

March 16, 2021

AGENDA

Regular Meeting of the Hazlet Township Committee held at ____ p.m.

Salute to the flag and moment of silent prayer called by the Mayor.

Mayor’s Statement – Open Public Meetings Act.

In Compliance with the “Open Public Meetings Act” of the State of New Jersey, adequate notice of this meeting of the Township Committee was provided in the following manner:

- (A) On January 6, 2021, advance written notice of this meeting was posted at:
1766 Union Avenue, Hazlet, New Jersey
- (B) On January 6, 2021, advance written notice of this meeting was forwarded to the Independent and published in the Asbury Park Press on January 8, 2021.
- (C) On January 6, 2021, copies of advance written notice of this meeting were mailed to all persons who requested and paid for such notices on or before January 1, 2021.
- (D) On January 6, 2021, the Notice for this meeting stated that it will be open to the public via Zoom and the link for the Zoom Meeting will be on the Hazlet Township Website.

Finally, let the record reflect that the minutes of this meeting will accurately reflect the topics addressed during this meeting but will not be a verbatim transcript of tonight’s proceedings. Thank you. I direct the Municipal Clerk to enter into the minutes of this meeting these announcements.

<u>ROLL CALL</u>	<u>PRESENT</u>	<u>ABSENT</u>
Committeeman Aagre	_____	_____
Committeeman Glackin	_____	_____
Committeeman McKay	_____	_____
Deputy Mayor Sachs	_____	_____
Mayor Clark	_____	_____

Resolutions, Motions and Appointments:

Resolution #90 through #92 are by Consent Agenda. All matters listed under Consent Agenda are considered to be routine by the Township Committee and will be enacted by one motion. There will be no separate discussions of these items. If discussion is desired by the Mayor or any member of the Township Committee, that item will be removed and will be considered separately. Advance copies of each resolution have been given to each Committee Member. The original resolutions are with the Municipal Clerk for inspection as listed below.

- 90. Issuance of Raffle Licenses RL-4249, RL-4250 and RL-4251 to the Hazlet Youth Athletic League and RL-4252 to Schaufler Franzen VFW Post 4303.
- 91. Waiver of the Temporary Use Permit Fee for the Hazlet Township Police Benevolent Association (PBA).
- 92. Refund of a duplicate CCO inspection fee for 204 Bethany Road.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

PUBLIC HEARING

Anyone who would like to address the Township Committee regarding the below listed Resolutions on the Agenda, please come up, print your name and address on the sign in sheet. There is a five (5) minute time limit. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard.

Offered _____ 2nd _____

Voice Vote: _____

93. Authorizing the Mayor and Municipal Clerk to Execute a Developer's Agreement for 561 Holmdel Road.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

94. Authorizing CME Associates to execute Payment Estimate #1 for Precise Construction for the Natco Restroom Building.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

95. Confirming the Permanent Appointment of Ted Wittke to the position of Police Chief in the Hazlet Township Police Department

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

Payment of Bills:

Advance bill lists have been supplied to each Committee Member.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

Ordinance Introductions:

1. BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$3,800,000.00 FOR VARIOUS 2021 ROAD IMPROVEMENTS BY AND FOR THE TOWNSHIP OF HAZLET IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,610,000.00 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

Title read by: _____

Hearing Date: April 6, 2021.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

2. AN ORDINANCE VACATING ALL RIGHT, TITLE AND INTEREST IN AND TO A DRAINAGE EASEMENT OVER AND THROUGH LOTS 9 AND 25, BLOCK 215 AND TO ACCEPT A REVISED DRAINAGE EASEMENT OVER AND THROUGH PROPOSED LOTS 8.01, BLOCK 215

Title read by: _____

Hearing Date: April 6, 2021.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

3. AN ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 305-21 (STOP SIGNS) AT THE INTERSECTION OF BEERS STREET AND CLARK STREET, OF THE TOWNSHIP OF HAZLET, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY

Title read by: _____

Hearing Date: April 6, 2021.

Offered _____ 2nd _____

Roll Call: Committeeman Aagre _____ Committeeman Glackin _____

Committeeman McKay _____ Deputy Mayor Sachs _____

Mayor Clark _____

Citizens Hearing:

There is a five (5) minute time limit. No participant may speak more than once on the same topic until all others who wish to speak on that topic have been heard.

Motion to close hearing:

Offered _____ 2nd _____

Voice vote: _____

Motion to adjourn:

Offered _____ 2nd _____

Voice vote: _____

Time: _____

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that the Municipal Clerk is hereby authorized to issue the following raffle licenses:

RL-4249, RL-4250 & RL-4251 – HAZLET YOUTH ATHLETIC LEAGUE
RL-4252- SCHAUFLER FRANZEN VFW POST 4303

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 16th day of March, 2021.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS Chapter 181, Section 408.18.02 B (Applications: Procedure for Granting Special Use Permit: Fees) of the Development Review Ordinance of the Township of Hazlet permits the waiving of fees for bona fide non profit service organizations, qualified charities, qualified religious organizations, and units of state and local governments; and

WHEREAS the PBA (Hazlet Township Police Benevolent Association) has applied to the Township of Hazlet for a Special Use Permit to conduct a Car Show and Festival in the Township of Hazlet to be held on September 18, 2021 with a rain date of September 19, 2021 at the Hazlet Swim and Tennis Club Parking Lot from 9:00 a.m. to 3:00 p.m.; and

WHEREAS it is the desire of the Township Committee of the Township of Hazlet to waive set fees in accordance with Chapter 181, Section 408.18.02 B (Applications: Procedure for Granting Special Use Permit: Fees) of the Development Review Ordinance.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of the Township of Hazlet that the fee associated with the Special Use Permit Application for the PBA (Hazlet Township Police Benevolent Association) be and hereby is waived.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 16th day of March, 2021.

Evelyn A. Grandi
Municipal Clerk

RESOLUTION

WHEREAS, the Housing Department of the Township of Hazlet, in the County of Monmouth, State of New Jersey, collected money associated with an inspection fee for a CCO; and

WHEREAS, said monies were received from the following applicant and were deposited into the Township's Current Fund under Fees and Permits; and

WHEREAS, the applicant made a duplicate payment of said inspection fee for the property located at 204 Bethany Road, Hazlet; Block 248, Lot 3.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Township Committee that the Chief Financial Officer be authorized to return said duplicate fees; and

BE IT FURTHER RESOLVED that the Municipal Clerk forward a certified copy of this resolution to the applicant and to the Finance Office.

APPLICANT

AMOUNT OF REFUND

Darryl Walker
1153 County Line Road
East Lakewood, NJ 08701

\$160.00

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 16th day of March, 2021.

Evelyn A. Grandi
Municipal Clerk

R-92

RESOLUTION AUTHORIZING EXECUTION OF
DEVELOPER'S AGREEMENT FOR 561 HOLMDEL ROAD
BLOCK 215, LOTS 8, 9, 10, 23, 24 & 25

WHEREAS, Ventura Partners LLC is the contract purchaser of property known as Block 215, Lots 8, 9, 10, 23, 24 & 25, located on 561 Holmdel Road; and

WHEREAS, the Land Use Board granted Preliminary and Final Major Subdivision Approval by Resolution dated December 9, 2019 for a Major Subdivision of 561 Holmdel Road; and

WHEREAS, Ventura Partners LLC has signed a Developer's Agreement which is awaiting signature by the Mayor which will then be filed by the Developer with the Monmouth County Clerk's office; and

WHEREAS, the Township Attorney has reviewed the Developer's Agreement and finds it to be in acceptable order.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Hazlet, County of Monmouth, State of New Jersey, that the Mayor and the Municipal Clerk be and hereby are authorized to execute said documents on behalf of the Township.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of the Township of Hazlet, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 16th day of March, 2021.

Evelyn A. Grandi
Municipal Clerk

R-93

RESOLUTION

BE IT RESOLVED by the Township Committee of Hazlet Township that CME Associates is hereby authorized to execute Payment Estimate Number 1 for Precise Construction, Inc. for the Natco Park Restroom Building in the amount of \$106,993.46; and

BE IT FURTHER RESOLEVED that the Chief Financial Officer has certified that the funds are available from Reserve for Open Space (T-05-55-5201-00000).

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 16th day of March, 2021.

Evelyn A. Grandi
Municipal Clerk

R-94

RESOLUTION

WHEREAS, the Township has a vacancy in the position of Chief of Police due to the retirement of former Chief Philip E. Meehan; and

WHEREAS, Deputy Chief Ted Wittke joined the Hazlet Police Department in 1999 and has served with distinction since that time, attaining the rank of Deputy Chief of Police in 2016; and

WHEREAS, upon Chief Meehan's retirement, Deputy Chief Wittke assumed control of the Police Department and has served as Acting Chief of Police; and

WHEREAS, the Township wishes to appoint Wittke as its Chief of Police; and

WHEREAS, Wittke wishes to accept appointment as Chief of Police; and

WHEREAS, pursuant to the Rules and Regulations of the New Jersey Civil Service Commission, Wittke's appointment shall be effective March 11, 2021.

NOW, THEREFORE, BE IT RESOLVED, by the Township Committee of Hazlet Township that Ted Wittke is hereby appointed Chief of Police of the Township of Hazlet, effective March 11, 2021; and

BE IT FURTHER RESOLVED that a copy of this Resolution be placed in his personnel file.

CERTIFICATION

I, EVELYN A. GRANDI, Municipal Clerk of Hazlet Township, do hereby certify that the foregoing is a true copy of a Resolution duly passed and adopted by the Township Committee at its meeting held on the 16th day of March, 2021.

Evelyn A. Grandi
Municipal Clerk

BOND ORDINANCE PROVIDING AN APPROPRIATION OF \$3,800,000.00 FOR VARIOUS 2021 ROAD IMPROVEMENTS BY AND FOR THE TOWNSHIP OF HAZLET IN THE COUNTY OF MONMOUTH, NEW JERSEY AND AUTHORIZING THE ISSUANCE OF \$3,610,000.00 IN BONDS OR NOTES OF THE TOWNSHIP FOR FINANCING PART OF THE APPROPRIATION

BE IT ORDAINED, BY THE TOWNSHIP COUNCIL OF THE TOWNSHIP OF HAZLET, IN THE COUNTY OF MONMOUTH, NEW JERSEY (not less than two-thirds of all members thereof affirmatively concurring) AS FOLLOWS:

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the "Improvements") are hereby authorized to be undertaken by the Township of Hazlet, New Jersey (the "Township") as a general improvement. For the said Improvements there is hereby appropriated the amount of \$3,800,000, such sum includes the sum of \$190,000 as the down payment (the "Down Payment") required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 5A, Municipalities and Counties of the Revised Statutes of New Jersey (the "Local Bond Law"). The Down Payment is now available by virtue of provision of moneys one or more previously adopted budgets for down payments for capital improvement purposes.

SECTION 2:

In order to finance the cost of the Improvements not covered by application of the Down Payment, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$3,610,000 pursuant to the provisions of the Local Bond Law (the "Bonds"). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$3,610,000 pursuant to the provisions of the Local Bond Law (the "Bond Anticipation Notes" or "Notes").

SECTION 3:

(a) The Improvements hereby authorized and the purposes for which obligations are to be issued, the estimated cost of each Improvement and the appropriation therefor, the estimated maximum amount of bonds or notes to be issued for each Improvement and the period of usefulness of each improvement are as follows.

Purpose	Appropriation and Estimated Cost	Estimated Maximum Amount of Bonds or Notes	Average Period of Usefulness
(1) Various 2021 road improvements, including but not limited to portions of Brookside Avenue, Irwin Place, Nevada Drive, Winthrop Place, Roland Place, Virginia Avenue, Crescent Place, Redwood Terrace, Coleridge Avenue, Dover Court, Creek Road, Kentucky Drive, Vermont Drive, Wyoming Drive, Michigan Avenue, Ohio Drive, Colorado Drive, California Avenue, Raritan Road and Oregon Avenue, including all work and materials necessary therefor and incidental thereto, all as shown on and in accordance with the plans and specifications therefor on file in the Office of Engineering.	\$3,800,000	\$3,610,000	10 years
TOTAL	\$3,800,000	\$3,610,000	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$3,610,000.

(c) The estimated cost of the Improvements is \$3,800,000, which amount represents the initial appropriation made by the Township.

SECTION 4:

All Bond Anticipation Notes issued hereunder shall mature at such times as may be determined by the chief financial officer of the Township (the "Chief Financial Officer"); provided that no Note shall mature later than one year from its date. The Notes shall bear interest at such rate or rates and be in such form as may be determined by the Chief Financial Officer. The Chief Officer shall determine all matters in connection with Notes issued pursuant to this ordinance, and the signature of the Chief Financial Officer upon the Notes shall be conclusive evidence as to all such determinations. All Notes issued hereunder may be renewed from time to time subject to the provisions of Section 8(a) of the Local Bond Law. The Chief Financial Officer is hereby authorized to sell part or all of the Notes from time to time at public or private sale and to deliver them to the purchasers thereof upon receipt of payment of the purchase price plus accrued interest from their dates to the date of delivery thereof. The Chief Financial Officer is directed to report in writing to the governing body of the Township at the meeting next succeeding the date when any sale or delivery of the Notes pursuant to this ordinance is made. Such report must include the amount, the description, the interest rate and the maturity schedule of the Notes sold, the price obtained and the name of the purchaser.

SECTION 5:

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 Municipal Clerk and is available for public inspection.

SECTION 6:

The following additional matters are hereby determined, declared, recited and stated:

(a) The Improvements described in Section 3 of this bond ordinance are not current expenses, and are capital improvements or properties that the Township may lawfully make or acquire as general improvements, and no part of the cost thereof has been or shall be specially assessed on property specially benefited thereby.

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 10 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Municipal Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this Bond Ordinance by \$3,610,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,200,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

Any funds received from time to time by the Township as contributions in aid for financing the purposes described in Section 3 of this Ordinance shall be used for financing said Improvements by application thereof either to direct payment of the cost of said Improvements or to the payment or reduction of the authorization of the obligations of the Township authorized therefor by this Bond Ordinance. Any such funds received may, and all such funds so received which are not required for direct payment of the cost of said Improvements shall, be held and applied by the Township as funds applicable only to the payment of obligations of the Township authorized by this Bond Ordinance.

SECTION 8:

The full faith and credit of the Township are hereby pledged to the punctual payment of the principal of and interest on the obligations authorized by this bond ordinance. The obligations shall be direct, unlimited obligations of the Township, and the Township shall be obligated to levy ad valorem taxes upon all the taxable property within the Township for the payment of the obligations and the interest thereon without limitation of rate or amount.

SECTION 9:

The Chief Financial Officer of the Township is hereby authorized to prepare and to update from time to time as necessary a financial disclosure document to be distributed in connection with the sale of obligations of the Township and to execute such disclosure document on behalf of the Township. The Chief Financial Officer is further authorized to enter into the appropriate undertaking to provide secondary market disclosure on behalf of the Township pursuant to Rule 15c2-12 of the Securities and Exchange Commission (the "Rule") for the benefit of holders and beneficial owners of obligations of the Township and to amend such undertaking from time to time in connection with any change in law, or interpretation thereof, provided such undertaking is and continues to be, in the opinion of a nationally recognized bond counsel, consistent with the requirements of the Rule. In the event that the Township fails to comply with its undertaking, the Township shall not be liable for any monetary damages, and the remedy shall be limited to specific performance of the undertaking.

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$3,610,000.

SECTION 11:

This bond ordinance shall take effect 20 days after the first publication thereof after final adoption, as provided by the Local Bond Law.

AN ORDINANCE VACATING ALL RIGHT, TITLE AND INTEREST IN AND TO A
DRAINAGE EASEMENT OVER AND THROUGH LOTS 9 AND 25, BLOCK 215
AND TO ACCEPT A REVISED DRAINAGE EASEMENT
OVER AND THROUGH PROPOSED LOTS 8.01 AND 8.04, BLOCK 215

WHEREAS, there are presently drainage easements held by the Township of Hazlet over and through Lots 9 and 25, in Block 215; and

WHEREAS, the drainage easement on Lot 9, Block 215 was recorded in the Monmouth County Clerk's office on November 24, 1958 in Book 2878, page 562, and the drainage easement on Lot 25, Block 215 was recorded in the Monmouth County Clerk's office on May 1, 1958 in Book 2833, page 95; and

WHEREAS, the current owner of the property, Ventura Partners, LLC, has requested that the Township vacate the drainage easements located on and across Lots 9 and 25 of the property so as to facilitate the development of the property in accordance with their preliminary and major subdivision approval; and

WHEREAS, by deed of easement Ventura Partners, LLC have dedicated a revised drainage easement to the Township of Hazlet over and through existing Lot 8, Block 215, which will become part of proposed Lots 8.01 and 8.04, Block 215, upon perfection of the aforesaid subdivision; with such deed of easement being held by the Township in escrow until adoption of this Ordinance;

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Hazlet, County of Monmouth, State of New Jersey, as follows:

1. All right, title and interest acquired by the Township of Hazlet in and to the properties known as Lots 9 and 25, Block 215 as dedicated to the Township as a drainage easement by a deed recorded in the Monmouth County Clerk's office on November 24, 1958 in

Book 2878, page 562, and by a deed recorded in the Monmouth County Clerk's office on May 1, 1958 in Book 2833, page 95 be and the same are hereby vacated.

2. The Mayor and Municipal Clerk be and are hereby authorized and directed to execute and the Township Attorney be and is hereby authorized to record an appropriate instrument in order to vacate the aforesaid drainage easement of record.

3. The Drainage Easement from Ventura Partners, LLC to the Township of Hazlet is hereby accepted and the Township Attorney is authorized to record the drainage easement in the office of the Monmouth County Clerk.

4. All Ordinances or parts thereof inconsistent with the provisions of this Ordinance are hereby repealed to the extent of such inconsistency.

5. Should any section, paragraph, clause or other portion of this Ordinance be adjudged by a Court of competent jurisdiction to be invalid, such judgment shall not affect or impair the remainder of this Ordinance.

BE IT FURTHER ORDAINED that the Municipal Clerk shall publish this ordinance in an official newspaper of the municipality at least one week prior to the hearing on the adoption of this ordinance; and

BE IT FURTHER ORDAINED that this ordinance shall become effective after second reading and publication as required by law.

AN ORDINANCE AMENDING AND SUPPLEMENTING
CHAPTER 305-21 (STOP SIGNS) AT THE INTERSECTION OF
BEERS STREET AND CLARK STREET, OF THE TOWNSHIP OF HAZLET,
COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED that in accordance with and pursuant to the authority of N.J.S.A. 39:4-140, the following intersection is hereby designated as a stop intersection, and shall be added to §305-21 of the Revised General Ordinances of the Township of Hazlet, County of Monmouth, State of New Jersey. Stop signs shall be installed as provided therein:

<u>Intersection</u>	<u>Stop Sign On</u>
Beers Street and Clark Street	Beers Street

BE IT FURTHER ORDAINED that all other Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

BE IT FURTHER ORDAINED that this ordinance shall take effect upon adoption and publication according to law.