

HOLLAND TOWNSHIP COMMITTEE  
REGULAR MEETING AGENDA  
February 4, 2020

**MEETING CALLED TO ORDER**

*If you haven't already done so, please turn off or silence all electronic equipment*

**FLAG SALUTE**

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

**CLERK READS OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting was given pursuant to the open public meeting act, by the Township Clerk on December 12, 2019 by:

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

**APPROVAL OF MINUTES OF THE:** January 21, 2020 Regular Meeting

**APPROVAL OF BILLS AS SUBMITTED**

Check#	Vendor	Description	Payment	Check Total
28067	ADT SECURITY SERVICES	Holland Township Bethany Ridge Security	\$ 169.71	\$ 169.71
28068	ALLEGRO ENTERPRISES, INC.	Water Delivery	\$ 28.36	\$ 28.36
28069	Amazon.com RRCC	Desk Organizer, Letter Tray, Round Table	\$ 183.19	
		Cabinet, chairs, cube organizer	\$ 387.52	\$ 570.71
28070	AMERICAN CAMP ASSOCIATION	ACA Camp Membership Fee 2020	\$ 1,062.00	\$ 1,062.00
28071	Amerigas-Clinton 7510	Propane for Municipal Building	\$ 327.70	\$ 327.70
28072	AMY R KIRK	Yin Yoga	\$ 55.00	\$ 55.00
28073	AQUA NEW JERSEY	910 Milford Warren Glen Rd Seasonal Yard	\$ 16.50	
		910 Lawn Irrigation	\$ 16.50	
		RRCC (8796)	\$ 241.68	\$ 274.68
28074	BARCLAY BRAND FERDON	Forklift Maintenance	\$ 184.95	\$ 184.95
28075	BILL KAPPUS PLUMBING & HEATING, LLC	Toilet Repair	\$ 172.56	\$ 172.56
28076	CITY FIRE EQUIPMENT CO.	Fire Extinguisher Maintenance & Inspection	\$ 70.00	
		DPW FE Inspection 100	\$ 136.50	
		HT Library Fire Ext Inspection	\$ 52.50	\$ 259.00
28077	CLEMENS UNIFORM	Shop Towels / Floor Mat service	\$ 21.75	
		Mats for Municipal Building	\$ 39.90	\$ 61.65
28078	COOPER ELECTRICAL SUPPLY	Ballast	\$ 143.91	\$ 143.91
28079	DAVIS BUSINESS MACHINES, INC.	Contract for Canon IR-1025IF	\$ 585.25	\$ 585.25
28080	DEER CARCASS REMOVAL SERVICE, LLC	Deer Carcass Removal - December 2019	\$ 171.00	\$ 171.00
28081	Department of Finance	1Q2020 County	\$ 562,461.65	\$ 562,461.65
28082	Department of Finance	1Q2020 Library	\$ 56,213.66	\$ 56,213.66
28083	Department of Finance	1Q2020 Open Space	\$ 55,845.68	\$ 55,845.68
28084	ELIZABETHTOWN GAS	Meter 01061655 Account 93404665351 RRCC	\$ 629.12	\$ 629.12
28085	Eng Fitness Wellness Solutions LL	Preventative Maintenance. for fitness equipment	\$ 687.67	\$ 687.67
28086	Enterprise Electrical Inc	Electrical Work - Police Department	\$ 1,125.45	
		Electrical Work - Police Department	\$ 854.55	\$ 1,980.00
28087	FINCH FUEL OIL CO, INC	#2 Fuel Oil Heat DPW/Library	\$ 1,234.28	\$ 1,234.28
28088	FRANK RYMON & SONS, INC.	Chains for Stihl Pole Saw	\$ 33.32	\$ 33.32
28089	Gall's	rifle case	\$ 71.24	
		boots, shirts, pants	\$ 275.39	\$ 346.63
28090	GRAINGER	Trash Bags for Recycling	\$ 184.86	
		Batteries for Safety Signals and Floor A	\$ 29.88	
		Paper for office	\$ 29.98	
		Batteries for Makita Power Tool Set	\$ 218.00	\$ 462.72
28091	Griffith-Allied Trucking LLC	Unleaded Gas	\$ 1,102.46	
		DULSD - Diesel DPW	\$ 1,344.42	
		DULSD - Diesel DPW	\$ 615.28	\$ 3,062.16
28092	Holland Township Animal Control	2020 Budget Transfer	\$ 5,000.00	\$ 5,000.00
28093	Holland Township Trust Fund	Turn over funds to Snow removal trust	\$ 17,100.00	\$ 17,100.00
28094	HUNTERDON CTY POLICE CHIEFS' ASSOC.	Annual Membership Dues	\$ 400.00	\$ 400.00
28095	HUNTERDON LOCK AND SAFE, INC.	repair safe	\$ 338.90	\$ 338.90
28096	Hunterdon Medical Center	CPR	\$ 280.00	\$ 280.00
28097	J C Ehrlich Co Inc	Monthly Pest Control January 2020	\$ 248.00	\$ 248.00

28098	Jamie Travers	Mailbox Reimbursement	\$ 50.00	\$ 50.00
28099	Jeff Modica	Clothing Allowance per Union Contract	\$ 250.00	\$ 250.00
28100	JERSEY CENTRAL POWER & LIGHT	Account 100 060 952 585 Street Lights	\$ 56.40	\$ 56.40
28101	JERSEY CENTRAL POWER & LIGHT	Account 100 004 272 595 Street Lights	\$ 21.60	\$ 21.60
28102	JERSEY CENTRAL POWER & LIGHT	Account 100 004 272 652 Street Lights	\$ 1,264.86	\$ 1,264.86
28103	JERSEY CENTRAL POWER & LIGHT	100 070 503 212 Pool Storage Garage	\$ 3.25	\$ 3.25
28104	JERSEY CENTRAL POWER & LIGHT	Account 100 105 886 640 914 Milford Warren	\$ 51.12	\$ 51.12
28105	JERSEY CENTRAL POWER & LIGHT	Account 100 004 555 932 Case Field 12/19	\$ 103.93	\$ 103.93
28106	JERSEY CENTRAL POWER & LIGHT	Account 100 004 555 858 Baseball 11/19	\$ 162.98	\$ 162.98
28107	JERSEY CENTRAL POWER & LIGHT	Account 100 077 061 016 12/20/19-01/2	\$ 131.39	\$ 131.39
28108	JERSEY CENTRAL POWER & LIGHT	Account 100 003 579 271 Library 12/20/19	\$ 104.46	\$ 104.46
28109	JERSEY CENTRAL POWER & LIGHT	Account 100 029 305 644 12/19/19-1/20/	\$ 3,209.81	\$ 3,209.81
28110	Kleen & Fresh Company LLC	January 13, 16 & 18	\$ 330.00	
		January 20, 23, 25	\$ 330.00	\$ 660.00
28111	Leslie G Bailey Gano	Zumba RRCC	\$ 100.00	\$ 100.00
28112	Little Big Horn LLC	Wild West City Deposit	\$ 100.00	\$ 100.00
28113	LMR Disposal LLC	Recycling Dumpster	\$ 58.11	\$ 58.11
28114	MARIA ELENA JENNETTE KOZAK	Misc reimbursements	\$ 474.38	\$ 474.38
28115	Marleny Reyes	Yoga January 2020	\$ 113.60	\$ 113.60
28116	MASER CONSULTING PA	PB Mill Rd Solar B4 L1 services thru 12	\$ 2,385.00	
		PB Mill Rd Solar B4 L1 services thru 01	\$ 72.50	
		Planner Services thru 011920	\$ 36.25	\$ 2,493.75
28117	MILFORD WATER DEPARTMENT	Water Hydrant Billing 2020	\$ 220.00	\$ 220.00
28118	MONINGHOFF APPLIANCE & SUPPLY CORP.	Hardware Supplies	\$ 21.98	\$ 21.98
28119	Morton Salt Inc	Road Salt	\$ 7,527.79	\$ 7,527.79
28120	Nelson Enterprises	Repair of Stage Curtain	\$ 1,000.00	\$ 1,000.00
28121	Network Solutions	renewal Account # 31256094	\$ 184.95	\$ 184.95
28122	NEW JERSEY PLANNING OFFICALS	BOA Rader PB Wilhelm Mandatory Training	\$ 206.00	
		PB/BOA membership dues 01/01/2020-12/31/	\$ 370.00	\$ 576.00
28123	NJ Advance Media	2020-1, 2, 3, 7	\$ 166.28	\$ 166.28
28124	NJ POLICE TRAFFIC OFFICERS' ASSOC.	Annual Membership Dues	\$ 50.00	\$ 50.00
28125	North American Rescue LLC	first aid kit, tourniquet, medical bags	\$ 650.98	\$ 650.98
28126	OFFICE DEPOT, INC.	computer monitor	\$ 171.00	
		sharpies	\$ 40.84	
		lysol wipes	\$ 11.98	
		power supply	\$ 66.81	\$ 290.63
28127	Patrick A Carmona	Window Cleaning	\$ 275.00	\$ 275.00
28128	PenTeleData	01/24 - 02/24/2020	\$ 214.85	\$ 214.85
28129	POWERCO, INC.	Case 580 Super N Service	\$ 436.80	\$ 436.80
28130	Prestige Dry Cleaner LLC	Dry-cleaning - January 2020	\$ 333.00	\$ 333.00
28131	Princeton Computer Support Inc	2019 onsite and remote support	\$ 3,710.00	
		Jan-20	\$ 872.12	\$ 4,582.12
28132	Promed Office Cleaners LLC	Cleaning RRCC Fitness Center	\$ 180.00	\$ 180.00
28133	RARITAN VALLEY DISPOSAL #865	Dumpster Pickup	\$ 606.00	
		Dumpster Pickup	\$ 2,448.85	
		Dumpster Pickup Service	\$ 606.00	\$ 3,660.85
28134	RK OCCUPATIONAL & ENV ANALYSIS, INC	Municipal Garage-Ground Water Remediation	\$ 19,054.00	\$ 19,054.00
28135	SEAN P. GUTSICK	batteries	\$ 21.98	
		hand sanitizer	\$ 10.00	\$ 31.98
28136	SERVICE ELECTRIC CABLE TV, INC.	RRCC Internet	\$ 105.89	\$ 105.89
28137	SERVICE ELECTRIC TELEPHONE CO.	RRCC Telephone	\$ 159.44	\$ 159.44
28138	SHAMMY SHINE CAR WASH, INC.	Car Washes	\$ 150.00	\$ 150.00
28139	SMITH MOTOR COMPANY, INC.	Truck 02 Dash Repair Part	\$ 148.97	\$ 148.97
28140	STAPLES BUSINESS ADVANTAGE	Napkins	\$ 442.15	
		Napkins	\$ 91.17	\$ 533.32
28141	STAPLES BUSINESS ADVANTAGE		\$ 112.22	\$ 112.22
28142	STATEWIDE INSURANCE FUND	1st 2020 Installment	\$ 43,326.00	\$ 43,326.00
28143	STEM BROTHERS, INC.	Propane for Recycling Building	\$ 30.96	
		Propane for Recycling Building	\$ 56.40	\$ 87.36
28144	Stephanie Beddiges	Pilates December 2019	\$ 130.00	\$ 130.00
28145	STORR TRACTOR COMPANY	Tractor PTO Switch	\$ 39.54	\$ 39.54
28146	THERESA VERDI	Cleaning RRCC	\$ 640.00	\$ 640.00
28147	VERIZON	1/18/2020 billing	\$ 307.45	\$ 307.45
28148	VERIZON	DSL RRCC	\$ 57.99	\$ 57.99

28149	VERIZON	1/25/20 billing 908 995 4849	\$ 96.22	\$ 96.22
28150	VERIZON	1/26/20 billing	\$ 961.06	\$ 961.06
28151	VERIZON	1/25/20 billing 908 995 9188	\$ 85.83	\$ 85.83
28152	VITAL COMMUNICATIONS, INC.	MOD V Tax Master File Final - Jan 2020	\$ 100.00	\$ 100.00
28153	WB Mason Co INc	Desk Pad, Paper Towels, Printer	\$ 531.96	
		Toilet Bowl Cleaner	\$ 55.99	
		Soap Dispensers	\$ 5.97	
		Pens & Tissues	\$ 22.38	\$ 616.30
28154	Whibco of New Jersey Inc	Infield Clay Mix for RRCC fields and MB	\$ 4,105.01	\$ 4,105.01
28155	William Martin	background check	\$ 42.00	\$ 42.00
28156	WOODRUFF ENERGY	December 2019 acct 771057	\$ 708.45	\$ 708.45
		Total	\$ 811,770.17	\$ 811,770.17
Manual				
2012020	Guardian	February 2020 Dental	\$ 3,209.93	\$ 3,209.93
1272020	Its Neopost	January Postage Machine	\$ 300.00	\$ 300.00
		Grantd Total	\$ 815,280.10	\$ 815,280.10
CURRENT FUND	BUDGET AND APPROPRIATION RESERVES		\$807,760.95	
GRANT FUND	BUDGET AND APPROPRIATION RESERVES		\$ 606.00	
GENERAL CAPITAL FUNDS	BUDGET AND APPROPRIATION RESERVES		\$ 854.55	
ANIMAL CONTROL	BUDGET AND APPROPRIATION RESERVES		\$ 91.17	
ESCROW	ESCROW FUNDS		\$ 2,457.50	
DEVELOPMENT FEES				
	development fees			
Checks issued 2-4-2020				811,770.17
Manual Totals				<u>3,509.93</u>
Total				<u><u>815,280.10</u></u>

## **ANNOUNCEMENT**

-Hunterdon County Freeholders are sponsoring the “Leave No Veteran Behind” campaign to advise Hunterdon County Veterans that all veterans qualify for the State Veteran’s Income Tax Exemption which doubled in 2019 and is now \$6,000.

## **OLD BUSINESS FROM TOWNSHIP COMMITTEE**

**-ORDINANCE 2020-01-Public Hearing/Final Adoption- CAP BANK-Exceeding the Municipal Budget Appropriation Limits and Establish a Cap Bank**

### **ORDINANCE 2020-01**

### **ORDINANCE TO EXCEED THE CALENDAR YEAR 2020 MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A: 4-45.14)**

**WHEREAS**, the Local Government Cap Law, N.J.S. 40A: 4-45.1 et seq., provides that in the preparation of its annual budget, a municipality shall limit any increase in said budget up to 2.5% unless authorized by ordinance to increase it to 3.5% over the previous year’s final appropriations, subject to certain exceptions; and,

**WHEREAS**, N.J.S.A. 40A: 4-45.15a provides that a municipality may, when authorized by ordinance, appropriate the difference between the amount of its actual final appropriation and the 3.5% percentage rate as an exception to its final appropriations in either of the next two succeeding years; and,

**WHEREAS**, the Township Committee of the Township of Holland in the County of Hunterdon finds it advisable and necessary to increase its CY 2020 budget by up to 3.5% over the previous year’s final appropriations, in the interest of promoting the health, safety and welfare of the citizens; and,

**WHEREAS**, the Township Committee hereby determines that a 3.5 % increase in the budget for said year, amounting to \$ 158,536.00 in excess of the increase in final appropriations otherwise permitted by the Local Government Cap Law, is advisable and necessary; and,

**WHEREAS** the Township Committee hereby determines that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years.

**NOW THEREFORE BE IT ORDAINED**, by the Township Committee of the Township of Holland, in the County of Hunterdon, State of New Jersey, that a majority of the full authorized membership of this governing body affirmatively concurring, that, in the CY 2020 budget year, the final appropriations

of the Township of Holland shall, in accordance with this ordinance and N.J.S.A. 40A: 4-45.14, be increased by 3.5 %, amounting to \$ 158,536.00, and that the CY 2020 municipal budget for the Township of Holland be approved and adopted in accordance with this ordinance; and,

**BE IT FURTHER ORDAINED**, that any amount authorized hereinabove that is not appropriated as part of the final budget shall be retained as an exception to final appropriation in either of the next two succeeding years; and,

**BE IT FURTHER ORDAINED**, that the Municipal Clerk furnish to the Chief Finance Officer a certified copy of this ordinance as introduced be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

**BE IT FURTHER ORDAINED**, that the Municipal Clerk furnish to the Chief Finance Officer a certified copy of this ordinance upon adoption, with the recorded vote included thereon, be filed with said Director within 5 days after such adoption.

**-ORDINANCE 2020-2-Public Hearing/Final Adoption--2020 Salary Ordinance**

**ORDINANCE 2020-2**

**AN ORDINANCE TO DETERMINE AND FIX THE SALARIES AND WAGES OF CERTAIN OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF HOLLAND, IN THE COUNTY OF HUNTERDON AND STATE OF NEW JERSEY**

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

**SECTION 1.** The salaries or wages to be paid certain officers or employees of the Township of Holland are hereby determined and fixed at the following amounts or rates, or ranges of amounts or rates, where NJSMW is defined as New Jersey State Minimum Wage, for the calendar year 2020 and until the same are amended by subsequent ordinance of this Township:

<b>OFFICE/TITLE</b>	<b>MINIMUM</b>	<b>MAXIMUM</b>
Township Committee	\$4,000.00	\$8,000.00
Municipal Clerk	\$42,000.00	\$80,000.00
Registrar	\$4,000.00	\$7,000.00
Deputy Municipal Clerk	\$22,000.00	\$45,000.00
Deputy Registrar	\$1,500.00	\$4,000.00
Substitute Secretarial Help	NJSMW	\$35.00
Census 2020 Official	NJSMW	\$20.00
Chief Finance Officer (salaried)	\$20,000.00	\$50,000.00
Chief Finance Officer (hourly)	\$30.00	\$65.00
Finance Assistant	\$17.00	\$35.00
Qualified Purchasing Agent	\$4,000.00	\$10,000.00
Animal Control Secretary	\$15.00	\$25.00
Tax Collector	\$20,000.00	\$50,000.00
Sewer Rent Collector	\$4,000.00	\$8,000.00
Licensed Sewer Operator	\$3,000.00	\$8,000.00
Tax Assessor	\$20,000.00	\$50,000.00
Land Use Administrator (Planning Secretary, Zoning Secretary, Zoning Officer, Development Reg. Officer, Municipal Housing Liaison, Recycling Secretarial Work)	\$40,000.00	\$75,000.00
Planning Secretary (hourly)	\$15.00	\$30.00
Zoning Secretary (hourly)	\$15.00	\$30.00
Municipal Housing Liaison	\$500.00	\$3,000.00
Zoning Officer	\$5,000.00	\$35,000.00
Development Regulations Officer	\$4,000.00	\$20,000.00
PERC Witness, per hour	NJSMW	\$20.00

Police:

Police Chief	\$80,000.00	\$130,000.00
Police Administrative Coordinator	\$30,000.00	\$60,000.00
Deputy Police Records Custodian	\$1,500.00	\$3,500.00
Emergency Management Secretary	\$1,000.00	\$3,500.00
Sergeant	\$3,000.00	\$5,000.00
Police Officers	\$30,000.00	\$110,000.00
Part-Time Police Officer	\$18.00	\$35.00

Public Works:

DPW/Buildings Supt.	\$60,000.00	\$105,000.00
Public Works Employee	\$20.00	\$40.00
Public Works Temporary Supervisor, per hour	\$3.25	\$10.00
Part Time Snow Removal:	\$15.00	\$30.00
Part Time Seasonal Employees (Public Works)	NJSMW	\$25.00

Buildings and Grounds:

NJSMW	\$25.00
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Recycling:

Recycling Center Manager	\$15.00	\$25.00
Recycling Help	NJSMW	\$20.00

Board Secretaries: Per Meeting Attended

Parks and Recreation Secretary	\$50.00	\$100.00
Board of Health Secretary	\$50.00	\$100.00
Environmental Commission Secretary	\$50.00	\$100.00
Historic Preservation Secretary	\$50.00	\$100.00
Agriculture Advisory	\$50.00	\$100.00

Riegel Ridge Community Center:

Director	\$30,000.00	\$75,000.00
Member Services Rep.	NJSMW	\$25.00
Front Desk Staff:	NJSMW	\$20.00
Child Watch:	NJSMW	\$20.00
Toddler Time:	NJSMW	\$20.00
Group Exercise Instructors (Per Class):	\$15.00	\$35.00
Certified Personal Trainers (Per Session):	\$15.00	\$40.00
Pool Supervisor:	\$7,000.00	\$12,000.00

**Prosecutor / Public Defender:**

Prosecutor	\$6,000.00	\$9,000.00
Alternate Prosecutor (Per Court Session)	\$200.00	\$400.00
Public Defender	\$750.00	\$2,500.00
Alternate Public Defender (Per Court Session)	\$200.00	\$400.00

**Joint Municipal Court:**

Per Joint Court Agreement Share

Judge, pro-rated based on %	\$1,000.00	\$15,000.00
Court Admin., pro-rated on %	\$1,000.00	\$15,000.00
Violations Clerk , per hr, pro-rated on %	\$15.00	\$30.00
Security, per hour, pro-rated 1/3	\$18.00	\$35.00
Court Runner, per hour, pro-rated 1/3	\$15.00	\$30.00

**-ORDINANCE 2020-03-Public Hearing/Final Adoption-Land Use Official**

**ORDINANCE 2020 03**

**ORDINANCE AMENDING CHAPTER 100, ARTICLE III,  
ENTITLED "TERMINOLOGY"**

**WHEREAS**, the Township Committee of the Township of Holland have determi that certain amendments and additions are needed regarding Chapter 100, Article XV, of the Code of the Township of Holland entitled "Land Use" are necessary; and

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Holland that Chapter 100, Article III, shall be repealed and amended as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

## Part 1. Zoning

### Article III. Terminology

#### § 100-6. Definitions

Certain words and phrases in this Part 1 are defined for the purposes hereof as follows:

#### **ACCESSORY USE, BUILDING OR STRUCTURE**

A use, building or structure on the same lot with, and of a nature incidental and subordinate to, the principal use or structure.

#### **ACCESSWAY**

An area intended to be used, and suitable for use, to give access to motor vehicles to the street from a lot and to a lot from a street.

#### **ASSISTED-LIVING RESIDENCE**

A residential facility licensed by the New Jersey Department of Health and Senior Services in accordance with *N.J.A.C.* 8:36 to provide apartment-style housing and congregate dining and to ensure that assisted-living services, as defined at *N.J.A.C.* 8:33H-1.2, are available when needed to four or more adult persons unrelated to the proprietor. Each apartment in an assisted-living facility shall have, at a minimum, one unfurnished room, a private bathroom, a kitchenette and a lockable door on the unit entrance.

#### **BUILDING**

Any structure having a roof supported by columns or by walls and intended for the shelter, housing or enclosure of any person, animal or chattel.

#### **DISTRICT**

A district or zone referred to in § **100-3** of this Part 1.

#### **DRIFTWAY**

A roadway, thoroughfare, place or passageway sufficiently wide to accommodate motor vehicular traffic (including emergency vehicles), which is not a street as defined herein, but which, prior to March 7, 1953, has become established for use by owners of abutting land having no frontage on any existing state, county or municipal roadway for ingress and egress over the property of others, between a public roadway and the abutting properties. For the purposes of this Part 1, a private lane situated entirely on a single property shall not be considered to be a "driftway."

#### **DWELLING**

A building containing one or more dwelling units and being detached, that is, having no wall or walls in common with an adjacent dwelling or dwellings.

#### **DWELLING, SINGLE-FAMILY**

A dwelling containing no more than one dwelling unit.

#### **DWELLING UNIT**

One room, or rooms connected together, constituting a separate, independent housekeeping establishment for owner occupancy or rental or lease on a weekly, monthly or longer basis, and physically separated from any other rooms or dwelling units which may be in the same structure and containing independent cooking and sleeping facilities.

#### **FAMILY**

One or more persons living as a single, nonprofit housekeeping unit as distinguished from individuals or groups occupying a hotel, fraternity or sorority house. The "family" shall be deemed to include foster children and necessary servants when such children and servants share the common housekeeping facilities and services, but shall not include more than four boarders, roomers or paying guests.

#### **FARMERS' MARKET**

An outdoor food market for the selling of produce grown by persons selling it, the selling of produce derivatives (licensed and permitted where applicable) which the sellers have created, the selling of baked goods by the creators thereof (originating from state-inspected and -licensed facilities), and the selling, under reasonable regulations of the authority governing the market, of artisan crafts.

## **GROUP HOME**

As used herein, the term "group home" refers to an alternative living arrangement (also defined in *N.J.A.C. 5:93-1.3*) in which separate individuals or households live in distinct bedrooms yet share kitchen and some or all plumbing facilities, central heat and common areas. The term "group home" may include such uses as Class A, B, C, D and E boarding homes as regulated by the New Jersey Department of Community Affairs, residential health-care facilities regulated by the New Jersey Department of Health and Senior Services and community residences for the developmentally disabled, victims of domestic violence, persons with head injuries and the terminally ill.

## **HABITABLE FLOOR AREA**

The total floor area of those portions of any dwelling unit used as living space, including kitchens, living and dining rooms, baths and bedrooms and hallways, but not including cellars, porches or attics, except expansion attics which may be finished to provide additional rooms without structural alterations to roofs or exterior walls.

## **HEIGHT OF BUILDINGS**

Unless otherwise specified in this Part 1, the height of buildings shall be measured from the average elevation of the ground level at the foundation of the building to the highest point of the highest ridgeline of the roof.

## **HOME OCCUPATION**

A legal occupation conducted within a dwelling used as such, and/or in other existing buildings on a lot whose principal use is for residential purposes, provided that:

- A. The occupation is carried on solely by the residents of such dwelling for financial or other remuneration as a use clearly incidental to and secondary to the residential use of the dwelling for domestic housekeeping and involves the employment of no person in such occupation who does not reside in such dwelling.
- B. Not more than 25% of the total floor area of such dwelling shall be devoted to such occupation and at least 1,000 square feet of such dwelling remains for domestic housekeeping after 25% has been deducted. (Multiple "home occupations" may be permitted, provided that the minimum of 1,000 square feet remains and the limitation of 25% is not exceeded by all such occupations.) Provided that the foregoing provisions of this Subsection **B** are met, a "home occupation" may also be conducted in a garage (whether or not attached to the house) or in any already existing building which is not a dwelling on the lot. No new building or addition to an existing building shall be constructed and utilized for a "home occupation." In calculating the floor area of the dwelling, for the purposes of this Subsection **B**, the area of any attached garage shall not be included.
- C. There shall be no display of goods offered for sale in connection with such occupation which is visible from any street or adjoining lot, except as is permitted in § **100-45E**.
- D. No power equipment which is used to fabricate or manufacture a product for sale shall be used in such employment or occupation. (This shall not be construed to mean usual office equipment, such as typewriters, photocopiers and the like, which produce letters, reports, etc.) Also, no equipment or process shall be used in such employment or occupation which creates noise, vibration, glare, fumes, odors or electrical interference detectable to the normal senses off the lot; and in the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receiver off the lot or causes fluctuations in line voltage off the lot. No trucks or mechanized construction or earth moving equipment used in such employment or occupation shall be parked or kept on the lot; provided, however, that no more than two motor vehicles, which may be automobiles or pickup, panel or van-type trucks which do not exceed 2,000 pounds capacity, may be parked or kept on the lot when used in connection with a home occupation conducted from the lot.
- E. The dwelling in which said occupation is carried on shall retain an exterior which is characteristic of a building used for residential purposes. No structural changes to accommodate the "home occupation" shall be permitted, unless such changes are customary and normal for a dwelling used for residential purposes.

## **LAND USE ADMINISTRATOR**

*A position that may be filled at the discretion of the Township Committee for a period of one year whose duties shall include the following:*

- A. to serve as the secretary to the Planning Board;*
- B. to serve as the secretary to the Zoning Board of Adjustment;*

- C. to serve as the Zoning Officer;*
- D. to serve as the Development Regulation Officer;*
- E. to serve as the Municipal Housing Liaison; and*
- F. to perform other duties as assigned by the Township Committee, Planning Board or the Zoning Board of Adjustment.*

#### **LOT**

An integral parcel or plot of land or contiguous integral parcels or plots of land, under the same ownership, which are not separate subdivision lots of record.

#### **LOT AREA**

The total horizontal area included within lot lines. Where the front lot line is the center line of a street or lies in part or in whole in the street area, the "lot area" shall not include that part of the lot in use or to be used as the street.

#### **LOT, CORNER**

A lot located at the intersection of two or more streets. A lot abutting on a curved street or streets shall be considered a "corner lot" if straight lines drawn from the foremost points of the side lot lines to the foremost point of the lot meet at an interior angle of less than 135°.

#### **LOT DEPTH**

The shortest horizontal distance between the front lot line (street line) and a line drawn parallel to the front lot line through the midpoint of the rear lot line.

#### **LOT FRONTAGE**

That portion of a lot extending along the street line. (See also the definition of "lot width.")

#### **LOT WIDTH**

The straight and horizontal distance between side lot lines at setback points on each side lot line measured an equal distance back from the street line. The minimum lot width shall be measured at the minimum required setback line; provided, however, that the width of the lot between side lot lines at their foremost points (along the lot frontage) shall not be less than 80% of the required lot width except in the case of lots on the turning circle of a cul-de-sac, where the lot frontage shall be at least 50 feet.

#### **METEOROLOGICAL TOWER (or MET TOWER)**

A structure designed to support the gathering of wind energy resource data; includes the tower, base plate, anchors, guy cables and hardware, anemometers (wind speed indicators), wind direction vanes, booms to hold equipment anemometers and vanes, data logger, instrument wiring and any telemetry devices that are used to monitor or transmit wind speed and wind flow characteristics over a period of time for either instantaneous wind information or to characterize the wind resource at a given location.

#### **NJDEP**

The New Jersey Department of Environmental Protection (and such Department by any future name).

#### **NONCONFORMING STRUCTURES AND USES**

Any nonconforming use or structure existing at the time of the passage of an ordinance may be continued upon the lot or in the structure so occupied, and any such structure may be restored or repaired in the event of partial destruction thereof.

#### **OFF-STREET LOADING SPACE**

Space logically and conveniently located for bulk pickups and deliveries, scaled to delivery vehicles expected to be used, and accessible to such vehicles when required off-street parking spaces are filled. Required "off-street loading space" is not to be included as off-street parking space in computation of required off-street parking space.

#### **OFF-STREET PARKING SPACE**

A space adequate for parking an automobile with room for opening doors on both sides, which space shall be a minimum of 10 feet wide and 20 feet deep, together with properly related access to a street and maneuvering room. For purposes of rough computation, an "off-street parking space" and necessary access and maneuvering room may be estimated at 300 square feet, but off-street parking requirements will be considered to be met only when actual spaces meeting the requirements above are provided and maintained, improved in a manner appropriate to the circumstances of the case and in accordance with the requirements of this Part 1 and all ordinances and regulations of this Township.

**OVERSIZED VEHICLE**

A truck or other vehicle having either a total combined gross weight of vehicle plus load in excess of 13 tons or an extreme overall length in excess of 23 feet, or both.

**PLANNED COMMERCIAL DEVELOPMENT**

Development on a tract of at least 40 acres but not more than 50 acres, which shall be developed and used according to a plan as a single entity, containing as its principal use one or more shopping villages with appurtenant common areas to accommodate, as principal uses, only the principal uses described in § 100-74A through F hereof, and required common open space.

**PLANNING BOARD or BOARD OF ADJUSTMENT**

The proper municipal agency, be it the Planning Board or Board of Adjustment, to review or approve the particular application for development involved, pursuant to the Municipal Land Use Law<sup>[1]</sup> and Chapter 100, Part 2, Development Regulations, of the Code of the Township of Holland, notwithstanding the actual wording of this Part 1.

**PRINCIPAL BUILDING OR STRUCTURE**

A building or structure primarily devoted to a principal use.

**PRINCIPAL USE**

A main use, a use which is not incidental or subordinate to another use on the same lot.

**ROOF-MOUNTED WIND ENERGY SYSTEM**

A wind energy conversion system consisting of vertical axis wind turbine(s) or any other form of wind energy conversion system that can be and is mounted on the roof of a building rather than on a tower.

**ROTOR DIAMETER**

The cross-sectional dimension of the circle swept by the rotating blades of a wind-powered energy generator.

**SENIOR CITIZENS APARTMENTS WITH SUPPORTIVE SERVICES**

Separate dwelling units reserved for occupancy by persons 62 years of age or older, which dwelling units may be located within one or more buildings, each containing a minimum of 20 similar units, or in the same building(s) with assisted-living units, wherein common facilities and a range of supportive personal and/or medical care services may be provided. Senior citizens apartments with supportive services may have access to and the use of congregate dining, laundry and social facilities, provided that each such dwelling unit has its own separate complete kitchen and full bath, a door that is lockable from the inside and at least 300 square feet of clear floor area within the confines of the dwelling unit itself.

**SETBACK LINE**

A line within any lot, parallel to any street lines and measured perpendicularly from the street line, within which no building or part thereof may be erected except as provided in this Part 1.

**SHOPPING VILLAGE**

Two or more attached or detached retail commercial and/or office buildings, constructed on a lot and sharing common parking, loading areas and open space, and having as a principal use one or more uses described in § 100-74A through F hereof.

**SIGN**

Any device designed to inform or attract the attention of persons not on the premises on which the sign is located; provided, however, that the following shall not be included in the application of the regulations herein:

- A. Signs not exceeding one square foot in area and bearing only property numbers, postbox numbers, names of occupants of premises or other identification of premises not having commercial connotations.
- B. Flags and insignia of any government except when displayed in connection with commercial promotion.
- C. Legal notices: identification, informational or directional signs erected or required by governmental bodies.
- D. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts or moving lights.

### **SMALL WIND ENERGY SYSTEM**

A wind energy conversion system consisting of a wind turbine, a tower and associated control or conversion electronics, which has a rated capacity consistent with applicable provisions of the State Uniform Construction Code promulgated pursuant to P.L. 1975, c. 217 (*N.J.S.A. 52:27D-119*, et seq.), and which will be used to generate electrical power primarily for on-site consumption.

### **SOLAR ENERGY FACILITY (MAJOR/COMMERCIAL)**

An electricity generating facility that produces electrical energy primarily for sale and off-premises consumption and that uses solar or photovoltaic technologies that consist of a system of solar or photovoltaic panels and equipment for the production of energy, and that does not meet the definition of "solar energy system (minor)" in this § **100-6**.

### **SOLAR ENERGY SYSTEM (MINOR)**

One or more solar panels and all associated equipment involved in the conversion of solar radiation to electrical energy, hot water or hot air solely to serve the principal use and other permitted accessory uses of the land on which such system is situated.

### **SOLAR PANEL**

An accessory structure containing one or more receptive cells or collector devices, the purpose of which is to use solar radiation to create usable electrical energy, hot water or hot air.

### **SPECIAL EXCEPTION, SPECIAL EXCEPTION USE or SPECIAL EXCEPTION USE PERMIT**

Conditional use or conditional use permit pursuant to the Municipal Land Use Law<sup>21</sup> and Chapter **100**, Part **2**, Development Regulations, of the Code of the Township of Holland, notwithstanding the actual wording of this Part **1**.

### **STREET**

Any street, avenue, boulevard, road, parkway, viaduct, drive or other way which is an existing state, county or municipal roadway, or which is shown upon a plat heretofore approved pursuant to law, or which is approved by official action as provided by the Municipal Land Use Law, or which is shown on a plat duly filed and recorded in the Hunterdon County Clerk's office prior to the appointment of a Planning Board for the Township and the grant to such Board of the power to review plats, and includes the land between the street lines, whether improved or unimproved, and may comprise pavement, shoulders, gutters, curbs, sidewalks, parking areas and other areas within the street lines.

### **STREET LINE**

The dividing line between the lot and the street, or the street right-of-way line running across the lot where the lot extends into the street.

### **STRUCTURE**

Anything constructed or erected with a fixed location on the ground or attached to something having a fixed location on the ground. Among other things, "structures" include buildings, swimming pools, mobile homes, billboards and poster panels, but shall exclude fences, posts, wires and their supporting poles or frames of electric or telephone utilities or other service facilities and school-bus waiting shelters whose location and design have been approved before erection by the Board of Education of the Township of Holland. The word "structure" includes "buildings."

### **SYSTEM HEIGHT**

The vertical distance above grade of the tower plus the wind generator measured vertically from the ground to the tip of a wind generator blade when the tip is at its highest point.

### **TOWER HEIGHT**

The vertical distance above grade of the fixed portion of the tower, excluding the wind generator.

### **TRACT**

An area of land composed of one or more lots adjacent to one another, having sufficient dimensions and area in the aggregate to make one integral parcel of land meeting the requirements of this Part 1 for the use(s) intended. With respect to a planned commercial development, the term "tract" shall refer to the whole of land area constituting the planned commercial development, having an area within the parameters referred to in the definition of planned commercial development.

### **TRACTOR AND TRAILER**

(As defined in said Title 39) shall be considered as separate vehicles, unless they are joined to one another.

**USE**

The purpose for which land or a structure thereon is designed, arranged or intended or for which it is or may be occupied or maintained.

**WIND GENERATOR**

Blades and associated mechanical and electrical conversion components mounted on top of a wind tower.

**WIND TOWER**

A monopole, freestanding, or guyed structure that supports a wind generator.

**YARD**

A required open space unoccupied and unobstructed by any structure or portion of a structure from 30 inches above the general ground level of the graded lot upward, except as otherwise permitted by this Part 1; provided, however, that fences, walls, poles, posts and other customary yard accessories, ornaments and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility.

**YARD, FRONT**

A yard extending between side lot lines across the front of a lot adjoining a street.

**YARD, REAR**

A yard extending across the rear of the lot between inner side yard lines.

**YARD, SIDE**

A yard extending from the rear line of the required front yard to the rear lot line or, in the absence of any clearly defined rear lot line, to the point on the lot farthest from the intersection of the lot line involved with the street.

[1]

*Editor's Note: See N.J.S.A. 40:55D-1 et seq.*

[2]

*Editor's Note: See N.J.S.A. 40:55D-1 et seq.*

**SECTION 2.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 3.** 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 4.** This Ordinance shall take effect upon final passage and publication according to law.

**LIAISON REPORTS**

**NEW BUSINESS FROM TOWNSHIP COMMITTEE**

**-Approval of 2020 Summer Camp Rates**

	<b>Resident</b>	<b>Non-Resident</b>
<b>2019</b>	\$164.00	\$180.00
<b>2020</b>	\$177.00*	\$202.00**

\*This is an 8% increase in fees mainly due to the increased minimum wage and to move our summer camp rates closer to the going rate at other summer camps in Hunterdon County.

\*\*This is a 12.2% increase in fees

**-Authorization for the Mayor to sign** the revised Community Forestry Management Plan for 2020-2024. This Revised Plan was suggested by the state after the original submission in October 2019.

**-Authorization for the Mayor to sign** the New Jersey Urban and Community Forestry Program Annual Accomplishment Report

**-RESOLUTION-Reappointing Sam Paolicelli for a Third year as Part Time Special Police Officer II**

**RESOLUTION**

Reappointing Sam Paolicelli for a Third year as Part Time Special Police Officer II

**WHEREAS**, the Township Committee of the Township of Holland and the Holland Township Police Department continue to require the services of a Part Time Special Police Officer II, as defined in Ordinance §32-5 and N.J.S.A. 40A:14-146.14, effective April 3, 2014; and

**WHEREAS**, on January 6, 2018, the Holland Township Committee appointed Mr. Sam Paolicelli as Part Time Special Police Officer II, effective February 6, 2018 in accordance with Ordinance §32-5 and N.J.S.A. 40A:14-146.14; and

**WHEREAS**, in a memo dated February 3, 2020 Holland Township Police Chief, Sean Gutsick recommended the reappointment of Part Time Special Law Police Officer II Sam Paolicelli for an additional term of one year; and

**WHEREAS**, Chief Financial Officer, Margaret Pasqua, has determined that there are sufficient funds available in the General Operations Municipal Budget to pay for this employee.

**NOW THEREFORE BE IT RESOLVED** by the Township Committee of the Township of Holland, County of Hunterdon, State of New Jersey, that, effective February 4, 2020 Sam Paolicelli be reappointed as Part Time Special Police Office II, in accordance with Ordinance §32-5 and N.J.S.A. 40A:14-146.14.

**BE IT FURTHER RESOLVED**, that nothing herein shall be construed to require reappointment at the end of Sam Paolicelli's term.

**BE IT FURTHER RESOLVED**, that, pursuant to N.J.S.A. 40A:14-146.14, Sam Paolicelli is not a member of the police force of the local unit and is, therefore, not subject to the Agreement Between the Township of Holland and New Jersey Benevolent Association Hunterdon County, NJ Local No. 188 dated January 1, 2015 or any superseding agreement.

**BE IT FINALLY RESOLVED**, that, pursuant to N.J.S.A. 40A:14-146.14, Sam Paolicelli's appointment may be revoked without cause or hearing.

**-RESOLUTION-hiring Substitute Court Administrator for the Joint Municipal Court of the Delaware Valley**

**RESOLUTION**

Authorization to hire Julie Kosakowski as  
Substitute Court Administrator for the Joint Municipal Court of the Delaware Valley

**WHEREAS**, the Township of Holland is a member of the Joint Municipal Court of the Delaware Valley with Alexandria Township and Frenchtown Borough; and

**WHEREAS**, the terms of the Agreement have been mutually agreed upon by the Municipalities and received the approval of the Vicinage 13 Assignment Judge; and

**WHEREAS**, the Municipal Court requires the services of a Substitute Court Administrator in the absence of appointed Court Administrator; Jacqueline Signorile and

**WHEREAS**, Alexandria Township is the lead agency and will issues payroll and bill each Township accordingly, and

**WHEREAS**, the salary for this position is \$ 40.00 per hour flat rate to be compensated based on the calculated percentages for all three towns.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Holland, Hunterdon County, in the state of New Jersey that Julie Kosakowski is hired as Substitute Court Administrator for the Joint Municipal Court of the Delaware Valley at an hourly rate of \$ 40 per hour, flat rate, to be compensated based on the calculated percentages for all three towns, effective upon adoption of this Resolution.

**-RESOLUTION-**Appointing Alternate Prosecutor for the Joint Municipal Court of the Delaware Valley

**RESOLUTION**

Appointing an Alternate Municipal Prosecutor for the  
Joint Municipal Court of the Delaware Valley

**WHEREAS**, the Township of Holland has previously established its Municipal Court as a Joint Municipal Court with Alexandria Township and Frenchtown Borough; and

**WHEREAS**, the terms of the Agreement have been mutually agreed upon by the Municipalities and received the approval of the Vicinage 13 Assignment Judge; and

**WHEREAS**, the Municipal Court requires the services of a Municipal Prosecutor; and

**WHEREAS**, it has been determined that there is a need for an Alternate Municipal Prosecutor to cover in the absence of the Prosecutor, and

**WHEREAS**, Phillip J Faherty III, Esq. located at 40 Delaware Ave., Lambertville, NJ is qualified for the position of Alternate Municipal Prosecutor.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Holland, County of Hunterdon, in the state of New Jersey that the following attorney is hereby appointed as an Alternate Municipal Prosecutor for the Joint Municipal Court of the Delaware Valley as a shared Court for calendar year 2020:

Alternate Municipal Prosecutor- Phillip J Faherty III, Esq.

**BE IT FURTHER RESOLVED**, that the Alternate Municipal Prosecutor shall be paid for his respective position \$200 per court session for Holland Township cases.

**-RESOLUTION-**hiring Pam Williamson as Bookkeeper for the Joint Municipal Court of the Delaware Valley

**RESOLUTION**

Hiring Pam Williamson as Bookkeeper for the  
Joint Municipal Court of the Delaware Valley

**WHEREAS**, the Township of Holland has previously established its Municipal Court as a Joint Municipal Court with Alexandria Township and Frenchtown Borough; and

**WHEREAS**, the terms of the Agreement have been mutually agreed upon by the Municipalities and received the approval of the Vicinage 13 Assignment Judge; and

**WHEREAS**, the Municipal Court requires the services of a Bookkeeper; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Holland, Hunterdon County, in the state of New Jersey that Pam Williamson is hired as Bookkeeper for the Joint Municipal Court of the Delaware Valley at a rate of \$120 per month (4 hours at \$30.00 per hour) to be split evenly among the three towns.

**-ORDINANCE 2020-4-**Introduction/First Reading-**Littering**  
Second reading and Public Hearing set for March 3, 2020

**ORDINANCE 2020-4**

**ORDINANCE AMENDING CHAPTER 105, ENTITLED "LITTERING"**

**WHEREAS**, the accumulation of litter on private properties presents a danger to the health, safety and welfare of residents of the Township of Holland (the "Township"); and

**WHEREAS**, the Township prohibits the accumulation of litter on private properties pursuant to Chapter 105 of the Township Code; and

**WHEREAS**, however, Chapter 105 does not restrict the accumulation of litter in front and side yards; and

**WHEREAS**, the Township desires to strengthen its ordinances pertaining to littering in order to protect the health, safety, and welfare of its residents.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Committee of the Township of Holland, the County of Hunterdon, that Chapter 105 entitled "Littering" of the Code of the Township of Holland ("Code") is hereby amended as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

**SECTION 1.** Article 105-2 shall be amended as follows:

**§ 105-2 – Definitions.**

**LITTER**

Any used or unconsumed substance or waste material which is man-made and which has been discarded, whether made of aluminum, glass, plastic, rubber, paper or other natural or synthetic material, or any combination thereof, including, but not limited to, any bottle, jar or can or any top, cap or detachable tab of any bottle, jar, or can, any unlighted cigarette, cigar, match or any flaming or glowing material, or any garbage, trash, refuse, debris, rubbish, newspaper, magazines, glass, metal, plastic or paper containers or other packaging or construction material, *unused, inoperable, discarded, or worn out tires and auto parts; unused, inoperable, worn out or discarded appliances or other household items*; but not including the waste of primary processes of mining or other extraction processes, logging, sawmilling, farming or manufacturing.

***INOPERABLE MOTOR VEHICLE***

*A vehicle, including any automobile, bus, truck, van, motorcycle, trailer or boat, which cannot be lawfully driven or used upon the public streets for reasons including, but not limited to, being unlicensed, unregistered, and/or does not display a current, valid state license, or is wrecked, abandoned, in a state of disrepair, which displays extensive body damage or deterioration, or missing tires, wheels, engine or any essential parts, or incapable of being moved under its own power for motor vehicles, or in the case of a boat, if incapable of being used as a means of transportation on water and/or if not currently registered in accordance with New Jersey law.*

***UNLICENSED***

*Not currently licensed to be driven or moved on the public highways by the proper licensing authority or not bearing current registration plates or tags lawfully issued by such authority for the motor vehicles involved.*

**SECTION 2.** Article 105-7 shall be amended as follows:

**§ 105-7 – Inoperable vehicles.**

~~It shall be unlawful for any person for any person to keep or permit the keeping on streets, vacant lots and residential lawns except in a fully enclosed structure, any motor vehicle trailer or semitrailer which is:~~

*No person shall leave or maintain on streets, driveways, vacant lots and residential lawns, except in a fully enclosed structure, any inoperable or unlicensed motor vehicle for more than thirty (30) consecutive days.*

**SECTION 3.** Article 105-11 shall be amended as follows:

**§ 105-11 – Structures to be kept free of litter.**

It shall be the duty of the owner, lessee, tenant, occupant or person in charge of any structure to keep and cause to be kept sidewalks; *front yards, inclusive of front porches which are visible from the sidewalk or in the absence of a sidewalk, the nearest edge of the roadway*; backyards; *side yards*; courts and alleys free from litter. No person shall sweep into or deposit in any gutter, street, catch basin or other public place any accumulation of litter from any public or private sidewalk or driveway. Every person who owns or occupies property shall keep the sidewalk in front of his or her premises free of litter.

**SECTION 4.** Article 105-14 shall be amended as follows:

**§ 105-14 – Violations and penalties.**

- A. ~~The governing body may prescribe penalties for the violation of ordinances it may have authority to pass, either by imprisonment in the County jail or in any place provided by the Municipality for the detention of prisoners, for any term not exceeding 90 days or by a fine not exceeding \$1,000, or both.~~

The Court before which any person is convicted of violating this chapter shall have power to impose any fine or term of imprisonment not exceeding the maximum fixed in this chapter.

~~B. Any person convicted of the violation of this chapter may, in the discretion of the court by which he was convicted, and in default of the payment of any fine imposed therefor, be imprisoned in the County jail or place of detention provided by the Municipality for any term not exceeding 90 days.~~

*See Chapter 1, entitled General Provisions; Article II, entitled Violations and penalties; §1-15, entitled General Penalty.*

**SECTION 5.** Article 105-15 shall be added as follows:

*§ 105-15 - Noncompliance procedures.*

*If after proper notice the owner of lands in the Township is deemed to be in violation of this Chapter, shall fail or neglect to remove the litter, the Zoning Officer is hereby authorized to have the same removed and to arrange for the removal of the litter, inoperable, or unlicensed vehicle, within \_\_\_\_\_ days written notice to the landowner sent to the address in question, via regular and certified mail, of the proposed removal, and shall certify the cost thereof to the Township Committee. If the Township Committee shall find the cost to be correct, by adopting a resolution approving said cost, the amount so charged shall forthwith become a lien upon such lands and shall be added to and become and form part of the taxes next to be assessed and levied upon such lands. The same to bear interest at the same rate as taxes and shall be collected and enforced by the same officers and in the same manner as taxes.*

**SECTION 6.** All Ordinances or parts of Ordinances inconsistent herewith are repealed as to such inconsistencies.

**SECTION 7.** 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 8.** This Ordinance shall take effect upon final passage and publication according to law.

**BUSINESS FROM TOWNSHIP ATTORNEY**

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

**ADJOURN** at \_\_\_\_\_