

MINUTES Township Committee Meeting

7:30 PM - Tuesday, February
23, 2021

Remote Meeting - Via- Zoom

The Township Committee of the Township of Holmdel was called to order on Tuesday, February 23, 2021, at 7:30 PM, in the remote meeting via Zoom, with the following members present:

**COMMITTEE
PRESENT:** Mayor Gregory Buontempo
Committeeman Thomas Critelli
Committeeman DJ Luccarelli
Committeeman Prakash Santhana
Deputy Mayor Cathy Weber

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

1 ANNOUNCEMENT OF MEETING (OPEN PUBLIC MEETINGS ACT NOTICE)

- In accordance with the Open Public Meetings Act, N.J.S.A. 10:4-10, and the regulations governing remote meetings, N.J.A.C. 5:39-1.5, I hereby announce that “adequate notice” and “electronic notice” of this meeting was provided in a notice dated January 6, 2021 that was sent to the Asbury Park Press, Two River Times, posted on the bulletin board and on the main access door to Township Hall, filed in the Clerk’s Office, and posted on the Township’s website, www.holmdeltownship.com.

2 ROLL CALL

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

3 6:30 PM EXECUTIVE SESSION - REMOTE MEETING - VIA- ZOOM

- [2021-70A](#)

4 7:30 PM PUBLIC SESSION - REMOTE MEETING -VIA- ZOOM

5 PLEDGE OF ALLEGIANCE AND MOMENT OF SILENCE

6 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.

7 CONSENT AGENDA

Resolutions 2021-71 to 2021- 80 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.

- [2021-71](#)
- [2021-72](#)
- [2021-73](#)
- [2021-74](#)
- [2021-75](#)
- [2021-76](#)
- [2021-77](#)
- [2021-78](#)
- [2021-79](#)
- [2021-80](#)
- Mayor Buontempo requested a motion to adopt the consent agenda including resolutions 2021-71 through 2021-80. Deputy Mayor Weber voted affirmatively with a note referring to a recusal placed on record at the February 11, 2020 meeting.

RESULT:	CARRIED.
MOVER:	Cathy Weber
SECONDER:	Prakash Santhana
AYES:	Gregory Buontempo, Thomas Critelli, DJ Luccarelli, Prakash Santhana, and Cathy Weber

8 INTRODUCTION OF ORDINANCES

- Township Clerk Wendy Patrovich read Ordinance 2021-06 by title and requested a motion to adopt on first reading and publish in the Asbury Park Press and set public hearing for March 9, 2021.
- 2021-06 An Ordinance Amending Chapter 13 Parks and Recreational Facilities, Section 13-3 Swim Center, Section 13-3.2, Fees and Charges of the Township of Holmdel

RESULT:	CARRIED.
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MOVER:	Prakash Santhana
SECONDER:	Cathy Weber
AYES:	Gregory Buontempo, Thomas Critelli, DJ Luccarelli, Prakash Santhana, and Cathy Weber

9 HEARINGS ON ORDINANCES

- Township Clerk Wendy Patrovich read Ordinance 2021-02 by title. Mayor Buontempo opened for public comment. Hearing none he closed public comment and requested a motion to adopt on final reading and publish in the Asbury Park Press according to law.

RESULT:	CARRIED.
MOVER:	Prakash Santhana
SECONDER:	DJ Luccarelli
AYES:	Gregory Buontempo, Thomas Critelli, DJ Luccarelli, Prakash Santhana, and Cathy Weber

[Ordinance 2021-02](#)

- Township Clerk Wendy Patrovich read Ordinance 2021-03 by title. Mayor Buontempo opened for public comment. Hearing none he closed public comment and requested a motion to adopt on final reading and publish in the Asbury Park Press according to law.

- 2021-03 Ordinance Prohibiting Intentional Release of Balloons

RESULT:	CARRIED.
MOVER:	Prakash Santhana
SECONDER:	DJ Luccarelli
AYES:	Gregory Buontempo, Thomas Critelli, DJ Luccarelli, Prakash Santhana, and Cathy Weber

[Ordinance 2021-03](#)

- Township Clerk Wendy Patrovich read Ordinance 2021-04 by title. Mayor Buontempo opened for public comment. Hearing none he closed public comment and requested a motion to adopt on final reading and publish in the Asbury Park Press according to law.

- 2021-04 Ordinance Approving Amendments to Volunteer Emergency Incentives Ordinance

RESULT:	CARRIED.
MOVER:	Cathy Weber
SECONDER:	Prakash Santhana
AYES:	Gregory Buontempo, Thomas Critelli, DJ Luccarelli, Prakash Santhana, and Cathy Weber

[Ordinance 2021-04](#)

- Township Clerk Wendy Patrovich read Ordinance 2021-05 by title. Mayor Buontempo opened for public comment. Hearing none he closed public comment and requested a motion to adopt on final reading and publish in the Asbury Park Press according to law.

- 2021-05 Ordinance Providing for Live Streaming of Planning Board and Zoning Board Meetings

RESULT:	CARRIED.
MOVER:	Thomas Critelli
SECONDER:	Cathy Weber

[Ordinance 2021-05](#)

10 DEPARTMENTS

- **Chief Financial Officer**

- CFO William Antonides stated that the Governor's proposed State budget has been introduced and included 100% of the Township's state aid.

11 BOARDS/COMMITTEES

- Deputy Mayor Weber stated that the Traffic and Bike Safety Committee is still waiting on an update from the County so there is nothing to report at the moment, and the Human Relations Committee is in the process of completing their final report.
Committeeman Luccarelli commended Victor Stevens and the rest of the DPW for all of their hard work during the many snow storms we have had in the last few weeks.
Mayor Buontempo stated that the PPE bags are still available to seniors at Town Hall. He also thanked the CERT team for their continued efforts in getting seniors registered for the Covid-19 vaccine.
Deputy Mayor Weber added that the Police Department is seeking volunteers for the Domestic Abuse Response Team.

12 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.

- Jay Yanello, Ladwood Drive- Mr. Yanello commended Deputy Mayor Weber on all the work she has done with the Human Relations Committee.
Gail Rubin, Miller Avenue- Ms. Rubin asked the Township Engineer to review plans for a hotel near her neighborhood.

13 ADJOURNMENT

- The meeting was adjourned by acclamation at 8:05 PM.

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:

Real Property – N.J.S.A. 10:4-12(b)(5)

4 Mohingson Court – ATOD April 2021
Open Space/Farmland Acquisitions – ATOD June 2021
51 East Main Street – ATOD March 2021
Altice USA – ROW – ATOD March 2021

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

Legal Advice on Special Assessments – ATOD April 2021
Legal Advice on MLUL Zoning Changes – ATOD April 2021
Legal Advice on Union Beach Tax Appeal Litigation – ATOD May 2021

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 February 23, 2021.

Wendy L Patrovich, RMC/CMR
Township Clerk

2021-70A

BILLS PAYABLE RESOLUTION

WHEREAS, the Township of Holmdel has received certain claims against it by way of vouchers received during the period ending on February 23, 2021; 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 February 23, 2021 be and the same hereby are approved and the Chief Financial Officer is authorized to pay said claims:

FUND DISTRIBUTION	0-01	CURRENT FUND	\$	18,206.98
FUND DISTRIBUTION	1-01	CURRENT FUND	\$	87,287.74
FUND DISTRIBUTION	1-07	SEWER OPERATING	\$	5,616.04
FUND DISTRIBUTION	1-15		\$	2,529.65
		YEAR TOTAL	\$	95,433.43
FUND DISTRIBUTION	C-04	GENERAL CAPITAL	\$	282,896.46
FUND DISTRIBUTION	G-02	STATE/FED GRANT	\$	733.84
FUND DISTRIBUTION	T-12	OTHER TRUSTS	\$	42.65
		TOTAL OF ALL FUNDS\$		397,313.36

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on February 23, 2021.

Wendy L Patrovich, RMC/CMR
Township Clerk

2021-71

**RESOLUTION
APPROVING NICHOLAS R TUCCILLO AS
HOLMDEL TOWNSHIP FIRE FIGHTER**

WHEREAS, the Township Committee of the Township of Holmdel has the authority to supervise the Township's volunteer fire department in accordance with N.J.S.A. 40A:14-68; and

WHEREAS, pursuant to Holmdel Ordinance 2-29.5, the Township Committee shall approve all fire department members; and

WHEREAS, Nicholas R Tuccillo has applied to become a Holmdel Township Firefighter and has satisfied all applicable requirements.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Nicholas R Tuccillo be and are hereby is appointed as a Holmdel Township Firefighter.

CERTIFICATION

I, Wendy L. Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on February 23, 2021.

Wendy L. Patrovich, RMC/CMR
Township Clerk

2021-72

RESOLUTION ADOPTING THE MONMOUTH COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN

WHEREAS, the Township of Holmdel has experienced natural hazards that result in public safety hazards and damages to private and public property and;

WHEREAS, the hazard mitigation planning process set forth by the State of New Jersey and the Federal Emergency Management Agency offer the opportunity to consider natural hazards and risks, and to identify mitigation actions to reduce future risks and;

WHEREAS, the New Jersey Office of Emergency Management has provided federal mitigation funds to support development of an updated mitigation plan and;

Whereas, a Multi-Jurisdictional Hazard Mitigation Plan has been developed by the County Office of Emergency Management and Mitigation Planning Committee and;

Whereas, the Multi-Jurisdictional Hazard Mitigation Plan includes a prioritized list of mitigation actions including activities that, over time will help minimize and reduce safety threats and damage to private and public property and;

WHEREAS, the draft plan was provided to each participating jurisdiction through a website hosted by Michael Baker International, the contracted vendor assisting with the planning process. Links were links also posted on the Emergency Management and Division of Planning websites so as to introduce the planning concept and to solicit questions and comments and to present the Plan and request comments, as required by law and;

NOW, THEREFORE BE IT RESOLVED by the Township of Holmdel

1. The Monmouth County Multi-Jurisdictional Hazard Mitigation Plan, as submitted on June 23, 2020 by the Monmouth County Office of Emergency Management to the New Jersey Office of Emergency Management and the Federal Emergency Management Agency and subsequently approved by both agencies on August 27, 2020, be and is hereby adopted as an official plan of the County or Monmouth; with the required yearly updates and minor revisions recommended by the Federal Emergency Management Agency and/or the New Jersey Office of Emergency Management may be incorporated without further action.
2. The Township of Holmdel departments identified in the Plan are hereby directed to further pursue potential or suggested implementation of the recommended high priority activities that are assigned to their departments.
3. Any action proposed by the Plan shall be subject to and contingent upon budget approval, if required, which shall be at the discretion of the Township of Holmdel and this resolution shall not be interpreted so an to mandate any such appropriation.
4. The Holmdel Emergency Management Coordinator is designated to coordinate with other offices and shall periodically report on the activities, accomplishments, and progress, and shall prepare an annual progress report to be submitted to the New Jersey Office of Emergency Management. The status reports shall be submitted on a yearly basis by a predetermined date agree upon by all stakeholders.

BE IT FURHER RESOLVED that the Township Clerk forward a certified true copy of this resolution to the Monmouth County Office of Emergency Management Coordinator,

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on February 9, 2021.

Wendy L Patrovich, RMC/CMR
Township Clerk

Holmdel Township

Agenda Report

Meeting Date: Township Committee - 23 Feb 2021
Department: Community Development
Subject: Drainage Easement Encroachment- 4 Mohingson Court

Request: Drainage Easement Encroachment of property fence and a pool code fence.

Background: Homeowner wants to have a fence(s) installed in the Drainage Easement along the left side and rear of the property. Homeowner has paid the \$1500.00 escrow required as per Ordinance.

Attachments: [4 Mohingson Court](#)

Procurement Details

Vendor Name:
Pruchase Amount:
Procurement Method:

RESOLUTION REFUNDING OVERPAYMENT OF PROPERTY TAXES FOR
19 RIVERSIDE LANE – BLOCK 11.04 LOT 22

WHEREAS, on December 7, 2020 Jack Gau, owner of Block 11.04, Lot 22, sold the property; and

WHEREAS, the 1st quarter property taxes were inadvertently withdrawn from his bank account from the Direct Withdrawal Program in the amount of \$4,299.24; and

WHEREAS, the owner requests a refund of the over-payment in the amount of \$4,299.24.

NOW THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that the Tax Collector is hereby authorized to refund the over-payment of \$4,299.24 to Jack Gau.

CERTIFICATION

I, Wendy L. Patrovich, Township Clerk of the Township of Holmdel do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on February 23, 2021.

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

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

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

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

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

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

CERTIFICATION

I, Wendy L Patrovich, Township Clerk of the Township of Holmdel, do hereby certify that the above is a true copy of the Resolution adopted by the Holmdel Township Committee at a meeting held on February 23, 2021.

Wendy L Patrovich, RMC/CMR
Township Clerk

2021-76

RESOLUTION

BE IT RESOLVED by the Mayor and Township Committee of the Township of Holmdel that Maintenance Bond No. 2986709 issued by Great American Insurance Group in the amount of \$1,514,465.59 dated January 28, 2021 posted for P & A Construction, Inc. be accepted.

CERTIFICATION

I, Wendy L. Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held on February 23, 2021.

Wendy L. Patrovich, RMC/CMR
Holmdel Township Clerk

2021-77

**RESOLUTION AUTHORIZING EMERGENCY
PURCHASE FOR SALT FOR TOWNSHIP ROADWAYS**

WHEREAS, impending significant winter storms constituted an emergency with respect to the purchase of salt for the Township roadways; and

WHEREAS, emergency purchases may be awarded without public bidding in that an emergency affects the health and public safety of the public; and

WHEREAS, the Township Administrator has prepared a certification attesting to the emergency circumstances requiring the award of an emergency no-bid contract, as permitted pursuant to N.J.S.A. 40A:11-6.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Holmdel hereby authorizes emergency purchases to Atlantic Salt, Britton Industries, Don Waldron, Inc., TFB Trucking and Northrock Industries, LLC for the necessary purchase of salt for the Township roadways, in an amount not to exceed \$105,863.70 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 all above mentioned vendors, the Chief Financial Officer and the Township Qualified Purchasing Agent.

CERTIFICATION

I, Wendy L. Patrovich, Township Clerk of the Township of Holmdel, do hereby certify this to be a true copy of a Resolution adopted by the Township Committee of the Township of Holmdel at a meeting held February 23, 2021.

Wendy L. Patrovich, RMC/CMR
Township Clerk

RESOLUTION
AUTHORIZING NJ STATE CONTRACT FOR
FOR THE LEASE OF ONE POSTBASE VISION A9PSD POSTAGE MACHINE

WHEREAS, the Township of Holmdel wishes to Lease one PostBase Vision A9PSD Postage Machine 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, FP Mailing Solutions, has been awarded New Jersey State Contract #T-0200; and

WHEREAS, the Township seeks to lease a Postage Machine as set forth on the invoice attached hereto and incorporated by reference in the amount of \$174.00 per month; 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 budget account C-04-19-009-000-903.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Township Committee of the Township of Holmdel hereby awards a contract to FP Mailing Systems, to provide the lease of one PostBase Vision A9 PSD Postage Machine 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 FP Mailing Solutions 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 February 23, 2021.

Wendy L. Patrovich, RMC/CMR
Township Clerk

2021-79

RESOLUTION

TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

RESOLUTION APPROVING TOWNSHIP CONSENT TO MITIGATION PLAN
INVOLVING TOWNSHIP-HELD OPEN SPACE EASEMENT ON BLOCK 20.01, LOT 6.05
(6 LINDEN COURT)

WHEREAS, the owner (“Applicant”) of Block 20.01, Lot 6.05 (6 Linden Court) (the “Property”) obtained variance approval from the Holmdel Township Zoning Board of Adjustment (“Zoning Board”) to construct a tennis court, which was approved by board resolution dated September 2, 2020; and

WHEREAS, prior to obtaining the foregoing Zoning Board approval, the Applicant attempted to install the tennis court by accessing the relevant portion of the Property through the disturbance of a Township-held combined open space and conservation easement (the “Easement”); and

WHEREAS, the foregoing actions presented as violations of the restrictions upon Township-held conservation easements, pursuant to Holmdel Township Ordinance 30-58(d); and

WHEREAS, the Applicant was issued a stop work order issued by the Township dated June 23, 2020, followed by a Notice of Violation for unauthorized activities within a regulated area without a flood hazard area permit issued by the Department of Environmental Protection (“DEP”) dated September 16, 2020; and

WHEREAS, in order to rectify the DEP Violation, the Applicant has prepared a mitigation plan (the “Mitigation Plan”), consisting of the restoration of the disturbed area, a portion of which includes the Easement; and

WHEREAS, because a portion of the Mitigation Plan involves the Easement, the Township is a required signatory on the Applicant’s Division of Land Use Regulation application to the DEP in accordance with N.J.A.C. 7:13-18.2(g); and

WHEREAS, the Applicant has requested the Township’s written consent to the DEP application in accordance with N.J.A.C. 7:13-18.2(g); and

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

1. The Township Committee approves the execution of the Applicant’s Division of Land Use Regulation application to the DEP, consistent with the foregoing. The Mayor and Township Administrator are hereby authorized to execute said instrument.

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 February 23, 2021.

Wendy L. Patrovich, RMC/CMR
Township Clerk

2021-81

ORDINANCE NO. 2021-02

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**ORDINANCE PROHIBITING SIGNS ATTACHED TO UTILITY
POLES IN OR NEAR PUBLIC RIGHTS OF WAY**

WHEREAS, there exist numerous utility poles owned by utility companies that are located in or near to public rights-of-way; and

WHEREAS, the Township has identified a practice of third-parties affixing signs to utility poles that they do not own or control; and

WHEREAS, the Township finds that this affixing of signs to utility poles is injurious to the public health, safety, and welfare, specifically because such signs detract from the natural scenic beauty and aesthetic features of Holmdel's roadways, and further present as a dangerous and unnecessary distraction to motorists.

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.

Section 17-2 of the Revised General Ordinances of the Township of Holmdel is hereby revised as follows:

17-2.1 to 2.6 **[NO CHANGES]**

17- ~~2.7~~ 2.8 **Violations and Penalties**

17- ~~2.9~~ 2.7 **No Obstructions on Utility Poles or Traffic Islands**

No **(1)** sign, as defined in Section 30-3 ~~including a political sign,~~ **(2)** or other object designed to attract the attention of the driver of a motor vehicle, or **(3) other object** which tends to obstruct the view of the driver of a motor vehicle, shall be placed upon **any utility pole located in or within 25 feet of any public right of way or upon** any of the following traffic islands:

- a. Holmdel Road and Crawfords Corner Road.
- b. Holmdel Road and Roberts Road.
- c. Crawford Corner Road and Red Hill Road.
- d. Hillcrest Road and Bethany Road.

- e. Everett Road and American Way.
- f. Middletown Road and Stillwell Road.
- g. Middletown Road and East Main Street.

The foregoing prohibition relating to utility poles shall not include any infrastructure installed by a utility company, nor shall it include any sign or other object that is affixed by the owner and/or tenant of the utility pole and provides identification and/or safety information relating to the utility pole.

In addition to any fines prescribed by this Ordinance, the Township shall have the right, but not the obligation, to remove any signs or other objects in violation of this Ordinance.

SECTION 2. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 3. Repealer.

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.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance prohibits the attachment of signs to any utility poles located in or near public rights of way.

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 9, 2021 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 23, 2021 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. The meeting is scheduled to take place at the Holmdel Township Municipal Building located at 4 Crawfords Corner Road Holmdel, New Jersey. Notwithstanding the foregoing, the Township of Holmdel reserves the right to conduct this meeting on an electronic basis, pursuant to P.L. 2020, c 11, in which chase login information will be provided at www.holmdeltownship.com and the public hearing will be conducted electronically while affording full public participation.

Gregory Buontempo, Mayor

Attest:
Wendy L Patrovich, RMC/CMR
Township Clerk

ORDINANCE NO. 2021-03

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**ORDINANCE PROHIBITING INTENTIONAL RELEASE OF
BALLOONS**

WHEREAS, pursuant to N.J.S.A. 40:48-2, the Township of Holmdel is authorized to adopt ordinances that are deemed necessary and proper “for the preservation of the public health, safety and welfare of the municipality and its inhabitants”; and

WHEREAS, the Township finds that the intentional release of balloons is injurious to the health, safety, and welfare due to its negative impact upon the environment, and it therefore seeks to proscribe this practice.

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.

Section 3-27 of the Revised General Ordinances of the Township of Holmdel is hereby established as follows:

3-27 Intentional Release of Balloons

3-27.1 Purpose

It is hereby found and declared that it will be the public policy of the Township of Holmdel to take action when feasible to reduce the effects of certain products utilized, placed, or released with the environment in order to protect the health and safety of the general public.

This section is adopted in order to protect the environment, particularly the wildlife, and the health, safety and well-being of persons and property by prohibiting the release of helium balloons into the atmosphere, including latex and mylar, as it has been determined that the release of balloons inflated with lighter-than-air gases pose a danger and nuisance to the environment, particularly to wildlife and marine animals so as to constitute a public nuisance and may pose a threat to the safety of its inhabitants and their property.

3-27.2 Prohibited Releases.

It shall be unlawful for any person, firm or corporation to intentionally release, organize the release, or intentionally cause to be released balloons inflated with helium or any other gas that is lighter than air within the Township of Holmdel limits, except for:

1. Balloons released on behalf of a governmental agency or pursuant to a governmental contract for scientific or meteorological purposes.
2. Hot air balloons that are recovered after launching.
3. Balloons released indoors.

3-27.3 Violations and Penalties.

Any person found in violation is guilty of an ordinance violation punishable by a fine not to exceed the sum of \$500.

SECTION 2. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 3. Repealer.

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.

SECTION 4. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance prohibits the release of balloons.

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 9, 2021 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 23, 2021 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. The meeting is scheduled to take place at the Holmdel Township Municipal Building located at 4 Crawfords Corner Road Holmdel, New Jersey. Notwithstanding the foregoing, the Township of Holmdel reserves the right to conduct this meeting on an electronic basis, pursuant to P.L. 2020, c 11, in which chase login information will be provided at www.holmdeltownship.com and the public hearing will be conducted electronically while affording full public participation.

Gregory Buontempo, Mayor

Attest:
Wendy L Patrovich, RMC/CMR
Township Clerk

ORDINANCE NO. 2021-04

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**ORDINANCE APPROVING AMENDMENTS TO VOLUNTEER
EMERGENCY INCENTIVES ORDINANCE**

WHEREAS, the Township of Holmdel maintains Holmdel Township Ordinance § 2-32, titled “Incentives for Volunteer Emergency Service Members”; and

WHEREAS, this Ordinance provides incentives to the Township’s Volunteer Fire Companies and First Aid Squads; and

WHEREAS, the Township seeks to expand this program to include the Township’s Citizen Emergency Response Team; and

WHEREAS, the Township further seeks to make various technical amendments updating the Ordinance to reflect current practices.

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.

Section 2-32 of the Revised General Ordinances of the Township of Holmdel is hereby revised as follows:

2-32 INCENTIVES FOR VOLUNTEER EMERGENCY SERVICE MEMBERS.

2-32.1 Purpose.

The purpose of this section is to establish an incentive program to increase enrollment in Volunteer Fire Companies, ~~and~~ First Aid Squads, and the Citizen Emergency Response Team within the Township of Holmdel and to reward such volunteers for their tireless efforts, and their many hours spent to preserve and protect the health, safety, property and welfare of the residents of the Township of Holmdel, 24 hours per day, 365 days per year, without compensation.

2-32.2 Definitions.

As used in this section:

MEMBER(S) IN GOOD STANDING

Shall mean any ~~person~~ Volunteer who has been certified in writing by the Chief Executive Officer of a ~~Volunteer Fire Company or Volunteer First Aid Squad~~ Volunteer First Responder Organization within the Township of Holmdel to have served at least one year of continuous volunteer service in the ~~company or squad organization~~ and; to possess the necessary certification(s), license(s) and/or training required by the ~~company or squad organization~~.

VOLUNTEER

Shall mean any individual contributing services to a ~~Volunteer Fire Company or Volunteer First Aid Squad~~ within the Township of Holmdel without remuneration or without a formal agreement or contract for hire Volunteer First Responder Organization.

VOLUNTEER FIRST RESPONDER ORGANIZATION

Shall mean any Volunteer Fire Company, Volunteer First Aid Squad, or Volunteer Citizen Emergency Response team operating within the Township of Holmdel and whose members serve without remuneration or without a formal agreement or contract for hire.

2-32.3 Qualification for Benefits.

The provisions of this section shall be limited solely to members in good standing ~~these persons who are in any Volunteer Fire Company or Volunteer First Aid Squad~~ Volunteer First Responder Organization within the Township and who are certified by the Chief Executive Officer of their respective volunteer organization as "members in good standing" of the organization.

Reports detailing the attendance of members of each ~~company or squad~~ Volunteer First Responder Organization, including their compliance with this Ordinance's definition of a member in good standing, shall be filed quarterly with the Township Clerk by the Chief Executive Officer of each ~~company or squad~~ such organization. The certification referred to in the preceding paragraph shall be filed annually, not later than January 15 with the Township Clerk by the Chief Executive Officer of each ~~Volunteer Fire Company or Volunteer First Aid Squad~~ Volunteer First Responder Organization. A new certification must be filed each year and the certification from the preceding year shall be null and void.

2-32.4 Benefits.

Every ~~certified~~ member in good standing of a ~~Volunteer Fire Company or Volunteer First Aid Squad~~ Volunteer First Responder Organization shall be entitled to the following benefits from the Township:

Exemption from the payment of any Holmdel Township fees for the Township swim club, Township Recreation activities, Township training programs, Township licenses and permit fees, fees for the use of Township buildings and facilities and Township programs up to a maximum of \$300 per year, provided the fee or charge is for the personal and nonprofit use of such member in good standing. Where fees include monies

payable to the State and/or County, only the municipal portion of these fees may be waived.

2-32.5 Procedure for Exemption.

a. ~~Identification Card. Every member certified to be in good standing of a Volunteer Fire Company or Volunteer First Aid Squad Volunteer First Responder Organization within the Township shall be issued an annual identification card from the Township Clerk on or before February 1st and expiring January 31st of the following year, upon which shall be printed a serial number.~~

b. ~~Incentive Voucher. At the time the member seeks an exemption from fees, he or she shall present his or her identification card to the Township Clerk. Upon initial presentation, the Township Clerk shall issue a signed incentive voucher in the amount of \$300. The member shall then present the voucher to the appropriate authorized official or representative who shall note the amount of the incentive used with remaining balance, use, signature of the department head and date. The voucher shall be returned to the Township Clerk for notation in a ledger which shall, on an annual basis, reflect the balance of the \$300 still available to each member. The Township Clerk shall subsequently, upon request of a member, issue incentive vouchers for unused balances.~~

An individual entitled to benefits under Section 2-32.4 shall redeem such benefits by submitting a request to the Township Clerk's office requesting a voucher, specifying the nature and amount of the Holmdel Township fee requested to be waived pursuant to this Ordinance. The Township Clerk shall then issue a voucher that may be submitted to the appropriate Township department and shall be accepted by that department in lieu of the required fee payment. The Township Clerk shall maintain a ledger that tracks the vouchers issued to each eligible individual which shall be debited against that individual's benefit amount afforded under this Ordinance.

2-32.6 Enforcement.

The Township Clerk is hereby authorized to enforce the provisions of this section.

2-32.7 Violations and Penalties.

Any person committing an offense against the provisions of this section shall be guilty of a violation to be punished by a fine not to exceed \$300.

SECTION 3. Authorization.

The Township Administrator and Township Clerk are hereby authorized and directed to take any and all steps reasonably necessary to effectuate the foregoing.

SECTION 4. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 5. Repealer.

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.

SECTION 6. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance approves modifications to the Township's Volunteer Incentive Program.

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 9, 2021 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 23, 2021 at Township Hall, 4 Crawford's Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity. The meeting is scheduled to take place at the Holmdel Township Municipal Building located at 4 Crawford's Corner Road Holmdel, New Jersey. Notwithstanding the foregoing, the Township of Holmdel reserves the right to conduct this meeting on an electronic basis, pursuant to P.L. 2020, c 11, in which case login information will be provided at www.holmdeltownship.com and the public hearing will be conducted electronically while affording full public participation.

Gregory Buontempo, Mayor

Attest:
Wendy L Patrovich, RMC/CMR
Township Clerk

ORDINANCE NO. 2021-05

**TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH**

**ORDINANCE PROVIDING FOR LIVE STREAMING OF
PLANNING BOARD AND ZONING BOARD MEETINGS**

WHEREAS, pursuant to Holmdel Township Ordinance 2020-1, codified at § 2-3.11, the Township Committee provided for the video recording and live streaming of its public meetings; and

WHEREAS, in order to foster further transparency, the Township Committee seeks to adopt the same video recording and live streaming requirements for public meetings of the Planning Board and Zoning Board.

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.

Section 30-18.7 of the Revised General Ordinances of the Township of Holmdel is hereby established as follows:

30-18.7 Live Streaming of Public Meetings

The provisions of Ordinance 2-3.11, titled Video Recording and Live Streaming of Public Meetings, are hereby made applicable to public meetings of the Planning Board. The Secretary of the Planning Board shall assume the responsibilities of the Township Clerk contained therein.

SECTION 2.

Section 30-7.8 of the Revised General Ordinances of the Township of Holmdel is hereby established as follows:

30-7.8 Live Streaming of Public Meetings

The provisions of Ordinance 2-3.11, titled Video Recording and Live Streaming of Public Meetings, are hereby made applicable to public meetings of the Board of Adjustment. The Secretary of the Board of Adjustment shall assume the responsibilities of the Township Clerk contained therein.

SECTION 3.

This Ordinance shall be construed as supplementing, and not altering, any of the requirements contained in the Open Public Meetings Act, N.J.S.A. 10:4-6 et seq. and/or the regulations governing the conduct of remote meetings, N.J.A.C. 5:39-1.1 et seq.

SECTION 4. Severability.

If any section, subsection or paragraph of this ordinance be declared unconstitutional, invalid or inoperative, in whole or in part, by a court of competent jurisdiction, such chapter, section subchapter or paragraph shall to the extent that is not held unconstitutional, invalid or inoperative remain in full force and effect and shall not affect the remainder of this ordinance.

SECTION 5. Repealer.

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.

SECTION 6. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A. 40:49-2

This Ordinance requires the live streaming of Planning Board and Zoning Board meetings.

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 9, 2021 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 23, 2021 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. The meeting is scheduled to take place at the Holmdel Township Municipal Building located at 4 Crawfords Corner Road Holmdel, New Jersey. Notwithstanding the foregoing, the Township of Holmdel reserves the right to conduct this meeting on an electronic basis, pursuant to P.L. 2020, c 11, in which chase login information will be provided at www.holmdeltownship.com and the public hearing will be conducted electronically while affording full public participation.

Gregory Buontempo,

Mayor

Attest:

Wendy L Patrovich, RMC/CMR

Township Clerk