

ORDINANCE NO. 2024-02
TOWNSHIP OF HOLMDEL
COUNTY OF MONMOUTH

**ORDINANCE REVISING SECTION 30-18.1 TITLED “ESTABLISHED;
MEMBERSHIP.”**

WHEREAS, pursuant to N.J.S.A. 40:55D-23, the Township of Holmdel has enacted Ordinance § 30-18.1 et seq., which created a Planning Board of nine (9) members, in addition to two (2) alternate members, which serve as Class IV Members; and

WHEREAS, pursuant to N.J.S.A. 40:55D-23.1, a municipality may provide for the appointment to a planning board of not more than four (4) alternate members, who shall be municipal residents; and

WHEREAS, the Township of Holmdel seeks to expand the membership of the Planning Board to include four (4) alternate members.

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

SECTION 1. Chapter 30-18 of the Revised General Ordinances, titled "Planning Board" is hereby amended as follows:

Chapter 30 Administration

30-18 Planning Board

30-18.1 Established; Membership.

There is hereby established pursuant to P.L. 1975, c.291,[1] a Planning Board of nine members, consisting of the following four classes, and ~~two~~ four alternate members:

- a. Class I: the Mayor.
- b. Class II: one of the officials of the municipality other than a member of the governing body, to be appointed by the Mayor, provided that, if there is an Environmental Commission, the member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be deemed to be the Class II Planning Board member, if there is both a member of the Zoning Board of Adjustment and a member of the Board of Education among the Class IV or alternate members of the Planning Board.
- c. Class III: a member of the governing body to be appointed by the governing body.
- d. Class IV: six other citizens of the municipality to be appointed as regular members and ~~two~~ four other citizens of the municipality to be appointed as alternates, all such appointments to be made by the Mayor. The members of Class IV shall hold no other municipal office,

except that one regular member may be a member of the Zoning Board of Adjustment and one may be a member of the Board of Education. A member of the Environmental Commission who is also a member of the Planning Board as required by N.J.S.A. 40:56A-1 shall be a Class IV Planning Board member unless there be among the Class IV or alternate members of the Planning Board both a member of the Zoning Board of Adjustment and a member of the Board of Education, in which case the member of the Environmental Commission shall be deemed to be the Class II member of the Planning Board.

- e. Alternates: Four (4) alternate members, to be appointed by the Mayor, who shall meet the qualifications of Class IV members of the Planning Board, and shall serve in accordance with the provisions of N.J.S.A. 40:55D-23.1.

§ 30-18.2

Terms.

- a. [NO CHANGES]
- b. Alternate members shall be designated at the time of appointment by the Mayor as "Alternate No. 1," ~~and "Alternate No. 2,"~~ "Alternate No. 3," and "Alternate No. 4" as appropriate. The terms of the alternate members shall be for two years, except that the terms of the alternate members shall be such that the term of not more than one alternate member shall expire in any one year; provided, however, that in no instances shall the terms of the alternate members first appointed exceed two years. The term of not more than two alternate members shall expire in any one year, and in no instance shall the terms of the alternate members first appointed exceed two years. A vacancy occurring otherwise than by expiration of term shall be filled by the appointing authority for the unexpired term only.

No alternate member shall be permitted to act on any matter in which he has either, directly or indirectly, any personal or financial interest. An alternate member may, after a public hearing if he requests one, be removed by the governing body for cause. Alternate members may participate in discussions of the proceedings but may not vote except in the absence or disqualification of a regular member of any class. A vote shall not be delayed in order that a regular member may vote instead of an alternate member. In the event that a choice must be made as to which alternate member is to vote, Alternate No. 1 shall vote.

SECTION 2. Implementation

At the time of adoption of this Ordinance, the Planning Board maintains Alternate No. 1 and Alternate No. 2 with staggered terms, pursuant to which Alternate No. 1 currently occupies a term from January 1, 2023 to December 31, 2024 and Alternate No. 2 occupies a term from January 1, 2024 to December 31, 2025.

Consistent with the provisions of N.J.S.A. 40:55D-23.1 and this Ordinance, and to maintain proper staggering, Alternate No. 3 shall be first appointed to a term following the adoption of this ordinance through December 31, 2024, co-terminus with Alternate No 1. Alternate No. 4 shall be

first appointed to a term following adoption of this ordinance through December 31, 2025, co-terminus with Alternate No. 2.

SECTION 3. Severability.

The provisions of this Ordinance shall be severable. In the event that any portion of this Ordinance is found to be invalid for any reason by any Court of competent jurisdiction, such judgment shall be limited in its effect only to the portion of the Ordinance actually adjudged invalid and shall not be deemed to affect the operation of any other portion thereof, which shall remain in full force and effect.

SECTION 4. Repealer.

All ordinances and resolutions, and parts of ordinances and resolutions which are inconsistent with provisions of this ordinance shall be, and are hereby, repealed to the extent of any such inconsistency.

SECTION 5. Effective Date.

This ordinance shall take effect upon final adoption and publication in accordance with law.

LEGAL NOTICE

Publication by Summary Pursuant to N.J.S.A.40:49-2

This Ordinance expands the Holmdel Township Planning Board from two (2) alternate members to four (4) alternate members.

LEGAL NOTICE

The foregoing ordinance was introduced and passed on the first reading at a meeting of the Township Committee of the Township of Holmdel held on January 23, 2024 and will be considered for final passage and adoption at a meeting of said Township Committee to be held on February 13, 2024 at Township Hall, 4 Crawfords Corner Road, Holmdel, NJ at 7:30 PM at which time and place all persons desiring to be heard thereon will be given full opportunity.

Rocco Impreveduto, Mayor

Attest:
Wendy L Patrovich, RMC/CMR
Township Clerk

I certify that this is a true copy of an ordinance that was adopted at the February 13, 2024
Township Committee Meeting.

Wendy L Patrovich, RMC/CMR
Township Clerk