

November 8, 2023  
HOLLAND TOWNSHIP COMMITTEE  
REGULAR MEETING MINUTES

The Holland Township Committee meet 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  
Committeewoman Lisa Pezzano  
Deputy Mayor Scott Wilhelm  
Committeeman Robert Thurgarland  
Mayor Dan Bush  
Attorney Matthew Lyons  
Municipal Clerk Melissa Tigar

There being a quorum this meeting was called to order by Mayor Bush at 7 :06 p.m.

**FLAG SALUTE**

Mayor Bush invited the audience to join the committee in reciting the “*Pledge of Allegiance.*”

**CLERK READS OPEN PUBLIC MEETING STATEMENT**

Adequate notice of this meeting was given pursuant to the open public meeting act, by the Municipal Clerk on **December 8, 2022** and re-published with the zoom information on **January 12, 2023** by:  
1) posting such notice on the bulletin board at the municipal building and on the Township website  
2) mailing the same to the Hunterdon County Democrat and the Express-Times.

**ZOOM INFORMATION:**

Township Committee is inviting you to a scheduled Zoom meeting.

Topic: Township Committee  
Time: November 8, 2023 07:00 PM Eastern Time (US and Canada)

Join Zoom Meeting  
<https://us06web.zoom.us/j/7480301411?pwd=dWgzaU91TXhjdFk5eWJmZmNPcGUxdz09>

Meeting ID: 748 030 1411  
Passcode: 951148

One tap mobile  
+13052241968,7480301411#, \*951148# US

**APPROVAL OF MINUTES OF THE:** October 17, 2023 Regular Meeting and Executive Session  
Committeeman Young moved and Deputy Mayor Wilhelm seconded the motion to approve both the Regular and Executive Session Minutes.

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

**APPROVAL OF BILLS AS SUBMITTED**

Committeeman Young moved and Committeeman Thurgarland seconded the motion to approve the bills as submitted. Check # 34697 was removed from the bills list. Deputy Mayor Scott Wilhelm questioned Check # 34709. Committeewoman Lisa Pezzano questioned Check # 34675.

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Holland Township  
 Bill List  
 8-Nov-23

Check#	Vendor	Description	Payment	Check Total
34646	AMANDA MULLER	Mileage Reimbursement Training 10/16-17	\$ 156.30	\$ 156.30
34647	AMAZON CAPITAL SERVICES	2024 Wall Calendars	\$ 28.95	\$ 28.95
34648	Amerigas-Clinton 7510	Propane Delivery 10/2/2023 (Account Susp	\$ 34.15	\$ 34.15
34649	ANIMAL CONTROL SOLUTIONS LLC	24 Hour Animal Control Coverage November	\$ 1,040.00	\$ 1,040.00
34650	AQUA NEW JERSEY	3rd QRT 2023	\$ 3,842.25	\$ 3,842.25
34651	AQUA NEW JERSEY	001037094 0748928 910 Milford Warren	\$ 321.32	\$ 321.32
34652	AQUA NEW JERSEY	Fox Hill 001037164 0748991	\$ 379.92	\$ 379.92
34653	AQUA NEW JERSEY	Pool (8796)	\$ 191.67	\$ 191.67
34654	AQUA NEW JERSEY	RRCC Pool 8797	\$ 48.45	\$ 48.45
34655	AQUA NEW JERSEY	Lawn Irrigation (9078)	\$ 24.28	\$ 24.28
34656	AQUA NEW JERSEY	910 Milford Warren Glen Rd Seasonal Yard	\$ 19.12	\$ 19.12
34657	AQUA NEW JERSEY	001037094 0748928 910 Milford Warren	\$ 321.32	\$ 321.32
34658	AT&T MOBILITY	08/27/23 - 09/26/23	\$ 599.70	
		08/27/23 - 09/26/23	\$ 1,101.42	\$ 1,701.12
34659	Chris's Lawn Mowing Inc	MOWING SERVICES 2023	\$ 3,500.00	
		RIDGE POOL 2023	\$ 450.00	\$ 3,950.00
34660	CLEMENS UNIFORM	Shop Towels / Floor Mat service	\$ 23.35	
		Rugs for RRCC October 2023	\$ 99.04	
		Mats for Municipal Building	\$ 41.98	\$ 164.37
		HLT0095 2023 ROADWAY IMPROVEMENTS SEP		
34661	COLLIERS ENGINEERING & DESIGN INC	20	\$ 427.50	
		HLT001 Holland Township General - SEP 20	\$ 87.50	
		HLT046	\$ 1,255.81	
		HLT0090 SPRING GARDEN ROAD - SEP 2023	\$ 87.50	
		B8 04 L15 Driveway 2023-5 Eng 15 Elmhurst	\$ 437.14	
		LUB Osuch B1 L3 services thru Var Lot I	\$ 597.50	\$ 2,892.95
34662	COLLIERS ENGINEERING & DESIGN INC	PB HK B24 L 3 13 review thru 093023 Engi	\$ 198.70	
		LUB Vukusich B11 L13 Review thru 093023	\$ 131.25	
		PB HK B24 L 3 13 review thru 101523 Plan	\$ 120.00	
		LUB Tilley/Lieb B24 L 5 review thru 1015	\$ 520.00	
		Planner Services thru 101523	\$ 160.00	\$ 1,129.95
34663	COOPER ELECTRICAL SUPPLY	RRCC POOL Electrical Repair Parts for Pu	\$ 1,665.35	\$ 1,665.35
34664	COOPER ELECTRICAL SUPPLY	Electrical Repair Parts RRCC Case Field	\$ 153.47	\$ 153.47
34665	CORPORATE BILLING LLC	TRK 15 Brake Repair- TRK 02 Hydraulic &	\$ 848.34	\$ 848.34
34666	COUNTY OF HUNTERDON	Fall Festival Signs	\$ 70.00	\$ 70.00
34667	Dana Wiatroski	Pickleball Clinics 10/15/2023	\$ 380.00	\$ 380.00
34668	DEER CARCASS REMOVAL SERVICE, LLC	Deer Carcass Removal	\$ 228.00	\$ 228.00
34669	DEL VAL PROJECT GRADUATION	Roadside Litter Pickup- Clean Communities	\$ 500.00	\$ 500.00
34670	Department of Finance	4Q2023 County	\$ 694,934.80	\$ 694,934.80
34671	Department of Finance	4Q2023 Library	\$ 68,240.95	\$ 68,240.95
34672	Department of Finance	4Q2023 Open Space	\$ 66,370.64	\$ 66,370.64
34673	DUTCH MILL MARKET INC	CANDY TRUNK OR TREAT	\$ 22.56	\$ 22.56
34674	ELIZABETHTOWN GAS	Meter 01061655 Account 93404665351 RRCC	\$ 398.54	\$ 398.54
34675	ENTERPRISE ELECTRICAL INC	Electrical Work / Repairs @ RRCC/ MB	\$ 9,187.50	\$ 9,187.50
34676	FOX BROTHERS ALARM SERVICES, INC.	Remote Monitoring & Daily Testing	\$ 210.00	\$ 210.00
34677	GEBHARDT & KIEFER, P.C.	September 2023 Tax Appeals	\$ 69.00	\$ 69.00
34678	GRAINGER	Misc. Items for Building and Maintenance	\$ 140.97	\$ 140.97
34679	GRIFFITH-ALLIED TRUCKING	Diesel - Public Works	\$ 1,158.73	
		Gasoline- Police	\$ 1,810.18	\$ 2,968.91
34680	Home Depot Credit Services	Misc. Items for Building and Maintenance	\$ 731.31	\$ 731.31
34681	HOOVER TRUCK CENTERS INC	TRK 98 Air Dryer Repair	\$ 486.87	\$ 486.87
34682	J C Ehrlich Co Inc	Commercial Pest Maintenance Service SEPT	\$ 206.70	\$ 206.70
34683	JERSEY CENTRAL POWER & LIGHT	MASTER 200 000 020 350	\$ 6.03	
		MASTER 200 000 020 350	\$ 243.52	\$ 249.55
34684	JERSEY CENTRAL POWER & LIGHT	Account 100 004 272 595 Street Lights MV	\$ 23.80	\$ 23.80
34685	JERSEY CENTRAL POWER & LIGHT	Account 100 004 272 652 Street Lights 9/	\$ 1,386.74	\$ 1,386.74
34686	JERSEY CENTRAL POWER & LIGHT	Acct 100 060 952 585 Street Lights Holla	\$ 61.80	\$ 61.80
34687	JERSEY CENTRAL POWER & LIGHT	Account 100 077 061 016 - 09/19/23 - 10/	\$ 143.96	\$ 143.96
34688	JERSEY CENTRAL POWER & LIGHT	100 070 503 212 Pool Storage Garage 09/1	\$ 4.78	\$ 4.78
34689	JERSEY CENTRAL POWER & LIGHT	100 029 305 644 - 09/19/23 - 10/20/23	\$ 828.87	\$ 828.87
34690	JERSEY CENTRAL POWER & LIGHT	Account 100 004 555 932 Case Field 09/19	\$ 92.13	\$ 92.13
34691	JERSEY CENTRAL POWER & LIGHT	Account 100 004 555 858 Baseball 08/21/2	\$ 113.89	\$ 113.89
34692	JERSEY CENTRAL POWER & LIGHT	Account 100 004 555 858 Baseball 09/21/2	\$ 267.70	\$ 267.70
34693	JERSEY CENTRAL POWER & LIGHT	Account 100 152 456 842 802 Milford Wa	\$ 190.70	\$ 190.70
34694	JERSEY CENTRAL POWER & LIGHT	Account 100 003 579 271 Library 09/21/23	\$ 31.59	\$ 31.59
34695	JESSICA DULIN-SOTO	Yoga Classes October 2023	\$ 495.00	\$ 495.00

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34696	JOHN P GALLINA, ESQ	LUB Misc General Matters	\$	303.75	
		PB Huntington Knolls B24 L 3 & 13 090523-	\$	506.25	\$ 810.00
34697	KEITH YASUNAS	<del>CANDY TRUNK OR TREAT</del>	<del>\$</del>	<del>28.38</del>	<del>\$ 28.38</del>
34698	Kyle McManus Associates LLC	PB Holland Solar Farm B2 L1 02 services	\$	183.75	\$ 183.75
34699	LARK LABEL	EC Tree Plaques including Arbor Day 2023	\$	269.50	\$ 269.50
34700	LAURA KNOTT	Yoga - October 2023	\$	495.00	\$ 495.00
34701	LAWRENCE LaFevre	REFUND	\$	70.99	
		Transfer 16 mm movie film of RR bowling,	\$	357.97	\$ 428.96
34702	LDI Connect	Contract Usage Charge 09/22/23 - 10/21/2	\$	90.90	\$ 90.90
34703	Leonard A. LaGuardia	Parks & Rec Art with contest design from	\$	1,550.00	\$ 1,550.00
34704	LMR DISPOSAL	Recycling Dumpster	\$	570.00	\$ 570.00
34705	LMR DISPOSAL	Recycling Dumpster	\$	1,785.00	\$ 1,785.00
34706	LMR DISPOSAL	Recycling Dumpster @ RRCC correction inv	\$	4.40	\$ 4.40
34707	LMR DISPOSAL	Recycling Dumpster	\$	65.31	\$ 65.31
34708	Marc R Phillips	Parks & Rec 2023 Trunk Treat	\$	300.00	\$ 300.00
34709	MELANIE WOROB	Zumba & Fitness Classes October 2023	\$	1,080.00	\$ 1,080.00
34710	MGL PRINTING SOLUTIONS	CLEARING ACCT CHECKS	\$	470.00	\$ 470.00
34711	MILFORD/FRENCHTOWN AUTO PARTS	Truck-Equipment Parts/ Tools/ Truck-Equi	\$	511.88	\$ 511.88
34712	MONTAGE ENTERPRISES, INC.	Tractor 85c Mower Parts	\$	125.00	\$ 125.00
34713	NJ Advance Media		Oct-23	\$ 28.70	
		PB HK B24 L13 Ext Major Sub res 100923	\$	18.71	
		Audit Synopsis	\$	124.92	\$ 172.33
34714	NJ EVENT SERVICES LLC	RRCC 06/11/23 - 07/10/23	\$	220.00	
		Temporary Restrooms	\$	220.00	
		Temporary Restrooms 6/3/23-7/2/23	\$	110.00	
		Municipal Fields 9/13/23-10/12/23	\$	110.00	
		DPW 10/13/23-11/12/23	\$	220.00	
		Temporary Restrooms 03/03/23 - 04/03/23	\$	220.00	\$ 1,100.00
34715	NJ STATE ASSOC. OF CHIEFS OF POLICE	Training	\$	150.00	\$ 150.00
34716	NRG BUSINESS	SERV LOC ID 776745 61 CHURCH ROAD	\$	381.99	\$ 381.99
34717	P3 GENERATORS	RRCC Generator Serviced	\$	550.63	\$ 550.63
34718	PenTeleData	10/24/23 - 11/24/23	\$	196.85	\$ 196.85
34719	PERFORMANCE TIRE COMPANY	Tires DPW 2016 F550	\$	2,532.22	
		Vehicle Maintenance	\$	240.09	\$ 2,772.31
34720	Promed Office Cleaners LLC	Cleaning Service	\$	80.00	\$ 80.00
34721	Quality Auto Glass Inc	Vehicle Maintenance	\$	421.82	\$ 421.82
34722	Rackspace US Inc	Rackspace Annual Renewal 10/01/2023-09/3	\$	1,924.02	\$ 1,924.02
34723	RI'S DIESEL AND AUTO REPAIR	Vehicle Maintenance	\$	2,666.88	
		Vehicle Maintenance	\$	223.16	\$ 2,890.04
34724	ROSSI CHRYSLER DODGE JEEP RAM	Vehicle Maintenance	\$	1,863.35	\$ 1,863.35
34725	Rossangles Service Center Inc	Vehicle Maintenance	\$	175.00	\$ 175.00
34726	RTG 2, LLC	Recycling of Wood Debris	\$	4,400.00	\$ 4,400.00
34727	SERVICE ELECTRIC CABLE TV, INC.	Phone/Internet/TV @ RRCC	\$	210.74	\$ 210.74
34728	South State Inc	Spring Garden Road	\$	79,098.24	\$ 79,098.24
34729	SSP ARCHITECTURAL GROUP, INC.	COMPLETE AND INITAL BUILDING ASSESSMENT	\$	770.00	\$ 770.00
34730	STAPLES BUSINESS ADVANTAGE	Toner, Labels, Wall Calendar, Swiffer, S	\$	678.87	\$ 678.87
34731	STEM BROTHERS, INC.	Propane for Recycling Center	\$	21.47	\$ 21.47
34732	TAMATHA ISENBERG	Yoga - October 2023	\$	275.00	\$ 275.00
34733	THERESA VERDI	Cleaning services at Municipal Building	\$	600.00	
		Cleaning RRCC 10/2 - 10/13	\$	440.00	
		Cleaning services at Municipal Building	\$	700.00	\$ 1,740.00
34734	TOWNSHIP OF RARITAN	Shared Service Agreement Courts	\$	7,022.70	\$ 7,022.70
34735	TRIFLEX IT SOLUTIONS, LLC	Email Protection	\$	154.00	
		Billable Services Travel, On Site, Remote	\$	843.75	
		Billable Services Travel, On Site, Remote	\$	506.25	
		Email Protection	\$	275.00	
		Email Protection	\$	275.00	
		Offsite Backup	\$	122.50	\$ 2,176.50
34736	TRIFLEX IT SOLUTIONS, LLC	Billable Services Travel, On Site, Remote	\$	337.50	
		Billable Services Travel, On Site, Remote	\$	303.75	\$ 641.25
34737	UNITED SITE SERVICES	Portable Toilets & Sinks Community Day	\$	248.00	
		2 Standard Restrooms with Sanitizer	\$	87.50	\$ 335.50
34738	VERIZON	SEPTEMBER 2023 BILLING	\$	255.28	\$ 255.28
34739	VERIZON	OCT 2023 BILLING	\$	1,839.42	
		OCT 2023 BILLING	\$	65.14	\$ 1,904.56
34740	Warren Materials	ROAD MATERIALS	\$	5,502.08	
		ESCALATION - MILLER PARK/DENNIS	\$	7,238.64	
		ESCALATION	\$	15,696.81	\$ 28,437.53
				<u>\$ 1,017,364.60</u>	<u>\$ 1,017,364.60</u>

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10	QUADIENT	REFILL POSTAGE MACHINE	\$ 499.72	\$ 499.72
34575	TRIFLEX	Sep-23	\$ 149.99	\$ 149.99
102723	NJ STATE HEALTH BENEFITS	NOV 23 RETIREE BILLING	\$ 3,674.62	\$ 3,674.62
10232023	NJ SALES TAX	3RD QTR 2023	\$ 1,558.05	\$ 1,558.05
10302023	NJ STATE HEALTH BENEFITS	NOV 23 HEALTH BENEFITS	\$ 35,936.68	\$ 35,936.68
11012023	GUARDIAN	DENTAL NOV 23	\$ 3,035.14	\$ 3,035.14
			\$ 44,854.20	\$ 44,854.20

TOTALS: \$ 1,062,218.80 \$ 1,062,218.80

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

**REMINDER/ANNOUNCEMENT**

A Veterans Day Ceremony hosted by the Township Committee and Womens Club will be held Saturday November 11, 2023 at 11:00am at the Holland Township Municipal Building.

**Brief 10-minute report from Police Chief Sean Gutsick for Executive Session**

**EXECUTIVE SESSION-**

**-RESOLUTION-**to enter into Executive Session

Deputy Mayor Wilhelm moved and Committeeman Young seconded the motion to adopt the following Resolution:

**Entering into Executive Session**

**WHEREAS**, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

**WHEREAS**, this public body is of the opinion that such circumstances presently exist;

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Holland, that the public shall be excluded from discussion of the following matter(s):

- N.J.S.A. 10:4-12 b.  
(6) tactics and techniques utilized in protecting the safety and property of the public, provided that their disclosure could impair that protection, or investigations of violations or possible violations of the law;

**BE IT FURTHER RESOLVED**, that Minutes will be kept on file in the Municipal Clerk’s Office, and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes shall be made public. This Resolution will take effect immediately.

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

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Deputy Mayor Wilhelm moved and Committeeman Young seconded the motion to return to Open Session at 7:35 p.m. No action of the Township Committee was taken.

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

**Brief Report from Tax Assessor Michelle Trivigno Re:**

The re-evaluation of the Township of Holland

First step will be the Tax Maps. Hoping to have this done by end of 2024.

Second step will be going out to bid for a re-evaluation firm in 2025 to have re-evaluations set for the 2026 tax year.

**OLD BUSINESS FROM TOWNSHIP COMMITTEE**

**LIAISON REPORTS**

Committeeman Young

- The Environmental Commission had a representative from the Lower Delaware Wild and Scenic give a presentation.

Committeeman Thurgarland

- Comments for the discussion on the 2023 Best Practices.
- Architects are working on providing information to apply for the 2024 CDBG Grant.
- Book Locker Agreement with the County.

Committeewoman Pezzano

- JCP&L Direct Install program to upgrade electrical equipment.
- School Election has unofficial results posted however there is a possibility there is two new candidates for Holland School and Del Val High School.
- Verizon Wireless has not installed the boosters on the poles as of yet.

Deputy Mayor Wilhelm

- Future report on Land Use Department.

Mayor Bush

- 150<sup>th</sup> anniversary
- RRCC Report
- Best Practices
- Executive session with the Chief of Police
- Road Improvements

**NEW BUSINESS FROM TOWNSHIP COMMITTEE**

**APPROVAL** to set a Special Meeting of the Township Committee on November 16, 2023 at 5:00 pm via zoom pursuant to N.J.S.A. 10: 4-8d. Agenda item will be a Resolution to apply for a Grant from the New Jersey Department of Community Affairs.

Committeeman Thurgarland moved and Deputy Mayor Wilhelm seconded the motion to approve the Special Meeting to be held on November 16, 2023 at 5:00 pm via Zoom.

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

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**APPROVAL** for Mayor to sign **Facility Use Agreement for use of Municipal Property With DVAA**  
Committeeman Thurgarland moved and Committeewoman Pezzano seconded the motion to approve  
the Mayor to sign the Agreement with DVAA.

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

**RESIGNATION**-Accepting the Letter of Resignation from Part Time Patrolman Henry Zilliox  
effective October 27, 2023. Committeeman Thurgarland moved and Committeeman Young seconded  
the motion to accept the letter of resignation from Patrolman Henry Zilliox.

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

**RESIGNATION**-Accepting the Letter of Resignation from Amanda Muller Police Administrative  
Coordinator effective November 17, 2023. Committeeman Thurgarland moved and Committeeman  
Young seconded the motion to accept the letter of resignation from Amanda Muller.

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

~~**ORDINANCE 2023-15 Stormwater Quality** – Introduction/First Reading  
Second reading and Public Hearing set for December 5, 2023~~

*The Introduction and First Reading of this Ordinance was re-scheduled to be held at the Regular Meeting of the Township Committee on November 21, 2023.*

**ADDING AND CREATING CHAPTER 145 ENTITLED “STORMWATER QUALITY”  
TO THE CODE OF THE TOWNSHIP OF HOLLAND**

**ORDINANCE 2023-16 Flood Plain Management Regulations** – Introduction/First Reading  
Deputy Mayor Wilhelm moved and Committeewoman Pezzano seconded the motion to adopt on First  
Reading Ordinance 2023-16. Second Reading and Public Hearing is set for December 5, 2023.

**AN ORDINANCE BY THE TOWNSHIP COMMITTEE AMENDING THE TOWNSHIP OF  
HOLLAND CODE OF ORDINANCES CHAPTER 100, SECTIONS 92 TO 98  
ORDINANCE AMENDING THE FLOODPLAIN MANAGEMENT REGULATIONS OF THE  
TOWNSHIP OF HOLLAND (CHAPTER 100, SECTIONS 92 TO 98)**

**WHEREAS**, the Federal Emergency Management Agency has identified special flood hazard  
areas within the boundaries of the Township of Holland and such areas may be subject to periodic  
inundation which may result in loss of life and property, health and safety hazards, disruption of  
commerce and governmental services, extraordinary public expenditures for flood protection and relief,  
and impairment of the tax base, all of which adversely affect the public health, safety and general  
welfare, and

**WHEREAS**, the Township of Holland was accepted for participation in the National Flood  
Insurance Program on March 16, 1981, and the Township Committee desires to continue to meet the

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requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation; and

**WHEREAS**, pursuant to Ordinance 2023-04 adopted on February 21, 2023, the Township of Holland (the "Township") adopted a revised Floodplain Management Ordinance in order to conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP); and

**WHEREAS**, the Township desires to amend such ordinance in order to provide clarity by amending the following:

1. Reordering the provisions of the Floodplain Management Ordinance to place the title, purpose, and definitions sections at the beginning.
2. To clarify the purpose of the Floodplain Management Ordinance.
3. To clarify the penalties for violation of the Floodplain Management Ordinance.
4. To require submission of a completed Floodplain Development Permit Application with a Zoning Permit Application.
5. To require the granting of a Floodplain Development Permit (where applicable) for the issuance of a Certificate of Occupancy.
6. To amend Land Use Board Checklists to require a flood elevation certificate and inclusion of all information required by the Floodplain Management Ordinance.

**NOW, THEREFORE, BE IT ORDAINED** by the Township Committee of the Township of Holland that the following floodplain management regulations are hereby amended as follows:

**SECTION 1.** Section 100-92, entitled "Preamble" is hereby deleted in its entirety and replaced with the following section, entitled "Title:"

Section 100-92. Title.

This ordinance, in combination with the flood provisions of the Uniform Construction Code, N.J.A.C. 5:23, et seq., consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the Floodplain Management Regulations of the Township of Holland.

**SECTION 2.** Section 100-93, entitled "Recitals," is hereby deleted in its entirety and replaced with the following, entitled, "Purpose:"

100-93. Purpose.

The Legislature of the State of New Jersey has, in N.J.S.A. 40:48, et seq., and N.J.S.A. 40:55D, et seq., conferred upon local governments the authority to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. The Federal Emergency Management Agency has identified special flood hazard areas within the boundaries of the Township of Holland and such areas may be subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base, all of which adversely affect the public health, safety and general welfare.

The Township of Holland was accepted for participation in the National Flood Insurance Program on March 16, 1981, and the Township Committee desires to continue to meet the requirements of Title 44 Code of Federal Regulations, Sections 59, 60, 65 and 70 necessary for such participation. The Township of Holland is required, pursuant to N.J.A.C. 5:23, et seq., to administer and enforce the State Building Codes, and such Building Codes contain certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. The Township of Holland is required, pursuant to N.J.S.A. 58:16A-57, within 12 months after the delineation of any flood hazard area, to adopt rules and regulations concerning the development and use of land in the flood fringe area which at least conform to the standards promulgated by the New Jersey Department of Environmental Protection (NJDEP).

The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood

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hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:

- 1) Protect human life and health.
- 2) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.
- 3) Manage the alteration of natural floodplains, stream channels and shorelines;
- 4) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.
- 5) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.
- 6) Contribute to improved construction techniques in the floodplain.
- 7) Minimize damage to public and private facilities and utilities.
- 8) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.
- 9) Minimize the need for rescue and relief efforts associated with flooding.
- 10) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.
- 11) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.
- 12) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.

**SECTION 3.** Section 100-94, entitled “Repealer,” is hereby deleted in its entirety and replaced with the following, entitled “Definitions:”

**Section 100-94. Definitions.**

**A. General.** The following words and terms shall, for the purposes of these regulations, have the meanings shown herein. Other terms are defined in the Uniform Construction Code N.J.A.C. 5:23 and terms are defined where used in the International Residential Code and International Building Code (rather than in the definitions section). Where terms are not defined, such terms shall have ordinarily accepted meanings such as the context implies.

**B. Definitions**

**30 DAY PERIOD** – The period of time prescribed by N.J.S.A. 40:49-5 in which a property owner is afforded the opportunity to correct zoning and solid waste disposal after a notice of violation pertaining to this ordinance has been issued.

**100 YEAR FLOOD ELEVATION** – Elevation of flooding having a 1% annual chance of being equaled or exceeded in a given year which is also referred to as the Base Flood Elevation.

**500 YEAR FLOOD ELEVATION** – Elevation of flooding having a 0.2% annual chance of being equaled or exceeded in a given year.

**A ZONES** – Areas of ‘Special Flood Hazard in which the elevation of the surface water resulting from a flood that has a 1% annual chance of equaling or exceeding the Base Flood Elevation (BFE) in any given year shown on the Flood Insurance Rate Map (FIRM) zones A, AE, AH, A1–A30, AR, AR/A, AR/AE, AR/A1– A30, AR/AH, and AR/AO. When used in reference to the development of a structure in this ordinance, A Zones are not inclusive of Coastal A Zones because of the higher building code requirements for Coastal A Zones.

**AH ZONES**– Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually areas of ponding) where average depths are between one and three feet. Base Flood Elevations (BFEs) derived from detailed hydraulic analyses are shown in this zone.

**AO ZONES** – Areas subject to inundation by 1-percent-annual-chance shallow flooding (usually sheet flow on sloping terrain) where average depths are between one and three feet.



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**ACCESSORY STRUCTURE** – Accessory structures are also referred to as appurtenant structures. An accessory structure is a structure which is on the same parcel of property as a principal structure and the use of which is incidental to the use of the principal structure. For example, a residential structure may have a detached garage or storage shed for garden tools as accessory structures. Other examples of accessory structures include gazebos, picnic pavilions, boathouses, small pole barns, storage sheds, and similar buildings.

**AGRICULTURAL STRUCTURE** - A structure used solely for agricultural purposes in which the use is exclusively in connection with the production, harvesting, storage, drying, or raising of agricultural commodities, including the raising of livestock. Communities must require that new construction or substantial improvements of agricultural structures be elevated or floodproofed to or above the Base Flood Elevation (BFE) as any other nonresidential building. Under some circumstances it may be appropriate to wet-floodproof certain types of agricultural structures when located in wide, expansive floodplains through issuance of a variance. This should only be done for structures used for temporary storage of equipment or crops or temporary shelter for livestock and only in circumstances where it can be demonstrated that agricultural structures can be designed in such a manner that results in minimal damage to the structure and its contents and will create no additional threats to public safety. New construction or substantial improvement of livestock confinement buildings, poultry houses, dairy operations, similar livestock operations and any structure that represents more than a minimal investment must meet the elevation or dry-floodproofing requirements of 44 CFR 60.3(c)(3).

**AREA OF SHALLOW FLOODING** – A designated Zone AO, AH, AR/AO or AR/AH (or VO) on a community’s Flood Insurance Rate Map (FIRM) with a one percent or greater annual chance of flooding to an average depth of one to three feet where a clearly defined channel does not exist, where the path of flooding is unpredictable, and where velocity flow may be evident. Such flooding is characterized by ponding or sheet flow.

**AREA OF SPECIAL FLOOD HAZARD** – see SPECIAL FLOOD HAZARD AREA

**ALTERATION OF A WATERCOURSE** – A dam, impoundment, channel relocation, change in channel alignment, channelization, or change in cross-sectional area of the channel or the channel capacity, or any other form of modification which may alter, impede, retard or change the direction and/or velocity of the riverine flow of water during conditions of the base flood.

**ASCE 7** – The standard for the Minimum Design Loads for Buildings and Other Structures, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. which includes but is not limited to methodology and equations necessary for determining structural and flood-related design requirements and determining the design requirements for structures that may experience a combination of loads including those from natural hazards. Flood related equations include those for determining erosion, scour, lateral, vertical, hydrostatic, hydrodynamic, buoyancy, breaking wave, and debris impact.

**ASCE 24** – The standard for Flood Resistant Design and Construction, referenced by the building code and developed and published by the American Society of Civil Engineers, Reston, VA. References to ASCE 24 shall mean ASCE 24-14 or the most recent version of ASCE 24 adopted in the UCC Code [N.J.A.C. 5:23].

**BASE FLOOD ELEVATION (BFE)** – The water surface elevation resulting from a flood that has a 1-percent or greater chance of being equaled or exceeded in any given year, as shown on a published Flood Insurance Study (FIS), or preliminary flood elevation guidance from FEMA. May also be referred to as the “100-year flood elevation”.

**BASEMENT** – Any area of the building having its floor subgrade (below ground level) on all sides.

**BEST AVAILABLE FLOOD HAZARD DATA** - The most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

**BEST AVAILABLE FLOOD HAZARD DATA AREA** - The areal mapped extent associated with the most recent available preliminary flood risk guidance FEMA has provided. The Best Available Flood

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Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

**BEST AVAILABLE FLOOD HAZARD DATA ELEVATION** - The most recent available preliminary flood elevation guidance FEMA has provided. The Best Available Flood Hazard Data may be depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM.

**BREAKAWAY WALLS** – Any type of wall subject to flooding that is not required to provide structural support to a building or other structure and that is designed and constructed such that, below the Local Design Flood Elevation, it will collapse under specific lateral loads such that: (1) it allows the free passage of floodwaters; and (2) it does not damage the structure or supporting foundation system. Certification in the V Zone Certificate of the design, plans, and specifications by a licensed design professional that these walls are in accordance with accepted standards of practice is required as part of the permit application for new and substantially improved V Zone and Coastal A Zone structures. A completed certification must be submitted at permit application.

**BUILDING** – Per the FHACA, “Building” means a structure enclosed with exterior walls or fire walls, erected and framed of component structural parts, designed for the housing, shelter, enclosure, and support of individuals, animals, or property of any kind. A building may have a temporary or permanent foundation. A building that is intended for regular human occupation and/or residence is considered a habitable building.

**CONDITIONAL LETTER OF MAP REVISION** - A Conditional Letter of Map Revision (CLOMR) is FEMA's comment on a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

**CONDITIONAL LETTER OF MAP REVISION - FILL** - A Conditional Letter of Map Revision - Fill (CLOMR-F) is FEMA's comment on a proposed project involving the placement of fill outside of the regulatory floodway that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The letter does not revise an effective NFIP map, it indicates whether the project, if built as proposed, would be recognized by FEMA. FEMA charges a fee for processing a CLOMR to recover the costs associated with the review that is described in the Letter of Map Change (LOMC) process. Building permits cannot be issued based on a CLOMR, because a CLOMR does not change the NFIP map.

**CRITICAL BUILDING** – Per the FHACA, “Critical Building” means that:

- a. It is essential to maintaining continuity of vital government operations and/or supporting emergency response, sheltering, and medical care functions before, during, and after a flood, such as a hospital, medical clinic, police station, fire station, emergency response center, or public shelter; or
- b. It serves large numbers of people who may be unable to leave the facility through their own efforts, thereby hindering or preventing safe evacuation of the building during a flood event, such as a school, college, dormitory, jail or detention facility, day care center, assisted living facility, or nursing home.

**DEVELOPMENT** – Any manmade change to improved or unimproved real estate, including, but not limited to, buildings or other structures, tanks, temporary structures, temporary or permanent storage of materials, mining, dredging, filling, grading, paving, excavations, drilling operations and other land-disturbing activities.

**DRY FLOODPROOFING** – A combination of measures that results in a non-residential structure, including the attendant utilities and equipment as described in the latest version of ASCE 24, being

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watertight with all elements substantially impermeable and with structural components having the capacity to resist flood loads.

**ELEVATED BUILDING** – A building that has no basement and that has its lowest elevated floor raised above ground level by foundation walls, shear walls, posts, piers, pilings, or columns. Solid perimeter foundations walls are not an acceptable means of elevating buildings in V and VE Zones.

**ELEVATION CERTIFICATE** – An administrative tool of the National Flood Insurance Program (NFIP) that can be used to provide elevation information, to determine the proper insurance premium rate, and to support an application for a Letter of Map Amendment (LOMA) or Letter of Map Revision based on fill (LOMR-F).

**ENCROACHMENT** – The placement of fill, excavation, buildings, permanent structures of other development into a flood hazard area which may impede or alter the flow capacity of riverine flood hazard areas.

**FEMA PUBLICATIONS** – Any publication authored or referenced by FEMA related to building science, building safety, or floodplain management related to the National Flood Insurance Program. Publications shall include but are not limited to technical bulletins, desk references, and American Society of Civil Engineers Standards documents including ASCE 24.

#### FLOOD OR FLOODING

- a. A general and temporary condition of partial or complete inundation of normally dry land areas from:
  - 1) The overflow of inland or tidal waters.
  - 2) The unusual and rapid accumulation or runoff of surface waters from any source.
  - 3) Mudslides (i.e. mudflows) which are proximately caused by flooding as defined in (a) (2) of this definition and are akin to a river or liquid and flowing mud on the surfaces of normally dry land areas, as when earth is carried by a current of water and deposited along the path of the current.
- b. The collapse or subsidence of land along the shore of a lake or other body of water as a result of erosion or undermining caused by waves or currents of water exceeding anticipated cyclical levels or suddenly caused by an unusually high water level in a natural body of water, accompanied by a severe storm, or by an unanticipated force of nature, such as flash flood or an abnormal tidal surge, or by some similarly unusual and unforeseeable event which results in flooding as defined in paragraph (a)(1) of this definition.

**FLOOD HAZARD AREA DESIGN FLOOD ELEVATION** – Per the FHACA, the peak water surface elevation that will occur in a water during the flood hazard area design flood. This elevation is determined via available flood mapping adopted by the State, flood mapping published by FEMA (including effective flood mapping dated on or after January 31, 1980, or any more recent advisory, preliminary, or pending flood mapping; whichever results in higher flood elevations, wider floodway limits, greater flow rates, or indicates a change from an A zone to a V zone or coastal A zone), approximation, or calculation pursuant to the Flood Hazard Area Control Act Rules at N.J.A.C. 7:13-3.1 – 3.6 and is typically higher than FEMA's base flood elevation. A water that has a drainage area measuring less than 50 acres does not possess, and is not assigned, a flood hazard area design flood elevation.

**FLOOD INSURANCE RATE MAP (FIRM)** – The official map on which the Federal Emergency Management Agency has delineated both the areas of special flood hazards and the risk premium zones applicable to the community.

**FLOOD INSURANCE STUDY (FIS)** – The official report in which the Federal Emergency Management Agency has provided flood profiles, as well as the Flood Insurance Rate Map(s) and the water surface elevation of the base flood.

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**FLOODPLAIN OR FLOOD PRONE AREA** – Any land area susceptible to being inundated by water from any source. See “Flood or flooding.”

**FLOODPLAIN MANAGEMENT REGULATIONS** – Zoning ordinances, subdivision regulations, building codes, health regulations, special purpose ordinances (such as a floodplain ordinance, grading ordinance, and erosion control ordinance) and other applications of police power. The term describes such State or local regulations, in any combination thereof, which provide standards for the purpose of flood damage prevention and reduction.

**FLOODPROOFING** – Any combination of structural and nonstructural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures, and their contents.

**FLOODPROOFING CERTIFICATE** – Certification by a licensed design professional that the design and methods of construction for floodproofing a non-residential structure are in accordance with accepted standards of practice to a proposed height above the structure’s lowest adjacent grade that meets or exceeds the Local Design Flood Elevation. A completed floodproofing certificate is required at permit application.

**FLOODWAY** – The channel of a river or other watercourse and the adjacent land areas that must be reserved in order to discharge the base flood without cumulatively increasing the water surface elevation more than 0.2 foot.

**FREEBOARD** – A factor of safety usually expressed in feet above a flood level for purposes of floodplain management. “Freeboard” tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, bridge openings, and the hydrological effect of urbanization of the watershed.

**FUNCTIONALLY DEPENDENT USE** – A use that cannot perform its intended purpose unless it is located or carried out in close proximity to water, including only docking facilities, port facilities necessary for the loading or unloading of cargo or passengers, and shipbuilding and ship repair facilities. The term does not include long-term storage or related manufacturing facilities.

**HABITABLE BUILDING**– Pursuant to the FHACA Rules (N.J.A.C. 7:13) means a building that is intended for regular human occupation and/or residence. Examples of a habitable building include a single-family home, duplex, multi-residence building, or critical building; a commercial building such as a retail store, restaurant, office building, or gymnasium; an accessory structure that is regularly occupied, such as a garage, barn, or workshop; mobile and manufactured homes, and trailers intended for human residence, which are set on a foundation and/or connected to utilities, such as in a mobile home park (not including campers and recreational vehicles); and any other building that is regularly occupied, such as a house of worship, community center, or meeting hall, or animal shelter that includes regular human access and occupation. Examples of a non-habitable building include a bus stop shelter, utility building, storage shed, self-storage unit, construction trailer, or an individual shelter for animals such as a doghouse or outdoor kennel.

**HARDSHIP** – As related to Section 107 of this ordinance, meaning the exceptional hardship that would result from a failure to grant the requested variance. The Township Committee requires that the variance be exceptional, unusual, and peculiar to the property involved. Mere economic or financial hardship alone is not exceptional. Inconvenience, aesthetic considerations, physical handicaps, personal preferences, or the disapproval of one's neighbors likewise cannot, as a rule, qualify as an exceptional hardship. All of these problems can be resolved through other means without granting a variance, even if the alternative is more expensive, or requires the property owner to build elsewhere or put the parcel to a different use than originally intended.

**HIGHEST ADJACENT GRADE** – The highest natural elevation of the ground surface prior to construction next to the proposed or existing walls of a structure.

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HISTORIC STRUCTURE – Any structure that is:

- a. Listed individually in the National Register of Historic Places (a listing maintained by the Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listing on the National Register;
- b. Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district;
- c. Individually listed on a State inventory of historic places in States with historic preservation programs which have been approved by the Secretary of the Interior; or
- d. Individually listed on a local inventory of historic places in communities with historic preservation programs that have been certified either:
  - 1) By an approved State program as determined by the Secretary of the Interior; or
  - 2) Directly by the Secretary of the Interior in States without approved programs.

LAWFULLY EXISTING – Per the FHACA, means an existing fill, structure and/or use, which meets all Federal, State, and local laws, and which is not in violation of the FHACA because it was established:

- a. Prior to January 31, 1980; or
- b. On or after January 31, 1980, in accordance with the requirements of the FHACA as it existed at the time the fill, structure and/or use was established.

Note: Substantially damaged properties and substantially improved properties that have not been elevated are not considered “lawfully existing” for the purposes of the NFIP. This definition is included in this ordinance to clarify the applicability of any more stringent statewide floodplain management standards required under the FHACA.

LETTER OF MAP AMENDMENT - A Letter of Map Amendment (LOMA) is an official amendment, by letter, to an effective National Flood Insurance Program (NFIP) map that is requested through the Letter of Map Change (LOMC) process. A LOMA establishes a property's location in relation to the Special Flood Hazard Area (SFHA). LOMAs are usually issued because a property has been inadvertently mapped as being in the floodplain but is actually on natural high ground above the base flood elevation. Because a LOMA officially amends the effective NFIP map, it is a public record that the community must maintain. Any LOMA should be noted on the community's master flood map and filed by panel number in an accessible location.

LETTER OF MAP CHANGE – The Letter of Map Change (LOMC) process is a service provided by FEMA for a fee that allows the public to request a change in flood zone designation in an Area of Special Flood Hazard on a Flood Insurance Rate Map (FIRM). Conditional Letters of Map Revision, Conditional Letters of Map Revision – Fill, Letters of Map Revision, Letters of Map Revision-Fill, and Letters of Map Amendment are requested through the Letter of Map Change (LOMC) process.

LETTER OF MAP REVISION - A Letter of Map Revision (LOMR) is FEMA's modification to an effective Flood Insurance Rate Map (FIRM). Letter of Map Revisions are generally based on the implementation of physical measures that affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective Base Flood Elevations (BFEs), or the Special Flood Hazard Area (SFHA). The LOMR officially revises the Flood Insurance Rate Map (FIRM) and sometimes the Flood Insurance Study (FIS) report, and when appropriate, includes a description of the modifications. The LOMR is generally accompanied by an annotated copy of the affected portions of the FIRM or FIS report. Because a LOMR officially revises the effective NFIP map, it is a public record that the community must maintain. Any LOMR should be noted on the community's master flood map and filed by panel number in an accessible location.

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**LETTER OF MAP REVISION – FILL** - A Letter of Map Revision Based on Fill (LOMR-F) is FEMA's modification of the Special Flood Hazard Area (SFHA) shown on the Flood Insurance Rate Map (FIRM) based on the placement of fill outside the existing regulatory floodway may be initiated through the Letter of Map Change (LOMC) Process. Because a LOMR-F officially revises the effective Flood Insurance Rate Map (FIRM) map, it is a public record that the community must maintain. Any LOMR-F should be noted on the community's master flood map and filed by panel number in an accessible location.

**LICENSED DESIGN PROFESSIONAL** – Licensed design professional shall refer to either a New Jersey Licensed Professional Engineer, licensed by the New Jersey State Board of Professional Engineers and Land Surveyors or a New Jersey Licensed Architect, licensed by the New Jersey State Board of Architects.

**LICENSED PROFESSIONAL ENGINEER** - A licensed professional engineer shall refer to individuals licensed by the New Jersey State Board of Professional Engineers and Land Surveyors.

**LOCAL DESIGN FLOOD ELEVATION (LDFE)** – The elevation reflective of the most recent available preliminary flood elevation guidance FEMA has provided as depicted on but not limited to Advisory Flood Hazard Area Maps, Work Maps, or Preliminary FIS and FIRM which is also inclusive of freeboard specified by the New Jersey Flood Hazard Area Control Act and Uniform Construction Codes and any additional freeboard specified in a community's ordinance. In no circumstances shall a project's LDFE be lower than a permit-specified Flood Hazard Area Design Flood Elevation or a valid NJDEP Flood Hazard Area Verification Letter plus the freeboard as required in ASCE 24 and the effective FEMA Base Flood Elevation.

**LOWEST ADJACENT GRADE** – The lowest point of ground, patio, or sidewalk slab immediately next a structure, except in AO Zones where it is the natural grade elevation.

**LOWEST FLOOR** – In A Zones, the lowest floor is the top surface of the lowest floor of the lowest enclosed area (including basement). In V Zones and coastal A Zones, the bottom of the lowest horizontal structural member of a building is the lowest floor. An unfinished or flood resistant enclosure, usable solely for the parking of vehicles, building access or storage in an area other than a basement is not considered a building's lowest floor provided that such enclosure is not built so as to render the structure in violation of other applicable non-elevation design requirements of these regulations.

**MANUFACTURED HOME** – A structure that is transportable in one or more sections, eight (8) feet or more in width and greater than four hundred (400) square feet, built on a permanent chassis, designed for use with or without a permanent foundation when attached to the required utilities, and constructed to the Federal Manufactured Home Construction and Safety Standards and rules and regulations promulgated by the U.S. Department of Housing and Urban Development. The term also includes mobile homes, park trailers, travel trailers and similar transportable structures that are placed on a site for 180 consecutive days or longer.

**MANUFACTURED HOME PARK OR SUBDIVISION** – A parcel (or contiguous parcels) of land divided into two or more manufactured home lots for rent or sale.

**MARKET VALUE** – The price at which a property will change hands between a willing buyer and a willing seller, neither party being under compulsion to buy or sell and both having reasonable knowledge of relevant facts. As used in these regulations, the term refers to the market value of buildings and structures, excluding the land and other improvements on the parcel. Market value shall be determined by one of the following methods: (1) Actual Cash Value (replacement cost depreciated for age and quality of construction); (2) tax assessment value adjusted to approximate market value by a factor provided by the Property Appraiser; or (3) established by a qualified independent appraiser.

**NEW CONSTRUCTION** – Structures for which the start of construction commenced on or after the effective date of the first floodplain regulation adopted by a community; includes any subsequent improvements to such structures. New construction includes work determined to be a substantial improvement.

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NON-RESIDENTIAL – Pursuant to ASCE 24, any building or structure or portion thereof that is not classified as residential.

ORDINARY MAINTENANCE AND MINOR WORK – This term refers to types of work excluded from construction permitting under N.J.A.C. 5:23 in the March 5, 2018, New Jersey Register. Some of these types of work must be considered in determinations of substantial improvement and substantial damage in regulated floodplains under 44 CFR 59.1. These types of work include, but are not limited, to replacements of roofing, siding, interior finishes, kitchen cabinets, plumbing fixtures and piping, HVAC and air conditioning equipment, exhaust fans, built in appliances, electrical wiring, etc. Improvements necessary to correct existing violations of State or local health, sanitation, or code enforcement officials which are the minimum necessary to assure safe living conditions and improvements of historic structures as discussed in 44 CFR 59.1 shall not be included in the determination of ordinary maintenance and minor work.

RECREATIONAL VEHICLE – A vehicle that is built on a single chassis, 400 square feet or less when measured at the largest horizontal projection, designed to be self-propelled or permanently towable by a light-duty truck, and designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel or seasonal use. A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

RESIDENTIAL – Pursuant to the ASCE 24:

- a. Buildings and structures and portions thereof where people live or that are used for sleeping purposes on a transient or non-transient basis;
- b. Structures including but not limited to one- and two-family dwellings, townhouses, condominiums, multi-family dwellings, apartments, congregate residences, boarding houses, lodging houses, rooming houses, hotels, motels, apartment buildings, convents, monasteries, dormitories, fraternity houses, sorority houses, vacation time-share properties; and
- c. institutional facilities where people are cared for or live on a 24-hour basis in a supervised environment, including but not limited to board and care facilities, assisted living facilities, halfway houses, group homes, congregate care facilities, social rehabilitation facilities, alcohol and drug centers, convalescent facilities, hospitals, nursing homes, mental hospitals, detoxification facilities, prisons, jails, reformatories, detention centers, correctional centers, and prerelease centers.

SOLID WASTE DISPOSAL – “Solid Waste Disposal” shall mean the storage, treatment, utilization, processing or final disposition of solid waste as described in N.J.A.C. 7:26-1.6 or the storage of unsecured materials as described in N.J.A.C. 7:13-2.3 for a period of greater than six (6) months as specified in N.J.A.C. 7:26 which have been discharged, deposited, injected, dumped, spilled, leaked, or placed into any land or water such that such solid waste may enter the environment or be emitted into the air or discharged into any waters, including groundwaters.

SPECIAL FLOOD HAZARD AREA – The greater of the following: (1) Land in the floodplain within a community subject to a one percent or greater chance of flooding in any given year, shown on the FIRM as Zone V, VE, V1-3-, A, AO, A1-30, AE, A99, or AH; (2) Land and the space above that land, which lies below the peak water surface elevation of the flood hazard area design flood for a particular water, as determined using the methods set forth in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13; (3) Riparian Buffers as determined in the New Jersey Flood Hazard Area Control Act in N.J.A.C. 7:13. Also referred to as the AREA OF SPECIAL FLOOD HAZARD.

START OF CONSTRUCTION – The **Start of Construction is as follows:**

- a. **For other than new construction or substantial improvements, under the Coastal Barrier Resources Act (CBRA),** this is the date the building permit was issued, provided that the actual start of construction, repair, rehabilitation, addition, placement or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a building on site, such as the pouring of a slab or footing, the

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installation of piles, the construction of columns or any work beyond the stage of excavation; or the placement of a manufactured (mobile) home on a foundation. For a substantial improvement, actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

- b. For the purposes of determining whether proposed construction must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change, the Start of Construction includes substantial improvement, and means the date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation.

Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. Such development must also be permitted and must meet new requirements when National Flood Insurance Program (NFIP) maps are issued or revised and Base Flood Elevation's (BFEs) increase or zones change.

For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of the building.

For determining if new construction and substantial improvements within the Coastal Barrier Resources System (CBRS) can obtain flood insurance, a different definition applies.

**STRUCTURE** – A walled and roofed building, a manufactured home, or a gas or liquid storage tank that is principally above ground.

**SUBSTANTIAL DAMAGE** – Damage of any origin sustained by a structure whereby the cost of restoring the structure to its before damaged condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

**SUBSTANTIAL IMPROVEMENT** – Any reconstruction, rehabilitation, addition, or other improvement of a structure taking place, the cost of which equals or exceeds 50 percent of the market value of the structure before the “start of construction” of the improvement. This term includes structures which have incurred “substantial damage”, regardless of the actual repair work performed. The term does not, however, include either:

- a. Any project for improvement of a structure to correct existing violations of State or local health, sanitary or safety code specifications which have been identified by the local code enforcement officer and which are the minimum necessary to assure safe living conditions; or
- b. Any alteration of a “historic structure,” provided that the alteration will not preclude the structure’s continued designation as a “historic structure.”

**UTILITY AND MISCELLANEOUS GROUP U BUILDINGS AND STRUCTURES** – Buildings and structures of an accessory character and miscellaneous structures not classified in any special occupancy, as described in ASCE 24.

**VARIANCE** – A grant of relief from the requirements of this section which permits construction in a manner otherwise prohibited by this section where specific enforcement would result in unnecessary hardship.



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**VIOLATION** – A development that is not fully compliant with these regulations or the flood provisions of the building code. A structure or other development without the elevation certificate, other certifications, or other evidence of compliance required in this ordinance is presumed to be in violation until such time as that documentation is provided.

**WATER SURFACE ELEVATION** – the height, in relation to the North American Vertical Datum (NAVD) of 1988, (or other datum, where specified) of floods of various magnitudes and frequencies in the flood plains of coastal or riverine areas.

**WATERCOURSE.** A river, creek, stream, channel, or other topographic feature in, on, through, or over which water flows at least periodically.

**WET FLOODPROOFING** – Floodproofing method that relies on the use of flood damage resistant materials and construction techniques in areas of a structure that are below the Local Design Flood Elevation by intentionally allowing them to flood. The application of wet floodproofing as a flood protection technique under the National Flood Insurance Program (NFIP) is limited to enclosures below elevated residential and non-residential structures and to accessory and agricultural structures that have been issued variances by the community.

**SECTION 4.** Section 100-95, entitled “Scope and administration,” is hereby amended as follows (deletions noted in strikethrough ~~thus~~ and additions noted in bold italic *thus*):

~~**A. — Title.** These regulations, in combination with the flood provisions of the Uniform Construction Code (UCC) N.J.A.C. 5:23 (hereinafter "Uniform Construction Code," consisting of the Building Code, Residential Code, Rehabilitation Subcode, and related codes, and the New Jersey Flood Hazard Area Control Act (hereinafter "FHACA"), N.J.A.C. 7:13, shall be known as the Floodplain Management Regulations of Township of Holland (hereinafter "these regulations").~~

**AB. Scope.** These regulations, in combination with the flood provisions of the Uniform Construction Code and FHACA shall apply to all proposed development in flood hazard areas established in Section 100-96 of these regulations.

~~**C. — Purposes and objectives.** The purposes and objectives of these regulations are to promote the public health, safety and general welfare and to minimize public and private losses due to flood conditions in specific flood hazard areas through the establishment of comprehensive regulations for management of flood hazard areas, designed to:~~

- ~~13) Protect human life and health.~~
- ~~14) Prevent unnecessary disruption of commerce, access, and public service during times of flooding.~~
- ~~15) Manage the alteration of natural floodplains, stream channels and shorelines;~~
- ~~16) Manage filling, grading, dredging and other development which may increase flood damage or erosion potential.~~
- ~~17) Prevent or regulate the construction of flood barriers which will divert floodwater or increase flood hazards.~~
- ~~18) Contribute to improved construction techniques in the floodplain.~~
- ~~19) Minimize damage to public and private facilities and utilities.~~
- ~~20) Help maintain a stable tax base by providing for the sound use and development of flood hazard areas.~~
- ~~21) Minimize the need for rescue and relief efforts associated with flooding.~~
- ~~22) Ensure that property owners, occupants, and potential owners are aware of property located in flood hazard areas.~~
- ~~23) Minimize the need for future expenditure of public funds for flood control projects and response to and recovery from flood events.~~
- ~~24) Meet the requirements of the National Flood Insurance Program for community participation set forth in Title 44 Code of Federal Regulations, Section 59.22.~~

**B. Coordination with Building Codes.** Pursuant to the requirement established in N.J.A.C. 5:23, the Uniform Construction Code, that the Township of Holland administer and enforce the State Building Codes, the Township Committee of Township of Holland does hereby acknowledge that the

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Uniform Construction Code contains certain provisions that apply to the design and construction of buildings and structures in flood hazard areas. Therefore, these regulations are intended to be administered and enforced in conjunction with the Uniform Construction Code.

**C. Ordinary Building Maintenance and Minor Work.** Improvements defined as ordinary building maintenance and minor work projects by the Uniform Construction Code including non-structural replacement-in-kind of windows, doors, cabinets, plumbing fixtures, decks, walls, partitions, new flooring materials, roofing, etc. shall be evaluated by the Floodplain Administrator through the floodplain development permit to ensure compliance with the Substantial Damage and Substantial Improvement Section 103.14 of this ordinance.

**D. Warning.** The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur. Flood heights may be increased by man-made or natural causes. Enforcement of these regulations does not imply that land outside the special flood hazard areas, or that uses permitted within such flood hazard areas, will be free from flooding or flood damage.

**E. Other laws.** The provisions of these regulations shall not be deemed to nullify any provisions of local, State, or Federal law.

**F. Violations and Penalties for Noncompliance.** No structure or land shall hereafter be constructed, re-located to, extended, converted, or altered without full compliance with the terms of this ordinance and other applicable regulations. Violation of the provisions of this ordinance by failure to comply with any of its requirements (including violations of conditions and safeguards established in connection with conditions) shall constitute a violation under N.J.S.A. 40:49-5. Any person who violates this ordinance or fails to comply with any of its requirements shall be subject to one (1) or more of the following: a fine of not more than \$1,250 imprisonment for a term not exceeding ninety (90) days or a period of community service not exceeding ninety (90) days.

Each day in which a violation of an ordinance exists shall be considered to be a separate and distinct violation subject to the imposition of a separate penalty for each day of the violation as the Court may determine except that the owner will be afforded the opportunity to cure or abate the condition during a thirty (30) day period and shall be afforded the opportunity for a hearing before the court for an independent determination concerning the violation. Subsequent to the expiration of the thirty (30) day period, ***the above-referenced penalties may be imposed and the abatement must be completed.*** ~~a fine greater than \$1,250 may be imposed if the court has not determined otherwise, or if upon reinspection of the property, it is determined that the abatement has not been substantially completed.~~

~~Any person who is convicted of violating an ordinance within one (1) year of the date of a previous violation of the same ordinance and who was fined for the previous violation, shall be sentenced by a court to an additional fine as a repeat offender. The additional fine imposed by the court upon a person for a repeated offense shall not be less than the minimum or exceed the maximum fine fixed for a violation of the ordinance, but shall be calculated separately from the fine imposed for the violation of the ordinance.~~

**G. Solid Waste Disposal in a Flood Hazard Area.** Any person who has unlawfully disposed of solid waste in a floodway or floodplain who fails to comply with this ordinance or fails to comply with any of its requirements shall upon conviction thereof be fined ***pursuant to N.J.S.A. 40:49-5 a minimum penalty of \$2,500 up to a maximum penalty of \$10,000.*** ~~not more than \$2,500 or up to a maximum penalty by a fine not exceeding \$10,000 under N.J.S.A. 40:49-5.~~

**H. Abrogation and greater restrictions.** These regulations supersede any ordinance in effect in flood hazard areas. However, these regulations are not intended to repeal or abrogate any existing ordinances including land development regulations, subdivision regulations, zoning ordinances, stormwater management regulations, or building codes. In the event of a conflict between these regulations and any other ordinance, code, or regulation, the more restrictive shall govern.

**SECTION 5.** Section 100-98.5, entitled "Definitions," is hereby deleted in its entirety and left intentionally blank.

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**SECTION 6.** Section 100-118 of the Code of the Township of Holland, entitled “Zoning Permit” is hereby amended as follows (deletions noted in strikethrough ~~thus~~ and additions noted in bold italic *thus*):

A. Prior to any change in the use of any land or structure or expansion of existing use of land or expansion of a structure or construction of an additional structure, where the changed or expanded use, or expansion or construction of a structure, is affected by the requirements of this Part 1, the owner or his authorized agent shall apply for a zoning permit, unless a site plan or subdivision approval or variance has been finally granted by the applicable approving authority and the proposed changed or expanded use, or expansion of the structure or construction of the additional structure, has been approved along with or as part of the site plan, subdivision or variance so granted. *For land or structures located within the Flood Hazard District, an elevation certificate and completed Floodplain Development Permit Application pursuant to Chapter 100, Article XII of the Township Code.*

B. The application for a zoning permit shall be on forms to be supplied by the Zoning Officer and shall contain such information, sketches, plans and data as may be required by regulations of the Planning Board which would be applicable to determine that said use or structure complies with the requirements of this Part 1 *and the Township’s Floodplain Management Regulations (Chapter 100, Article XII of the Township Code)*, and no zoning permit shall be issued unless and until the Zoning Officer has determined that said change or expansion in use or expansion of structure or construction of additional structure complies with said requirements. The fee for said zoning permit will be as established in Chapter 83, Fees. Also, prior to the issuance of any zoning permit, the Zoning Officer shall be presented by the applicant with a certificate from the appropriate Township official that no real estate taxes or assessments for local improvements are delinquent as to any lot or lots involved in the application for the zoning permit.

C. Any change in use of land or structure, or expansion of a structure or construction of any additional structure for which a zoning permit has been issued shall, be accomplished in accordance with such permit and the requirements of said Part 1, and with the provisions of any applicable industrial use permit theretofore granted.

**SECTION 7.** Section 100-119 of the Code of the Township of Holland, entitled “Certificates of Occupancy” is hereby amended as follows (deletions noted in strikethrough ~~thus~~ and additions noted in bold italic *thus*):

It shall be unlawful to use or permit the use of any land or structure, the use of which has been changed in such manner as to require the issuance of a zoning permit, industrial use permit, *Floodplain Development Permit*, or special exception use permit hereunder, and it shall be unlawful to use any building hereinafter located, relocated, erected, constructed, reconstructed, enlarged or structurally altered so as to require the issuance of a building permit, until a certificate of occupancy shall have been issued therefor by the Construction Official. Such certificate of occupancy shall be issued by the Construction Official if said land or structure, so changed in use or building so located, relocated, erected, constructed, enlarged or structurally altered, as the case may be, conforms with all the requirements of this Part 1, Part 2, Development Regulations, and applicable provisions of the New Jersey State Uniform Construction Code. Such certificate of occupancy shall be issued or denied by the Construction Official within 10 days of application for it.

**SECTION 8.** Chapter 100, Attachment 14, entitled “Checklists for Applications for Development,” is hereby amended as follows:

For all development within the Flood Hazard District

- a. a flood elevation certificate, and
- b. the plans must show or include all information required by the Floodplain Management Regulations of the Township of Holland, specifically Township Code Section 100-98.1

**SECTION 9. SEVERABILITY**

Where any section, subsection, sentence, clause, or phrase of these regulations is, for any reason, declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared.

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**SECTION 10. EFFECTIVE DATE**

This ordinance shall take effect after notice and publication required by law.

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

**-ORDINANCE 2023-17 – Revising Chapter 32 “Police and Public Safety, Department of”**  
Introduction/First Reading. Committeeman Thurgarland moved and Deputy Mayor Wilhelm seconded the motion to adopt on First Reading Ordinance 2023-17. Second reading and Public Hearing is set for December 5, 2023

**AMENDING ORDINANCE 2021-10, REVISING CHAPTER 32, SECTION 13, OF THE  
MUNICIPAL CODE OF THE TOWNSHIP OF HOLLAND, AND  
CHAPTER 32 ENTITLED “POLICE AND PUBLIC SAFETY, DEPARTMENT OF,”  
OF THE CODE OF THE TOWNSHIP OF HOLLAND**

**WHEREAS**, the Mayor and Committee of the Township of Holland have determined that certain amendments and additions are needed regarding Ordinance 2021-10 and Chapter 32 of the Code of the Township of Holland regarding outside employment of law enforcement officers are necessary.

**NOW, THEREFORE, BE IT ORDAINED AND ENACTED** by the Township Committee of the Township of Holland, in the County of Hunterdon and State of New Jersey, that the following provisions of the Code of the Township of Holland is amended as follows:

**SECTION 1.** Chapter 32 of the Township Code of the Township of Holland, entitled “Police and Public Safety, Department of,” is hereby amended and supplemented as follows (Additions indicated in boldface and italics *thus*; deletions indicated with strike-through ~~thus~~):

**§ 32-15. *Outside employment of law enforcement officers.***

*Police Officers may work for outside private contractors and entities and other government entities on their off-duty hours with the approval of and provided the Chief of Police determines, in his discretion that there are sufficient police personnel available , that the outside employment assignment will not interfere with the needs of the Township, and that sufficient funds have been deposited in advance in an escrow account with the Township’s Chief Financial Officer, or the assignment is for a government entity that has executed a Shared Services Agreement with the Township, to cover the anticipated costs of such off-duty assignments. The Township’s Chief Financial Officer shall remit invoices to all outside private contractors and entities and government entities upon notification from the Police Chief on all outside employment.*

**§ 32-16. *Escrow account; application for services.***

**A. *The Township has established an escrow account dedicated to the payment of off-duty police officers for outside employment by private contractors or private entities and other government entities. Any prospective contractor or private entity or government entity must apply to the Chief of police, requesting off-duty police services. The Chief of Police will then notify the Chief Financial Officer of the request and forward to them the completed application, when received. The written application shall include the following information.***

- (1) The dates that off-duty police services and police vehicle(s) will be needed.***
- (2) An estimate of the number of hours the contractor or private entity anticipates using the off-duty police officer(s) and, if appropriate, police vehicles.***
- (3) A check to cover the cost of off-duty police services and use of any Township vehicles based on the estimated number of hours shall be submitted before the start of off duty employment in accordance with State and Division of Local Government Services***

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*regulations. No police officer shall work off duty for any private contractor or entity prior to clearance of the funds in the escrow account*

- B. If the contractor's or private entity's needs exceed the estimated sum in the escrow account, the Township's Chief Financial Officer (or designee) shall immediately notify the contractor or outside entity that the funds in the escrow account are insufficient to pay for continued off-duty police services. The contractor or private entity shall then either replenish the escrow account with a check sufficient to pay for continued services or the Chief of Police shall immediately terminate provision of the off-duty police services to the contractor or private entity.*
- C. If the contractor's or private entity's estimated costs exceed the actual costs incurred, then the Township shall, upon proper notice to the Township Chief Financial Officer, refund the remainder of the escrow account.*
- D. Other government entities who have executed a Shared Service Agreement with the Township shall pay for the services within thirty (30) days of invoicing.*

**§ 32-17. Timing of requests and payment.**

- A. All requests for off-duty police services must be made no later than 1600 on the day prior to the request, except in an emergent situation.*
- B. In the event of an emergency situation, where written application for off-duty police services cannot be made prior to the date such service is required, payment for such service must be made to the Township within twenty-four (24) hours after the emergency situation has been resolved or concluded. For the purpose of this section, "emergency situation" shall mean any construction, maintenance or repair required to be performed as a result of an unforeseen event or act of God, whereby the private contractor had no prior notice of the condition, and off-duty police services are required for the public safety and welfare, which determination is left in the sole discretion of the Chief of Police.*

**§ 32-18. Rates**

- A. Rates for off-duty police services are:
  - (1) The rate of pay for all off-duty police work shall be set each year by resolution of the Township Committee after consultation with the Chief of Police. The resolution setting the rates shall be immediately forwarded to the CFO.*
  - (2) The failure of a contractor or private entity to contact the Police Department at least twelve (12) hours in advance of the start of an assignment to cancel the request for off-duty police services will result in a two-hour minimum charge to the contractor or private entity. If an officer accepts an off-duty detail for specific hours and the detail is not worked to completion due to circumstances with the contractor, the officer may accept full compensation for the hours scheduled from the contractor. However, this does not guarantee the officer compensation for all scheduled hours.*
  - (3) In addition to the amounts noted above, a per-hour administrative fee of 15% will be charged to the contractor or private entity.**
- B. When a Township police vehicle is available and being utilized as an active traffic control device, the fee charged for use shall be set annually by Resolution.*

**§ 32-19. Providing of traffic control devices.**

*The contractor shall be responsible for providing adequate traffic control devices (signs, cones, etc.) in accordance with the Manual on Uniform Traffic Control Devices (work zone safety). Failure to provide adequate traffic control devices will result in cancellation of the off-duty services.*

**§ 32-20. Insurance; indemnification.**

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*Whenever a contractor or outside entity contracts with the Township Police Department for the services of a police officer during his or her off-duty hours to engage in police-related activities, that outside entity must first:*

- A. The employer shall hold the municipality harmless from any and all claims that may arise as the result of activities or actions of the police officers hired by the employer, which arise during the course of employment. The employer shall provide the municipality, prior to utilization of the municipality’s police officer, with a certificate of insurance from an insurance company acceptable to the municipality evidencing not less than a minimum of \$1,000,000 in comprehensive general liability (including personal injury with exclusion of A & C deleted), but not less than the employer covers, and \$300,000 in property damage, as well as a “Hold Harmless” Agreement inuring to the benefit of the municipality and shall maintain said coverage at all times that a police officer of the municipality is employed by the employer. Such indemnity agreement shall be in a form acceptable to the Township Attorney.*

**§ 32-21. Provision of other personnel and signage.**

*In the event a contractor determines not to use off-duty police officers, the contractor must provide for its own traffic control personnel and signage. If the Chief of Police determines that the contractor must utilize off-duty police officers for documented safety purposes, he will notify the contractor in writing, and will notify the Township’s Chief Financial Officer. In no event does this provision preclude the Chief of Police from using on-duty police officers, at any time, to perform these functions.*

**SECTION 2.** Ordinance 2021-10 revising Chapter 32, Section 13, of the Municipal Code of the Township of Holland, is deleted in its entirety.

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

**SECTION 4.** If any section, subsection, sentence, clause, phrase or portion of this Ordinance is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

**SECTION 5.** This Ordinance shall take effect upon final passage and publication according to law.

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

**-ORDINANCE 2023-18 – APPROPRIATING \$300,000.00 FROM RESERVE FOR IMPROVEMENTS 802 MILFORD-WARREN GLEN ROAD**

Introduction/First Reading. Committeeman Thurgarland moved and Committeewoman Pezzano seconded the motion to adopt Ordinance 2023-18 of First Reading. Second reading and Public Hearing is set for December 5, 2023

**AN ORDINANCE THAT APPROPRIATED \$300,000.00 FROM RESERVE FOR IMPROVEMENTS 802 MILFORD-WARREN GLEN ROAD (BLOCK 8.06, LOT 1) IN THE TOWNSHIP OF HOLLAND, COUNTY OF HUNTERDON, STATE OF NEW JERSEY IN THE AMOUNT OF \$300,000.00.**

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

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**SECTION ONE:** The sum of \$300,000.00 is hereby appropriated from Reserve for Improvements 802 Milford Warren Glen Road for the Improvements of office space for municipal purposes.

**SECTION TWO:** The period of usefulness of the Improvements of Property as defined by N.J.S.A. 40A:2-22, is at least 5 years.

**SECTION THREE:** The capital budget of the Township is hereby amended to conform with the provisions of this Ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

**SECTION FOUR:** The gross debt of the Township of Holland, as defined by N.J.S.A. 40A:2-43 will not be increased by this ordinance.

**BE IT FURTHER ORDAINED** that this Ordinance shall take effect 10 days after publication, following final adoption, as provided by law.

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

**RESOLUTION – 2023 Best Practices Inventory**

Committeeman Thurgarland moved and Committeeman Young seconded the motion to adopt the following Resolution:

**Acknowledging Receipt and Review of the 2023 Best Practices Inventory  
that Chief Finance Officer has Submitted to the Division of Local Government Services**

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Holland, in the County of Hunterdon, State of New Jersey that the Township Committee reviewed the 2023 Best Practice Inventory as submitted by Chief Finance Officer, Kristi Gano at a regular scheduled meeting held on November 8, 2023.

**BE IT FURTHER RESOLVED**, that in review of the document, CFO Gano has reported that the township qualifies for full state aid.

**BE IT FINALLY RESOLVED**, that the Township Committee has reviewed the Best Practices Inventory as submitted by CFO Gano to the Division of Local Government Services before the due date of November 3, 2023.

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

**RESOLUTION – Budget Transfers**

Deputy Mayor Wilhelm moved and Committeeman Young seconded the motion to adopt the following Resolution:

**BUDGET TRANSFERS**

**WHEREAS**, the Municipal Budget for the year 2023 was approved on April 4, 2023 and adopted on April 19, 2023 and

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**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>
<b>Finance Other Expenses</b>	<b>-28,000.00</b>	
<b>Swimming Pool S &amp; W</b>	<b>-11,800.00</b>	
<b>Building &amp; Grounds S&amp;W</b>	<b>-25,000.00</b>	
<b>Snack Shack O/E</b>	<b>-3,736.97</b>	
<b>Municipal Clerk S&amp;W</b>	<b>-8,181.92</b>	
<b>Employee Group Insurance</b>		<b>15,000.00</b>
<b>Land Use Board S&amp;W</b>		<b>2,100.00</b>
<b>Snack Shack S/W</b>		<b>1,418.89</b>
<b>RRCC Parks &amp; Recreation S/W</b>		<b>45,800.00</b>
<b>Finance S/W</b>		<b>2,400.00</b>
<b>Social Security -Other Expenses</b>		<b>10,000.00</b>

**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 Pezzano	X			
Scott Wilhelm, Deputy Mayor	X			
Robert Thurgarland	X			
Dan Bush, Mayor	X			

**RESOLUTION-Approval to Hire:** Steven Weber as Part Time Buildings and Grounds at the hourly rate of \$19.50.

Committeeman Thurgarland moved and Committeeman Young seconded the motion to adopt the following Resolution:

**Authorization to Hire Steven Weber as part time  
Building and Grounds Maintenance Employee**

**WHEREAS**, the Township Committee of the Township of Holland shall require the services of a part-time Buildings and Grounds Maintenance employee to work at all township facilities, and

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

**WHEREAS**, this employee will be hired as a 12month, part-time hourly employee required to punch a time clock, and

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



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**WHEREAS**, this employee will be hired on a probationary status for six months from the date this resolution is adopted, as described in the Employee Handbook, and

**WHEREAS**, this probationary status will be re-evaluated on May 7, 2024, and

**WHEREAS**, this employee will be required to attend and pass all required safety training, must wear all required safety equipment and must abide by all safety policies including all Lock Out-Tag Out Programs.

**WHEREAS**, this employee will be required to submit to a physical exam and a background check, and

**WHEREAS**, this employee will be under the supervision of the Department of Public Works Superintendent.

**NOW, THEREFORE, BE IT RESOLVED** by the Holland Township Committee, Township of Holland, County of Hunterdon in the State of New Jersey, that Steven Weber will be hired as part-time Buildings and Grounds Maintenance employee working a maximum of 27.5 hours per week at the 2023 salary of \$19.50 per hour contingent on results of all required back ground checks effective upon adoption of this resolution effective November 8, 2023.

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

**-RESOLUTION** – Shared Service Agreement for QPA services with Lebanon Township Committeeman Young moved and Deputy Mayor Wilhelm seconded the motion to adopt the following Resolution:

**AUTHORIZING THE RENEWAL OF THE SHARED SERVICES AGREEMENT  
PROVIDING A QUALIFIED PURCHASING AGENT TO THE TOWSHIP OF LEBANON**

**WHEREAS**, the New Jersey Uniform Shared Services and Consolidated Act (N.J.S.A. 40A:65-1, et seq.) authorizes shared services between municipalities; and

**WHEREAS**, the Township Committee of the Township of Holland (the “Committee”) has determined to renew the Shared Services Agreement (“Agreement”), attached hereto as Exhibit A, between the Township of Holland and the Township of Lebanon, to provide to Lebanon the services of a Qualified Purchasing Agent in accordance with the terms and conditions contained therein.

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Holland, Hunterdon County that Mayor and Clerk are authorized to execute the agreement entitled “Service Agreement for Qualified Purchasing Agent” substantially in the form

**NOW, THEREFORE, BE IT RESOLVED**, by the Mayor and Committee of the Township of Holland, in the County of Hunterdon, that the Township of Holland hereby provide Lebanon Township the services of a Qualified Purchasing Agent as set forth in the Shared Services Agreement executed on November 8, 2023.

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

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**-RESOLUTION- Renewal of Animal Control Solutions Contract**

Committeeman Thurgarland moved and Committeeman Young seconded the motion to adopt the following Resolution:

**Renewal of Animal Control Solutions Contract**

**WHEREAS**, N.J.S.A. 40:48-5.1 mandates that under certain specified circumstances a municipality must enter into negotiations with an animal control service for the collecting, keeping, redemption and destroying of stray animals with the municipality; and

**WHEREAS**, quotes were received for the services; and

**WHEREAS**, pursuant to the provisions of said statute, the lowest responsible quote was provided by Animal Control Solutions in the amount of \$12,480.00 for 2024, \$13,200 for 2025, and \$13,200 for 2026; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Holland Township Committee that Holland Township be authorized to enter into a contract with Animal Control Solutions for the period of January 1, 2024 – December 31, 2024 for \$12,480.00, January 1, 2025 – December 31, 2025 for \$13,200.00 and January 1, 2026 – December 31, 2026 for \$13,200.00 with the additional fee schedule following for any additional services requested by the Township during this period:

**Non-Emergency**

**Dogs and Puppies:**

Intake Shots (given unless dog has valid tags on)	\$25.00 each shot
1 Day Board	\$50.00
7 Day Board	\$350.00
Disposition Fee (Spay/Neuter, Adoption Prep, or euthanasia and disposal)	\$250.00
Prep Rabies Specimen	\$80.00
Dogs Held Under the Dangerous Dog Act or Quarantine	\$65.00 per day
Dead Dog Disposal	\$65.00
Basic Exam	\$100.00

**Cats and Kittens:**

Intake Shots (given unless cat has valid tags on)	\$25.00 each shot
1 Day Board	\$40.00
7 Day Board	\$280.00
Disposition Fee (Spay/Neuter, Adoption Prep or euthanasia)	\$200.00
Prep Rabies Specimen	\$80.00
Dead Cat Disposal	\$60.00
Basic Exam	\$100.00

**Live Stock:**

1 Day Board Small (under 50 pounds)	\$50.00
1 Day Board Medium (50 to 100 pounds)	\$65.00
1 Day Board Large (above 100 pounds)	\$75.00

**Exotic:**

Pet birds, Hamsters, Ferrets, Reptiles, and other exotic animals	
Only impounded under the direction of the municipality, 1 Day Board	\$55.00

**Wildlife:**

Euthanasia (If police refuse or are unable to)	\$100.00
Disposal (If no municipal dumpster is available)	\$60.00

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Prep Rabies Specimen \$80.00

**Emergency Vet**

All Domestic Animals:

Required Exam \$200.00

Euthanasia \$200.00

Required Pain Meds and Fluids \$ TBD

Other (Municipal approval required) \$ TBD

Wildlife:

Euthanasia and Disposal (If police refuse or are unable to) \$200.00

**Low Cost Fix the Cat service includes:**

- Spay/Neuter of cat
- Rabies and Distemper Vaccines
- Microchip (to link ownership)
- Ear Notch (a universal identification method for TNR)

Cost: \$100.00 per cat. This fee is normally paid by the person requesting the service but the Municipality may choose to cover these costs on a case by case basis.

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

**-RESOLUTION** - Awarding a Cleaning Contract for the Holland Township Municipal Building including the Police Department.

Committeeman Thurgarland moved and Committeeman Young seconded the motion to adopt the following Resolution:

**Awarding a Cleaning Contract for the Holland Township Municipal Building including the Police Department**

**WHEREAS**, Holland Township requested quotes for cleaning services in the Municipal Building and the Police Department located at 61 Church Road in Holland Township, and

**WHEREAS**, quotes were received and reviewed by the Qualified Purchasing Agent for accuracy and completeness; and

**WHEREAS**, the Chief Financial Officer has certified that funds are available for this contract in line items 01-201-26-310-683 for the Police Department and 01-201-26-310-604 for the Municipal Building.

**WHEREAS** this will be a contract beginning January 1, 2024 and ending December 31, 2024.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Holland in the County of Hunterdon, state of New Jersey, that Holland Township be authorized to enter into a 12month contract beginning January 1, 2024 with Theresa Verdi for cleaning services for the Holland Township Municipal Building, including the Police Department in the amount of \$300 per week for service on Monday, Wednesday and Friday.

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

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**RESOLUTION** – Authorizing the Township to Apply for a 2024 CDBG Grant  
Deputy Mayor Wilhelm moved and Committeeman Thurgarland seconded the motion to adopt the following Resolution:

**Authorizing the Township to Apply for a 2024 CDBG Grant**

**WHEREAS**, Holland Township qualified to apply for a 2024 Small Cities Community Development Block Grant, and

**WHEREAS**, the Township has identified the Police Headquarters renovations as an eligible project.

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Holland in the County of Hunterdon, State of New Jersey, that Mayor and other required officials be authorized to sign and apply for the 2024 Small Cities Community Development Block Grant

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

**RESOLUTION** – Approving facility use agreement with Hunterdon County to allow the placement of a book locker on Block 6, Lot 63.  
Committeeman Thurgarland moved and Committeeman Young seconded the motion to adopt the following Resolution:

**APPROVING THE FACILITY USE AGREEMENT WITH HUNTERDON COUNTY TO ALLOW THE PLACEMENT OF A BOOK LOCKER ON BLOCK 6, LOT 63**

**WHEREAS**, the County of Hunterdon (the “County”) has requested permission from the Township of Holland (the “Township”) to place a book locker on a portion of the property owned by the Township and used as the Holland Township Library, located at 129 Spring Mills Road, Block 6, Lot 63.

**WHEREAS**, a copy of the Facility Use Agreement permitting the location of the book locker is attached hereto as Exhibit “A;” and

**WHEREAS**, the Mayor and Committee of the Township believe it is in the best interest of the Township residents to allow the placement of such book locker and to enter into the attached Agreement.

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

1. The Mayor and Clerk are hereby authorized to execute the Facility Use Agreement in substantially the same form as attached hereto as Exhibit A.
2. This Resolution shall take effect immediately.

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

**BUSINESS FROM TOWNSHIP ATTORNEY**

No Report

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

Mr. Mayer

- Question on Check #'s 34653 and 34654 Aqua bill for the RRCC Pool.
- Question if the Gas company was done so the Ridge Streets can be paved.
- Question regarding the RRCC profit of \$2,000.00.

Mr. Rizzello

- Environmental Commission working on a Resolution for the Lower and Scenic Delaware for the next meeting. There are 5 tributaries that do not have a name.

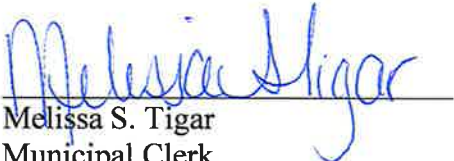
**ADJOURN**

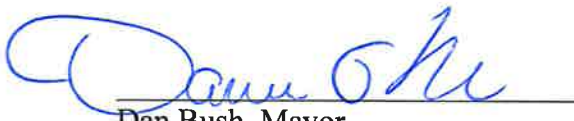
Deputy Mayor Wilhelm moved and Committeeman Young seconded the motion to adjourn at 8:21 p.m.

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

Respectfully Submitted,

Approved By,

  
Melissa S. Tigar  
Municipal Clerk

  
Dan Bush, Mayor  
Scott Wilhelm, Deputy Mayor