

February 1, 2022
HOLLAND TOWNSHIP COMMITTEE
REGULAR MEETING MINUTES

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.

Roll Call: Present were:

Committeeman Duane Young
Committeewomen Lisa Mickey
Deputy Mayor Scott Wilhelm
Committeeman Robert Thurgarland
Mayor Dan Bush
Attorney Matthew Lyons
Municipal Clerk Cathy Miller

There being a quorum this meeting was called to order by Mayor Bush at 7:09 p.m.
Mr. Bush asked that all electronic equipment be turned off or silenced.

FLAG SALUTE

Mr. Bush 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 **December 9, 2021** 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.

PUBLIC NOTICE
TOWNSHIP OF HOLLAND

**NOTICE OF CHANGE OF FORMAT OF REGULAR TOWNSHIP COMMITTEE MEETING AND PUBLIC PARTICIPATION FOR THE MEETING SCHEDULED FOR
7:00 PM TUESDAY FEBRUARY 1, 2022**

PLEASE TAKE NOTICE.

THE MEETING FORMAT HAS BEEN CHANGED FROM IN-PERSON ATTENDANCE AT THE MUNICIPAL BUILDING, 61 CHURCH ROAD ONLY, TO IN-PERSON AND TELECONFERENCE DUE TO THE UPSERGE OF COVID-19 CASES IN NEW JERSEY

THE PUBLIC MAY ATTEND THIS MEETING IN-PERSON OR VIA TELECONFERENCING AND MAY COMMENT DURING THE DESIGNATED PUBLIC COMMENT PORTION IN COMPLIANCE WITH THE OPEN PUBLIC MEETINGS ACT.

Official action to be taken.

The Township Committee members, Attorney and Municipal Clerk will be seated at the dais in the Municipal Building masked and socially distanced

Members of the public may

- Attend the meeting in person. However, due to social distancing, seating is limited**
- Attend the meeting via Zoom-see below for meeting login details**

All Zoom attendees will enter a waiting room when they first sign in. Once admitted to the meeting, they will be muted. To make a comment during the Public Comment portion of the meeting please use the “raise your hand” function and the host will unmute you for your comment.

Join Zoom Meeting online

<https://us06web.zoom.us/j/87422613065?pwd=YVE4aEs5c2t4R2ZmU05ydnFJTd0Zz09>

Meeting ID: 874 2261 3065
Passcode: 249645

Join meeting by phone

(646) 558 8656

**The agenda will be posted on the Holland Township website by 4:00 pm Monday January 31, 2022.
hollandtownshipnj.gov**

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REGULAR MEETING MINUTES

APPROVAL OF MINUTES

Mr. Wilhelm moved and Ms. Mickey seconded the motion to approve the minutes of the January 18, 2022 Regular Meeting

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

APPROVAL OF BILLS AS SUBMITTED

Mr. Thurgarland moved and Mr. Wilhelm seconded the motion to approve the bills as submitted:

Check#	Vendor	Description	Payment	Check Total
31475	Aqua NJ	910 Milford Warren	\$ 16.50	\$ 16.50
31476	Aqua NJ	RRCC Pool 8797	\$ 41.25	\$ 41.25
31477	Aqua NJ	Pool (8796)	\$ 299.75	\$ 299.75
31478	ADT SECURITY SERVICES	Holland Township Bethany Ridge Sec	\$ 169.71	\$ 169.71
31479	Amazon.com RRCC	Mini Candy Canes for Tumble Time	\$ 14.88	
		White Vinegar	\$ 14.99	\$ 29.87
31480	AMAZON.COM, LLC Police	Firearm Cleaner	\$ 89.91	\$ 89.91
31481	AMAZON.COM, LLC Police	Equipment	\$ 54.13	\$ 54.13
31482	AQUA NEW JERSEY	4th Qtr. Hydrant	\$ 3,073.80	\$ 3,073.80
31483	BRANCHBURG SPORTS COMPLEX	Deposit for Summer Camp Field Trip	\$ 200.00	\$ 200.00
31484	City Fire Equipment Co	Bethany Ridge	\$ 1,181.75	
		HT Library Fire Ext Inspection	\$ 31.95	
		Fire Extinguisher Maintenance & Ins	\$ 180.00	\$ 1,393.70
31485	City Fire Equipment Co	DPW Recharges	\$ 859.20	\$ 859.20
31486	CLEMENS UNIFORM	Shop Towels / Floor Mat service	\$ 22.75	
		Mats for Munic 1/19/22	\$ 39.90	\$ 62.65
31487	Colliers Engineering & Design Inc	HTL0084 Church Road Cost Estimate	\$ 866.84	
		HLT0076 through 12/31/21	\$ 436.25	
		HLT0086	\$ 2,867.50	
		HLT082 Library Roof Replacement/HLT	\$ 1,571.94	
		HLT0083	\$ 1,240.00	
		PB HK B24 L 3 13 review thru 123121	\$ 1,007.50	\$ 7,990.03
31488	DAVID BURCHETT	OEM Supplies	\$ 104.36	\$ 104.36
31489	Debbie Good	mailbox damage	\$ 40.47	\$ 40.47
31490	Department of Finance	1Q2022 Open Space	\$ 52,150.40	\$ 52,150.40
31491	Department of Finance	1Q2022 Library	\$ 54,841.90	\$ 54,841.90
31492	Department of Finance	1Q2022 County	\$ 567,920.63	\$ 567,920.63
31493	Direct Energy	Propane	\$ 559.55	\$ 559.55
31494	Direct Energy Business	129 Spring Mills Rd Account 1294415	\$ 6.06	
		129 Spring Mills Rd Account 1294415	\$ 6.15	
		Account 1294535	\$ 73.15	
		Electric Service 129 Spring Mills	\$ 70.21	\$ 155.57
31495	EAGLE POINT GUN	PD Ammunition	\$ 1,242.70	\$ 1,242.70
31496	Elite Vehicle Solutions	Patrol Car tint	\$ 900.00	\$ 900.00
31497	ELIZABETHTOWN GAS	Meter 14Y735578 Account 9890459292	\$ 255.51	
		Meter 01061655 Account 93404665351	\$ 598.95	\$ 854.46
31498	FOX HILL CONDOMINIUM ASSOC., LLC	Reimbursement for Street Lighting	\$ 591.04	\$ 591.04
31499	Gall's	Police Uniform and OEM training equip.	\$ 506.59	\$ 506.59
31500	GEBHARDT & KIEFER, P.C.	PB Mill Rd Solar B4 L1 TC Attorney	\$ 396.00	\$ 396.00
31501	GEBHARDT & KIEFER, P.C.	November General	\$ 1,419.00	\$ 1,419.00
31502	General Plumbing Supply Inc	Misc. Items for Building and Maintenance	\$ 29.00	\$ 29.00

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31503	GLOCK PROFESSIONAL, INC.	Glock parts	\$ 1,037.00	\$ 1,037.00
31504	Griffith-Allied Trucking LLC	DULSD - Diesel DPW/Gasoline-Police	\$ 1,977.41	
		DULSD - Diesel DPW/Gasoline-Police	\$ 666.90	\$ 2,644.31
31505	HOLLAND TWP VOLUNTEER FIRE COMPANY	1st Qtr 2022	\$ 17,500.00	\$ 17,500.00
31506	INDUSTRIAL COMMUNICATIONS COMPANY	Holland Township Tower Site Lease J	\$ 3,066.60	\$ 3,066.60
31507	International Association of Chief	IACP 2022 Annual Dues	\$ 190.00	\$ 190.00
31508	J C Ehrlich Co Inc	12/29/2021	\$ 65.00	
		Commercial Pest Maintenance service	\$ 195.00	\$ 260.00
31509	JERSEY CENTRAL POWER & LIGHT	Account 100 004 272 652 Street Lighting	\$ 1,358.25	\$ 1,358.25
31510	JERSEY CENTRAL POWER & LIGHT	Account 100 060 952 585 Street Lighting	\$ 60.60	\$ 60.60
31511	JERSEY CENTRAL POWER & LIGHT	Account 100 004 272 595 Street Lighting	\$ 23.02	\$ 23.02
31512	JERSEY CENTRAL POWER & LIGHT	Account 100 105 886 640 914 Milford	\$ 138.29	\$ 138.29
31513	JERSEY CENTRAL POWER & LIGHT	Account 100 004 555 932 Case Field	\$ 11.39	\$ 11.39
31514	JERSEY CENTRAL POWER & LIGHT	100 070 503 212 Pool Storage Garage	\$ 6.76	\$ 6.76
31515	JERSEY CENTRAL POWER & LIGHT	Account 100 077 061 016 12/18/21-1/	\$ 284.31	\$ 284.31
31516	JERSEY CENTRAL POWER & LIGHT	Account 100 003 579 271 Library 12/	\$ 74.50	\$ 74.50
31517	John P Gallina, Esq	PB Misc Litigation Mill Rd Solar	\$ 202.50	\$ 202.50
31518	Johnson Controls Fire Protection	Repair of Sprinkler System	\$ 852.86	\$ 852.86
31519	K & A Paving Contractors LLC	Pool Valve Replacement at RRCC	\$ 19,960.00	\$ 19,960.00
31520	Kleen & Fresh Company LLC	January 24, 27, 29	\$ 380.00	
		January 17, 20, 22	\$ 380.00	\$ 760.00
31521	KOLLMER EQUIPMENT	Misc. Items for Roadside Trimming/P	\$ 700.58	\$ 700.58
31522	LIFESAVERS, INC.	AED Pads	\$ 208.32	\$ 208.32
31523	Lindabury, McCormick, Estabrook & C	BOA Osuchl B1 L3 services thru 1231	\$ 66.00	
		BOA Misc general Matters thru 12312	\$ 859.50	\$ 925.50
31524	LMR Disposal LLC	Dumpster Pickup Service	\$ 645.00	\$ 645.00
31525	LogMein Communications Inc	Phone RRCC January 2022	\$ 119.15	\$ 119.15
31526	MILFORD-HOLLAND RESCUE SQUAD, INC.	202 1st QUARTER DONATION	\$ 17,500.00	\$ 17,500.00
31527	MILFORD/FRENCHTOWN AUTO PARTS, INC.	Truck Parts / Tools / Equipment Fit	\$ 160.60	
		Truck Parts / Tools / Equipment Fit	\$ 68.84	
		Truck Parts / Tools / Equipment Fit	\$ 247.73	
		Truck Parts / Tools / Equipment Fit	\$ 324.06	
		Truck Parts / Tools / Equipment Fit	\$ 31.98	
		Truck Parts / Tools / Equipment Fit	\$ 61.18	
		Truck Parts / Tools / Equipment Fit	\$ 55.59	
		Truck Parts / Tools / Equipment Fit	\$ 54.16	\$ 1,004.14
31528	MILFORD/FRENCHTOWN AUTO PARTS, INC.	Truck Parts / Tools / Equipment Fit	\$ 193.44	\$ 193.44
31529	MILFORD/FRENCHTOWN AUTO PARTS, INC.	15-11 Car Battery	\$ 159.99	\$ 159.99
31530	Nancy Badger	refund	\$ 15.00	\$ 15.00
31531	NJ Advance Media	10213348/10216232/10216160	\$ 165.35	\$ 165.35
31532	NJ E-ZPASS VIOLATIONS P.C.	12/2/2021	\$ 33.00	\$ 33.00
31533	OFFICE DEPOT, INC.	Office Supplies	\$ 158.75	\$ 158.75
31534	P3 Generators LLC	Community Center Cummins Air filter	\$ 721.89	\$ 721.89
31535	PA Turnpike Toll by Plate	violations	\$ 53.40	\$ 53.40
31536	POWER SYSTEMS, INC.	Handles	\$ 164.28	\$ 164.28
31537	Promed Office Cleaners LLC	Cleaning EOC November 2021	\$ 160.00	\$ 160.00
31538	SERVICE ELECTRIC CABLE TV, INC.	Internet Service	\$ 93.95	\$ 93.95
31539	SERVICE ELECTRIC CABLE TV, INC.	RRCC cable/internet/phone	\$ 208.52	\$ 208.52
31540	STAPLES BUSINESS ADVANTAGE	dater	\$ 53.90	\$ 53.90
31541	STEM BROTHERS, INC.	Propane for Recycling Building	\$ 246.83	
		Propane for Recycling Building	\$ 324.72	\$ 571.55
31542	Supreme Heating & Air Conditioning	Service call 1/6/2022 (Lower Heat i	\$ 238.00	\$ 238.00
31543	THERESA VERDI	Cleaning RRCC Jan 3-14	\$ 480.00	\$ 480.00
31544	U.S. MUNICIPAL SUPPLY, INC.	Plow Parts/ Spreader Parts/ Chains	\$ 515.90	\$ 515.90
31545	VERIZON	1/18/221 billing	\$ 239.19	\$ 239.19
31546	Voss Signs	Holland Trails Hunting Advisory Not	\$ 450.00	\$ 450.00

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31547	WB Mason Co INc	Envelopes, 2022 Calendar	\$ 55.16		\$ 55.16
31548	WILSON PRODUCTS	Propane for Recycling	\$ 333.09		\$ 333.09
		Total	\$ 770,589.61		\$ 770,589.61
2012022	Guardian	February Dental	\$ 2,862.06		\$ 2,862.06
		Total	\$ 773,451.67		\$ 773,451.67
			\$		
	CURRENT FUND	BUDGET AND APPROPRIATION RESERVES	745,045.08		
	GENERAL CAPITAL FUNDS	BUDGET AND APPROPRIATION RESERVES	\$ 24,075.03		
	ESCROW	ESCROW FUNDS	\$ 1,469.50		
	Checks issued 2/1/22				770,589.61
		Manual Totals			<u>2,862.06</u>
	Total				<u><u>773,451.67</u></u>

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	X			
Lisa Mickey	X			
Scott Wilhelm, Deputy Mayor	X			
Robert Thurgarland	X			
Dan Bush, Mayor	X			

REMINDER/ANNOUNCEMENT

OLD BUSINESS FROM TOWNSHIP COMMITTEE

-ORDINANCE 2022-01 Public Hearing/Final Adoption-CAP Bank

Mr. Wilhelm moved and Mr. Thurgarland seconded the motion to adopt Ordinance 2022-01 on Final Reading.

ORDINANCE 2022-01
CALENDAR YEAR 2022

**ORDINANCE TO EXCEED THE 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 appropriation 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 the CY 2022 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 \$160,550.25 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, a majority of the full authorized membership of the governing body affirmatively concurring, that, in the CY 2022 budget year, the final appropriations of the

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Township of Holland shall, in accordance with this ordinance and the N.J.S.A. 40A: 4-45.14, be increased by 3.5%, amounting to \$160,550.25, and that the CY 2022 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 submit a certified copy of this ordinance as introduced to the Chief Finance Officer, with the recorded vote included thereon, to be filed with the Director of the Division of Local Government Services within 5 days of introduction; and,

BE IT FINALLY ORDAINED, that the Municipal Clerk submit a certified copy of this ordinance upon Final Adoption to the Chief Finance Office, with the recorded vote included thereon, to be filed with said Director within 5 days after such adoption.

Public Hearing-

Mayor Bush opened the Public Hearing and asked if there were any comments from the Committee and then the public.

There being no comments from the public, the hearing was ordered closed

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

LIAISON REPORTS

Young-

- February Agricultural Advisory Committee meeting was canceled
- Our new JC P & L External Affairs Liaison is Amy Overman, she will be attending a meeting in March or April to meet the Township Committee

Mickey-

- Parks & Recreation is working on an outdoor movie possibly June or July avoiding graduations
- Del Val HS interviewing new Superintendents
- Del Val HS just back to full days from ½ days

Wilhelm-

- Working with Land Use Administrator
- Working on 2022 Budget

Thurgarland-

- Working on dates of publication with Hometown Press newsletter will be at no cost to Township including postage cost as advertised on their website
- Lawn contact will contact QPA Hance
- Princeton Computer Support has started Office 2021 upgrades and will begin MFA for Outlook once all departments are upgraded to 2021
- Working on Municipal Building/Police Dept. cleaning contract

Bush-

- Meeting with Holland School regarding Police coverage and resource officer
- have had numerous Budget meeting with the CFO, there will be on tax increase
- Sewer repairs will be covered by the sewer user fees
- Aqua water line work will begin in early spring on the Ridge, so next year we will pave those streets

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-Letter regarding fracking water dumping into river will be discuss at the Environmental Commission meeting and will be sent to the Land Use Board for review

NEW BUSINESS FROM TOWNSHIP COMMITTEE

-Lifting the mask mandate for public and employees in Township buildings
Mr. Wilhelm moved and Mr. Thurgarland seconded the motion to lift the mask mandate for the public and for Township employees while in Township buildings
Mayor Bush added that Zoom meetings will continue for the benefit of the public

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

-Approval of the 2022 Summer Camp Fees

Ms. Mickey moved and Mr. Young seconded the motion to approve the 2022 Summer Camp Fees

2022: **Resident** **Non-Resident**
 \$214.00 \$254.00

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Daniel Bush, Mayor	x			

-Approval of the 2022 Riegel Ridge Fitness Center Membership Rates

Ms. Mickey moved and Mr. Young seconded the motion to approve the 2022 Riegel Ridge Fitness Center Membership Rates effective 3/2022

Membership	Length	Holland Resident	Non-Holland Resident	New Rate-Holland Resident	New Rate-Non-Holland Resident
Family (2 adults & dependents 10-23)	Annual	\$519	\$602	\$531	\$614
	Perpetual	\$46	\$53	\$47	\$54
Two-Person (2 adults or parent & child under 23)	Annual	\$470	\$552	\$482	\$564
	Perpetual	\$41	\$47	\$42	\$48
Individual (24-64)	Annual	\$250	\$290	\$262	\$302
	Perpetual	\$23	\$28	\$24	\$29
Young Adult (13-23)	Annual	\$240	\$276	\$252	\$288
	Perpetual	\$20	\$23	\$21	\$24
Senior (65+)	Annual	\$203	\$267	\$215	\$279
	Perpetual	\$18	\$24	\$19	\$25
Senior Couple (at least one 65+ both at same address)	Annual	\$288	\$353	\$300	\$365
	Perpetual	\$26	\$30	\$27	\$31

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

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-RESOLUTION-Community Day Fire Works display

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

RESOLUTION

Approval of Fireworks Display
at Holland Township Community Day

WHEREAS, Holland Township Community Day is scheduled on Saturday September 10, for the 8th year at Riegel Ridge Community Center; and

WHEREAS, the Holland Township Committee wishes to provide a fireworks show at Holland Township Community Day for the entertainment of the residents and local community; and

WHEREAS, the Township received a proposal from **Celebration Fireworks** to provide a fireworks show at Riegel Ridge Community Center in a total amount of **\$9,900** and

WHEREAS, the Chief Financial Officer has certified that funds are available for this expense; and

WHEREAS, the Director of Holland Township Parks and Recreation will obtain the following:

- Confirmation that the Holland Township Volunteer Fire Company will provide coverage for public safety
- A Certificate of Insurance from the above fireworks company naming Holland Township as an additional insured
- That a waiver of liability from the owner of any structure found by the Fire Marshall to be located within the display and fallout zone.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee, Township of Holland, County of Hunterdon in the State of New Jersey that the Mayor and Municipal Clerk are hereby authorized to endorse a contract with **Celebration Fireworks** in the amount of **\$9,900** for a fireworks display at Holland Township Community Day.

BE IT FURTHER RESOLVED, that a certified copy of this Resolution will be prepared by the Municipal Clerk and shall be included in the fireworks application submitted by the Celebration Fireworks to the State of New Jersey, Department of Community Affairs, Division of Fire Safety, CN 809, Trenton, New Jersey 08625-0809.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

-RESOLUTION- Appointing 2022 Risk Management Consultant and Risk Management Consultant Agreement

Mr. Wilhelm moved and Mr. Thurgarland seconded the motion adopt the follow Resolution:

RESOLUTION

Appointing 2022 Risk Management Consultant

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

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

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

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

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

1. Holland Township hereby appoints Groendyke Assoc. its local Risk Management Consultant.
2. The Municipal Clerk, Catherine M. Miller (authorized representative of the public entity) and Risk Management Consultant are hereby authorized to execute the Risk Management Consultant’s Agreement for the year 2022 in the form attached hereto.

RESOLUTION
2022 Fund Year
Statewide Insurance Fund
Risk Management Consultant’s Agreement

WHEREAS, this Agreement entered into this 2nd day of February 2022, among the Statewide Insurance Fund (“FUND”), a joint insurance fund of the State of New Jersey, **Township of Holland** (“MEMBER”) and **Groendyke Associates** (“RISK MANAGEMENT CONSULTANT”) through a fair and open process, pursuant to N.J.S.A.19:44A-20.4.

WHEREAS, the CONSULTANT has offered to the MEMBER professional risk management consulting services as required by the Bylaws of the FUND; and

WHEREAS, the CONSULTANT has advised the FUND that he/she is familiar with the terms, conditions and operations of the FUND; and

WHEREAS, the MEMBER desires these professional services from the CONSULTANT; and

WHEREAS, the MEMBER has complied with relevant law in regard to the appointment of a Risk Management Consultant; and

WHEREAS, the Bylaws of the FUND require that members engage a CONSULTANT and that the CONSULTANT comply with certain requirements set forth therein.

NOW, THEREFORE, the parties in consideration of the mutual promises and covenants set forth herein, agree as follows:

1. For and in consideration of the amount stated hereinafter, the CONSULTANT shall:
 - (a) assist in evaluating the MEMBER’S exposures and advise on matters relating to the Member’s operation and coverage.
 - (b) explain to the MEMBER, or its representatives, the various coverages available from the FUND.
 - (c) explain to the MEMBER, or its representatives, the terms of the member’s commitment and obligations to the FUND.
 - (d) explain to the MEMBER, or its representatives the operation of the FUND.
 - (e) prepare applications, statements of values, etc., on behalf of the MEMBER, if required by the FUND.
 - (f) review the MEMBER’S assessment and assist in the preparation of the MEMBER’S

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insurance budget.

- (g) review losses and engineering reports and provide assistance to the MEMBER'S safety committee, if required.
 - (h) assist in the claims settlement process, if required, by MEMBER or FUND.
 - (i) attend the majority of meetings of the Fund Commissioners or Executive Committee, if requested, and perform such other services as required by the MEMBER or the FUND.
 - (j) comply with the obligations imposed upon Risk Managers in the FUND's Bylaws.
 - (k) act in good faith and fair dealing to the FUND.
 - (l) perform other duties for the FUND as may be required from time to time by the FUND.
2. In exchange for the above services, the CONSULTANT shall be compensated in the following manner:
- (a) The CONSULTANT shall be paid by the FUND, on behalf of the MEMBER, a fee as compensation for services rendered. Said fee, an apportionment of the MEMBER's assessment: 6% of workers' compensation (excluding any fees, PLIGA, and loss ratio apportionment); 7.5% of non WC assessment (excluding any fees, PLIGA, and loss ratio apportionment);
 - (b) The CONSULTANT shall be entitled to compensation for services provided during any calendar year only if the CONSULTANT has been appointed and holds the position of Risk Management Consultant, as of January 31 of the said calendar year for counties and municipalities holding general elections and July 30 for municipalities holding regular elections.
 - (c) For any insurance coverages authorized by the MEMBER to be placed outside the FUND, the CONSULTANT shall receive as compensation the normal brokerage commissions paid by the insurance company. The premiums for said policies shall not be added to the FUND's assessment in computing the fee set forth in 2(a).
 - (d) If the MEMBER shall require of the CONSULTANT extra services other than those outlined above, the CONSULTANT shall be paid by the MEMBER a fee at a rate to be negotiated by the parties.
3. The term of this Agreement shall be from **January 1, 2022** to **January 1, 2023**. However, this Agreement may be terminated by either party at any time by mailing to the other thirty (30) days written notice, certified mail return receipt.
4. The CONSULTANT shall comply with all laws applicable to producers who provide insurance products to public entities and shall comply with all applicable statutes and regulations relating to joint insurance funds.
5. The CONSULTANT agrees to comply with all affirmative action laws applicable in accordance with Exhibit A and to submit all necessary documentation establishing compliance within seven (7) days of this Agreement.

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Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

-RESOLUTION- Appointing 2022 Fund Commissioner for the Statewide Insurance Fund
Mr. Thurgarland moved and Mr. Wilhelm seconded the motion to adopt the following Resolution:

RESOLUTION

Appointing 2022 Fund Commissioner for the Statewide Insurance Fund

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

WHEREAS, the Fund’s Bylaws require participating members to appoint a Fund Commissioner.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Holland, in the County of Hunterdon, and the state of New Jersey that Catherine M. Miller is hereby appointed as the Fund Commissioner for the Local Unit for the year 2022; and

BE IT FURTHER RESOLVED, that Melissa S. Tigar is hereby appointed as the Alternate Fund Commissioner for the Local Unit for the year 2022; and

BE IT FURTHER RESOLVED, that the Local Unit’s Fund Commissioner is authorized and directed to execute all such documents as required by the Fund.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

-RESOLUTION-Authorization to advertise for bids for Sewer Repair Project
Mr. Thurgarland moved and Mr. Young seconded the motion to adopt the following Resolution:

RESOLUTION

Authorizing the Municipal Engineer to Advertise a Project for Public Bids -
Sanitary Sewer Repairs and Cleaning of Various Sanitary Sewer Mains Project

WHEREAS, the Township of Holland (“Holland”) has prepared plans to repair and clean sanitary sewers in areas east of County Route 519 between the school and Upper Oak Lane; and

WHEREAS, the project needs to be advertised for public bids to allow for construction on the project; and

WHEREAS, Chief Finance Officer, Margaret Pasqua has certified that funds have been allocated by Holland for the project; and

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 Township Engineer is authorized to advertise the Sanitary Sewer Repairs and Cleaning of Various Sanitary Sewer Mains Project for public bids.

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Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

-RESOLUTION- Budget Transfer

Mr. Wilhelm moved and Ms. Mickey seconded the motion to adopt the following Resolution:

RESOLUTION
Budget Transfer

WHEREAS, the Municipal Budget for the year 2021 was approved on March 16, 2021 and adopted on April 20, 2021, and

WHEREAS, N.J.S.A. 40A:4-58 permits appropriation transfers to be made during the last two months of the fiscal year, and reserve appropriation transfers to be made during the first three months of the following fiscal year.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Holland that the Chief Financial Officer is hereby authorized to make the following budget transfers:

<u>APPROPRIATION</u>	<u>FROM AMOUNT</u>	<u>TO AMOUNT</u>
Employee Group Insurance O/E	\$1,800.00	
Fire-Other Exp. O/E		\$1,800.00

BE IT FURTHER RESOLVED that a Certified Copy of this Resolution be provided by the Municipal Clerk to the Chief Financial Officer.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

-ORDINANCE 2022-03-Introduction/First Reading-Task 2 Terminology IND Limited Industrial Park District

Mr. Wilhelm moved and Mr. Young seconded the motion to adopt Ordinance 2022-03 on First Reading and set the Second Reading and Public Hearing for March 1, 2022 allowing time for the Land Use Board to review it for consistency with the Master Plan at their Feb14th meeting

ORDINANCE 2022-03

AN ORDINANCE OF THE TOWNSHIP OF HOLLAND AMENDING AND SUPPLEMENTING CHAPTER 100 ENTITLED “LAND USE”, ARTICLE III ENTITLED “TERMINOLOGY”AND ARTICLE V ENTITLED “IND LIMITED INDUSTRIAL PARK DISTRICT” TO AMEND THE LIST OF CONDITIONALLY-PERMITTED AND ACCESSORY USES, AMEND IMPERVIOUS COVERAGE, AND REVISE SIGNAGE STANDARDS

WHEREAS, the Township Planning Board adopted a 2020 Master Plan & Development Regulations Reexamination (“Reexamination”) on July 13, 2020; and

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WHEREAS, the Reexamination makes several recommendations to amend the permitted uses, refine the permitted accessory uses, clarify lot coverage, and amend and enhance signage regulations for the Limited Industrial Park District; and

WHEREAS, the Township Committee has reviewed the Reexamination report and agree that the Limited Industrial Park District should be amended to provide clarification for officials, businesses, and potential applicants.

NOW, THEREFORE, BE IT ORDAINED, by the Township Committee of the Township of Holland, as follows:

SECTION 1. Chapter 100 of the Code of the Township of Holland entitled “Land Use”, Article III entitled “Terminology”, Section 6 entitled “Definitions” is hereby amended and supplemented by adding the following underlined text in alphabetical order:

SIGN, DIRECTIONAL

A sign that provides information and/or directions necessary for vehicles and/or pedestrians to navigate a site, including signs identifying entrances and exits, parking areas, circulation direction, and the like. Directional signs shall not contain any advertising.

SECTION 2. Chapter 100 of the Code of the Township of Holland entitled “Land Use”, Article V entitled “IND Limited Industrial Park District”, Section 21 entitled “Permitted uses” is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

In the IND Limited Industrial District, no lot or structure shall have as a principal use, and no structure shall be located, relocated, erected, constructed, reconstructed, enlarged or structurally altered for the purpose of any principal use, except the following:

~~H. Warehousing.~~

H. ~~I.~~ The headquarters and operation centers of well drillers and construction contractors.

I. ~~J.~~ The manufacturing, compounding, processing, packaging or treatment of beverages, food, candy, cosmetics, dairy products, drugs, perfumes, ice, plastics, pharmaceuticals, toilet supplies and similar products.

J. ~~K.~~ Farm uses permitted in the R-5 Residential District, subject to the requirements for that district.

K. ~~L.~~ Single-family residence, subject to the requirements for the R-5 Residential District.

~~M. Solar energy facility (major/commercial) as a permitted principal use, subject to meeting all of the following requirements:~~

~~(1) Site plan required. A site plan shall be submitted for review and approval showing all elements of the proposed facility as required herein and complying with all of the checklist requirements for submission of a site plan in the IND Zoning District.~~

~~(2) Locational/site qualification regulations for a solar energy facility (major/commercial).~~

~~(a) The site proposed for a solar energy facility (major/commercial) shall have a minimum lot area of at least 20 contiguous acres that are owned by the same person or entity and shall otherwise comply with the lot width, lot depth and other dimensional requirements of the zoning district.~~

~~(b) Except pursuant to a permit issued by NJDEP, no portion of such facility shall occupy any area of land designated and regulated by NJDEP as floodplain, flood hazard area, wetlands, wetlands transition area or riparian corridor. An applicability determination from the NJDEP shall be provided as a condition of approval to document the presence and/or absence of these regulated areas at the time a site plan is submitted. The applicant shall also maintain the minimum required riparian buffer along any C-1 waterway in accordance with the Surface Water Quality Standards rules at N.J.A.C. 7:9B-1.4, even if the riparian buffer area was previously disturbed for agricultural purposes.~~

~~(c) Such facilities shall not occupy areas of land designated by the NJDEP as critical habitat for state threatened and/or endangered species of flora and fauna. Moreover, no land having slopes over 30% shall be occupied by such facilities.~~

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- ~~(d) Woodlands shall not be clear cut to accommodate such facilities. Any removal of more than 10 trees having a diameter in excess of 12 inches dbh (diameter at breast height) shall require replacement onsite of all but the first 10 trees.~~
- ~~(e) An applicant seeking approval of a solar energy facility (major/commercial) shall provide documentation and evidence of a firm commitment from the electric utility that the alternative electrical energy to be generated by the solar and photovoltaic energy facilities and structures shall be purchased or utilized by an improvement onsite and/or purchased or utilized by the electricity utility provider.~~
- ~~(3) Bulk/buffering regulations.~~
- ~~(a) Such facility shall not occupy any area outside the required principal building setback lines for the zoning district in which the facility is to be located except that utility poles for outside connections to the electrical power grid may be placed outside the required principal building setback lines. A security fence is required around the entire perimeter of the facility. The security fencing shall be located within or at the required principal building setback lines; however landscaping, buffering and berms may be located outside the required principal building setback lines.~~
- ~~(b) The maximum building coverage limits for principal and accessory structures in this zoning district shall not apply to such facilities; provided, however, that all setback and buffering requirements of this section and for this zoning district shall be met and further provided that no development shall be permitted to occur in any area of the lot in which development is prohibited by regulation of either this Township or the State of New Jersey.~~
- ~~(c) The maximum permitted vertical height above ground for the highest point of any ground-mounted solar and photovoltaic energy panels shall be 10 feet, or 14 feet at the lower part of a grade if located on a slope.~~
- ~~(d) The minimum vegetated visual buffer width for such facility shall be the greater of 50 feet or the minimum requirement for other uses in the same zone.~~
- ~~(e) Such facility shall be screened by topography and/or natural vegetation, supplemented by additional plantings as needed, or by berms and landscaping, from public traveled ways (public roads, navigable waterways, and publicly available trails on land owned by or held by easement of a public entity), residential buildings on an adjoining lot, open space owned by or subject to easement of a public entity, and historic sites and buildings listed in the State and/or National Registers of Historic Places. To accomplish this:~~
- ~~[1] To the extent feasible, installations shall be sited behind existing vegetation, supplemented with landscaping, using berms and landscaping only where existing vegetation is nonexistent or sparse.~~
- ~~[2] To the extent feasible, installations shall be sited where natural topography can provide or at least add screening.~~
- ~~[3] Berms shall be constructed with a width at base of at least 25 feet to allow for proper growth of root structure and to lend a more natural appearance.~~
- ~~[4] Landscaping shall include an even blend mix of coniferous and deciduous trees and shrubs that are indigenous to the area avoiding invasive species. Such plantings shall be depicted on a plan, presented in and approved as part of the site plan, prepared by a licensed landscape architect. At the time of planting, deciduous trees shall be not less than two inches to 2 1/2 inches dbh and coniferous trees shall be a minimum of eight feet to 10 feet in height or at least five feet higher than the height of the highest solar or photovoltaic panel.~~
- ~~[5] All ground areas of the lot occupied by the facility that are not utilized for access to operate and maintain the installation, for berms and landscaping, for existing additional principal uses on the lot, or for agricultural uses, or that will remain forested, shall be planted and maintained with shade tolerant grasses for the purpose of soil stabilization. A seed mixture of native, noninvasive shade tolerant grasses shall be utilized and specified in the landscaping plan. If it can be demonstrated by the applicant that an alternative vegetative ground cover consisting of a seed mix of native, noninvasive plant species and nonnative, noninvasive shade tolerant species is acceptable for soil erosion control and soil stabilization and can be better sustained over the life of the facility, the approving~~

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~~authority may approve such an alternative to the requirement for native, noninvasive shade tolerant grass mix. The use of stone, gravel, wood chips or shavings or any artificial material shall not be permitted for soil erosion control and soil stabilization. If land having a slope of greater than 20% is proposed to be disturbed, additional soil erosion and sediment control measures may need to be implemented, and shall be subject to approval, based upon the recommendations of the Township Engineer.~~

~~[6] A maintenance plan shall be submitted for approval as part of the site plan that provides for the continuing maintenance of all required plantings, including a schedule of specific maintenance activities to be conducted. Maintenance of the required berms and landscaping shall be a continuing condition of any approval that may be granted. The use of herbicides shall not be permitted as an acceptable maintenance practice.~~

~~(4) Installation and site development requirements.~~

- ~~(a) Only nonglare glass shall be used to minimize the potential for reflective glare.~~
- ~~(b) No portion of the facility or its component parts shall be used for displaying any advertising. Signage shall be limited to the identification and safety signage permitted elsewhere in this section.~~
- ~~(c) All new distribution or transmission power lines on site shall be placed underground except as necessary to connect to already existing aboveground power towers, poles and lines. Feeder lines and collection lines may be placed overhead near substations or points of interconnection to the electric grid.~~
- ~~(d) No soil shall be removed from any site upon which such a facility is constructed. Necessary grading shall be accomplished so that no offsite soil removal or offsite fill is required.~~
- ~~(e) Land disturbance, grading and the construction of site improvements associated with the installation of such a facility, on any lot that has been and will continue to be used for agricultural purposes, shall be directed, insofar as is feasible, to portions of the lot that contain neither prime agricultural soils or soils of statewide significance. Where land disturbance, grading or the construction of site improvements on such soils is unavoidable, it shall be limited to the minimum intrusion necessary to construct required access roads, inverter and switching equipment pads and other facilities required for connection to the grid.~~
- ~~(f) A barrier or fence having a height of at least eight feet (unless a greater height is required by law) shall be installed around the entire perimeter of the installation and entirely within the required building setback lines, which barrier shall secure the facility at all times; restrict access to all electrical wiring, transformers and high voltage equipment; and comply with applicable Uniform Construction Code requirements. One or more locked access gates (not less than 20 feet in width) to the facility shall be provided. Each locked access gate shall include a sign identifying the responsible parties for operation of the major solar and photovoltaic energy facilities and structures; for maintenance of the facility; and for maintenance of the berm, landscaping and security fence; and for ownership of the land upon which the facility is located.~~
- ~~(g) The site plan shall provide for adequate and appropriate drainage facilities, which shall be designed such that site grading and construction shall not alter the natural drainage patterns of stormwater originating both within and beyond the property boundaries, which is not inconsistent with Article XXIV of this chapter 100, Stormwater Management Regulations.~~
- ~~(h) The site plan shall include a construction/staging plan identifying the location, size and configuration of the areas to be used on a temporary basis during construction for the delivery and storage of materials and equipment and for the off street parking of construction workers' vehicles. The construction/staging plan shall include a plan and timetable for the restoration of these areas upon completion of construction.~~

~~(5) Performance standards.~~

- ~~(a) Wind velocities. All components of solar energy facilities (major/commercial) shall be designed to withstand a ground level wind velocity of at least 90 miles per hour, unless a higher standard for wind loading is specified in the New Jersey Uniform Construction Code.~~
- ~~(b) Hazardous materials. The use of lead acid batteries shall not be permitted in major solar energy systems (minor) and facilities, except for such batteries as are needed to store~~

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electricity to power emergency lights in the event of a power outage.

- ~~(c) Noise. The total daytime operational mechanical or aerodynamic noise, including turbine, inverter or transmission line noise from the solar energy facility shall not exceed 50 dBA, measured from the nearest property line.~~
- ~~(d) Lighting. Any facility lighting shall be kept to a minimum and shall be shielded to eliminate light spillage off the property. Light spillage shall be defined as an illumination of 0.3 foot-candle (fc) or greater onto any residential property or residential zone district and 1.0 fc or greater onto any nonresidential, business or industrial property or zoning district.~~
- ~~(e) Facility standards and certification. The facility shall meet the minimum applicable standards established by the International Electrotechnical Commission (IEC), the American Society of Heating, Refrigerating, and Air Conditioning Engineers (ASHRAE), the International Organization for Standardization (ISO), Underwriters Laboratories (UL), the Solar Rating and Certification Corporation (SRCC), and any other applicable industry standards. The facility shall also meet the minimum standards outlined in the National Electrical Code (NEC), the National Electrical Safety Code (NESC) and all other applicable rules governing such facilities. The facility shall be certified by Underwriters Laboratories, Inc., the National Renewable Energy Laboratory, the Solar Rating and Certification Corporation and/or any other regulatory authority with jurisdiction over the installation and operation of the facility.~~
- ~~(6) Safety regulations. All solar energy facilities (major/commercial) and all other solar energy systems (minor) installed on commercial, institutional or multifamily residential property in Holland Township shall comply with the following design safety and emergency response provisions:
 - ~~(a) Individual roof mounted solar or photovoltaic panel arrays shall not exceed 150 feet by 150 feet in area. Where more than one array of panels is being installed, eight feet of clearance shall be provided between arrays in all directions. The roof supporting such arrays shall be reinforced so as not to cause damage to the roof while maintenance is performed and to ensure the safety of firefighter/EMT access in the event of an emergency. If skylights or roof hatches are also installed in the roof, each skylight or roof hatch shall have a minimum of four feet of clearance in all directions from an array.~~
 - ~~(b) Nonresidential roof installations shall provide ventilation access points in the roof, which shall measure not less than eight feet by four feet, placed at intervals on the roof not more than 20 feet distant from one another, and access to the building shall be provided by means of a reinforced access drive located no further than 50 feet from each exterior door to the building, unless it can be demonstrated to the satisfaction of Holland Township Emergency Management that a greater distance is sufficient to allow emergency vehicle access by fire and rescue personnel and also meet applicable fire safety code requirements.~~
 - ~~(c) Ground mounted facilities shall provide emergency vehicle access to all components and Solar energy facilities (major/commercial) shall provide access roads throughout the installation. Each access road shall be not less than 20 feet in width and shall be reinforced or suitably improved to support the weight of typical emergency service apparatus. Turning areas shall be provided and each curve or turn in the access road shall provide an adequate turning radius for maneuvering emergency service apparatus (in accordance with the Holland Township Volunteer Fire Company official driveway plan).~~
 - ~~(d) An exterior electrical disconnect/emergency shutoff that will isolate the system shall be provided, which shall be plainly marked with a reflective identification placard. The location of the disconnect/emergency shutoff shall be as recommended by Holland Township Emergency Management and the Holland Township Volunteer Fire Company.~~
 - ~~(e) Each site containing such a facility shall conspicuously post a sign at the driveway entrance to the site indicating that the facility exists on the site and indicating whether the system is a roof or ground mounted system.~~
 - ~~(f) Required security fencing and locked gates (with at least a twenty foot opening) shall be fully erected and operational prior to the installation of solar or photovoltaic energy facility. Ground mounted facilities shall include at least two means of ingress and egress to the facility for emergency response.~~
 - ~~(g) Knox Boxes shall be provided at all locked locations on site (i.e., gates, doors to buildings, etc.). All inverter sheds or other electrical equipment buildings shall be fitted with at least two~~~~

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~~exterior doors with one twenty pound CO2 fire extinguisher located immediately inside the door.~~

~~(h) Material safety data sheets (MSDS) shall be submitted to emergency response providers for all component materials comprising the solar modules, panels, arrays and any other equipment which contains hazardous or flammable substances.~~

~~(i) An emergency response plan shall be prepared, filed and maintained with the Holland Township Emergency Management, Holland Township Volunteer Fire Company and the Milford Holland Rescue Squad. The emergency response plan shall include:~~

~~[1] Emergency response procedures to be followed in the event of an emergency, which may include Fire Company and First Aid and Rescue Squad training, including training prior to commencing operation of the facility.~~

~~[2] Evacuation procedures (from on site and from neighboring properties off site).~~

~~[3] Site specific information concerning the locations of panels, grid identification diagrams, the emergency shutoff/isolation switch(es), contact names and numbers for 24/7 availability of responsible personnel.~~

~~[4] A system of information placards, which shall be conspicuously mounted at eye level along the security fence and at locked gates as well as at the entrances to all buildings, and which shall be updated within two weeks of any changes to the information contained thereon, including contact information, and which shall include information identifying all possible hazards existing within and exit routes from the facility.~~

~~(j) A two tag identification (accountability) system for anyone entering the energy facility site shall be in effect, which system shall provide for the following procedures:~~

~~[1] One tag shall be kept in the service vehicle indicating the name of the individual and his/her employer.~~

~~[2] One tag shall be placed at the point of entry to any building or, in the case of a service involving site roaming, the tag shall be clipped to the point of entry into the site, which shall be the gate nearest to the location where the service is being performed.~~

~~(k) All sites shall secure a street address from the Township's 911 Coordinator, which shall be posted at the main entrance gate to the facility, and shall be of sufficient size and reflectivity, so as to be easily visible from either direction on the roadway.~~

~~[1] Prior to the issuance of a certificate of occupancy, Holland Township emergency personnel shall be provided access to the facility to generate familiarity with the site conditions and emergency access locations.~~

~~(7) Decommissioning and disassembly.~~

~~(a) All Applications for a solar energy facility (major/commercial) shall be accompanied by a decommissioning plan to be implemented upon abandonment of the use.~~

~~[1] "Abandonment" is defined as the facility being out of service for a continuous twelve-month period.~~

~~[2] Decommissioning process description.~~

~~[a] The decommissioning and restoration process comprises removal of aboveground structures; grading, to the extent necessary; restoration of topsoil (if needed) and seeding. The process of removing structures involves evaluating and categorizing all components and materials into categories of recondition and reuse, salvage, recycling and disposal. The project consists of numerous materials that can be recycled, including steel, aluminum, glass, copper and plastics. In the interest of increased efficiency and minimal transportation impacts, components and material may be stored on site until the bulk of similar components or materials are ready for transport. The components and material will be transported to the appropriate facilities for reconditioning, salvage, recycling, or disposal. Aboveground structures include the panels, racks, inverters, pads and any interconnection facilities located on the property. The aboveground structures and below ground structures are collectively referred to~~

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herein as the "project components."

- ~~[b] Temporary erosion and sedimentation control best management practices will be used during the decommissioning phase of the project. Control features will be regularly inspected during the decommissioning phase and removed at the end of the process.~~
- ~~[3] Project component removal. Control cabinets, electronic components, and internal cables will be removed. The panels, racks and inverters will be lowered to the ground where they may be transported whole for reconditioning and reuse or disassembled/cut into more easily transportable sections for salvageable, recyclable, or disposable components.~~
- ~~[4] PV module removal. Solar photovoltaic modules used in the project are manufactured within regulatory requirements for toxicity based on toxicity characteristic leaching procedure (TCLP). The solar panels are not considered hazardous waste. The panels used in the project will contain silicon, glass, and aluminum which have value for recycling. Modules will be dismantled and packaged per manufacturer or approved recycler's specifications and shipped to an approved off-site recycler.~~
- ~~[5] Component pad removal. Pads will be excavated to a depth sufficient to remove all anchor bolts, rebar, conduits, cable, and concrete to a depth of 24 inches below grade. The remaining excavation will be filled with clear subgrade material of quality comparable to the immediate surrounding area. The subgrade material will be compacted to a density similar to surrounding subgrade material. All unexcavated areas compacted by equipment used in decommissioning shall be decompact in a manner to adequately restore the topsoil and subgrade material to the proper density consistent and compatible with the surrounding area.~~
- ~~[6] Electric wire removal. DC wiring can be removed manually from the panels to the inverter. Underground wire in the array will be pulled and removed from the ground. Overhead cabling for the interconnection will be removed from poles. All wire will be sent to an approved recycling facility.~~
- ~~[7] Racking and fencing removal. All racking and fencing material will be broken down into manageable units and removed from the facility and sent to an approved recycler. All racking posts driven into the ground will be pulled and removed.~~
- ~~[8] Concrete slab removal. Concrete slabs used as equipment pads will be broken and removed to a depth of two feet below grade. Clean concrete will be crushed and disposed of off site.~~
- ~~[9] Access road. During decommissioning, the processed stone access roads will be stripped, exposing the geotextile beneath. The geotextile will then be removed and disposed revealing the original soil surface. The compacted soil beneath the road fill may require ripping with a subsoiler plow to loosen it before it can be returned to crop production.~~
- ~~[10] Site restoration process description. Following decommissioning activities, the subgrade material and topsoil from affected areas will be decompact and restored to a density and depth consistent with the surrounding areas. If the subsequent use for the project site will involve agriculture, a deep till of the project site will be undertaken. The affected areas will be inspected, thoroughly cleaned, and all construction related debris removed. Disturbed areas will be reseeded to promote revegetation of the area, unless the area is to be immediately redeveloped. In all areas restoration shall include, as reasonably required, leveling, terracing, mulching, and other necessary steps to prevent soil erosion, to ensure establishment of suitable grasses and forbs, and to control noxious weeds and pests.~~
- ~~[11] Decommissioning terms. The project shall be decommissioned within 180 days of the end of the project's operational life. Areas disturbed during the decommissioning phase will be seeded with a drought tolerant grass seed mix appropriate for the area, unless such areas are being immediately redeveloped for other uses.~~
- (b) The decommissioning plan shall contain the following provisions:
- ~~[1] Provisions for the removal of all components of the facility/system from the site and the full restoration of the site to its predevelopment condition insofar as is feasible; and the safe disposal of all components of the facility/system, including the recycling of all recoverable materials, consistent with prevailing best practices relating to the disposal and recycling of photovoltaic waste.~~

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- ~~[2] Provisions that the Township shall notify the land owner and owner/operator of the facility of the pending determination of abandonment and order proof of the resumption of energy generation to at least 80% of the facility's capacity or removal of the facilities in accordance with the approved decommissioning plan, subject to the issuance of a demolition permit.~~
- ~~[3] A provision that within 60 days of service of the notice of abandonment, the land owner or facility operator shall apply for and obtain a demolition permit for the decommissioning in accordance with the decommissioning plan.~~
- ~~[4] Provisions that, as a condition of site plan approval and prior to the issuance of any building permits, the land owner or operator of the facility shall obtain and submit to the Township a performance bond or other agreed upon secured funding in a form approved by the Township Attorney to ensure that the decommissioning plan provides financial assurance that there will be sufficient funds available for decommissioning and site restoration. Such bond shall be in an amount, as determined in detail by the Township Engineer, which shall be adequate to cover the estimated cost of such removal. The form of such bond shall be approved by the Township Attorney. The bond shall not be subject to revocation or reduction prior to the completion of the work covered by the demolition permit and decommissioning plan and the full restoration of the site as required by the decommissioning plan. The decommissioning bond shall be reevaluated to reflect inflation every five years from the start of operations which shall be defined as the date of issuance of the certificate of occupancy for the generation of power. Such reevaluation shall be submitted no fewer than 30 days prior to the end of the five year period by the owner/operator and/or landowner to the Township Attorney and Township Engineer for review and approval. If the anticipated cost of decommissioning increases by 10% or more, the property owner or operator of the facility shall deposit additional funds into an escrow account or revise the bond or other surety to reflect the increased amount.~~
- ~~[5] Measures to provide for the protection of public health and safety and for protection of the environment and natural resources during both the removal and site restoration stages, as well as the schedule for the completion of all site restoration work in accordance with the decommissioning plan.~~
- ~~[6] Provisions that, if the performance bond described above, plus any supplemental funding that may have been provided by the owner/operator, is insufficient to fully implement the decommissioning plan or if the owner/operator fails to fully satisfy the obligations described herein, then the landowner shall be held responsible for any and all costs associated with the decommissioning to the extent that such costs are not covered by the performance bond and any supplementary funds provided by the owner/operator, if applicable.~~
- ~~[7] Provisions detailing the anticipated life of the project.~~
- ~~[8] The estimated cost of decommissioning in current dollars and an explanation of how the cost was determined, which shall be prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. Salvage value shall not be considered when determining the estimated decommissioning cost.~~
- ~~(e) If said decommissioning has not been completed within the requisite 180-day period following issuance of the demolition permit, then the Township's Zoning Officer shall provide written notice by certified mail to the landowner requiring that decommissioning be completed within 30 calendar days of the receipt of said notice. If the decommissioning has not been completed within 30 calendar days of the receipt of said notice, the Township may collect the bond or other surety and undertake the decommissioning. The Township may charge the landowner and/or facility owner and operator for all of the costs and expenses thereof, including reasonable attorney's fees. Nothing herein shall prevent the Township from taking appropriate legal action to compel the decommissioning. All costs incurred by the Township shall be billed to the landowner and if not paid within 60 calendar days of billing, shall become a lien against the property.~~

SECTION 3. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 22 entitled "Accessory uses" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

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Accessory uses and structures to any of the above permitted uses are permitted, including:

- C. Storage, including equipment and materials storage, provided, with respect to lots whose principal use is permitted by §100-21A through KJ of this Part 1, that the area devoted to such use is enclosed within a building or is screened by a wall, planting or other barrier approved by the Planning Board. However, outdoor storage areas shall be limited to 50% of the existing building's footprint.

SECTION 4. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 22.1 entitled "Conditional uses" is hereby amended and supplemented by adding the following underlined text:

- A. Warehousing as a conditional use, subject to meeting the following conditions:

- (1) Warehouse buildings shall not exceed 70,000 gross square feet.
- (2) The building shall be limited to a maximum of 14 loading docks.
- (3) Loading doors shall be located on the side and/or rear of the building.
- (4) All goods, merchandise, materials, and/or commodities shall be stored indoors. No outdoor storage is permitted.
- (5) A traffic impact analysis detailing trips, routes, and necessary off-site improvements shall be provided.
- (6) The Applicant/Owner shall provide detailed truck routes traveling to and from the site as part of any Application submission. Any amendment to an approved route shall require review and approval by the Board.
- (7) Any necessary off-site traffic improvements directly related to the proposed use, such as intersection improvements and road widening, shall be paid for by the Applicant.

- B. Solar energy facility (major/commercial) as a conditional use, subject to meeting the following conditions:

- (1) Site plan required. A site plan shall be submitted for review and approval showing all elements of the proposed facility as required herein and complying with all of the checklist requirements for submission of a site plan in the IND Zoning District.
- (2) Locational/site qualification regulations for a solar energy facility (major/commercial).
 - (a) The site proposed for a solar energy facility (major/commercial) shall have a minimum lot area of at least 20 contiguous acres that are owned by the same person or entity and shall otherwise comply with the lot width, lot depth and other dimensional requirements of the zoning district.
 - (b) Except pursuant to a permit issued by NJDEP, no portion of such facility shall occupy any area of land designated and regulated by NJDEP as floodplain, flood hazard area, wetlands, wetlands transition area or riparian corridor. An applicability determination from the NJDEP shall be provided as a condition of approval to document the presence and/or absence of these regulated areas at the time a site plan is submitted. The applicant shall also maintain the minimum required riparian buffer along any C-1 waterway in accordance with the Surface Water Quality Standards rules at N.J.A.C. 7:9B-1.4, even if the riparian buffer area was previously disturbed for agricultural purposes.
 - (c) Such facilities shall not occupy areas of land designated by the NJDEP as critical habitat for state threatened and/or endangered species of flora and fauna. Moreover, no land having slopes over 30% shall be occupied by such facilities.
 - (d) Woodlands shall not be clear cut to accommodate such facilities. Any removal of more than 10 trees having a diameter in excess of 12 inches dbh (diameter at breast height) shall require replacement onsite of all but the first 10 trees.
 - (e) An applicant seeking approval of a solar energy facility (major/commercial) shall provide documentation and evidence of a firm commitment from the electric utility that the alternative electrical energy to be generated by the solar and photovoltaic energy facilities and structures shall be purchased or utilized by an improvement onsite and/or purchased or utilized by the

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electricity utility provider.

(3) Bulk/buffering regulations.

- (a) Such facility shall not occupy any area outside the required principal building setback lines for the zoning district in which the facility is to be located except that utility poles for outside connections to the electrical power grid may be placed outside the required principal building setback lines. A security fence is required around the entire perimeter of the facility. The security fencing shall be located within or at the required principal building setback lines; however landscaping, buffering and berms may be located outside the required principal building setback lines.
- (b) The maximum building coverage limits for principal and accessory structures in this zoning district shall not apply to such facilities; provided, however, that all setback and buffering requirements of this section and for this zoning district shall be met and further provided that no development shall be permitted to occur in any area of the lot in which development is prohibited by regulation of either this Township or the State of New Jersey.
- (c) The maximum permitted vertical height above ground for the highest point of any ground-mounted solar and photovoltaic energy panels shall be 10 feet, or 14 feet at the lower part of a grade if located on a slope.
- (d) The minimum vegetated visual buffer width for such facility shall be the greater of 50 feet or the minimum requirement for other uses in the same zone.
- (e) Such facility shall be screened by topography and/or natural vegetation, supplemented by additional plantings as needed, or by berms and landscaping, from public traveled ways (public roads, navigable waterways, and publicly available trails on land owned by or held by easement of a public entity), residential buildings on an adjoining lot, open space owned by or subject to easement of a public entity, and historic sites and buildings listed in the State and/or National Registers of Historic Places. To accomplish this:
- [1] To the extent feasible, installations shall be sited behind existing vegetation, supplemented with landscaping, using berms and landscaping only where existing vegetation is nonexistent or sparse.
- [2] To the extent feasible, installations shall be sited where natural topography can provide or at least add screening.
- [3] Berms shall be constructed with a width at base of at least 25 feet to allow for proper growth of root structure and to lend a more natural appearance.
- [4] Landscaping shall include an even blend mix of coniferous and deciduous trees and shrubs that are indigenous to the area avoiding invasive species. Such plantings shall be depicted on a plan, presented in and approved as part of the site plan, prepared by a licensed landscape architect. At the time of planting, deciduous trees shall be not less than two inches to 2 1/2 inches dbh and coniferous trees shall be a minimum of eight feet to 10 feet in height or at least five feet higher than the height of the highest solar or photovoltaic panel.
- [5] All ground areas of the lot occupied by the facility that are not utilized for access to operate and maintain the installation, for berms and landscaping, for existing additional principal uses on the lot, or for agricultural uses, or that will remain forested, shall be planted and maintained with shade tolerant grasses for the purpose of soil stabilization. A seed mixture of native, noninvasive shade-tolerant grasses shall be utilized and specified in the landscaping plan. If it can be demonstrated by the applicant that an alternative vegetative ground cover consisting of a seed mix of native, noninvasive plant species and nonnative, noninvasive shade-tolerant species is acceptable for soil erosion control and soil stabilization and can be better sustained over the life of the facility, the approving authority may approve such an alternative to the requirement for native, noninvasive shade-tolerant grass mix. The use of stone, gravel, wood chips or shavings or any artificial material shall not be permitted for soil erosion control and soil stabilization. If land having a slope of greater than 20% is proposed to be disturbed, additional soil erosion and sediment control measures may need to be implemented, and shall be subject to approval, based upon the recommendations of the Township Engineer.
- [6] A maintenance plan shall be submitted for approval as part of the site plan that provides

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for the continuing maintenance of all required plantings, including a schedule of specific maintenance activities to be conducted. Maintenance of the required berms and landscaping shall be a continuing condition of any approval that may be granted. The use of herbicides shall not be permitted as an acceptable maintenance practice.

(4) Installation and site development requirements.

- (a) Only nonglare glass shall be used to minimize the potential for reflective glare.
- (b) No portion of the facility or its component parts shall be used for displaying any advertising. Signage shall be limited to the identification and safety signage permitted elsewhere in this section.
- (c) All new distribution or transmission power lines on site shall be placed underground except as necessary to connect to already existing aboveground power towers, poles and lines. Feeder lines and collection lines may be placed overhead near substations or points of interconnection to the electric grid.
- (d) No soil shall be removed from any site upon which such a facility is constructed. Necessary grading shall be accomplished so that no offsite soil removal or offsite fill is required.
- (e) Land disturbance, grading and the construction of site improvements associated with the installation of such a facility, on any lot that has been and will continue to be used for agricultural purposes, shall be directed, insofar as is feasible, to portions of the lot that contain neither prime agricultural soils or soils of statewide significance. Where land disturbance, grading or the construction of site improvements on such soils is unavoidable, it shall be limited to the minimum intrusion necessary to construct required access roads, inverter and switching equipment pads and other facilities required for connection to the grid.
- (f) A barrier or fence having a height of at least eight feet (unless a greater height is required by law) shall be installed around the entire perimeter of the installation and entirely within the required building setback lines, which barrier shall secure the facility at all times; restrict access to all electrical wiring, transformers and high voltage equipment; and comply with applicable Uniform Construction Code requirements. One or more locked access gates (not less than 20 feet in width) to the facility shall be provided. Each locked access gate shall include a sign identifying the responsible parties for operation of the major solar and photovoltaic energy facilities and structures; for maintenance of the facility; and for maintenance of the berm, landscaping and security fence; and for ownership of the land upon which the facility is located.
- (g) The site plan shall provide for adequate and appropriate drainage facilities, which shall be designed such that site grading and construction shall not alter the natural drainage patterns of stormwater originating both within and beyond the property boundaries, which is not inconsistent with Article XXIV of this chapter 100, Stormwater Management Regulations.
- (h) The site plan shall include a construction/staging plan identifying the location, size and configuration of the areas to be used on a temporary basis during construction for the delivery and storage of materials and equipment and for the off-street parking of construction workers' vehicles. The construction/staging plan shall include a plan and timetable for the restoration of these areas upon completion of construction.

(5) Performance standards.

- (a) Wind velocities. All components of solar energy facilities (major/commercial) shall be designed to withstand a ground-level wind velocity of at least 90 miles per hour, unless a higher standard for wind-loading is specified in the New Jersey Uniform Construction Code.
- (b) Hazardous materials. The use of lead-acid batteries shall not be permitted in major solar energy systems (minor) and facilities, except for such batteries as are needed to store electricity to power emergency lights in the event of a power outage.
- (c) Noise. The total daytime operational mechanical or aerodynamic noise, including turbine, inverter or transmission line noise from the solar energy facility shall not exceed 50 dBA, measured from the nearest property line.
- (d) Lighting. Any facility lighting shall be kept to a minimum and shall be shielded to eliminate light spillage off the property. Light spillage shall be defined as an illumination of 0.3 foot-

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candle (fc) or greater onto any residential property or residential zone district and 1.0 fc or greater onto any nonresidential, business or industrial property or zoning district.

- (e) Facility standards and certification. The facility shall meet the minimum applicable standards established by the International Electrotechnical Commission (IEC), the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE), the International Organization for Standardization (ISO), Underwriters Laboratories (UL), the Solar Rating and Certification Corporation (SRCC), and any other applicable industry standards. The facility shall also meet the minimum standards outlined in the National Electrical Code (NEC), the National Electrical Safety Code (NEC) and all other applicable rules governing such facilities. The facility shall be certified by Underwriters Laboratories, Inc., the National Renewable Energy Laboratory, the Solar Rating and Certification Corporation and/or any other regulatory authority with jurisdiction over the installation and operation of the facility.
- (6) Safety regulations. All solar energy facilities (major/commercial) and all other solar energy systems (minor) installed on commercial, institutional or multifamily residential property in Holland Township shall comply with the following design safety and emergency response provisions:
- (a) Individual roof-mounted solar or photovoltaic panel arrays shall not exceed 150 feet by 150 feet in area. Where more than one array of panels is being installed, eight feet of clearance shall be provided between arrays in all directions. The roof supporting such arrays shall be reinforced so as not to cause damage to the roof while maintenance is performed and to ensure the safety of firefighter/EMT access in the event of an emergency. If skylights or roof hatches are also installed in the roof, each skylight or roof hatch shall have a minimum of four feet of clearance in all directions from an array.
- (b) Nonresidential roof installations shall provide ventilation access points in the roof, which shall measure not less than eight feet by four feet, placed at intervals on the roof not more than 20 feet distant from one another, and access to the building shall be provided by means of a reinforced access drive located no further than 50 feet from each exterior door to the building, unless it can be demonstrated to the satisfaction of Holland Township Emergency Management that a greater distance is sufficient to allow emergency vehicle access by fire and rescue personnel and also meet applicable fire safety code requirements.
- (c) Ground-mounted facilities shall provide emergency vehicle access to all components and Solar energy facilities (major/commercial) shall provide access roads throughout the installation. Each access road shall be not less than 20 feet in width and shall be reinforced or suitably improved to support the weight of typical emergency service apparatus. Turning areas shall be provided and each curve or turn in the access road shall provide an adequate turning radius for maneuvering emergency service apparatus (in accordance with the Holland Township Volunteer Fire Company official driveway plan).
- (d) An exterior electrical disconnect/emergency shutoff that will isolate the system shall be provided, which shall be plainly marked with a reflective identification placard. The location of the disconnect/emergency shutoff shall be as recommended by Holland Township Emergency Management and the Holland Township Volunteer Fire Company.
- (e) Each site containing such a facility shall conspicuously post a sign at the driveway entrance to the site indicating that the facility exists on the site and indicating whether the system is a roof- or ground-mounted system.
- (f) Required security fencing and locked gates (with at least a twenty-foot opening) shall be fully erected and operational prior to the installation of solar or photovoltaic energy facility. Ground mounted facilities shall include at least two means of ingress and egress to the facility for emergency response.
- (g) Knox Boxes shall be provided at all locked locations on site (i.e., gates, doors to buildings, etc.). All inverter sheds or other electrical equipment buildings shall be fitted with at least two exterior doors with one twenty-pound CO2 fire extinguisher located immediately inside the door.
- (h) Material safety data sheets (MSDS) shall be submitted to emergency response providers for all component materials comprising the solar modules, panels, arrays and any other equipment which contains hazardous or flammable substances.
- (i) An emergency response plan shall be prepared, filed and maintained with the Holland

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Township Emergency Management, Holland Township Volunteer Fire Company and the Milford Holland Rescue Squad. The emergency response plan shall include:

- [1] Emergency response procedures to be followed in the event of an emergency, which may include Fire Company and First Aid and Rescue Squad training, including training prior to commencing operation of the facility.
 - [2] Evacuation procedures (from on site and from neighboring properties off site).
 - [3] Site specific information concerning the locations of panels, grid identification diagrams, the emergency shutoff/isolation switch(es), contact names and numbers for 24/7 availability of responsible personnel.
 - [4] A system of information placards, which shall be conspicuously mounted at eye level along the security fence and at locked gates as well as at the entrances to all buildings, and which shall be updated within two weeks of any changes to the information contained thereon, including contact information, and which shall include information identifying all possible hazards existing within and exit routes from the facility.
- (j) A two-tag identification (accountability) system for anyone entering the energy facility site shall be in effect, which system shall provide for the following procedures:
- [1] One tag shall be kept in the service vehicle indicating the name of the individual and his/her employer.
 - [2] One tag shall be placed at the point of entry to any building or, in the case of a service involving site-roaming, the tag shall be clipped to the point of entry into the site, which shall be the gate nearest to the location where the service is being performed.
- (k) All sites shall secure a street address from the Township's 911 Coordinator, which shall be posted at the main entrance gate to the facility, and shall be of sufficient size and reflectivity, so as to be easily visible from either direction on the roadway.
- [1] Prior to the issuance of a certificate of occupancy, Holland Township emergency personnel shall be provided access to the facility to generate familiarity with the site conditions and emergency access locations.
- (7) Decommissioning and disassembly.
- (a) All Applications for a solar energy facility (major/commercial) shall be accompanied by a decommissioning plan to be implemented upon abandonment of the use.
- [1] "Abandonment" is defined as the facility being out of service for a continuous twelve-month period.
 - [2] Decommissioning process description.
 - [a] The decommissioning and restoration process comprises removal of aboveground structures; grading, to the extent necessary; restoration of topsoil (if needed) and seeding. The process of removing structures involves evaluating and categorizing all components and materials into categories of recondition and reuse, salvage, recycling and disposal. The project consists of numerous materials that can be recycled, including steel, aluminum, glass, copper and plastics. In the interest of increased efficiency and minimal transportation impacts, components and material may be stored on site until the bulk of similar components or materials are ready for transport. The components and material will be transported to the appropriate facilities for reconditioning, salvage, recycling, or disposal. Aboveground structures include the panels, racks, inverters, pads and any interconnection facilities located on the property. The aboveground structures and below-ground structures are collectively referred to herein as the "project components."
 - [b] Temporary erosion and sedimentation control best management practices will be used during the decommissioning phase of the project. Control features will be regularly inspected during the decommissioning phase and removed at the end of the process.
 - [3] Project component removal. Control cabinets, electronic components, and internal cables will be removed. The panels, racks and inverters will be lowered to the ground where they

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may be transported whole for reconditioning and reuse or disassembled/cut into more easily transportable sections for salvageable, recyclable, or disposable components.

- [4] PV module removal. Solar photovoltaic modules used in the project are manufactured within regulatory requirements for toxicity based on toxicity characteristic leaching procedure (TCLP). The solar panels are not considered hazardous waste. The panels used in the project will contain silicon, glass, and aluminum which have value for recycling. Modules will be dismantled and packaged per manufacturer or approved recycler's specifications and shipped to an approved off-site recycler.
 - [5] Component pad removal. Pads will be excavated to a depth sufficient to remove all anchor bolts, rebar, conduits, cable, and concrete to a depth of 24 inches below grade. The remaining excavation will be filled with clear subgrade material of quality comparable to the immediate surrounding area. The subgrade material will be compacted to a density similar to surrounding subgrade material. All unexcavated areas compacted by equipment used in decommissioning shall be decompacted in a manner to adequately restore the topsoil and subgrade material to the proper density consistent and compatible with the surrounding area.
 - [6] Electric wire removal. DC wiring can be removed manually from the panels to the inverter. Underground wire in the array will be pulled and removed from the ground. Overhead cabling for the interconnection will be removed from poles. All wire will be sent to an approved recycling facility.
 - [7] Racking and fencing removal. All racking and fencing material will be broken down into manageable units and removed from the facility and sent to an approved recycler. All racking posts driven into the ground will be pulled and removed.
 - [8] Concrete slab removal. Concrete slabs used as equipment pads will be broken and removed to a depth of two feet below grade. Clean concrete will be crushed and disposed of off site.
 - [9] Access road. During decommissioning, the processed stone access roads will be stripped, exposing the geotextile beneath. The geotextile will then be removed and disposed revealing the original soil surface. The compacted soil beneath the road fill may require ripping with a subsoiler plow to loosen it before it can be returned to crop production.
 - [10] Site restoration process description. Following decommissioning activities, the subgrade material and topsoil from affected areas will be decompacted and restored to a density and depth consistent with the surrounding areas. If the subsequent use for the project site will involve agriculture, a deep till of the project site will be undertaken. The affected areas will be inspected, thoroughly cleaned, and all construction-related debris removed. Disturbed areas will be reseeded to promote revegetation of the area, unless the area is to be immediately redeveloped. In all areas restoration shall include, as reasonably required, leveling, terracing, mulching, and other necessary steps to prevent soil erosion, to ensure establishment of suitable grasses and forbs, and to control noxious weeds and pests.
 - [11] Decommissioning terms. The project shall be decommissioned within 180 days of the end of the project's operational life. Areas disturbed during the decommissioning phase will be seeded with a drought-tolerant grass seed mix appropriate for the area, unless such areas are being immediately redeveloped for other uses.
- (b) The decommissioning plan shall contain the following provisions:
- [1] Provisions for the removal of all components of the facility/system from the site and the full restoration of the site to its predevelopment condition insofar as is feasible; and the safe disposal of all components of the facility/system, including the recycling of all recoverable materials, consistent with prevailing best practices relating to the disposal and recycling of photovoltaic waste.
 - [2] Provisions that the Township shall notify the land owner and owner/operator of the facility of the pending determination of abandonment and order proof of the resumption of energy generation to at least 80% of the facility's capacity or removal of the facilities in accordance with the approved decommissioning plan, subject to the issuance of a demolition permit.
 - [3] A provision that within 60 days of service of the notice of abandonment, the land owner or

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facility operator shall apply for and obtain a demolition permit for the decommissioning in accordance with the decommissioning plan.

- [4] Provisions that, as a condition of site plan approval and prior to the issuance of any building permits, the land owner or operator of the facility shall obtain and submit to the Township a performance bond or other agreed-upon secured funding in a form approved by the Township Attorney to ensure that the decommissioning plan provides financial assurance that there will be sufficient funds available for decommissioning and site restoration. Such bond shall be in an amount, as determined in detail by the Township Engineer, which shall be adequate to cover the estimated cost of such removal. The form of such bond shall be approved by the Township Attorney. The bond shall not be subject to revocation or reduction prior to the completion of the work covered by the demolition permit and decommissioning plan and the full restoration of the site as required by the decommissioning plan. The decommissioning bond shall be reevaluated to reflect inflation every five years from the start of operations which shall be defined as the date of issuance of the certificate of occupancy for the generation of power. Such reevaluation shall be submitted no fewer than 30 days prior to the end of the five year period by the owner/operator and/or landowner to the Township Attorney and Township Engineer for review and approval. If the anticipated cost of decommissioning increases by 10% or more, the property owner or operator of the facility shall deposit additional funds into an escrow account or revise the bond or other surety to reflect the increased amount.
- [5] Measures to provide for the protection of public health and safety and for protection of the environment and natural resources during both the removal and site restoration stages, as well as the schedule for the completion of all site restoration work in accordance with the decommissioning plan.
- [6] Provisions that, if the performance bond described above, plus any supplemental funding that may have been provided by the owner/operator, is insufficient to fully implement the decommissioning plan or if the owner/operator fails to fully satisfy the obligations described herein, then the landowner shall be held responsible for any and all costs associated with the decommissioning to the extent that such costs are not covered by the performance bond and any supplementary funds provided by the owner/operator, if applicable.
- [7] Provisions detailing the anticipated life of the project.
- [8] The estimated cost of decommissioning in current dollars and an explanation of how the cost was determined, which shall be prepared by a professional engineer or contractor who has expertise in the removal of solar facilities. Salvage value shall not be considered when determining the estimated decommissioning cost.

- (c) If said decommissioning has not been completed within the requisite 180-day period following issuance of the demolition permit, then the Township's Zoning Officer shall provide written notice by certified mail to the landowner requiring that decommissioning be completed within 30 calendar days of the receipt of said notice. If the decommissioning has not been completed within 30 calendar days of the receipt of said notice, the Township may collect the bond or other surety and undertake the decommissioning. The Township may charge the landowner and/or facility owner and operator for all of the costs and expenses thereof, including reasonable attorney's fees. Nothing herein shall prevent the Township from taking appropriate legal action to compel the decommissioning. All costs incurred by the Township shall be billed to the landowner and if not paid within 60 calendar days of billing, shall become a lien against the property.

SECTION 5. Chapter 100 of the Code of the Township of Holland entitled "Land Use", Article V entitled "IND Limited Industrial Park District", Section 27 entitled "Height, coverage and floor area ratio" is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

- B. Coverage. Not more than 25% of the lot area shall be covered by structures. Not more than 55% of the lot area shall be covered by structures and impervious ~~paved~~ surfaces.

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SECTION 6. Chapter 100 of the Code of the Township of Holland entitled “Land Use”, Article V entitled “IND Limited Industrial Park District”, Section 31 entitled “Signs” is hereby amended and supplemented by adding the following underlined text and deleting text in ~~strikeout~~:

B. Not more than one freestanding sign shall be permitted ~~advertising the name, products and trademark, design or seal of an industry on the same parcel will be allowed~~, provided that they meet the following specifications:

C. Not more than two attached signs shall be permitted per establishment ~~advertising the name, products and trademark, design or seal of an industry on the same lot will be allowed~~, provided that they meet the following specifications:

(5) The total advertising space of ~~such~~ each permitted sign shall not exceed 100 square feet. However, when an attached sign is appended to a building façade that exceeds 100 linear feet the advertising space may be increased to a maximum of 200 square feet. ~~or 5% of the gross area of the façade to which it is attached, whichever is greater.~~

G. Directional signs shall be permitted for traffic control and safety purposes. Directional signs may be illuminated and shall be limited to five square feet in area and six feet in height. The permitted number of directional signs is at the discretion of the Board.

SECTION 7. All other sections of this Ordinance shall remain in full force and effect.

SECTION 8. All Ordinances and parts of Ordinances inconsistent with the provisions hereof are hereby repealed.

SECTION 9. This Ordinance shall take effect immediately upon passage and publication as required by law.

Roll Call Vote	Ayes	Nays	Abstain	Absent
Duane Young	x			
Lisa Mickey	x			
Scott Wilhelm, Deputy Mayor	x			
Robert Thurgarland	x			
Dan Bush, Mayor	x			

BUSINESS FROM TOWNSHIP ATTORNEY

-Park House is listed on GovDeals and MLS tomorrow.

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

-Rizzello- Environmental letter regarding fracking water discharge into the river
Mr. Bush advised that a letter will be discussed at EC meeting tomorrow night, it will be sent to the Land Use Board at their February 14, 2022 meeting and will be on the February 15, 2022 Township Committee meeting agenda.

ADJOURN

Mr. Wilhelm moved and Mr. Thurgarland seconded the motion to adjourn at 7:52 p.m.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Duane Young			x			
Lisa Mickey			x			
Scott Wilhelm, Deputy Mayor			x			
Robert Thurgarland			x			
Dan Bush, Mayor			x			

Respectfully submitted,

Approved by,

Catherine M. Miller
Municipal Clerk

Dan Bush, Mayor
Scot Wilhelm, Deputy Mayor