

October 18, 2016

The Holland Township Committee met on the above date at the Holland Township Municipal Building, 61 Church Road, Milford, N.J. at 7:00 p.m.

Present at this meeting were: Mayor Ray Krov, Deputy Mayor Daniel Bush, Committeemen Kenneth Vogel, Thomas Scheibener and Robert Thurgarland. Also present was Attorney Richard Cushing.

There being a quorum this meeting was called to order by Mayor Krov at 7:05 p.m. Mr. Krov asked that all electronic equipment be turned off or silenced.

**FLAG SALUTE**

Mayor Krov invited the audience to join the Committee in reciting the “Pledge of Allegiance”.

**OPEN PUBLIC MEETINGS STATEMENT**

Clerk Miller announced publicly at the commencement of this meeting the following statement: Adequate notice of this meeting was given pursuant to the Open Public Meeting Act Law by the Township Clerk on November 12, 2015 by:

1. Posting such notice on the bulletin board at the municipal building and the Holland Township website.
2. Mailing the same to the Hunterdon County Democrat and the Express-Times.

**APPROVAL OF MINUTES**

Mr. Vogel moved and Mr. Bush seconded the motion to approve the minutes of the October 20, 2016 Regular Meeting/Executive Session

Voice Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener			x	
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

**APPROVAL OF BILLS AS SUBMITTED**

Mr. Vogel moved and Mr. Bush seconded the motion to approve the bills as submitted:

Check#	Vendor	Description	Payment	Check Total
22021	ALL INDUSTRIAL-SAFETY PRODUCTS, INC	Reflective Vests - Tom Costley	\$ 76.31	\$ 76.31
22022	ALLIED OIL, LLC	Low Sulfur Diesel	\$ 451.89	
		87 Octane Gasoline	\$ 797.84	\$ 1,249.73
22023	AMY R KIRK	Yoga - September	\$ 220.00	\$ 220.00
22024	AQUA NEW JERSEY	910 RRCC 6" Fire 082616 - 092916(8	\$ 321.32	
		Hydrants Qtrly billing June 28, 201	\$ 3,031.41	
		Hydrant Fox Hill Qtrly billings JUN	\$ 374.70	\$ 3,727.43
22025	BEACON TAILORING & CUSTOM CREATIONS	Uniforms	\$ 54.00	\$ 54.00
22026	Bedard Kurowicki & Co CPA's PC	2015 Audit	\$ 3,050.00	\$ 3,050.00
22027	Billows Electric Supply Company	Firehouse Light Post	\$ 210.03	\$ 210.03
22028	BRUCES MOWER SERVICE	Repair Pole Saw	\$ 174.27	\$ 174.27
22029	CARROT-TOP INDUSTRIES, INC.	Flag Pole	\$ 124.90	\$ 124.90
22030	CHERRY VALLEY TRACTOR SALES	2007 Flail Mower Parts	\$ 187.20	\$ 187.20
22031	CLEMENS UNIFORM	Mats for Municipal Bldg	\$ 35.25	\$ 35.25
22032	COLLEEN M. PURSELL	Trunk or Treat	\$ 48.96	\$ 48.96
22033	DAVIS BUSINESS MACHINES, INC.	Monthly Maintenance Fee IR-C33801	\$ 426.92	\$ 426.92
22034	DEL VAL ALL SPORTS BOOSTER CLUB	2016 Road Clean Up -Stamets Rd	\$ 500.00	\$ 500.00
22035	DELAWARE VALLEY FAMILY HEALTH CNTR.	Call Back physical specimen	\$ 27.00	\$ 27.00
22036	DELAWARE VALLEY REG. HIGH SCHOOL	PAYMENT DUE 11-1-2016	\$ 643,764.00	\$ 643,764.00
22037	DENVILLE LINE PAINTING, INC.	2016 Center Line Painting	\$ 18,644.16	\$ 18,644.16
22038	FASTENAL	Nuts & Bolts	\$ 14.24	
		Nuts, Bolts	\$ 86.13	\$ 100.37
22039	FOX BROTHERS ALARM SERVICES, INC.	Alarm System Riegel Ridge - 2016 4t	\$ 165.00	\$ 165.00
22040	HOLLAND TOWNSHIP	Transfer balance to Snow removal tr	\$ 3,843.93	\$ 3,843.93
22041	HOLLAND TOWNSHIP BOARD OF EDUCATION	PAYMENT DUE 11-1-2016	\$ 1,461,951.50	\$ 1,461,951.50

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22042	J & J DETAILING	Vehicle Detailing	\$ 250.00	\$ 250.00
22043	J C Ehrlich Co Inc.	Monthly Pest Control	\$ 217.00	\$ 217.00
22044	Jayne Yovanovich	Community Day Booth Reimbursement	\$ 15.00	\$ 15.00
22045	JERSEY CENTRAL POWER & LIGHT	Account 100 004 557 474 Street Lights	\$ 70.98	
		Account 100 004 556 468 Consumption	\$ 328.96	
			\$ 1,032.09	
			\$ 3.31	\$ 1,435.34
22046	Jessica Dulin-Soto	Yoga - September 16,2016	\$ 55.00	\$ 55.00
22047	LAW OFFICE OF TODD BOLIG, LLC	PB Misc. general Matters 090116 - 09	\$ 570.00	\$ 570.00
22048	LOCK-TECH	Panic Bar For RRCC Electrical Room	\$ 551.95	\$ 551.95
22049	LUCILLE A. GROZINSKI	PB 101016 meeting court reporter	\$ 225.00	\$ 225.00
22050	MELANIE WOROB	Zumba - September 2016	\$ 161.40	\$ 161.40
22051	MEZZA LUNA PIZZA	Range	\$ 41.30	\$ 41.30
22052	MID-STATE REGISTRARS ASSOCIATION	Mid State Registrars Fall Re-ce	\$ 15.00	\$ 15.00
22053	MILFORD SEWER UTILITY	2016 4th Qtr	\$ 50,000.00	\$ 50,000.00
22054	MONINGHOFF APPLIANCE & SUPPLY CORP.	Shed Supplies, Bleach	\$ 52.91	\$ 52.91
22055	National Emergency Number Association	Annual Dues (Gutsick)	\$ 137.00	\$ 137.00
22056	NJ Advance Media	PB Request for Resume Attorney 2017	\$ 25.54	
		DPW Sealed Bids - 2017 Model Dump T	\$ 72.24	\$ 97.78
22057	DCRP/NJ DIV OF PENSION/BENEFITS	September 2016 DCRP	\$ 20.60	\$ 20.60
22058	ONE CALL CONCEPTS, INC.	September 2016 One Call Mark outs	\$ 8.75	\$ 8.75
22059	Patrick Carmona	Window/Mirror cleaning RRCC	\$ 275.00	\$ 275.00
22060	PENTELEDATA	Cable Modem Rental & Support 09241	\$ 119.90	
		Cable Modem Rental & Support 08261	\$ 154.84	\$ 274.74
22061	PILATES BY CORRINE, LLC	Pilates - September 2016	\$ 633.60	\$ 633.60
22062	R & L DATACENTERS, INC.	Municipal Payroll	\$ 601.65	\$ 601.65
22063	RICOH USA Inc.	Police Copier	\$ 1,599.09	\$ 1,599.09
22064	SAMZIE'S UNIFORMS	Uniform Hats	\$ 144.00	\$ 144.00
22065	SERVICE ELECTRIC CABLE TV, INC.	Internet Powered by Pentele Data -	\$ 64.99	\$ 64.99
22066	SMITH MOTOR COMPANY, INC.	1995 Ford L8000 Speakers	\$ 115.68	\$ 115.68
22067	Stephanie Beddiges	Pilates - September 2016	\$ 252.80	\$ 252.80
22068	Tamatha Isenberg	Yoga Sept. 9, 2016	\$ 55.00	\$ 55.00
22069	THERESA VERDI	Cleaning RRCC	\$ 840.00	\$ 840.00
22070	TRANS-BRIDGE, INC.	PR 121016 NYC trip Dec	\$ 1,352.00	\$ 1,352.00
22071	TREASURER, STATE OF NJ	PR Hayride Open Burn	\$ 42.00	\$ 42.00
22072	TREASURER, STATE OF NEW JERSEY	Marriage/Civil Union Quarterly Dues	\$ 150.00	\$ 150.00
22073	ULINE	Trash Bags, Pickers	\$ 458.57	\$ 458.57
22074	VERIZON	MB 092616 - 102516	\$ 903.99	
		DPW 092616 - 102516	\$ 246.89	
		Recycling 092616 - 102516	\$ 86.47	
		PD 092616 - 102516	\$ 584.91	
		B&G 092616 - 102516	\$ 86.80	\$ 1,909.06
22075	VERIZON WIRELESS	Cell Phones/Air Cards - September 2	\$ 729.77	\$ 729.77
22076	H & K Group, Inc.	2016 Blacktop	\$ 1,926.10	
		2016 recycled blacktop	\$ 304.51	\$ 2,230.61
		Subtotal	\$ 2,204,163.55	\$ 2,204,163.55
	Manual Checks			
100616	NJ Sales Tax	balance of 3rd qtr tax		\$ 5.04
		Total		\$ 2,204,168.59
	CURRENT FUND BUDGET AND APPROPRIATION RESERVES		\$ 2,152,345.21	
	GRANT FUND BUDGET AND APPROPRIATION RESERVES		\$ 1,263.08	
	GENERAL CAPITAL FUNDS BUDGET AND APPROPRIATION RESERVES		\$ 551.95	
	SEWER FUND BUDGET AND APPROPRIATION RESERVES		\$ 50,003.31	
	Checks issued 10-18-2016			2,204,163.55
	Other Payments			
	100616 NJ Sales Tax			\$ 5.04

Manual Total  
Total

5.04  

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2,204,168.59

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Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

**REMINDER/ANNOUNCEMENT**

Mayor Krov announced the following:

-The Holland Township Committee and the Holland Township Women’s Club invite you to a Veteran’s Day Ceremony on Friday November 11, 2016 at the Veteran’s Memorial on the front lawn of the Holland Township Municipal Building  
The ceremony will begin at 11:00 A.M. with light refreshments to follow.

-Hunterdon County will hold a Hazardous Waste Cleanup Day on Saturday November 12, 2016 (rain or shine) from 9:00am-1:00pm at the Route 12 complex

-The General Election is Tuesday November 8<sup>th</sup>. Polls are open 6:00 a.m.-8:00 p.m. The first meeting in November will be Tuesday November 1, 2016. The second meeting in November has been canceled.

**BID RESULTS**-2017 Model Dump Truck-

**-RESOLUTION**-Awarding contract to Opdyke Sales for 2017 International 7400 Model 4x2 Dump Truck

Mr. Bush moved and Mr. Vogel seconded the motion to adopt the following Resolution:

**RESOLUTION**

Awarding Contract to Opdyke Sales for a 2017 International 7400 Model 4x2 Dump Truck

**WHEREAS**, Holland Township requested bids for the acquisition of a 2017 model dump truck 7400 SFA 4x2 with front plow and spreader; and

**WHEREAS**, six bid packages were requested, and

**WHEREAS**, only one bid was received and opening by QPA William Hance on October 13, 2016 at 3 pm; and

**WHEREAS**, the bid was reviewed by the Qualified Purchasing Agent and Public Works Director for accuracy and completeness; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this purchase.

**NOW, THEREFORE, BE IT RESOLVED**, by the Holland Township Committee, Township of Holland, County of Hunterdon, State of New Jersey that the CFO is authorized to purchase the 2017 model dump truck from Opdyke Sales and Service 349 Route 57 West, Washington NJ 07882 in the amount of \$154,998.00

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

**OLD BUSINESS FROM TOWNSHIP COMMITTEE**

**-RESOLUTION-Alba Vineyard noise issue**

Mr. Bush moved and Mr. Scheibener seconded the motion to adopt the following Resolution:

**RESOLUTION**

Resolution Pursuant To *N.J.S.A. 23:4-63.6* Requesting that the Division of Fish, Game and Shell Fisheries Consider the Undue Hardship Experienced by Holland Township Residents as a Direct Result of Noise Making Devices Used by Alba Vineyard of Pohatcong Township, New Jersey

**WHEREAS**, *N.J.S.A. 23:4-63.5* prohibits the authority of municipalities to regulate noise making on agricultural lands whose purpose is to scare or repel birds or other wildlife so as to prevent damage and destruction of crops and other property; and

**WHEREAS**, *N.J.S.A. 23:4-63.6* was created to provide a means by which other property owners who are afflicted by loud and incessant noises from agricultural operations may petition the Division of Fish, Game and Shell Fisheries to cancel the right of a farmer or other property owner to use such devices providing that the governing body of such a municipality adopts a Resolution pointing to the undue hardships on nearby residents as a result of the use of such devices; and

**WHEREAS**, Alba Vineyard, located in the southern portion of Pohatcong Township, Warren County, is a vineyard which has allegedly secured a permit from the Division of Fish, Game and Shell Fisheries to operate mechanical noise making devices such as LP exploders, acetylene exploders, carbide exploders or such other devices as it may have been licensed to operate to drive away birds from consuming farm products (“exploder devices”); and

**WHEREAS**, because of various features of the topography and geology of the areas located between the Alba Vineyard and numerous Holland Township homes, Holland Township residents have complained about the noise making of the exploder devices being operated regularly by Alba Vineyard; and

**WHEREAS**, numerous local residents have appeared before the Mayor and Committee of the Township of Holland to express their frustration and emotional distress resulting from the use of these exploder devices; and

**WHEREAS**, these residents have reported the following facts to the Mayor and governing body members:

- A. The exploder devices fire at an irregular, but constant intervals between sun up and sundown for the period of mid-August to mid-October.
- B. The exploder devices interfere with the enjoyment of life, wake them up early in the morning and on weekends, and interfere with day-to-day activities.

**WHEREAS**, in addition, residents impacted by the noise from Alba Vineyard have submitted to the governing body a petition which was posted on Change.org asserting that the use of exploder devices by Alba Vineyards creates an undue hardship; and

**WHEREAS**, the Township is supportive of agriculture and encourages Township farm operations and therefore wishes to see the Division of Fish, Game and Shell Fisheries do a complete and comprehensive analysis so that the rights of Alba Vineyards to pursue agricultural pursuits are fairly balanced against the rights of neighbors to experience peace and quiet in their homes.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Township Committee of the Township of Holland, Hunterdon County, State of New Jersey, as follows:

- 1. Pursuant to *N.J.S.A. 23:4-63.6*, the governing body of the Township of Holland hereby requests that the Division of Fish, Game and Shell Fisheries consider the undue hardship on nearby Holland Township residents from the use of noise making devices by Alba Vineyard prior to issuing a new permit for 2017; and
- 2. Requests that the Division of Fish, Game and Shell Fisheries require Alba Vineyard to explore the use of other methods to protect their crop from damage that does not adversely impact the quality of life experienced by Holland Township residents; and

3. The Township Clerk is hereby direct to send a copy of this Resolution to the following agencies:
- A. The Holland Township Police Department.
  - B. The Hunterdon County Health Department.
  - C. The State Agriculture and Development Commission.
  - D. The Warren County Agricultural Development Board.
  - E. The Hunterdon County Agricultural Board.
  - F. The Honorable Michael J. Doherty.
  - G. The Honorable John DiMaio.
  - H. The Honorable Erik Peterson.
  - I. The Hunterdon County Freeholder Board.
  - J. The Warren County Freeholder Board.
  - K. Mayor and Committee of Pohatcong
  - L. Warren County Board of Health

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel			x	
Ray Krov, Mayor	x			

**-ORDINANCE 2016-6 -Introduction/First Reading-Peddling and Soliciting**

Mr. Vogel moved and Mr. Bush seconded the motion to adopt Ordinance 2016-6 on First Reading and set the Public hearing for December 6, 2016

**ORDINANCE 16-6**

**AN ORDINANCE AMENDING CHAPTER 120 OF THE CODE OF THE TOWNSHIP OF HOLLAND REGARDING PEDDLING AND SOLICITING**

**WHEREAS**, Chapter 120 of the Code of the Township of Holland regulates peddling and soliciting; and

**WHEREAS**, the Mayor and Committee have determined that additional regulation is needed to prevent fraud, crime, and unethical and dishonest business practices; and

**WHEREAS**, N.J.S.A. 39:4-60 prohibits solicitation of charitable contributions from motorists on roadways in the State of New Jersey unless authorized by ordinance of the municipality in which said roadways are situate; and

**WHEREAS**, upon consultation with the Holland Township Chief of Police, the Township has determined that there are no roadways within the Township that are appropriate for the solicitation of charitable contributions; and

**WHEREAS**, the Township desires to enforce the provisions of N.J.S.A. 39:4-60 and prohibit all organizations from soliciting contributions on roadways within the Township; and

**WHEREAS**, the Mayor and Committee have determined that additional regulation will promote safety of Township residents;

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Holland that Chapter 120 of the Code of the Township of Holland is hereby amended as follows:

**SECTION 1.** Chapter 120 of the Code of the Township of Holland is deleted in its entirety and replaced with the following:

**ARTICLE I. PEDDLERS AND SOLICITORS**

§ 120-1. Purpose.

The purpose of this chapter shall be to prevent fraud, crime and unethical and dishonest business practices. The fees charged for the issuance of licenses shall not be considered revenue, but shall be charged for the purpose of covering the expense of investigation and regulating the conduct of licensees.

Nothing herein shall be construed to affect the sale of fruit, vegetables, and farm produce, such as meat poultry, butter and eggs, from premises owned, leased or controlled by the person selling the same. Additionally, nothing herein shall be construed to affect the sale of goods at a farmer's market pursuant to Section 190-5.1 of the Township Code.

§ 120-2. Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

**MERCHANDISE**

Includes all goods, wares, food, fruit, vegetables, farm products, magazines and periodicals, and all kinds of articles of personal property for domestic use and orders or contracts for services, home improvements or alterations.

**NON-PROFIT ORGANIZATION**

- (1) any organization tax exempt under §501(c)(3) of the Internal Revenue Code;
- (2) any organization created under or otherwise subject to the provisions of Title 15A of the New Jersey Statutes; (3) any organization, whether or not qualified under §501(c)(3) of the Internal Revenue Code or subject to the provisions of Title 15A of the New Jersey Statutes, whose primary purpose is to benefit the school age children of the Township, including but not limited to schools, school clubs and organizations, Cub Scouts, Boy Scouts, Brownies, Girl Scouts and similar youth groups;
- (4) any organization whose primary purpose is to advocate for religious or political causes, whether or not qualified under §501(c)(3) of the Internal Revenue Code or subject to Title 15A of the New Jersey Statutes; or
- (5) any department within the Township's municipal governmental structure, including, but not limited to, the Police Department and any volunteer fire or first aid company that is located in, has a substantial membership from or serves the Township.

**PEDDLER**

Any person who goes from place to place by traveling on the streets and roads or from house to house, carrying, conveying or transporting goods, wares or merchandise for the purpose of selling and delivering them to customers. This definition shall not include integrated and commercial roadside stands.

**SOLICITOR**

Any person who goes from place to place by traveling on the streets and roads or from house to house, taking or attempting to take orders for the sale of goods, wares and merchandise or personal property of any nature whatsoever for future delivery, or for services to be furnished or performed in the future, whether or not such person has, carries or exposes for sale a sample of the object to be sold and whether or not he is collecting advance payments on such sales.

§120-3. License Required

Except as otherwise provided in this chapter, it shall be unlawful for any solicitor or peddler to sell or dispose of, or to offer to sell or dispose of, any goods, wares or merchandise, or to solicit orders for the performance of any service, within the corporate limits of the Township, without first obtaining a license in compliance with the provisions of this chapter. The license shall not be transferable from the person to whom issued to any other person. A separate license shall be obtained by a licensed solicitor or peddler for every agent or employee working for him/her.

§120-4. Exemptions and Exceptions.

- A. Any public utility or its employees subject to regulation by the State Board of Public Utility Commissioners, provided that such employees shall display identification badges or cards issued by their employer.

B. Any person engaged in the delivery of goods, wares or merchandise or other articles or things in the regular course of business to the premises of persons who had previously ordered the same or were entitled to receive the same by reason of a prior agreement.

C. Any non-profit organization as defined in §120-2 of this Chapter, including charitable and religious organizations, provided that the means of identification assigned by such organization, if any, is carried by the peddler or solicitor. If no means of identification is assigned by such organization, the peddler or solicitor shall be required to carry a bona fide means of identification, including but not limited to a valid driver's license or other government-issued identification. This exception shall include members or advocates for a non-profit organization engaging in the advocacy or non-commercial, non-for-profit causes, whether or not in connection. This exception also includes any non-profit organization that conducts sales of personal property when the proceeds are applied to the payment of expenses and to the charitable or religious purpose for which the organization exists.

D. Any person intending to distribute non-commercial or not-for-profit handbills, pamphlets, leaflets, circulars, advertisements or printed material, provided that such person carries a bona fide means of identification, including, but not limited to, a valid driver's license or other government issued identification.

E. Any person (a) campaigning for any elected public office or public question, which is to be voted upon in the Township at a general, special, primary or school board election, or in a national or State election; (b) distributing handbills, pamphlets, leaflets, circulars, advertisements or printed material with respect thereto; or (c) otherwise engaging in political speech, provided that such person carries a bona fide means of identification, including, but not limited to, a valid driver's license or other government issued identification.

F. Any person honorably discharged from the military services of the United States possessing a peddler's license issued in conformity with N.J.S.A. 45:24-9 and 45:24-10.

G. Any person who is an exempt fireman of a volunteer fire department as defined by N.J.S.A. 45:24-9 and 45:24-10, possessing a license in conformity with the law.

H. Any person selling fruits, vegetables, and farm produce (such as meats, poultry, butter, and eggs) from premises owned, leased, or controlled by the person selling the same.

I. Any person selling goods at a farmer's market in compliance with Section 190-5.1 of the Township Code.

J. Any person selling food from a mobile retail food establishment as defined in N.J.A.C. 8:24-1.1 et seq., including but not limited to food trucks and ice cream trucks, as long as such person is in compliance with N.J.A.C. 8:24-1.1 et seq. and Chapter 190 of the Township Code.

#### §120-5. Application for License.

Every applicant for a license under this chapter shall file with the Township Clerk a sworn written application, in duplicate, on a form to be furnished by the Clerk, which shall give the following information:

A. Name and description of the applicant.

B. Permanent home address and full local address of the applicant.

C. A brief statement of the nature of the business and a description of the merchandise or service to be sold.

D. If employed, the name and address of the employer, together with credentials establishing the exact relationship.

E. The length of time for which the license is desired.

F. If a vehicle is to be used, a description of the vehicle, its license plate number, its VIN # number, a 4" x 6" photograph of the vehicle, a copy of the registration for the vehicle that is valid for the entire period for which the peddler and solicitor's license is issued, and proof of automobile insurance that is valid for the entire period for which the peddler and solicitor's license is issued.

G. A driver's license or other government issued identification that is valid for the entire period for which the peddler and solicitor's license is issued.

H. The place where the goods or property to be sold or offered for sale are manufactured or produced, where the goods or property are located at the time such application is filed, and the proposed method of delivery.

I. A photograph of the applicant taken within 60 days immediately prior to the date of application, which photograph clearly shows the head and shoulders of the applicant and measures two by two inches by two inches.

J. The fingerprints of the applicant.

K. Two business references located in the County of Hunterdon, State of New Jersey, or in lieu thereof, such other available evidence of the character and business responsibility of the applicant as will enable an investigator to properly evaluate his character and responsibility.

L. A statement as to whether the applicant has been convicted of any crime, misdemeanor or violation of any municipal ordinance, the nature of the offense and the punishment or penalty assessed therefor.

M. Proof of liability insurance that is valid for the entire period for which the license is issued.

N. A list of all other New Jersey municipalities in which the applicant maintains an active peddling and soliciting license.

§120-6. Applications for Exemptions.

In lieu of applying for a license pursuant to Section 120-5 hereunder, a solicitor or peddler may make application by letter to the Township Committee for an exemption from the licensing requirement of this chapter. Such letter shall set forth exceptional circumstances that make it improbable or impractical for such solicitor or peddler to apply for the appropriate license and shall demonstrate that the purposes of this chapter will not be undermined by the grant of such exemption. The Township Committee may place reasonable conditions on any such grant of an exemption, including but not limiting to requiring such peddlers or solicitors to carry identification.

§120-7. Application Fee.

At the time the application is filed, a fee in the amount of \$100 shall be paid to the Township Clerk by bank or cashier's check to cover the cost of processing the application and investigating the facts set forth therein.

§120-8. Bond required.

Before a license pursuant to this Chapter shall be issued, Applicant shall execute and deliver to the Township Clerk a bond in accordance with N.J.S.A. 45:24-5 in the amount of \$1,000. The bond shall be in effect for a period of one year from the date of license issuance, shall indemnify and pay the Township any penalties or costs incurred in the enforcement of this section and the purchaser of personal property in a sum equal to at least the amount of any payment such purchaser may have been induced to make through the misrepresentation of the applicant, its agents or employees. The bond shall be in a form approved by the municipal attorney.

§120-9. Investigation of applicant.

When the application is properly filled out and signed by the applicant, the original and duplicate shall be filed with the Township Clerk. The Clerk shall refer the original to the Chief of Police, who shall make or cause to be made such investigation of the applicant's business responsibility and moral character as he deems necessary for protection of the public good.

§120-10. Issuance of license; refusal.

A. Grounds for refusal of license.

(1) If as a result of the investigation of the applicant's character or business responsibility is found to be unsatisfactory, the Chief of Police shall endorse on the application his disapproval and the reasons therefor and return the application to the Township Clerk, who shall notify the applicant that the application is disapproved and that no license shall be issued. Any determination by the Chief of Police that an application is unsatisfactory shall be based on one or more of the following findings with respect to the applicant:

(a) Conviction of a crime involving moral turpitude, including but not limited to theft, fraud, aggravated assault, and sexual offenses.

(b) Prior violation of a peddling or soliciting ordinance.

(c) Previous fraudulent acts or conduct.

(d) Record of breaches of solicited contracts.

(e) Concrete evidence of bad character.

(2) In the absence of any such finding, the Chief of Police shall find the application satisfactory.

B. If as a result of the investigation the character and business responsibility of the applicant are found to be satisfactory, the Chief of Police shall endorse on the application his approval, and return the application to the Township Clerk, who shall issue the license to the applicant. The license shall contain the signature of the Township Clerk and show the name, address and photograph of the licensee, the class of license issued, the kind of goods or services to be sold,



the date of issuance, the length of time the license shall be operative and the license number and other identifying description of any vehicle used in the peddling or soliciting activity licensed.

C. The Township Clerk shall issue to each licensee at the time of delivery of the license a badge which shall show the nature of the license, the period for which the license is issued and the number of the license in letters and figures easily discernible from a distance of 10 feet. During the time the licensee is engaged in peddling or soliciting, the badge shall be worn constantly by him on the front of his/her outer garment in such a way as to be visible to a person facing him.

D. All licensees using automobiles or other vehicles in connection with their business shall have affixed in the rear passenger side window a sticker supplied by the Township Clerk. The sticker shall bear the words "Licensed Peddler," "Licensed Hawker," "Licensed Solicitor" or "Licensed Canvasser," together with a number and the year for which it is issued.

§120-11. Duties of licensee.

Every holder of a peddler's or solicitor's license issued by the Township Clerk under the authority of this chapter or by the clerk of the county under the authority of N.J.S.A. 45:24-9 shall be required to carry the license with him while engaged within the Township in the business or activity licensed. He shall produce the license at the request of any official resident of the Township with whom he wishes to conduct his business or activity. Every peddler or solicitor shall restrict his selling or soliciting activity within the Township to the hours between 8:00 a.m. and 7:00 p.m. Licensees and every person referred to in §120-4A on each day of such activity shall notify the police officer on duty immediately before commencing his selling or soliciting activity. If soliciting activities will be conducted on consecutive days, notification need only be made on the first day of such activity and the licensee shall notify the police officer of the length of the soliciting period. Notification shall include a statement as to the general area of the Township in which the licensee, as well as every person referred to in § 120-4A, intends to conduct or has conducted the activity.

§120-12. Prohibitions.

It shall be unlawful for a peddler or solicitor to:

A. Attempt to peddle or distribute merchandise or printed material, or solicit funds or canvass for information, without first having identified himself/herself as a peddler, solicitor, transient merchant, or canvasser registered with the municipality and displaying the licensed issued therefor.

B. Call attention to his business or to his merchandise by crying out, blowing a horn, ringing a bell, other than the doorbell to a building, or any other loud or unusual noise prohibited by the Township Code.

C. Conduct or attempt to conduct his or her business at any residence or on any property on which is posted a sign expressly prohibiting the activity.

D. Refuse to leave a private dwelling or property after having been once requested to do so by the owner or occupant thereof.

E. Distribute obscene merchandise or printed material, printed material that advocates unlawful conduct.

F. Litter the streets, public places, or other property within the Township with any merchandise or printed material.

§120-13. Enforcement; Violations and Penalties

A. It shall be the duty of any police officer of the Township to enforce the provisions of this chapter and to require any person seen peddling or soliciting who is not known by the officer to be duly licensed, to produce his peddler's or solicitor's license.

B. Any person convicted of violating the provisions of this chapter shall be subject to the penalties set forth in Section 1-15 of the Township Code.

§120-14. Record of licenses.

The Township Clerk shall maintain a record of all licenses issued under the provisions of this chapter and record therein all convictions for violations and other pertinent circumstances and incidents reported by the Chief of Police.

§120-15. Revocation of license.

A. Licenses issued under the provisions of this chapter may be revoked by the Chief of Police upon notice to the licensee to the address listed on licensee's application for any of the following causes:

(1) Fraud, misrepresentation or false statement contained in the application for license.

- (2) Fraud, misrepresentation or false statement by the licensee in the course of conducting the business licensed.
- (3) Any violation of this chapter.
- (4) Conviction of any crime involving moral turpitude.
- (5) Conducting the business licensed in an unlawful manner or in such a manner as to constitute a breach of the peace or a menace to the health, safety or general welfare of the public.

B. Notice of revocation shall be communicated to licensee by telephone and regular mail at the telephone number and address set forth on licensee’s application. If the licensee requests a hearing pursuant to §120-14, notice of hearing shall be given in writing setting forth the specific grounds of complaint and the time and place of hearing. Such notice shall be sent by regular and certified mail to the licensee at his last known address at least five days prior to the date set for hearing.

§120-16. Appeals to Township Committee.

Any person aggrieved by the action of the Chief of Police or of the Township Clerk in the denial or revocation of a license shall have the right of appeal to the Township Committee. The appeal shall be taken by filing with the Township Committee, within 14 days after the notice of the action complained of has been mailed to the person's last known address, a written statement setting forth fully the grounds for the appeal. The Township Committee shall set a time and place for hearing of the appeal, and notice of the hearing shall be given to the applicant in the same manner as provided in § 120-13. The decision of the Township Committee shall be final.

§120-17. Expiration and renewal of license.

All licenses issued under the provisions of this chapter shall expire on December 31 of the calendar year in which they are issued. Any license may be renewed without payment of an additional registration fee upon submission by the licensee of a new application in conformity with the requirements of § 120-5 or, in lieu thereof, a sworn statement in writing setting forth all changes in the information contained in the application for the expired license which are necessary to bring the application completely up to date. A new application or statement in lieu thereof shall be subject to the provisions and standards set forth in § 120-5.

§120-18. Solicitations in Roadways Prohibited.

The Township of Holland shall prohibit all organizations from soliciting contributions in roadways in compliance with N.J.S.A. 39:4-60.

**SECTION 2.** The pertinent portion of Section 83-1 of the Code of the Township of Holland entitled “Schedule of Fees” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

**Chapter 120, Peddling and Soliciting**

License <i>Application</i> fee	<del>\$100</del> <b><i>\$5 per day or \$100 per year</i></b>
Additional fee for each person covered under license	<del>\$8</del> <b><i>each person</i></b>
Bond	<del>\$500</del> <b><i>\$1,000</i></b>

**SECTION 3.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any 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 thereof.

**SECTION 5.** Any ordinance inconsistent with the terms of this Ordinance is hereby repealed.

**SECTION 6.** This Ordinance shall take effect upon final passage and publication according to law.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

## **LIAISON REPORTS**

### **Thurgarland-**

Paper shredding event was well attended and very organized  
Board of Health-discussed Zika, Hand foot and mouth disease,  
County Board of Health issued a Corrective Action Notice on home for solid waste violations

### **Scheibener-**

-October 29-Girlscloust sponsoring Trunk or Treat from 4:00 pm-6:00 pm and Parks and Rec. is sponsoring a Haunted Hay Ride from 6:00 pm-10:00 pm all at the Riegel Ridge Community Center  
-December 10-Parks and Rec is sponsoring a NYC bus trip 8:00am-6:00pm, \$25.00 adults and \$15.00 for students  
-Pool, Snack Shak and Camp are in the positive

### **Vogel-**

-Time clock-meeting soon, DPW will be first  
-Phase Three of street light removal-Resolution was prepared and received by the Committee  
There is no charge to remove the light bulb and sensor. In Phase Three JCP & L has advised that they will charge the Township to remove the arm apparatus. Apparently they should have charged the Township in Phase One and Phase Two. It is unclear if JCP & L will or will not charge the Township for removal of the arm on a decommissioned light.

Mr. Vogel will setup another meeting with JCP & L to clarify what JCP & L will do regarding removal of the arm apparatus and the decorative light polls in the 3 developments in Phase Three. Mr. Vogel will also contact Senator Mike Doherty to ask him how the Township could approach this issue.

### **Bush-**

-Governor Christy lifted the ban on road projects through the grant-Bellis Road Project (milling, drainage, paving and complete reconstruction of that section of the road) can now begin. Holland has already received the funding for the work.  
-Bobolink Farm-Right to Farm-at the October 2, 2016 meeting Mr. Bush discussed three possible solutions to the excess traffic and parking on Crestview Drive, Tony Rizzello (Crest view Dr.) reached out to residents of Crestview with those suggestions. Mr. Rizzello reported that none of the residents were in favor of the suggestions.

### **Krov-**

-Best Practices Worksheet has been completed. The Township did very well, we will get complete funding. Just a few points were lost and items have been addressed in the audit and are being corrected.  
-Green Team-Congratulations on recertification at Bronze level, they are identifying new items to continue certification in 2017  
-October 10, 2016 Shredding Day went well with a steady flow during the morning, the truck was  $\frac{3}{4}$  full  
-Recycling Center- this year's projections show the center is operating at no cost to the taxpayers and is running on the grant only.  
-RRCC summer programs report-thru 9/30/2016

- Summer Rec (+\$38,500)
- Pool (-\$20,500)
- Snack Shak (+\$4,000)

Total (+\$22,000)

-Renewal of Sewer Bond Anticipation Note-documents are signed and we will borrow \$300,000.00 which will be paid back through budget appropriations over the next few years out of the Sewer Utility  
-HART is giving out reflective wrist bands in their office in Flemington and we also have them in the Police Department

## **NEW BUSINESS FROM TOWNSHIP COMMITTEE**

-**Discussion**-2017 Recycling Center Rules-the following should be mailed to residents in December:

- 2017 Recycling Center Rules
- 2017 Dumpster Passes
- 2017 Shred Date(s)

- Required Storm Water Management flier
- 2017 Dog licensing info (not license applications)

**Consensus was** Mayor Krov should work up the 2017 rules, looking at an electronics day (with a fee), looking for glass recycler and keeping the hours the same as 2016 as long as the center is covered by the grant money.

-Mr. Vogel Letter regarding from Eric Peterson Re: Bill A3874-Provides County Municipal Court with limited Countywide Jurisdiction-Attorney Cushing advised this is opposed by League

-**Approval** to attend class:

Mr. Scheibener moved and Mr. Bush seconded the motion to approve the following attendance: Registrar Cathy Miller and Deputy Registrar Melissa Tigar:

Date	Host	Subject	Cost
Thursday 10/27/16	Mid State Registrar's Association	Business meeting and seminar (includes membership renewal)	\$45.00

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

-Approval of 2017 Township Holidays and Township Committee meetings dated:

Mr. Bush moved and Mr. Scheibener seconded the motion to approve the 2017 Township Holiday Schedule and the 2017 Holland Township Committee meeting schedule as follows:

**2017 Holiday Schedule**

January 2, 2017	In Lieu of New Year's Day 2017 (Monday)
February 20	Presidents Day (Monday)
April 14	Good Friday (Friday)
May 29	Memorial Day (Monday)
July 4	Independence Day (Tuesday)
September 4	Labor Day (Monday)
November 7	General Election Day (Tuesday) <b>Floating</b>
<b>Holiday</b>	
November 10	In Lieu of Veterans Day (Friday) <b>Floating</b>
<b>Holiday</b>	
November 23	Thanksgiving (Thursday)
November 24	Day after Thanksgiving (Friday)
December 26	In Lieu of Christmas Eve (Tuesday)
December 25	Christmas Day (Monday)
January 1, 2018	New Year's Day 2018 (Monday)

**2017 Township Committee meeting dates-all meetings begin at 7:00 pm**

January 3 (Re-organization) and Jan 17	July 5 (Wed.) and 18
February 7 and 21	August 1 and 15
March 7 and 21	September 5 and 19
April 4 and 18	October 3 and 17
May 2 and 16	November 8 and 21
June 7 (Wed.) and 20	December 5 and 19

-**RESOLUTION**-Declaring property as surplus-Gridley Circle Sewer Pump Station

Mr. Vogel moved and Mr. Bush seconded the motion to adopt the following Resolution:

**RESOLUTION**

Authorizing the Sale of Surplus Property

**WHEREAS**, the Township of Holland has determined that the personal property from the dismantling of the Gridley Circle Sewer Pump Station listed below is no longer needed for public use; and

- (2) ITT FLYGT Corp 3.4kW-4.6hp pumps (3500rpm, Made in Sweden)
- (2) 3” check valves
- (4) 3” gate valves

**WHEREAS**, the Local Unit Technology Pilot Program and Study Act (P.L. 2001, c. 30) authorizes the sale of surplus personal property no longer needed for public use through an online auction service; and

**WHEREAS**, the Township of Holland intends to utilize the online auction services of GovDeals.com under the terms of State contract #83453.

**NOW, THEREFORE, BE IT RESOLVED**, that the Township Committee of the Township of Holland, County of Hunterdon in the State of New Jersey, authorizes the Chief Financial Officer to sell the surplus personal property pursuant to this resolution.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

**-RESOLUTION-Railroad in Milford**

Mr. Bush moved and Mr. Thurgarland seconded the motion to adopt the following Resolution:

**RESOLUTION**

Supporting the Efforts to “Bring the Train Back to Milford” as part of its Revitalization Plan

**WHEREAS**, the Mayor and Council of Milford Borough are seeking a grant to help fund their effort to “bring the train back to Milford”, and

**WHEREAS**, local residents, Belvidere and Delaware River Railway owner Keane Burenga, and Don Chaudruc who restored the engine, all feel this train service will be a large part of Milford’s revitalization, and

**WHEREAS**, the Borough and Mr. Burenga are applying for a grant from HART (Hunterdon Area rural Transit) to restore the tracks from Milford up to just before Gilbert Generating Station in Holland Township, and

**WHEREAS** the Milford Council feels this project, and the restoration of the old grist mill, along the Delaware, will have a positive impact on Milford’s future, and

**WHEREAS**, as part of the grant application Milford is asked to show local support, and

**WHEREAS**, because the train tracks run up to the Gilbert Generating Station in Holland Township, Milford Mayor Ron Rehl has asked the Holland Township Committee for support.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener		x		
Dan Bush, Deputy Mayor	x			
Kenneth Vogel		x		
Ray Krov, Mayor	x			

**-RESOLUTION-Holland Township School No Stopping or Standing Zone**

Mr. Vogel moved and Mr. Thurgarland seconded the motion to adopt the following Resolution:

**RESOLUTION**

Requesting the County of Hunterdon Establish a No Stopping and Standing Zone During School Hours on a Portion of Route 519 Located Adjacent to the Holland Township School

**WHEREAS**, the Holland Township School is located on or near County Route 519 in the Township of Holland; and

**WHEREAS**, there is a public safety concern arising from the parking of vehicles on the eastside (northbound lane) of County Route 519; and

**WHEREAS**, the parking of vehicles in this area prevents emergency access to the school and creates problems with traffic congestion and pedestrian and vehicle movement around the school; and

**WHEREAS**, the area adjacent to the northbound lane in the vicinity of the school is a place where police emergency vehicles need to park in order to have access to the school in emergencies and other situations; and

**WHEREAS**, it is in the public interest to ban during school hours the stopping and standing of vehicles adjacent to the northbound lane of County Route 519; and

**WHEREAS**, the agency that has control over parking on County Route 519 is the County of Hunterdon; and

**WHEREAS**, it is in the public interest that the Hunterdon County Freeholders designate an area adjacent to the northbound lane of County Route 519 in the vicinity of the Holland Township School as a No Stopping and Standing Zone, with the proviso that emergency vehicles shall be permitted to park and/or stop and stand in the area; and

**WHEREAS**, the exact area for the No Stopping and Standing Zone should be delineated after consultation between the County Engineer and the Holland Township Chief of Police.

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

1. The Township of Holland hereby requests that the Freeholders of the County of Hunterdon designate an area on the northbound lane of County Route 519 in the vicinity of the Holland Township School as a No Stopping and Standing Zone, except for emergency vehicles.
2. That the Hunterdon County Engineer or his designee be authorized to meet with the Chief of Police of the Township of Holland to delineate an appropriate area for the No Stopping and Standing Zone, the hours the ban shall be in effect and the development of such signs as shall authorize the parking of emergency vehicles.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

**-RESOLUTION-Hiring Sybil Rainey**

Mr. Vogel moved and Mr. Bush seconded the motion to adopt the following Resolution:

**RESOLUTION**

Authorization to Hire Sybil Rainey as Part time  
Child Watch & Front Desk Staff at Riegel Ridge Community Center

**WHEREAS**, the Township Committee of the Township of Holland is in need of child watch & desk staff 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 may 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, and

**WHEREAS**, Director of Parks and Recreation Jessica Neglia advises the Township Committee that until results of the background check have been received, this employee will be supervised at all times.

**THEREFORE, BE IT RESOLVED** by the Holland Township Committee, Township of Holland, County of Hunterdon in the State of New Jersey, that Sybil Rainey will be hired as Riegel Ridge Community Center as Child Watch & Front Desk staff at the 2016/2017 rate of \$8.50 per/hr., contingent on favorable results of all required background checks, effective October 19, 2016.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

**BUSINESS FROM TOWNSHIP ATTORNEY**

No Report

**MEETING OPEN TO PUBLIC**-(speakers will be limited to 3 minutes)

-Tony Rizzello, Mike Ulmes, - Karen Orrico, JoMarie Tavernite-Crestview Drive/Bobolink Farm issue

-Scott Wilhelm-Crestview Drive-suggested a representative of Crestview, the Township Committee, representative of CADB and Mr. White (Bobolink Farm) meet to discuss no-farm equipment use of Crestview easement.

-Ted Harwick-asked if the new DPW truck be used for snow plowing. Mr. Bush advised yes.

**ADJOURN**

Mr. Vogel moved and Mr. Scheibener seconded the motion to adjourn at 9:04 p.m.

Voice Vote	Ayes	Nays	Abstain	Absent
Robert Thurgarland	x			
Thomas Scheibener	x			
Dan Bush, Deputy Mayor	x			
Kenneth Vogel	x			
Ray Krov, Mayor	x			

Respectfully submitted,

Approved by,

\_\_\_\_\_  
Catherine M. Miller, RMC  
Municipal Clerk

\_\_\_\_\_  
Ray Krov, Mayor  
Daniel T. Bush, Deputy Mayor