



**Township of Holland**  
IN  
HUNTERDON COUNTY

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**Draft Agenda-Business to the extent known**  
2012 RE-ORGANIZATIONAL MEETING AGENDA  
Friday January 6, 2012  
5:00 p.m.

CLERK MILLER CALLS THE MEETING TO ORDER-The January 6<sup>th</sup>, 2012 meeting of the Holland Township Committee will now come to order

CLERK MILLER LEADS FLAG SALUTE

*“At this time, I would like to invite the audience to join the Committee in reciting the Pledge of Allegiance”*

CLERK MILLER READS OPEN PUBLIC MEETING STATEMENT.

Adequate notice of this meeting was given pursuant to the open public meeting act on **December 29, 2011** by:

- 1) posting such notice on the bulletin board at the municipal building and on the Holland Township Website
- 2) mailing the same to the Hunterdon County Democrat and the Express-Times.

OATH OF OFFICE

Clerk Miller asks Attorney Cushing to swear in Committeemen-elect Thomas Scheibener and Ray Krov

ELECTION OF MAYOR

- Clerk Miller requests motion to nominate the Holland Township Mayor for 2012
- Clerk Miller takes roll call vote
- The new Mayor takes the center seat on the dais

ELECTION OF THE DEPUTY MAYOR

- The Mayor requests nominations for Deputy Mayor in 2012
- Clerk takes roll call vote
- The new Deputy Mayor takes the seat to the left of the New Mayor
- The remaining Committeemen take seats to the left of the New Deputy Mayor starting with the most senior Committeeman to the newest Committeeman seated on the end.

ADOPTION OF THE 2012 TEMPORARY BUDGETS AND THE 2012 TEMPORARY SEWER BUDGET

RESOLUTION

WHEREAS, N.J.S. 40A:4-19 provides that where any contract, commitment or payments are to be made prior to the final adoption of the 2012 budget, temporary appropriations should be made for the purpose and amounts required in the manner and time therein provided, and

WHEREAS, the date of this resolution is within the first 30 days of the fiscal year, and

WHEREAS, the total appropriations in the 2011 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance is the sum of \$4,742,656.50, and

WHEREAS, 26.25% of the total appropriations in the 2011 budget, exclusive of any appropriations made for interest and debt redemption charges, capital improvement and public assistance in said budget is the sum of \$1,244,947.33

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township Holland, in the County of Hunterdon, State of New Jersey, that the following appropriations be made and a certified copy of this resolution be transmitted to the Chief Financial Officer for his records:

TEMPORARY APPROPRIATIONS – 2012

Account Number	Description	Amount
01-201-20-110-010	MAYOR & COMMITTEE - SALARIES & WAGES	5,000.00
01-201-20-110-200	MAYOR & COMMITTEE - OTHER EXPENSES	15,000.00
01-201-20-120-010	MUNICIPAL CLERK - SALARIES & WAGES	30,000.00
01-201-20-120-125	Elections	1,000.00
01-201-20-120-126	Legal Notices	3,000.00
01-201-20-120-127	Codification of Ordinances	2,000.00
01-201-20-120-200	MUNICIPAL CLERK - OTHER EXPENSES	10,000.00
01-201-20-130-010	FINANCE - SALARIES & WAGES	25,000.00
01-201-20-130-200	FINANCE - OTHER EXPENSES	25,000.00
01-201-20-135-200	FINANCIAL AUDIT SERVICES	100.00
01-201-20-145-010	COLLECTION OF TAXES - SALARIES & WAGES	9,000.00
01-201-20-145-200	COLLECTION OF TAXES - OTHER EXPENSES	5,600.00
01-201-20-150-010	ASSESSMENT OF TAXES - SALARIES & WAGES	10,000.00
01-201-20-150-200	ASSESSMENT OF TAXES - OTHER EXPENSES	2,000.00
01-201-20-155-200	LEGAL SERVICES - OTHER EXPENSES	40,000.00
01-201-20-165-200	ENGINEERING SERVICES - OTHER EXPENSES	20,000.00
01-201-20-170-010	AG ADVISORY COMMITTEE - SALARIES & WAGE	300.00
01-201-20-170-200	AG ADVISORY COMMITTEE - OTHER EXPENSES	3,500.00
01-201-20-175-010	HIST. PRES. COMM - SALARIES & WAGES	300.00
01-201-20-175-200	HIST. PRESERVATION COMM - OTHER EXPENSE	2,000.00
01-201-21-180-010	PLANNING BOARD - SALARIES & WAGES	4,500.00
01-201-21-180-200	PLANNING BOARD - OTHER EXPENSES	15,000.00
01-201-21-185-010	BOARD OF ADJUSTMENT - SALARIES & WAGES	8,000.00
01-201-21-185-200	BOARD OF ADJUSTMENT - OTHER EXPENSES	1,600.00
01-201-21-186-010	ZONNING OFFICIAL - SALARIES AND WAGES	5,000.00
01-201-21-186-200	ZONNING OFFICIAL - OTHER EXPENSES	2,500.00
01-201-23-210-200	OTHER INSURANCE	50,000.00
01-201-23-215-200	WORKER'S COMPENSATION	25,000.00
01-201-23-220-200	EMPLOYEE GROUP INSURANCE	100,000.00
01-201-25-240-010	POLICE - SALARIES & WAGES	150,000.00
01-201-25-240-200	POLICE - OTHER EXPENSES	20,000.00
01-201-25-250-010	MUNICIPAL COURT - SALARIES & WAGES	4,000.00
01-201-25-250-200	MUNICIPAL COURT - OTHER EXPENSES	4,000.00
01-201-25-252-010	EMERGENCY MANAGEMENT - SALARIES & WAGES	2,500.00
01-201-25-252-200	EMERGENCY MANAGEMENT - OTHER EXPENSES	2,000.00
01-201-25-255-200	AID TO VOLUNTEER FIRE COMPANY	20,000.00
01-201-25-260-200	AID TO FIRST AID ORGANIZATIONS	25,000.00
01-201-25-265-200	FIRE - OTHER EXPENSES	4,500.00
01-201-25-275-010	MUNICIPAL PROSECUTOR - SALARIES & WAGES	2,000.00

01-201-25-276-010	PUBLIC DEFENDER S/W	400.00
01-201-26-290-010	PUBLIC WORKS - SALARIES & WAGES	125,000.00
01-201-26-290-200	PUBLIC WORKS - OTHER EXPENSES	5,000.00
01-201-26-295-200	SNOW REMOVAL	60,000.00
01-201-26-305-010	RECYCLING - SALARIES & WAGES	8,000.00
01-201-26-305-200	RECYCLING - OTHER EXPENSES	7,000.00
01-201-26-310-010	BUILDINGS & GROUNDS - SALARIES & WAGES	20,000.00
01-201-26-310-200	BUILDINGS & GROUNDS - OTHER EXPENSES	25,000.00
01-201-26-315-200	VEHICLE MAINTENANCE - OTHER EXPENSES	13,000.00
01-201-27-330-010	BOARD OF HEALTH - SALARIES & WAGES	1,000.00
01-201-27-330-200	BOARD OF HEALTH - OTHER EXPENSES	2,900.00
01-201-27-335-200	WASTEWATER MANAGEMENT - OTHER EXPENSES	5,000.00
01-201-27-340-010	ANIMAL CONTROL - SALARIES AND WAGES	1,200.00
01-201-27-340-201	ANIMAL CONTROL - OTHER EXPENSES	1,200.00
01-201-28-370-010	RRCC PARKS & RECREATION - S & W	50,000.00
01-201-28-370-200	RRCC PARKS & RECREATION - OTHER EXPENSE	25,000.00
01-201-28-371-200	OTHER RECREATION PROGRAMS O/E	8,000.00
01-201-28-372-010	SWIMMING POOL SALARIES AND WAGES	100.00
01-201-28-372-200	SWIMMING POOL O/E	2,500.00
01-201-28-373-010	SNACK SHACK S/W	100.00
01-201-28-373-200	SNACK SHACK O/E	2,500.00
01-201-31-430-200	ELECTRICITY - OTHER EXPENSES	30,000.00
01-201-31-435-200	STREET LIGHTING - OTHER EXPENSES	30,000.00
01-201-31-440-200	TELEPHONE - OTHER EXPENSES	15,000.00
01-201-31-446-200	NATURAL GAS - OTHER EXPENSES	15,000.00
01-201-31-447-200	FUEL OIL - OTHER EXPENSES	25,000.00
01-201-31-460-200	GASOLINE & DIESEL - OTHER EXPENSES	40,000.00
01-201-32-465-200	DUMPSTER - OTHER EXPENSES	25,000.00
01-201-35-470-200	CONTINGENT - OTHER EXPENSES	100.00
01-201-36-471-200	PUBLIC EMPLOYEES RETIREMENT SYSTEM	100.00
01-201-36-472-200	SOCIAL SECURITY - OTHER EXPENSES	30,000.00
01-201-36-473-200	DCRP	1,250.00
01-201-36-475-200	POLICE & FIRE RETIREMENT SYSTEM	100.00
01-201-36-474-200	UNEMPLOYMENT INSURANCE	750.00
01-201-40-501-200	COAH - OTHER EXPENSES	1,250.00
01-201-40-52-200	AID TO LIBRARY	13,000.00
Budgetary totals:		1,243,850.00

ADOPTION OF CONSENT AGENDA (See below)

-Mayor asks the Committee if any member wishes to remove any item from the consent agenda for separate discussion/consideration/vote.

-Mayor requests motion to adopt the Consent Agenda

OLD BUSINESS FROM THE TOWNSHIP COMMITTEE

**-Memo from Philkill**-Authorization to make Payment #3 to English Paving for work completed on Mt. Joy Road.

**-Cable Renewal**-At the December 20, 2011 Public Hearing SECTV Attorney Thomas Kelly advised the Committee that the Township has a 30 day period to advise approval or denial. An Ordinance will be drafted by the Township, approved by Service Electric Cable TV and then goes back to the Township for adoption. (Vogel)

**-Draft Resolution-Historic Grant Application of or RRCC-** at the December 20, 2011 meeting, Mr. Bush asked the Committee to review the Draft Resolution (Bush)

NEW BUSINESS FROM THE TOWNSHIP COMMITTEE.

**-Liaison Assignments-**Mayor announces his Committee Member Liaison Assignments for 2012

**-Emailed resignation received from Parks and recreation member Diane Maglio** (term expires 12/31/2012)

**-Appointments by the Mayor-** Mayor announces his appointments and reappointments for 2012 Boards and Commissions and asks for Committee approval

**-Appointments by the Township Committee-**Mayor announces the Committee's appointments and reappointments for 2012 Boards and Commissions and asks for a formal vote

**-Memo from Engineer Philkill** Re: Award of Bid for 2012 Wheel Loader. Bids opened at 10:00 a.m. on December 28. Two bid packages were requested, one bid was received as follows:

- JESCO., Inc. of South Plainfield, NJ
- 2012 John Deere Model 524K
- \$102,000.00 plus a trade allowance of \$20,750.00
- Fully complies with bid specifications
- Funds were available upon publication of Ordinance 2012-20 on December 22, 2011

**-Approval** of 2012 Holland Township Volunteer Fire Company Roster and Officers

**Line Officers:** Chief Steve: Underhill Deputy Chief: Tom Welsh  
Asst. Chief: Rich Davi Captain: Tom Dougherty Captain: Joe Aimino

**Executive Board:**

President: Pete Davis Vice President: Pete Kanakaris  
Treasurer: Mark Lowe Secretary: Gabby Underhill

**Trustees:** Bill Martin, Bob Lippincott, Mark Lowe, Rich Davi, Bill Ethem, Mike Joyce, Joe Aimino

**- Memo from Tax Assessor Michele Trivigno** Warren Glen Tax Appeal Settlement

**-Authorization for Mayor and Clerk to sign** the 2012 Animal Control Agreement with Hunterdon Humane Shelter pending contract negotiations

**-Shared Services with Hunterdon County-**request for Municipal interest in entering into a shared service for website and email management

**-Memo from Engineer Philkill** Re: Summary of currently active and in-progress Holland Township projects

**-Memo from Engineer Philkill** Re: final Voucher for English Payment

**-Memo from Police Chief John Harris-**Re: Fitness Center memberships for Holland Township Police Officers

**-Memo from Police Chief Harris-Recommendation of 3 month extension of Joseph Bigg Probation**

**-Memo from Recycling Coordinator Alan Turdo Re: Recycling rules**  
January 3, 2012

**-RESOLUTION-** Renew with the State Wide Insurance Fund

**RESOLUTION**  
To Join (Renew) the Fund

**WHEREAS**, a number of local units have joined together to form the Statewide Insurance Fund (“FUND”), a joint insurance fund, as permitted by N.J.S.A. 40A:10-36, *et seq.*; and

**WHEREAS**, the Township of Holland (“LOCAL UNIT”) has complied with relevant law with regard to the acquisition of insurance; and

**WHEREAS**, the statutes and regulations governing the creation and operation of joint insurance funds contain elaborate restrictions and safeguards concerning the safe and efficient administration of such funds; and

**WHEREAS**, the LOCAL UNIT has determined that membership in the FUND is in the best interest of the LOCAL UNIT.

**WHEREAS**, the LOCAL UNIT agrees to be a member of the FUND for a period of three (3) years, effective from **January 1, 2012** terminating on **January 1, 2015** at 12:01 a.m. standard time; and

**WHEREAS**, the LOCAL UNIT has never defaulted on claims, if self-insured, and has not been canceled for non-payment of insurance premiums for two (2) years prior to the date of this Resolution.

**NOW, THEREFORE, BE IT RESOLVED** that the LOCAL UNIT does hereby agree to join the Statewide Insurance Fund; and

**BE IT FURTHER RESOLVED** that to the extent required by law, the Local Unit shall provide notice of the Indemnity and Trust Agreement to the Office of the State Comptroller; and

**BE IT FURTHER RESOLVED** that the LOCAL UNIT will be afforded the following coverage(s) as marked “Yes”:

	<u>YES</u>	<u>NO</u>
<i>Workers’ Compensation &amp; Employer’s Liability</i>	<b>X</b>	
<b>Liability, Property, Crime-Faithful Performance and Fidelity,</b>	<b>X</b>	
<b>Inland Marine, Boiler and Machinery, Comprehensive General</b>	<b>X</b>	
<b>Liability, Auto Liability, Auto Physical Damages</b>	<b>X</b>	
<b>Professional Liability</b>	<b>X</b>	
<b>Pollution Liability</b>	<b>X</b>	

**BE IT FURTHER RESOLVED** that Municipal Clerk, Catherine M. Miller is hereby appointed as the LOCAL UNIT’s Fund Commissioner and is authorized to execute the application for membership and the accompanying certification on behalf of the LOCAL UNIT; and

**BE IT FURTHER RESOLVED** that the LOCAL UNIT's Fund Commissioner is authorized and directed to execute the Indemnity and Trust Agreement and such other documents signifying the membership in the FUND as required by the FUND's Bylaws and to deliver same to the Administrator of the FUND with the express reservation that said documents shall become effective only upon the LOCAL UNIT's admissions to the FUND following approval of the FUND by the New Jersey Department of Banking and Insurance.

**-RESOLUTION-** Appointing Risk Management Consultant

**RESOLUTION**  
Appointing Risk Management Consultant

**WHEREAS**, the Township of Holland (hereinafter "Local Unit") has joined the Statewide Insurance Fund (hereinafter "Fund"), a joint insurance fund as defined in N.J.S.A. 40A:10-36 *et seq.*; and

**WHEREAS**, the Bylaws require participating members to appoint a Risk Management Consultant, as those positions are defined in the Bylaws, if requested to do so by the "Fund"; and

**WHEREAS**, the Local Unit has complied with relevant law with regard to the appointment of a Risk management Consultant; and

**WHEREAS**, the "Fund" has requested its members to appoint individuals or entities to that position; and

**NOW, THEREFORE, BE IT RESOLVED** by the governing body of "Local Unit", in the County of Hunterdon and State of New Jersey, as follows:

1. Holland Township hereby appoints Groendyke Assoc. its local Risk Management Consultant.
2. The Municipal Clerk Catherine M. Miller and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant's Agreement for the year 2012 in the form attached hereto.

**-RESOLUTION -**Hiring Jack Kraynanski as front desk help at the Riegel Ridge Community Center

**RESOLUTION**  
Authorization to hire John (Jack) Kraynanski as part time  
Front Desk Help at Riegel Ridge Community Center

**WHEREAS**, the Township Committee of the Township of Holland is in need of Front Desk Help at the Riegel Ridge Community Center, and

**WHEREAS**, according to the Chief Financial Officer, there are sufficient funds available in the General Operations Municipal budget to pay for this employee, and

**WHEREAS**, this employee will be hired as an "at will" 12 month part-time employee, with a six months initial probationary period, starting as of the date of hire; and

**WHEREAS**, this employee will be required to wear a uniform prescribed by the Township, portions of which will be furnished by the Township and portions will be furnished by the employee; and

**WHEREAS**, this employee will report directly to the Director of Parks and Recreation, and

**WHEREAS**, a current copy of the Holland Township Employee Handbook will be made available to this employee for review and will be required to comply with all policies in the handbook, and

**WHEREAS**, this employee will be required to attend and pass all required training; and

**WHEREAS**, this employee will be required to submit to all background checks required for their position.

**THEREFORE, BE IT RESOLVED** by the Holland Township Committee, Township of Holland, County of Hunterdon in the State of New Jersey, that John (Jack) Kraynanski will be hired as Riegel Ridge Community Center as Front Desk Help at the 2012 rate of **\$8.50 per hour** contingent on results of all required background checks, effective January 6, 2012.

**-RESOLUTION-** Authorizing Refund of Redemption Monies to Outside Lienholder and Refund of Premium Paid at Sale

**RESOLUTION**

Authorizing Refund of Redemption Monies to Outside Lienholder and Refund of Premium Paid at Sale

**WHEREAS**, at the Municipal Tax Sale held on September 28, 2011, a lien was sold on Block 6 Lot 46, for 2010 taxes; and

**WHEREAS**, this lien, known as Tax Sale Certificate #2011-01, was sold to US Bank-Cust/SASS MUNI VI dtr for a 0% redemption fee and a premium in the amount of \$16,500; and,

**WHEREAS**, the mortgage holder for the property, has effected redemption of Certificate No. 2011-01 in the amount of \$19,656.21.

**NOW, THEREFORE, BE IT RESOLVED**, that the CFO is authorized to issue two checks as follows:

1. A check in the amount of \$19,656.21 payable to US Bank-Cust/SASS MUNI VI dtr for the redemption of Tax Sale Certificate #2011-01
2. A check in the amount of \$16,500 payable to US Bank-Cust/SASS MUNI VI dtr for the refund of the premium paid at the sale.

**DRAFT ORDINANCE 2012-\_\_\_\_\_**-Amending Fee Ordinance to increase fees for calculation of Redemption of Certificates (Memo received from Tax Collector Susan Luthringer requesting adoption)

**ORDINANCE 2012-**

**AN ORDINANCE OF THE TOWNSHIP OF HOLLAND, COUNTY OF HUNTERDON, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 83 OF THE TOWNSHIP CODE, ENTITLED "FEES", SO AS TO AMEND AND SUPPLEMENT SECTION 83-1, ENTITLED "CHARGES FOR COIPES OF TOWNSHIP RECORDS"**

BE IT ORDAINED, by the Township Committee of the Township of Holland, County of Hunterdon, State of New Jersey, as follows:

SECTION 1. Chapter 83 of the Township Code of the Township of Holland, entitled "Fees", is hereby amended and supplemented so as to amend Section 83-1, entitled "Charges for Copies of Township Records" by the addition of the following subsection:

83-1. Charges for Copies of Township Records.

In accordance with NJSA 54:5-54, the tax collector shall provide to any party entitled to redeem a certificate pursuant to this section (NJSA 54:5-54) two calculations of the amount required to redemption within a calendar year at no cost. For each subsequent calculation requested from the tax collector there shall be a \$50.00 fee. A request for a redemption calculation shall be made in writing to the tax collector.

SECTION 2. All ordinances or parts of ordinances inconsistent herewith are hereby repealed.

SECTION 3. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by a court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions hereof.

SECTION 4. This ordinance shall take effect after second reading and publication as required by law.

**DRAFT ORDINANCE 2012-\_\_\_\_-Amending Flood Hazard District of Chapter 10-  
Introduction/First Reading**

**ORDINANCE 2012-  
AN ORDINANCE TO AMEND PORTIONS OF ARTICLE XII  
(FL FLOOD HAZARD DISTRICT) OF CHAPTER 100 (LAND USE)  
OF THE CODE OF THE TOWNSHIP OF HOLLAND**

**WHEREAS**, in response to requirements by the Federal Emergency Management Agency (FEMA), transmitted to this Township by the N.J. Department of Environmental Protection (NJDEP), portions of Article XII (entitled "FL Flood Hazard District") in Chapter 100 (entitled "Land Use"), of the Code of the Township of Holland were amended by Ordinance 2009-19, and now FEMA through NJDEP, via communications with the Township, has required certain additional amendments to portions of said Article XII in order for the Township to be able to continue to participate in the National Flood Insurance Program (NFIP); and

**WHEREAS**, this Township Committee recognizes that the benefits of NFIP are important for properties in the Township, particularly those along the Delaware River;

**NOW, THEREFORE, BE IT ORDAINED**, by the Township Committee of the Township of Holland, in the County of Hunterdon, and State of New Jersey, that the portions, described below, of Article XII, entitled **FL Flood Hazard District**, of Chapter 100, entitled **Land Use**, of the Code of the Township of Holland, be, and the same hereby are, amended as follows:

**SECTION ONE: Section 100-97, entitled "Basis for establishing areas of special flood hazard,"** is amended to read as follows:

**' 100-97 Basis for establishing areas of special flood hazard.**

The areas of special flood hazard for the Township of Holland, Community No. 340509, are identified and defined on the following documents prepared by the Federal Emergency Management Agency:

- a) A scientific and engineering report "Flood Insurance Study, Hunterdon County, New Jersey (All Jurisdictions)" dated May 2, 2012.
- b) Flood Insurance Rate Map for Hunterdon County, New Jersey (All Jurisdictions) as shown on Index and panel numbers 34019C0069F, 34019C0088F, 34019C0089F,

34019C0179G, 34019C0181G, 34019C0182F, 34019C0183F, 34019C0184G, 34019C0203G, 34019C0204G, 34019C0205F, 34019C0208F, 34019C0212G, 34019C0216F; whose effective date is May 2, 2012.

The above documents are hereby adopted and declared to be a part of this ordinance. The Flood Insurance Study and maps are on file at the Township Municipal Building at 61 Church Road, Milford, New Jersey 08848.

**SECTION TWO:** Paragraph (b) of Subsection A. (1) [“Anchoring”] of § 100-106, entitled “Provisions for flood hazard reduction,” is amended to read as follows:

- (b) All manufactured homes to be placed or substantially improved shall be anchored to resist flotation, collapse or lateral movement. Methods of anchoring may include, but are not to be limited to, use of over-the-top or frame ties to ground anchors. This requirement is in addition to applicable state and local anchoring requirements for resisting wind forces.

**SECTION THREE:** Paragraph (d) of Subsection A. (3) [“Utilities”] of § 100-106, entitled “Provisions for flood hazard reduction,” is amended to read as follows:

- (d) For all new construction and substantial improvements the electrical, heating, ventilation, plumbing and air-conditioning equipment and other service facilities shall be designed and/or located so as to prevent water from entering or accumulating within the components during conditions of flooding.

**SECTION FOUR:** Subsection B. (2) [“Nonresidential construction;”] of § 100-106, entitled “Provisions for flood hazard reduction,” is amended to read as follows:

- (2) Nonresidential construction: In an Area of Special Flood Hazard, all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement together with the attendant utilities and sanitary facilities,

*either:*

[i] elevated to the level of the base flood elevation; and [ii] within any AO zone on the Township’s DFIRM all new construction and substantial improvement of any commercial, industrial or other nonresidential structure shall have the lowest floor, including basement, elevated above the highest adjacent grade at least as high as the depth number specified in feet (at least two feet if no depth number is specified). And, adequate drainage paths around structures on slopes shall be required to guide floodwaters around and away from proposed structures;

*or*

[i] floodproofed so that below the base flood level the structure is watertight with walls substantially impermeable to the passage of water; [ii] have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and, [iii] be certified by a registered professional engineer or architect, which certification shall state that the design and methods of construction are in accordance with accepted standards of practice for meeting the applicable provisions of this subsection. Such certification shall be provided to the official as set forth in section 100-104C.[2][b].

**SECTION FIVE:** All other provisions of said Article XII shall remain unchanged.

**BE IT FURTHER ORDAINED**, that this Ordinance shall take effect immediately after publication following final passage and filing of a copy hereof with the Planning Board of the County of Hunterdon, in accordance with law.

BUSINESS FROM TOWNSHIP ATTORNEY

- Progress of Milford Sewer Agreement
- Progress of Hoffman Farm

BUSINESS FROM THE CFO

MEETING OPEN TO PUBLIC.

ADJOURN

**CONSENT AGENDA**

**Appoint the Following for a one year term:**

Susan Luthinger as Tax Search Officer

Susan Luthringer as Sewer Rent Collector

Catherine M. Miller as Public Information Coordinator/Custodian of Official Records

Linda Moser as Deputy Clerk

Karen Lessig as Dog Licensing Officer

Melissa Tigar as Zoning Officer/Development Regulations Officer and Municipal Housing Liaison

Alan Turdo as Certified Recycling Coordinator

Delaware Valley Family Health Center as Township Physician

**To adopt the following resolution:**

**RESOLUTION**

**Regarding Cash Management Plan for the Year 2012**

**WHEREAS**, P.L. 1983, Chapter 8, Local Fiscal Affairs Law, N.J.S.A.; 40A:5-14, has been amended to require that each municipality designate a Cash Management Plan for the deposit of local unit's monies,

**BE IT RESOLVED** that the following Cash Management Plan be adopted by the Township of Holland hereinafter "Municipality",

**A. DESIGNATION OF OFFICIAL DEPOSITORIES**

1. The following financial institutions are designated official depositories; under the direction of the Chief Financial Officer.

Sun Bank	N.J. Cash Management	PNC Bank
TD Bank	Valley National Bank	Unity Bank

2. Designated Official Depositories are required to submit to the Chief Financial Officer of this municipality a copy of the State of New Jersey, Department of Banking, Governmental Unit Deposit Protection Act, notification of eligibility which must be filed semiannually in the Department of Banking as of June 30<sup>th</sup> and December 31<sup>st</sup> of each year.

3. Designated official depositories are required to submit to the Chief Financial Officer a copy of institution's Annual Report" on an annual basis.

## **B. DEPOSIT OF FUNDS**

All funds shall be deposited within forty-eight (48) hours of receipt in accordance with State Statute.

1. Operating funds shall be deposited into interest bearing accounts to maximize interest earnings.

2. Capital and debt service funds may be deposited into interest bearing accounts. Non-interest bearing accounts shall be regularly monitored for the availability of funds for investment.

3. Trust funds may be deposited into interest bearing accounts. Non-interest bearing accounts should be regularly monitored for availability of funds for investment except where either State or Federal laws prohibit the earning of interest on such funds.

4. Payroll and agency remittance funds shall be maintained in regular checking accounts, only insofar as they serve to compensate the bank for payroll data processing services.

## **C. DESIGNATION OF ALLOWABLE INVESTMENT INSTRUMENTS**

The Municipality may permit deposits and investments in such depositories as permitted in Section 4 of P.L. 1970, Chapter 236 (C. 17:9-44).

1. All designated depositories must conform to all applicable State Statutes concerning depositories of public funds.

2. All depositories shall obtain the highest amount possible FDIC and or FSLIC coverage of all Municipal Assets (Demand and Certificate of Deposit).

3. Collateral will be required for all deposits and investment of the Municipality, except for those in the State Cash Management Fund, collateral must have a market value of not less than 100 percent (100%) of all deposits and investments.

4. The Township shall be permitted to invest in certain governmental Securities in accordance with 40A:5-15.1

## **E. REPORTING PROCEDURES**

The Chief Financial Officer shall prepare for the Municipal Governing Body the following investment reports:

1. Monthly Reporting: A detailed listing of all investments purchased in the prior month, specifying the amount, interest percent per annum, number of days, period of investment and maturity date, interest amount at maturity and financial institutions with which investment is placed. This report shall be broken down by fund.

2. The Chief Financial Officer shall prepare a schedule of outstanding investments for the independent auditors as of December 31<sup>st</sup> of each year and at other such times required by the auditors.

## **F. MAXIMUM MATURITY POLICY**

Investments shall be limited to a maturity not to exceed one year on all operating funds unless a longer maturity is permitted within the provision of regulation promulgated by either the Federal or State governments.

## **G. INVESTMENT PROCEDURES**

1. Bids for Certificates of Deposit and Repurchase Agreements will be solicited of all designated depositories only if the amount is \$100,000.00 or greater.

2. Telephone bids will be solicited of designated depositories by the Chief Financial Officer or his designated staff member.

3. The depository shall specify the principal amount of the investment bid on, interest rate, and number of days used to calculate the interest to be paid on maturity.

4. Interest paid shall be from the date the bid was awarded to the day of maturity.

5. All bidders may request the results of the bid after the bid is formally awarded.

6. A check or wire transfer of funds will be made available to the winning bidder the same business day the bid is awarded.

7. Each quotation shall be documented to record the date and time of quote, the parties in the discussion, the instrument(s), maturity and rates. A bid form of the Municipality may be used.

8. The Chief Financial Officer is authorized to invest and reinvest funds of the various accounts of this municipality without formal resolution of this governing body for each investment or turnover of funds, provided that investments are made at the highest available rate of interest consistent with applicable laws and regulations.

## **H. CONTROLS**

When possible, the internal controls should provide for a separation of the investment placement functions and the accounting activity. Controls must be designated for telephone orders, wire transfers and securities safekeeping, only specifically designated personnel of the department of finance shall be allowed to conduct this part of the transactions and all activity should be subject to immediate written

confirmation by the designated depository. The Chief Financial Officer shall review each day's activity.

## **I. COMPLIANCE**

The Cash Management Plan of the Municipality shall be subject to the annual audit conducted pursuant to N.J.S. 40A:5-4.

**To designate the Hunterdon County Democrat** as the official newspaper of the Township for 2012. The said official newspaper and the Express-Times are also designated to receive advance notice of meetings under the provisions of the Open Public Meetings Act Law.

**To appoint the Hunterdon Humane Animal Shelter** as dog warden in 2012

**To authorize the Clerk** to charge \$10.00 for mailing of meetings notices upon request.

**To authorize the Chief Financial Officer** to charge \$25.00 for any checks that are returned by the bank

**To authorize the Tax Assessor** to charge \$10.00 for an affidavit listing names of property owners as under the Municipal Land Use Law.

**To adopt the following resolution:**

### **RESOLUTION**

#### **Resolution Authorizing Interest Rate/Grace Period/Year End Penalty**

**WHEREAS**, N.J.S.A. 54:4-67 et seq., permits the governing body to fix the rate of interest to be charged for the nonpayment of taxes, assessments, or other municipal charges.

**NOW, THEREFORE, BE IT RESOLVED**, by the governing body of the Township of Holland that the rate of interest on unpaid taxes shall be eight (8) percent per annum on the first One Thousand Five Hundred (\$1,500) Dollars of delinquency and eighteen (18) percent per annum on any amount in excess of One Thousand Five Hundred (\$1,500) Dollars to be calculated from the date the tax was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which the same became payable; and,

**BE IT FURTHER RESOLVED**, that the rate of interest on unpaid sewer bills shall be eight (8) percent per annum up to One Thousand Five Hundred (\$1,500) Dollars of delinquency and eighteen (18) percent per annum on any amount in excess of One Thousand Five Hundred (\$1,500) Dollars to be calculated from the date the bill was payable until the date of actual payment, provided that no interest shall be charged if payment of any installment is made on or before the tenth calendar day following the date upon which the same became payable; and

**BE IT FURTHER RESOLVED**, that in addition to the interest provided above, on all delinquencies in excess of Ten Thousand (\$10,000.00) Dollars which are not paid prior to the end of the calendar year, the tax collector shall also collect a penalty of six (6) percent of the amount of the delinquency in excess of Ten Thousand (\$10,000) Dollars.

**BE IT FURTEHR RESOLVED**, that the Municipal Clerk provide a certified copy of this resolution to the Tax Collector.

**RESOLUTION**  
**PROFESSIONAL SERVICES**

**Resolution Authorizing the Award of a Contract for Certain Township Professionals Not Utilizing the Process Defined in the Third Definition Under N.J.S.A. 19:4A-20.7**

**WHEREAS**, there exists a need for Municipal Engineer, Municipal Attorney, Municipal Planner, Insurance Advisors, and Municipal Auditor, in the Township of Holland, County of Hunterdon, in the year **2012** and

**WHEREAS**, there exists a need for the Township to hire a consultant to administer the Small Cities community Development Block Grant as part of the rehabilitative housing program under COAH and the affordable accessory apartment program of the Township under COAH, and

**WHEREAS**, there is a need for Township insurance advisors, with respect to casualty insurance and other similar insurance, and with respect to health insurance; and

**WHEREAS**, the Chief Financial Officer of the Township has certified that sufficient funds are available to pay the costs of professional services contracts for these purposes; and

**WHEREAS**, said Chief Financial Officer has certified that the contracts (recited below) with William Colantano, Gebhardt & Kiefer, P.C., Elizabeth McKenzie, GroupMelvinDesign, Housing and Community Development Services, Inc., Piazza & Associates, Inc. and

\_\_\_\_\_ ,

Insert Name of Engineering Firm

would exceed \$26,000 in value, and such parties have furnished to the Township [or will furnish prior to the effectiveness of an award of a contract to them] a Business Entity Disclosure Certification certifying that their entity has not made any reportable contributions under the New Jersey Local Unit Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) and that they will not, during the term of their contract make any political contribution so reportable; and

**WHEREAS**, the Local Public Contracts Law (N.J.S.A. 40A:11-1 et. seq.) requires a resolution authorizing the award of contracts for Professional Services without competitive bidding must be advertised.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Holland, in the County of Hunterdon, New Jersey in a meeting assembled as follows:

(A) That the Mayor and Clerk of the Township of Holland are hereby authorized and directed to execute contracts with following, all being for a one year period ending January 1, 2013, contingent upon receipt from each of the following where the contract would exceed \$26,000 of a Business Entity Disclosure Certification certifying that their entity has not made any reportable contributions under the New Jersey Local Unit Pay-To-Play Law (N.J.S.A. 19:4A-20.4 et seq.) within the 12 month period prior to the contract award, and that they will not, during the term of their contract make any political contribution so reportable, and also contingent upon receipt of a Political Contribution Disclosure Certification prescribed by N.J.S.A. 19:44A-20.26.

**William M. Colantano**, 100 Route 31 north, Washington, New Jersey as Township Auditor, having rendered Holland Township such services in the past.

**Gebhardt & Kiefer, P. C.**, 1318 Route 31, Clinton, New Jersey as Township Attorney, having rendered Holland Township such services in the past.

**Elizabeth McKenzie** of Flemington, New Jersey as Township Planner, having rendered Holland Township such services in the past.

**GroupMelvinDesign** of Woodbury, New Jersey as advisors for the Highlands, having rendered Holland Township such services in the past.

**Groendyke Associates** of Califon, New Jersey as Township Insurance Agent, having rendered Holland Township such services in the past.

**Rosko Associates, Inc.** of Blairstown, New Jersey as Township Health Insurance Agent, having rendered Holland Township such services in the past.

**Housing and Community Development Services, Inc.**, a New Jersey Corporation, to administer the Township's Rehabilitation Program and the Small Community Development Block Grant, as well as the Township's affordable accessory apartment program under COAH, having rendered Holland Township such services in the past.

**Piazza & Associates, Inc.** of Princeton, New Jersey to administer all new COHA Units

\_\_\_\_\_, of \_\_\_\_\_ as Municipal Engineers.  
Insert Name of Engineering Firm City, State

(B) These contracts are awarded without competitive bidding as a "Professional Service" in accordance with 40A:11-5-(1) (a) of the Local Public Contracts Law.

(C) This resolution shall be printed once in the Hunterdon County Democrat.

**To adopt the following Resolutions**

**RESOLUTION**  
**Drug-free Workplace**

**WHEREAS**, from time to time this Township may be the recipient of a grant from the United States Government; and

**WHEREAS** it is required, in order for this Township to be the recipient of such a grant to meet certain drug-free workplace requirements made part of Public Law 100-690;

**BE IT RESOLVED** by the Township Committee of the Township of Holland, in the County of Hunterdon, New Jersey, as follows:

1. This Township hereby states, as its policy, that the unlawful manufacture, distribution, dispensing, possession or use of controlled dangerous substance is prohibited in any workplace of the Township and any employees who violate this prohibition shall be subject to prosecution for any violation of the criminal law and further be subject to disciplinary action which may include suspension or discharge from service, as allowed by law.

2. This Township hereby authorizes and directs the establishment of an on-going drug-free awareness program to inform its employees about (a) the dangers of drug abuse in the workplace, (b) the Township's policy of maintaining a drug-free workplace, (c) any available drug counseling, rehabilitation, and employee assistance programs, and (d) the penalties that may be imposed upon employees for drug abuse violations. This program shall be established and directed by the Emergency Management Coordinator.
3. It is hereby required that any Township employee engaged in the performance of any grant from the United States Government: (a) be given a copy of the statement contained in Paragraph 1. above: and (b) be notified that as a condition of employment in such grant the employee will abide by the terms of the statement, and will notify the Township of any criminal drug statute conviction for a violation occurring in the workplace no later than 5 days after such conviction.
4. The Township will notify the federal agency giving such grant within 10 days after the Township receives notice of such a conviction from an employee or otherwise receives actual notice of such a conviction.
5. The Township will, in a manner consistent with State Law, within 30 days after receiving notice from an employee of such a conviction, take appropriate personnel action against such employee up to and including termination, or require the satisfactory participation in a drug abuse assistance or rehabilitation program by any employee who is so convicted, as required by 41 U.S.C. 703.
6. The Township will make a good faith effort to continue to maintain a drug-free workplace through implementation of all of the above.
7. As used above, certain terms, including the term, "drug-free workplace," "employee," "controlled dangerous substance," "conviction," and "criminal drug statute," shall have the meaning found in 41 U.S.C. 706.

### **RESOLUTION**

#### **Authorizing the Tax Assessor and Legal Counsel of the Township of Holland, County of Hunterdon, to File and Prosecute any and all Tax Appeals Before the Hunterdon County Board of Taxation and the Tax Court of New Jersey**

**WHEREAS**, the Hunterdon County Board of Taxation, requires that the Mayor and Township Committee of each municipality in the County of Hunterdon to pass a Resolution to authorize the Assessor of the municipality and their legal counsel to file and prosecute any and all tax appeals before the Hunterdon County Board of Taxation;

**NOW, THEREFORE, BE IT RESOLVED** that the legal counsel and the Assessor of Holland Township, County of Hunterdon, State of New Jersey are hereby authorized to file, prosecute, stipulate, modify, agree upon and otherwise perform the duties which are required of said Assessor, in the process of prosecution and/or filing of said Tax Appeals, with the jurisdiction of the Hunterdon County Board of Taxation and the Tax Court of New Jersey.

### **RESOLUTION**

#### **Authorizing the Tax Assessor to file Petitions, Notices and Other Documents Regarding Roll-Back Taxes**

**WHEREAS**, the Township Committee of the Township of Holland has been informed by the Tax Assessor of the Township of Holland that, from time to time, changes in property use occur in the Township so that such properties become subject to roll-back taxes pursuant to the Farmland Assessment Act of 1964; and

**WHEREAS**, the Tax Assessor of Holland Township has requested the Township Committee authorize her to file petitions, notices and other documents regarding the assessing of such roll-back taxes with the Hunterdon County Board of Taxation; and

**WHEREAS**, filing of these documents regarding roll-back taxes by the Tax Assessor of the Township of Holland is important to the tax assessment process of the Township and the Tax Assessor has already filed petitions and other documents regarding such roll-back taxes with the Hunterdon County Board of taxation;

**NOW, THEREFORE BE IT RESOLVED**, by the Committee of Holland Township that the Tax Assessor of the Township of Holland be, and she is hereby, authorized to file petitions, notices and other documents regarding the assessing of roll-back taxes; and

**BE IT FURTHER RESOLVED**, that this Township Committee hereby confirms and approves of the actions of the Tax Assessor to date in filing such documents regarding roll-back taxes with the Hunterdon County Board of Taxation.

#### **RESOLUTION**

##### **Authorizing Official Municipal Signatories of the Township of Holland for 2012**

**BE IT RESOLVED**, by the Township Committee of the Township of Holland, in the County of Hunterdon, in the State of New Jersey, that the following Township Officials are hereby designated as those authorized to sign checks and warrants for the withdrawal of funds from the official depositories of the Township of Holland for the year 2012:

Mayor  
Deputy Mayor  
Municipal Clerk  
Deputy Municipal Clerk  
Chief Financial Officer

#### **RESOLUTION**

##### **Cancellation of Tax Overpayments/Sewer Overpayments and Delinquencies**

**WHEREAS**, N.J.S.A. 40A:5-17 allows for the cancellation of property tax refunds or delinquent amounts of less than \$10.00; and

**WHEREAS**, the governing body may authorize a municipal employee chosen by said body to process, without further action on their part, any cancellation of property tax refunds or delinquencies of less than \$10.00.

**WHEREAS**, the governing body may authorize a municipal employee chosen by said body to process, without further action on their part, any cancellation of sewer rent overpays or delinquencies of less than \$5.00.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Holland of the County of Hunterdon, State of New Jersey, the Tax Collector and Sewer Rent Collector are hereby authorized to cancel said tax and sewer amounts as deemed necessary.

**BE IT FINALLY RESOLVED**, that a certified copy of this Resolution be forwarded to the Tax Collector, Sewer Rent Collector and Township Auditor.

**RESOLUTION**  
**Sexual Harassment Policy**

The Township of Holland believes that every employee has the right to work in an environment free from all forms of discrimination, including sexual harassment. The Township strongly disapproves of offensive or inappropriate conduct by any employee who harasses, disrupts or interferes with work performance or which creates an intimidating, offensive or hostile work environment.

Sexual harassment includes, but is not limited to, unwelcome sexual flirtation, touching, propositions or advances and implicit or explicit requests for sexual acts or favors by supervisors or any other employee. All employees must avoid any act or conduct which could be viewed as sexually harassing or offensive by any person. For example, graphic or suggestive comments about an individual's dress or body, verbal abuse of a sexual nature, sexually degrading words to describe an individual, the display of sexually suggestive objects or pictures, and sexual innuendoes or jokes of a sexual nature should be avoided. Out of respect for your co-workers, and the law, all employees should be sensitive to the fact that others may find such conduct offensive, even if no offense was intended.

Sexual harassment is unlawful. The Township firmly believes that no employee has to tolerate any form of sexual harassment. Therefore, the Township has put into place a procedure for dealing with sexual harassment. If you believe that you have been sexually harassed by a co-worker, contractor, vendor or any other person, including your supervisor, or any other person you deal with in the course of employment, you are strongly encouraged to immediately report this fact to your immediate supervisor or to the Mayor if your supervisor is the source of the harassment. Any such complaint will be investigated and documented thoroughly and dealt with according to the merits. All investigations will be handled in an impartial manner and be kept as confidential as possible. A written disposition will be forwarded to the

parties at the conclusion of the investigation. Retaliation against any employee for filing a complaint or participating in an investigation is strictly prohibited. Any employee who is found to have engaged in sexual harassment or in retaliation against another employee for filing a complaint or participating in an investigation will be subject to appropriate disciplinary action, including termination of employment.

**BE IT RESOLVED** that the Holland Township Committee hereby adopts the foregoing Resolution.

**RESOLUTION**  
**Naming Affirmative Action P.A.C.O. of the Township of Holland for 2012**

**BE IT RESOLVED**, by the Township Committee of the Township of Holland, in the County of Hunterdon, in the State of New Jersey, in accordance with P.L 1975 C. 127 (N.J.A.C. 17:27), does hereby designate the Public Agency Compliance Officer of the Township of Holland in Hunterdon County, New Jersey for the year 2011 to be:

Catherine M. Miller, RMC  
Municipal Clerk  
61 Church Road  
Milford, New Jersey 08848