

FREEHOLD TOWNSHIP COMMITTEE AGENDA

WORKSHOP MEETING

JANUARY 10, 2023

8:00 P.M.

1. Announcement to Open Public Meetings Act:

“In accordance with the Open Public Meetings Act, this Meeting was announced on January 4, 2023 by posting a notice on the bulletin board in the Municipal Building reserved for that purpose, by forwarding such notice to the offices of the official newspapers of the Township and by filing such notice with the Township Clerk.”

2. Pledge of Allegiance
3. Roll Call
4. Approval of Previous Minutes

NEW BUSINESS

- * 5. R-23-21 – Resolution Approving Consolidated Bills List

* Attachments

FORMAL ACTION – CONSENT AGENDA RESOLUTIONS

Matters listed under the items of “Consent Agenda” are required to conduct the day-to-day operations of the Township and will be enacted by one (1) motion in the form listed below. There will be no separate discussion of these items. If discussion of any item is desired, that item will be considered separately.

- * 6. R-23-22 – Authorizing the Award of a Contract for an Emergency Notification System

- * 7. R-23-23 – Resolution Authorizing the Award of a Contract for an Investment Advisor with Raymond James & Associates, Inc.

- * 8. R-23-24 – Resolution Authorizing the Township of Freehold to Execute Grossman Amended Settlement Agreement

- * 9. R-23-25 - Resolution Authorizing an Affordability Assistance Loan Repayment Agreement with the Buyer of an Affordable Housing Unit at 54 Grassmere Court, Unit 3

- * 10. R-23-26 – Resolution Authorizing Execution of a Shared Services Agreement with Farmingdale Borough for Sign Making Services and Other Public Works Related Goods and Services

MOTIONS

- 11. Renewal – Island Carousel License in Freehold Raceway Mall

- 12. Renewal – AMC Theater License

- 13. Renewal – Campground License (Pine Cone Resort)

- * 14. Renewal – Junkyard License – Freehold American, Inc. (Renewal for 6 Months)
* Zoning Officer’s memo attached to be read

AUDIENCE
TOWNSHIP COMMITTEE COMMENTS
ADJOURNMENT

7:00 P.M. – EXECUTIVE SESSION

* Open Public Meetings Act – Resolution R-23-A – Executive Session

1. PERSONNEL

1A. Employee Dedications

1B. Staffing Levels

2. ATTORNEY-CLIENT PRIVILEGE

2A. Affordable Housing Settlement

2B. Amendments to Developer Settlements

3. PROPERTY ACQUISITIONS

3A. Target Properties



Resolution of the Township of Freehold
Monmouth County, New Jersey

No: R-23-21

Date of Adoption: January 10, 2023

TITLE: RESOLUTION APPROVING CONSOLIDATED BILLS LIST

- - - R E S O L U T I O N - - -

BE IT RESOLVED by the Township Committee of the Township of Freehold that the vouchers listed on the Consolidated Bills List, in the amount of \$11,835,589.40 dated January 10, 2023 as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations subject to adoption of resolution authorizing expenditures.

No. R-23-21

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Preston							
Mayor Walker							

I-Introduced By S-Seconded By X- Indicates Vote NV- Not Voting AB- Absent



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-23-22

Date of Adoption: January 10, 2023

**TITLE: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR AN EMERGENCY NOTIFICATION SYSTEM**

- - - R E S O L U T I O N - - -

WHEREAS, the Township of Freehold has a need for an Emergency Notification System as a non-fair and open contract, pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the acquisition will not exceed the Township's bid threshold, but will exceed \$17,500.00 in vendor aggregation; and,

WHEREAS, the anticipated term of this contract is one year; and,

WHEREAS, Everbridge, Inc. can supply the Township with the required services for a cost of \$21,575.93; and,

WHEREAS, Everbridge, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Everbridge, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Freehold, County of Monmouth, in the previous one year, and that the contract will prohibit Everbridge, Inc. from making any reportable contributions through the term of the contract; and,

WHEREAS, the Director of Finance has certified to the Township Clerk that funds are available in the following 2023 Budget Accounts contingent upon Governing Body approval of the 2023 Municipal Budget:

3-01-27-330-330-210 - \$15,534.00

3-01-42-330-330-269 - \$ 6,041.93

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that a Contract for an Emergency Notification System is hereby authorized with Everbridge, Inc. in the amount of \$21,575.93;

BE IT FURTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value be placed on file with this Resolution;

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Director of Finance, the Health Officer, the Purchasing Agent and Everbridge, Inc.

No. R-23-22

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Preston							
Mayor Walker							

I-Introduced By S-Seconded By X- Indicates Vote NV- Not Voting AB- Absent



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-23-23

Date of Adoption: January 10, 2023

TITLE: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR AN INVESTMENT ADVISOR WITH RAYMOND JAMES & ASSOCIATES, INC.

- - - R E S O L U T I O N - - -

WHEREAS, the Township of Freehold has a need to acquire services for an Investment Advisor with Raymond James & Associates, Inc. as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44-4-20.4 or 20.5 appropriate; and,

WHEREAS, the Purchasing Agent has determined and certified in writing that the value of the services will likely exceed \$17,500.00; and,

WHEREAS the anticipated term of this contract is one year; and,

WHEREAS, Raymond James & Associates, Inc. has submitted a proposal, dated December 5, 2022, indicating they will provide the services in accordance with the fee structure set forth in the proposal; and,

WHEREAS, Raymond James & Associates, Inc. has completed and submitted a Business Entity Disclosure Certification which certifies that Raymond James & Associates, Inc. has not made any reportable contributions to a political or candidate committee in the Township of Freehold in the previous one year, and that the contract will prohibit Raymond James & Associates, Inc. from making any reportable contributions through the term of the contract; and,

WHEREAS, the Director of Finance will certify the availability of funds on an as-needed basis at the time when the Township needs such services;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Freehold authorizes a contract for an Investment Advisor with Raymond James & Associates, Inc. as described herein, in an amount not to exceed \$35,000.00;

BE IT FURTHER RESOLVED that notice of this appointment will be published as a required by law pursuant to N.J.S.A. 40A:11-5(1)(a)(i) and a copy of the agreement placed on file with the Township Clerk;

BE IT RUTHER RESOLVED that the Business Disclosure Entity Certification and the Determination of Value shall be placed on file with this Resolution;

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Township Administrator, the Director of Finance, the Purchasing Agent and Raymond James & Associates, Inc.

No. R-23-23

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Preston							
Mayor Walker							

I-Introduced By S-Seconded By X- Indicates Vote NV- Not Voting AB- Absent



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-23-24

Date of Adoption: January 10, 2023

**TITLE: RESOLUTION AUTHORIZING THE TOWNSHIP OF FREEHOLD
TO EXECUTE GROSSMAN AMENDED SETTLEMENT
AGREEMENT**

- - - R E S O L U T I O N - - -

WHEREAS, GROSSMAN LANDHOLDINGS LLC (hereinafter “Grossman”) as successor in interest to WG Freehold, LLC, the TOWNSHIP OF FREEHOLD (hereinafter “Township”), and HABCORE, Inc. (hereinafter “Purchaser”) ; and

WHEREAS, WG Freehold, LLC was the prior owner of the property known as Block 67, Lot 21, in the Township of Freehold (the “Property”), which Property was approved for an inclusionary active adult community known as “Parkside” a/k/a “Regency @ Freehold” (hereinafter “Parkside”); and

WHEREAS, the Property was conveyed to Toll Bros., Inc. and Toll NJ XII, L. P (“Toll”) for the development of the Parkside project; and

WHEREAS, the Township entered into a Developer’s Agreement on May 7, 2018, (hereinafter “2018 Agreement”) between Toll and WG Freehold arising out of the proposed development of the Parkside project on the Property, with WG Freehold’s interest and obligations limited solely to the affordable housing obligations addressed in the 2018 Agreement; and

WHEREAS, Toll has completed construction of the Parkside active adult community and has no further interest and obligation in the 2018 Agreement or the affordable housing obligations addressed in the 2018 Agreement; and

WHEREAS, Grossman is the successor in interest to WG Freehold as to the affordable housing obligations of WG Freehold in the 2018 Agreement; and

WHEREAS, the 2018 Agreement recognized and permitted the Grossman to create a total of sixteen (16) affordable units off tract from the Parkside development, which off tract obligation required four (4) three bedroom units, six (6) two bedroom units, and six (6) one bedroom units, with the following affordability distribution: two (2) very low income units, seven (7) low income units, and seven (7) moderate income units, all units as originally required to be created within the Parkside development and;

WHEREAS, that 2018 Agreement provided for the production of 16 affordable credits to be produced by May 7, 2028 and further provided that satisfaction may be obtained with “for sale” units, rental units or a combination thereof (collectively “Affordable Units”) and in the event any such Affordable Units resulted in an approved bonus credit toward the Township’s affordable housing obligation, the Grossman shall receive such bonus credit toward satisfying its 16 unit obligation; and

WHEREAS, the Affordable Units were required to be located within an established complex of 30 or more rental units, and all units must all be owned by the same entity and managed by a rental agency; and

WHEREAS, the 16 affordable units (no bonus credits) stemming from the 2018 Agreement were relied upon the Township’s Declaratory Judgment Action, bearing docket MON-L-6026-08, seeking approval of the Township’s Housing Element and Fair Share Plan (“HEFSP”) and the issuance of a Judgment of Compliance and Repose (“JOR”); and

WHEREAS, the Court issued a Conditional JOR on January 5, 2022 and provided as one remaining condition that the Township provide the crediting information for the subject project, which it referred to as credits for “Parkside” a/k/a “Regency @ Freehold”; and

WHEREAS, the Parties discussed the status of the credits and potential revisions to the Settlement Agreement and involved Fair Share Housing Center (“FSHC”) in those discussions, which focused around accelerating the obligations to deliver the units at a more rapid rate than the 2018 Agreement; and

WHEREAS, in light of this practical hardship, the Parties agree to modify the 2018 Agreement in order to reduce the total unit yield to twelve (12) units in exchange for the accelerated production of low and Very Low Income (“VLI”) affordable units, including production of six (6) VLI units, four more VLI units than contemplated by the 2018 Agreement; and

WHEREAS, Grossman now intends to sell twelve (12) one-bedroom units at Stonehurst Condominium complex to Purchaser, a recognized affordable housing not for profit devoted to providing housing for the homeless, with the affordability distribution of six (6) low-income units, and six (6) very low-income units; and

WHEREAS, Grossman currently owns the twelve (12) one-bedroom units and has in place an agreement in principle with Purchaser to convey to Purchaser the affordable units in accord with this Agreement.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold (the “Committee”) that subject to the following conditions:

1. The Township Committee hereby authorizes and directs the Mayor, or his designee and the Township Clerk to execute the Amended Settlement Agreement attached hereto as Exhibit A, subject to any de minimis revisions from Counsel; and
2. The Township hereby directs its Special Affordable Counsel to (a) file the fully executed Amended Settlement Agreement with the Court for review; (b) take all actions reasonable and necessary to secure an Order Approving the Amended Settlement Agreement, if necessary

No. R-23-24

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Preston							
Mayor Walker							

I-Introduced By S-Seconded By X- Indicates Vote NV- Not Voting AB- Absent



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-23-25

Date of Adoption: January 10, 2023

**TITLE: RESOLUTION AUTHORIZING AN AFFORDABILITY ASSISTANCE
LOAN REPAYMENT AGREEMENT WITH THE BUYER OF AN
AFFORDABLE HOUSING UNIT AT 54 GRASSMERE COURT,
UNIT 3**

- - - R E S O L U T I O N - - -

WHEREAS, Sophonie E. Dazulme is purchasing property located at 54 Grassmere Court, Unit 3, Freehold Township, Block No. 86.182, Lot 54.03, which property is governed by the statutes, ordinances, rules and regulations restricting ownership and use of the property as an Affordable Housing unit which, among other restrictions, restricts the property owner in financing the property or otherwise encumbering the property by way of mortgage, home equity loan, or other form of financing; and,

WHEREAS, the property owner has requested an Affordability Assistance Program loan from the Affordable Housing Trust Fund; and,

WHEREAS, the Township is willing to extend a loan to the property owner in the amount of \$9,540.00; and,

WHEREAS, it is appropriate for the Township to enter into an Agreement with the property owner setting forth the terms of the agreement at this time;

NOW THEREFORE BE IT RESOLVED on this 10th day of January, 2023, by the Township Committee of Freehold Township, County of Monmouth, State of New Jersey, that:

1. The Mayor, Administrator, Clerk and Attorney are hereby authorized to execute an Affordability Assistance Program Agreement with the new owner of an Affordable Housing unit located at 54 Grassmere Court, Unit 3;
2. A copy of the fully executed Agreement shall be kept on file with the Clerk. The original shall be kept in the unit file by the Administrative Agent;

3. A certified copy of the within Resolution shall be forwarded to Peter R. Valesi-Township Administrator; Jeffrey Elsasser-Director of Finance; and Katherine E. Ritenband-CGP&H;

I do hereby certify that the foregoing is a true copy of a Resolution passed by the Township Committee at a meeting duly held on the 10th of January, 2023.

Clerk

No. R-23-25

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Preston							
Mayor Walker							

I-Introduced By S-Seconded By X- Indicates Vote NV- Not Voting AB- Absent



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-23-26

Date of Adoption: January 10, 2023

TITLE: RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT WITH FARMINGDALE BOROUGH FOR SIGN MAKING SERVICES AND OTHER PUBLIC WORKS RELATED GOODS AND SERVICES

- - - R E S O L U T I O N - - -

WHEREAS, the Township of Freehold and the Borough of Farmingdale are interested in the Township of Freehold continuing to provide sign making services and other Public Works related goods and services to the Borough of Farmingdale; and,

WHEREAS, this cooperative Agreement would be beneficial to the taxpayers in both municipalities; and,

WHEREAS, the terms and conditions of said Agreement have been set forth and have been reviewed and approved by the Township Attorney;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Freehold herein authorizes the Mayor and Township Clerk to execute said Agreement with the Borough of Farmingdale;

BE IT FURTHER RESOLVED that a copy of said Agreement be available for public inspection during normal business hours in the Office of the Township Clerk;

BE IT FURTHER RESOLVED that, pursuant to NJSA 40A:65-1, a certified copy of the within Resolution shall be forwarded to New Jersey Department of Community Affairs, Division of Local Government Services;

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be forwarded to the Farmingdale Borough Clerk, the Freehold Township Administrator, the Freehold Township Superintendent of Public Works and the Freehold Township Treasurer/Director of Finance.

No. R-23-26

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Preston							
Mayor Walker							

I-Introduced By S-Seconded By X- Indicates Vote NV- Not Voting AB- Absent