIBUTION	T-24	FAIR HOUSE TRUST	\$	5,463.32
		YEAR TOTAL	\$	9,483.11
		TTL OF ALL FUNDS	\$	362,031.85
		Total of All Projects	\$	26,151.55

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 June 9, 2020.

Wendy L Patrovich, RMC/CMR
Township Clerk

2020-179

BILLS PAYABLE RESOLUTION # 2

WHEREAS, the Township of Holmdel has received certain claims against it by way of vouchers received during the period ending on June 9, 2020; and

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

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

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the claims listed below on the Schedule of Bills Payable on April 14, 2020 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims:

FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$	14,976.00
		Total of All Funds:	\$	14,976.00

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 April 14, 2020.

Wendy L Patrovich, RMC/CMR
Township Clerk

TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

RESOLUTION APPROVING PROCUREMENT OVER \$3,500

WHEREAS, procurements completed by the Township of Holmdel (“Township”) are governed by the provisions of the Local Public Contracts Law (“LPCL”), N.J.S.A. 40A:11-1 et seq.; and

WHEREAS, the LPCL authorizes the procurement of goods and services in an amount below the bid threshold, upon the recommendation of the Township’s Qualified Purchasing Agent (“QPA”), pursuant to N.J.S.A. 40A:11-3; and

WHEREAS, the QPA has recommended the award of the below-listed contracts, pursuant to the corresponding proposals attached hereto and incorporated by reference; and

WHEREAS, to the extent required under applicable law, the below-listed entities shall complete and submit a Business Entity Disclosure Certification which certifies that they have not made any reportable contributions to a political or candidate committee in the Township of Holmdel in the previous one year, and that the contract will prohibit same from making any reportable contributions through the term of the contract, pursuant to N.J.S.A. 19:44A-20.5 et seq., which shall remain on file for 10 days prior to the Township’s entry into a contract with the entity; and

WHEREAS, the Chief Financial Officer has certified that adequate funds for such contracts are available.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby awards the following contracts, consistent with the foregoing:

Good/Service	Vendor	Amount	Proposal
Vest Carriers	Atlantic Tactical	\$6,260.80	Exhibit A
Cross Farm Park Drainage Issues – Softball Fields 1 & 2	Spana Contractors	\$12,536.60	Exhibit B
Basin Parts	Campbell	\$10,176.00	Exhibit C
Police Dispatch CAD System Annual Support Renewal	Tritech Software Systems, a Central Square Company	\$24,466.25	Exhibit D
Police Department Radio Tower Fiber Optic Project	Millennium Communications Group Inc.	\$6,560.00	Exhibit E

BE IT FURTHER RESOLVED that the Mayor and Qualified Purchasing Agent are hereby authorized and directed to take any and all steps necessary to effectuate the foregoing, including the execution of instruments.

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 June 9, 2020.

Wendy L Patrovich, RMC/CMR
Township Clerk

2020-181

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**RESOLUTION AUTHORIZING THE TOWNSHIP ENGINEER TO PROVIDE
SERVICES RELATING TO CRAWFORDS CORNER ROAD – PHASE 4 &
PHASE 5 IMPROVEMENTS**

WHEREAS, CME Associates is currently retained as Township Engineer to the Township of Holmdel; and

WHEREAS, there exists a need to obtain professional engineering and land surveying services for improvements to Crawfords Corner Road – Phase 4; and

WHEREAS, the road project is expected to be supported by a FY2020 NJDOT Municipal Aid Grant in the amount of \$225,000 for 2019 and \$180,000 for 2020; and

WHEREAS, the project limits that were previously authorized will be expanded to include both phases and bid as one project; and

WHEREAS, at the Township Committee meeting on May 26, 2020 resolution 2020-161 was passed for CME Associates fees for Phase 4 in the amount of \$23,400; and

WHEREAS, CME Associates has submitted the attached proposal, which is attached hereto and incorporated by reference, proposing to complete the additional foregoing tasks for an additional total fee of \$5,800; and

WHEREAS, the governing body wishes to have the Township Engineer complete the professional services outlined in the attached document, under the Township's current retainer of CME Associates; and

WHEREAS, the Chief Financial Officer has certified as to the sufficiency of funds in budget line account # C-04-19-009-000-901 (Ordinance 2019-09).

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby approves the attached proposal and directs the Township Engineer to proceed with same, consistent with 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 June 9, 2020.

Wendy L Patrovich, RMC/CMR
Township Clerk

2020-182

RESOLUTION AUTHORIZING AN INCREASE TO THE
TOWNSHIP'S BID THRESHOLD FROM \$40,000 TO \$44,000

WHEREAS, pursuant to N.J.S.A. 40A:11-3, the State authorized an adjustment to the bid threshold, effective July 1, 2020, for contracting units subject to the Local Public Contracts Law, which allows local contracting units with an appointed Qualified Purchasing Agent to increase their bid threshold to a maximum of \$46,000; and

WHEREAS, pursuant to Resolution No. 2020-41 adopted on January 2, 2020, the Township of Holmdel designated Barbara Kovelesky to serve as the Qualified Purchasing Agent for a one-year term; and

WHEREAS, the Township desires to increase its bid threshold from \$40,000 to \$46,000.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel that the Township's bid threshold for award of public contracts is hereby increased from \$40,000 to \$46,000 effective July 1, 2020.

BE IT FURTHER RESOLVED that pursuant to N.J.S.A. 40A:11-6.1(a) the informal quotation threshold shall be increased from \$6,000 to \$6,600, or 15% of the bid threshold.

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 June 9, 2020.

Wendy L. Patrovich, RMC/CMR
Township Clerk

RESOLUTION
AUTHORIZING NJ STATE CONTRACT FOR
FIRST AID PORTABLE RADIOS

WHEREAS, the Township of Holmdel wishes to contract for First Aid Portable Radios from an authorized vendor under the State of New Jersey Cooperative Purchasing Program; and

WHEREAS, the purchase of goods and services by local contracting units through the State's purchasing program is authorized by the Local Public Contracts Law, N.J.S.A. 40A:11-12; and

WHEREAS, Motorola, care of Wireless Communications has been awarded New Jersey State Contract T-0109 (#83909) for wireless communications; and

WHEREAS, the Township seeks to procure the wireless products as set forth on the invoice attached hereto and incorporated by reference in the amount of \$211,774.75; and

WHEREAS, the Purchasing Agent recommends the utilization of this contract on the grounds that it represents the best price available for the services sought; and

WHEREAS, the Chief Financial Officer has certified that funds are available in account C-04-19-009-000-9033.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Holmdel hereby awards a contract to Motorola, care of Wireless Communications to provide additional portable radios for Holmdel's First Aid Squad consistent with the foregoing.

BE IT FURTHER RESOLVED that a copy of this Resolution certified by the Township Clerk to be a true copy be forwarded to Motorola, care of Wireless Communications and the Township's 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 June 9, 2020

Wendy L. Patrovich, RMC/CMR
Township Clerk

2020-184

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:

Janice Petretti	\$850.00	Ellen Kurtz	\$48.00
Luis Ruiz	\$585.00	Galyna Rafikova	\$48.00
George Amores	\$780.00	Tullis Savage	\$48.00
Dorothy Kelly	\$185.00	Beverly Verrico	\$48.00
Robert Kelly	\$185.00	Josephine Yeh	\$48.00
Elizabeth Brady	\$135.00	Terrence	\$36.00
Cynthia O'Reilly	\$335.00	Mary Tobiasson	\$170.00
Vinita Pitchumoni	\$570.00	Blue Amaral	\$184.00
Katherine Blaha	\$780.00	Tara Mercado	\$368.00
Stephanie Berman	\$900.00	Emily Babrisky	\$170.00
Jennifer Fernando	\$585.00	Ellen Twigg	\$184.00
Gregg Zeoli	\$585.00	Andrea Garcia	\$170.00
Kamilla Mord	\$585.00	Valerie Pittenger	\$170.00
Deondra Levine	\$585.00	Nicole Fera	\$184.00
Martina Ferguson	\$780.00	Patricia Malakauskas	\$180.00
Lena Davi	\$780.00	Carolyn Percopo	\$340.00
Peter Noble	\$185.00		
Carroll Noble	\$185.00		
Vincenza Cortese	\$200.00		

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 June 9, 2020.

Wendy L Patrovich, RMC/CMR
Township Clerk

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**RESOLUTION PERMITTING CERTAIN TEMPORARY SIGNAGE WITHIN
THE TOWNSHIP OF HOLMDEL**

WHEREAS, pursuant to Executive Order, Governor Phil Murphy has declared a State of Emergency and Public Health Emergency to address the Coronavirus Pandemic; and

WHEREAS, due to this State of Emergency and Public Health Emergency, to date, non-essential retail businesses have been restricted in their operations, including in some cases to limited curbside activity; and

WHEREAS, certain businesses and/or their landlords have requested to post signage expressing that they are open for business notwithstanding the ongoing restrictions due to the Coronavirus Pandemic; and

WHEREAS, the Township Committee of the Township of Holmdel seeks to further the effectiveness of the Governor's Executive Orders by suspending operation of certain ordinance restrictions on signs to allow for the foregoing disseminations, which it finds to be a compelling government interest.

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

1. The Township Committee hereby authorizes the suspension of the enforcement of all provisions of Holmdel Township's ordinances restricting signage, including but not limited to Ordinance § 30-96 (Signs) (the "Suspension"), consistent with the following terms.
2. The Suspension is sanctioned only to the extent appropriate to allow entities to articulate information relating to their restricted operations due to and consistent with the restrictions imposed by the State of Emergency and Public Health Emergency.
3. A person or entity with control over property may apply to the Township Administrator with a written request to temporarily post a sign on their property. The written request shall include its purpose, the dimensions of the proposed sign, and its proposed location. The Township Administrator is authorized to approve such a written request, provided it satisfies the requirements of Paragraph 2 of this resolution and does not present as a health, safety, or welfare concern.

4. The Township Administrator, in consultation with the Township Attorney, Construction Official, and Chief of Police, is hereby authorized and directed to take any and all steps necessary to effectuate the foregoing.
5. This resolution shall take effect immediately and expire along with any authorizations therefrom seven (7) days after the Governor's State of Emergency and Public Health Emergency relating to Coronavirus is rescinded or modified in a manner that allows for the resumption of business operations that are no longer restricted, whichever occurs first.
6. If any section, subsection, or paragraph of this resolution be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, the remainder of the resolution shall continue in full force and effect to the extent that is not held unconstitutional, invalid or inoperative.

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 June 9, 2020.

Wendy L Patrovich, RMC/CMR
Township Clerk

RESOLUTION

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**RESOLUTION PERMITTING TEMPORARY OUTDOOR DINING FOR
RESTAURANTS WITHIN THE TOWNSHIP OF HOLMDEL**

WHEREAS, pursuant to Executive Orders 103, 119, and 138, Governor Phil Murphy has declared a State of Emergency and Public Health Emergency to address the Coronavirus Pandemic; and

WHEREAS, due to this State of Emergency and Public Health Emergency, to date, local restaurants have been ordered to limit their businesses to takeout and delivery of food; and

WHEREAS, Governor Murphy has issued Executive Order 150 (the “EO”), which authorizes the commencement of outdoor dining effective June 15, 2020; and

WHEREAS, the EO provides that “[m]unicipalities are permitted to use their existing authority to allow food or beverage establishments to expand their footprint to outdoor areas, both within their property and among municipally-governed areas, including but not limited to sidewalks, streets, or parks;” and

WHEREAS, pursuant to the EO and a municipality’s general police powers referenced in same, the Township Committee of the Township of Holmdel seeks to facilitate outdoor dining by restaurants within the Township of Holmdel, in order to provide these businesses and their customers with the opportunity to resume in-person dining, while adhering to necessary safety precautions; and

WHEREAS, recognizing that the State of Emergency and Public Health Emergency continues to evolve, with new Executive Orders and guidance issued on a regular basis, the Township Committee further seeks to delegate various authority to the Township Administrator and other municipal officials to effectuate the foregoing.

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

1. The Township Committee hereby authorizes the temporary allowance of outdoor dining by “food or beverage establishments” (as defined in the EO) (“Outdoor Dining”) within the Township of Holmdel, effective June 15, 2020. This authorization is contingent upon consistency with all executive orders issued by Governor Murphy at the relevant time.
2. All Outdoor Dining shall be conducted in a manner that is consistent with the Township’s standards outlined in the document attached hereto and made part

hereof, as may be amended from time to time, as well as all applicable state regulations, as may be amended from time to time, including but not limited to the EO, other Executive Orders entered by Governor Murphy, and Executive Directive No. 20-014 entered by the Commissioner of the Department of Health Judith Persichilli (collectively, the “Outdoor Dining Standards”).

3. All food or beverage establishments seeking to conduct Outdoor Dining must complete an application to the Township and obtain an Outdoor Dining Temporary Permit prior to the commencement of any Outdoor Dining service. The application shall require a certification that the food or beverage establishment will comply at all times with the Outdoor Dining Standards.
4. Applications for an Outdoor Dining Temporary Permit shall be reviewed by a Township “Temporary Use Permit Approval Committee,” which shall be comprised of three members of the Holmdel Township Police Department designated by the Chief of Police, the Code Enforcement Officer, Fire Official/Zoning Officer, and Construction Official. All determinations of the Temporary Use Permit Approval Committee shall be final.
5. The Township Committee authorizes a waiver of all fees provided in ordinance that would otherwise be applicable to a request to conduct Outdoor Dining.
6. The Township Committee authorizes the Temporary Use Permit Approval Committee to approve the use of “outdoor shared spaces” (as defined in the EO) to allow for Outdoor Dining, upon terms consistent with the EO.
7. Pursuant to the EO, the Director of the Division of Alcoholic Beverage Control has issued Special Ruling 2020-10, establishing a Temporary Covid-19 Permit to Expand Licensed Premises (“ABC COVID License”), allowing certain alcohol license holders under Title 33 (Alcoholic Beverage Law) to apply for and obtain and expanded premises to allow for Outdoor Dining. The Township Committee hereby authorizes the municipal approval of applications for an ABC COVID License without further action of the governing body, provided the licensee has already obtained an Outdoor Dining Temporary Permit from the Township, and the licensee’s application to the ABC is consonant with its application to the Township for the Outdoor Dining Temporary Permit. The Township Clerk and Chief of Police are specifically authorized and directed to approve applications for an ABC COVID License, in consultation with the Temporary Use Permit Approval Committee.
8. If the Township provides an approval for an ABC COVID License pursuant to the preceding paragraph, the license holder shall provide appropriate levels of security, signage, and trash receptacles to ensure that no open containers of alcohol are taken from the expanded premise. This requirement shall be a condition upon the Outdoor Dining Temporary Permit and a special condition upon the licensee’s Title 33 license.

9. The Township Administrator, in consultation with the Township Attorney, Construction Official, and Chief of Police, is hereby authorized and directed to take any and all steps necessary to effectuate the foregoing. This authorization includes delegated authority to adopt modifications to the Outdoor Dining Standards during the pendency between meetings of the Township Committee to address the needs of the Township and/or legal consistency with Executive Orders issued by Governor Murphy and Executive Directives issued by Commissioner Persichilli.
10. This resolution shall take effect immediately and expire seven (7) days after the Governor's State of Emergency and Public Health Emergency relating to Coronavirus is rescinded or modified in a manner that allows for the resumption of indoor dining at the restaurant's fully authorized indoor capacity pursuant to fire code, whichever occurs first.
11. If any section, subsection, or paragraph of this resolution be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, the remainder of the resolution shall continue in full force and effect to the extent that is not held unconstitutional, invalid or inoperative.

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 June 9, 2020.

Wendy L Patrovich, RMC
Township Clerk

RESOLUTION

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**RESOLUTION APPROVING HOLMDEL TOWNSHIP PARK PARTNERS
PROGRAM**

WHEREAS, the Township of Holmdel seeks to establish a volunteer public service program that allows local groups, individuals, and organizations to help clean the Township's parks, called the "Holmdel Township Park Partners" program; and

WHEREAS, the Township has prepared the attached brochure to advertise and implement this volunteer program.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Holmdel hereby approves the Holmdel Township Park Partners Program, as set forth in the document attached hereto and incorporated by reference.

BE IT FURTHER RESOLVED that the Township Administrator and Township Director of Recreation are hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

BE IT FURTHER RESOLVED that the Township Committee expresses its appreciation in advance for the volunteer services of local groups, organizations, and residents of Holmdel in support of our Township parks.

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 June 9, 2020.

Wendy L Patrovich, RMC
Township Clerk

2020-188

**RESOLUTION CONFIRMING THE NEED FOR THE CONSTRUCTION OF A 50 UNIT
INCOME RESTRICTED FAMILY RESIDENTIAL HOUSING DEVELOPMENT IN
FURTHERANCE OF THE TOWNSHIP’S CONSTITUTIONAL OBLIGATION TO
PROVIDE FOR ITS FAIR SHARE OF AFFORDABLE HOUSING**

WHEREAS, the Township of Holmdel (“Township”) filed a Mt. Laurel declaratory judgment action in the Superior Court of New Jersey, Law-Division, bearing the caption In the Matter of the Township of Application of the Township of Holmdel, Docket No. MON-L-2523-15 following the New Jersey Supreme Court’s decision in Mt. Laurel IV; and

WHEREAS, the Township entered into a First Amended Settlement Agreement with Fair Share Housing Center on or about January 11,2019 and an Amendment to the First Amended Settlement Agreement on December 10, 2020 (collectively referred to as the “Settlement Agreements”) establishing the Township’s Third Round affordable housing obligation for the period 1999-2025 and the compliance mechanisms by which the Township will meet its constitutional obligation to provide for its fair share of affordable housing; and

WHEREAS, the Court conducted a Fairness Hearing on April 4, 2019 and January 30, 2020 approving the Settlement Agreements by and between the Township and Fair Share Housing Center finding on a preliminary basis that the Settlement Agreements are fair to low- and moderate-income households; and

WHEREAS, the Court approved Settlement Agreements include a fifty (50) unit one-hundred percent municipally sponsored affordable housing project on the property designated as Block 57, Lot 2 on the tax map of Holmdel (the “Project”); and

WHEREAS, the Township Committee adopted a Resolution authorizing the Township to enter into a Developer’s Agreement with the Holmdel Family Apartments LLC (the “Sponsor”) as the entity that will capably construct, own and operate the Project; and

WHEREAS, the Sponsor proposes to construct the Project pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.) and the rules promulgated thereunder at N.J.A.C. 5:80-1.1 et seq. (the "NJHMFA Law") and Project will be subject to the NJHMFA Law and the mortgage and other loan documents executed between the Sponsor and the New Jersey Housing and Mortgage Finance Agency (the "Agency");

WHEREAS, the Court Order approving the Settlement Agreements requires the Township to fully comply with COAH’s regulations governing such projects and the timetables set forth therein;

WHEREAS, pursuant to the provisions of the NJHMFA Law, the Township Committee of the Township of Holmdel hereby determines that there is a need for this housing project in the Township; and

WHEREAS, the Township Committee find it is in the best interest of the Township to comply with the Court's Orders and implement the terms and conditions of the Settlement Agreements.

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

1. The Township finds and determines that the proposed Project currently meets or will meet in the future an existing housing need in the Township.

2. The Township does hereby adopt this Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the NJHMFA Law with the intent and purpose that the Agency shall rely thereon in making a mortgage loan to the Sponsor, which shall construct, own and operate the Project.

CERTIFICATION

Wendy L. Patrovich, RMC/CMR does hereby certify that I am the Township Clerk of the Township of Holmdel, and that this is a true copy of the Resolution adopted by the Township Committee at a regular meeting of the Holmdel Township Committee held on June 9, 2020.

Wendy L. Patrovich, RMC/CMR
Municipal Clerk

TOWNSHIP OF HOLMDEL

RESOLUTION AUTHORIZING REFUND OF ESCROW FUNDS

WHEREAS, in reviewing escrow balances, the Professional staff has determined that the remaining escrow for 38 West Main Street is no longer needed; and

WHEREAS, the Professional staff have indicated there are no outstanding invoices and there will be no future invoices in regard to these permits; and

WHEREAS, the Township Engineer letters dated June 30, 2017 and October 14, 2019, which are attached and made part of this resolution; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the escrow balance for the 38 West Main Street in the amounts of \$21,236.28 and \$4,229.57 be returned to the owner.

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 June 9, 2020.

Wendy L. Patrovich, RMC/CMR
Township Clerk

ORDINANCE # 2020-11

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$2,755,000 FOR 2020 ROAD IMPROVEMENT PROGRAM IN AND BY THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$2,350,000 BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION.

BE IT ORDAINED, BY THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF HOLMDEL, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the "Improvement") is hereby authorized to be undertaken by the Township of Holmdel, in the County of Monmouth, New Jersey (the "Township") as a general improvement. For the said Improvement there is hereby appropriated the amount of \$2,755,000, such sum includes the sum of \$405,000 expected to be received as grants from the New Jersey Department of Transportation. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the "Local Bond Law") as the purpose authorized herein involve a project funded by State grants from the New Jersey Department of Transportation as permitted under N.J.S.A. 40A:2-11c.

SECTION 2:

In order to finance the additional cost of the Improvement, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$2,350,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said Improvement or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$2,350,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements authorized and the purpose for the financing of which said obligations are to be issued is for the 2020 Road Improvement Program, including but not limited to various road improvements in the Township, including curbing, milling, paving, drainage, site preparations and including all work and materials necessary therefor and incidental thereto.

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvement is \$2,350,000.

(c) The estimated cost of the Improvement is \$2,755,000 which amount represents the initial appropriation made by the Township.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the municipal finance officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Financial Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the Township Committee of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvement described in Section 3 of this Bond Ordinance is not a current expense, and is a capital improvement or property that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The period of usefulness of the Improvement, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for such purpose, according to the reasonable life thereof computed from the date of the Bonds authorized by this Bond Ordinance, is 20 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department

of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$2,350,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$650,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds or grant monies received for the purpose described in Section 3 of this Ordinance shall be used for financing additional costs of said Improvement provided the Township provides an appropriation therefor or for financing said Improvement by application thereof either to direct payment of the cost of said Improvement or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvement shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this Bond Ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9.

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect

to the Improvement prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the cost of the Improvement is \$2,350,000.

SECTION 11:

This Bond Ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.