

1. Agenda

Documents:

[TCAGENDA052422.PDF](#)

1.1. Resolutions And Ordinances

Documents:

[TCRESORD052422.PDF](#)

FREEHOLD TOWNSHIP COMMITTEE AGENDA

REGULAR MEETING

May 24, 2022

8:00 P.M.

1. Meeting Called To Order
2. Announcement to Open Public Meetings Act:

“In accordance with the Open Public Meetings Act, (c. 231 P.L. 1975), this Meeting was announced on January 10, 2022 by: 1.) posting a notice on the bulletin board in the Municipal Building reserved for that purpose, 2.) by forwarding such notice to the offices of the official newspapers of the Township and 3.) by filing such notice with the Township Clerk”

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

REPORTS

6. The Report of the Tax Collector for the Month of April 2022:

Net Receipt:	General Fund	\$	24,340,462.03
	Water Account	\$	185,849.28
	Sewer Account	\$	583,814.62

PRESENTATIONS

7. **Police Citations:**
Stork Award – Officers Alexander Fay & Adam Nimick
Unit Citation – Officers Brandon Borriello & Joseph Crono, Jr.
Star of Life – Officers Jonathan Baumann & Alexander Fay
Excellent Police Duty – Officer James Lasky IV & Sergeant John Tacopino
Excellent Police Duty – Officer George J. Baumann
Excellent Police Duty – Officer Sean Foley
8. **The Max Challenge Check Presentation** - For Freehold Municipal Alliance to Prevent Substance Abuse
9. **Proclamation** - “Freehold First Aid & Emergency Squad Volunteers Month” – June, 2022
10. **Certificates of Achievement** – Freehold Soccer League Girls U11 Elite Thunder Team
11. **Certificates of Achievement** – Freehold Revolution 12u Boys Football Team

OLD BUSINESS

12. O-22-7 – Ordinance Amending Chapter 150 (Fees), Section 150-62 (Uniform Construction Code, Chapter 115) of the Revised General Ordinances of the Township of Freehold, County of Monmouth, State of New Jersey
13. O-22-8 – An Ordinance Amending Chapter 2 (Administration of Government), Articles V, VI, VII, VIII, XI, XI(A), XIV, XIVA AND XVI (Various Departmental Sections), Chapter 10 (Boards, Committees and Commissions) Article I (Shade Tree Commission), Chapters 17, 21, 43, 47, 51, 71, 115, 150, 154, 162, 232, 270 and 351 (Various Sections) of the Revised General Ordinances of the Township of Freehold, County of Monmouth, State of New Jersey

NEW BUSINESS

14. R-22-114 – Resolution Authorizing Reduction Change Order Number 1, Declaring Acceptance and Final Payment of Contract 21-6, Jackson Mills Road Water Treatment Plant South Side Filter Upgrades
15. R-22-115 - Resolution Approving Consolidated Bills List

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.

16. R-22-116 – Resolution Authorizing Renewal of Membership in the Western Monmouth Purchasing Group Cooperative Pricing System
17. R-22-117 – Resolution Disbursing Overpayments of Taxes
18. R-22-118 - Resolution Authorizing Execution of Right of Entry Agreement
19. R-22-119 – Resolution Authorizing a Contract for the Purchase of One (1) Stump Grinder – Self Propelled through the Educational Services Commission of New Jersey
20. R-22-120 – Resolution Awarding a Contract for Various Streets and Road Materials – Western Monmouth Purchasing Group
21. R-22-121 – Resolution Amending R-21-248 Adopted on October 26, 2021 Authorizing the Award of a Contract for the Gravel Hill Road Water Storage Tank Rebid
22. R-22-122 – Resolution Amending 2022 Budget (Chapter 159) to Insert Modification to the Special Item of Revenue and Appropriations for the 2022 DMHAS Youth Leadership Grant
23. R-22-123 – Resolution Amending 2022 Budget (Chapter 159) to Insert Modification to the Special Item of Revenue and Appropriations for the 2022 Safe and Secure Communities Grant

24. R-22-124 – Resolution Amending 2022 Budget (Chapter 159) to Insert Modification to the Special Item of Revenue and Appropriations for the 2022 New Jersey Department of Transportation Safe Corridors Act
25. R-22-125 - Resolution Authorizing Execution of Developer’s Agreement for BH 550-558 Halls Mill Holders LLC, Site Plan No. 526-1-20, Block 79, Lot 4, Located at 550 Halls Mills Road
26. R-22-126 – Resolution Amending Resolution No. R-22-59 Adopted on February 22, 2022 Approving Wireless Communication Facilities Modification Application for New York SMSA D/B/A Verizon Wireless, 169 Robertsville Road, Block 8, Lot 5, Application No. WCFMA 07-21

MOTIONS

27. Township Committee Appointments:

John Krok – Street Name Review Committee – Member –
Unexpired term through 12/31/24

Michael Celano – Street Name Review Committee – Member/Independent Fire
Company – Unexpired term through 12/31/22

Shaun Reilly – Street Name Review Committee – Member/East Freehold Fire
Company – Unexpired term through 12/31/22

AUDIENCE

TOWNSHIP COMMITTEE COMMENTS

ADJOURNMENT

ORDINANCE NO. O-22-7
TOWNSHIP MEETING DATE: May 10, 2022

AN ORDINANCE AMENDING CHAPTER 150 ((FEES), SECTION 150-62 (UNIFORM CONSTRUCTION CODE, CHAPTER 115) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Township Committee of the Township of Freehold, County of Monmouth, and State of New Jersey as follows (additions are underlined and deletions are shown with ~~strikethroughs~~):

I

Chapter 150 (Fees) is hereby amended as follows:

Section 150-62 (Uniform Construction Code (Chapter 115)).

A. Construction permit fees.

(1) Plan review fee shall be ~~20%~~ 25% of construction permit fee. Whenever a permit is received based on approved prototype plan, the construction permit fee shall be reduced by the amount of the plan review paid.

(2) – (3) No change.

(4) State of New Jersey training fees:

(a) In order to provide for the training and certification and technical support programs required by the Act, the enforcing agency, including the Department when acting as the local agency, shall collect a surcharge fee to be based upon the volume of new construction within the municipality. The fee shall be in the amount of ~~\$0.0015~~ \$0.0371 per cubic foot volume of new construction.

(b) The fee for all other construction shall be \$0.00334 per \$1,000 of value of construction; all other construction: ~~\$1.70~~ \$1.90.

(5) Building sub code fees shall be:

(a) For new construction: ~~0.03~~ \$0.038 per cubic foot of building or structure volumes, provided that the minimum fee shall be ~~\$65~~ \$75.

- (b) For renovations, alterations and repairs: ~~\$32~~ \$38 per thousand of estimated cost of work.
- (c) For additions: ~~\$0.03~~ \$0.038 per cubic foot of building or structure volume for the added portion, provided that the minimum fee shall be \$75.
- (d) No change.
- (e) Swimming pools:
 - [1] Above Ground pools: ~~\$100.~~ \$25 per each thousand dollars of installation cost. Minimum fee \$200.
 - [2] Private in-ground pools: ~~\$250.~~ \$25 per each thousand dollars of installation cost. Minimum fee \$500.
 - [3] Public in-ground pools: ~~\$500.~~ \$38 per each thousand dollars of installation cost.
- (f) Temporary structures and all structures for which volume cannot be computed ~~such as open structural and telecommunication tower,~~ shall be charged a flat rate of ~~\$100~~ \$300. Telecommunications towers and open structures shall be charged \$38 per each thousand dollars cost of work.
- (g) Woodburning stoves and other heating devices: ~~\$35~~ \$75.
- (h) Re-roofing and re-siding: ~~\$24~~ \$34 per \$1,000 of estimated cost of work.
- (i) Asbestos abatement fee: ~~\$70~~ \$75.
 - [1] Certificate of approval fee: ~~\$14~~ \$75 for asbestos abatement.
- (j) For mobile homes: ~~\$24~~ \$34 per thousand of estimated cost of the work.
- (k) The fee for a permit for the removal of a building or structure from one lot to another or to a new location on the same lot shall be ~~\$24~~ \$34 per \$1,000 of the sum of the estimated costs of moving, for new foundations and for placement of a completed condition in the new location, provided that the minimum fee shall be ~~\$65~~ \$75.
- (l) The fee for a permit to construct a sign shall be an annual fee for a flat sign or a freestanding sign, single- or double-faced, in the amount of ~~\$35~~ \$75 for all signs having a sign face area of up to 50 square feet, an additional ~~\$0.35~~ \$0.50 will be charged for each square foot in excess of 50 square feet. All double-faced signs will be multiplied by two.
- (m) The fee for a temporary sign shall be ~~\$50~~ \$75.
- (n) The fee for a permit for demolition of a building or structure shall be ~~\$24~~ \$25 per thousand of estimated cost of the work. Minimum fee \$200.

(o) The fee for fences, patios, sheds and the like shall be ~~\$50~~: \$25 per each thousand dollars cost of work. Minimum fee \$100.

(p) Certificate of occupancy:

[1] Single family: ~~\$150~~. 15% of the total permit fee cost.

[2] Multifamily rental: ~~\$75~~ \$100.

[3] Manufactured/mobile home: ~~\$75~~ \$100.

[4] No change.

[5] ~~Certificate of continued occupancy, commercial: \$250.~~

Commercial continued certificate of occupancy involving no change in use: \$250.

Commercial continued certificate of occupancy involving a change in use shall be charged the minimum subcode fee of \$75.00 per each subcode permit.

[6] No change.

B. Plumbing subcode fees.

(1) Total number of fixtures and stacks, including but not limited to all sinks, urinals, water closets, bathtubs, shower stalls, laundry tubs, floor drains, drinking fountains, dishwashers, garbage disposals, clothes washers, hot water heaters or similar devices: ~~\$15~~ \$25 each.

(2) Total number of special devices, including but not limited to grease traps, oil separators, water-cooled air-conditioning units, pumps, utility service connectors, boilers and furnaces: ~~\$65~~ \$75 each.

(3) Fees for each fixture, stack and special devices are as follows:

(a) Water closet/bidet/urinals: ~~\$15~~ \$25.

(b) Bathtub: ~~\$15~~ \$25.

(c) Lavatory/sink: ~~\$15~~ \$25.

(d) Shower/floor drain: ~~\$15~~ \$25.

(e) Washing machine: ~~\$15~~ \$25.

(f) Dishwasher: ~~\$15~~ \$25.

- (g) Commercial dishwasher: ~~\$15~~ \$25.
 - (h) Water heater: ~~\$15~~ \$75.
 - (i) Water utility connection: ~~\$65~~ \$150.
 - (j) Sewer utility connection: ~~\$65~~ \$150.
 - (k) Hose bib: ~~\$15~~ \$25.
 - (l) Water cooler: ~~\$15~~ \$25.
 - (m) Garbage disposal: ~~\$15~~ \$25.
 - (n) No change.
 - (o) Indirect connection: ~~\$15~~ \$25.
 - (p) Sewer ejector: ~~\$65~~ \$75.
 - (q) No change.
 - (r) No change.
 - (s) Backflow device: ~~\$65~~ \$75.
 - (t) No change.
 - (u) Vent stack: ~~\$15~~ \$25.
 - (v) Boilers: ~~\$65~~ \$75.
 - (w) Gas service connections: ~~\$65~~ \$75.
 - (x) Active solar systems: ~~\$65~~ \$75.
 - (y) Fuel oil piping: ~~\$65~~ \$75.
 - (z) Sump pump: ~~\$15~~ \$75.
- (4) The minimum fee shall be ~~\$65~~ \$75.
- (5) Fees charged for any disciplines which are inspected by an on-site inspection agency (third-party agency) shall be as set forth in N.J.A.C. 5:23-4.20, as amended from time to time by the Department of Community Affairs, plus an additional fee of ~~20%~~ 25% for municipal processing.

C. Electrical subcode fees.

(1) One to 50 receptacles or fixtures: ~~\$65~~ \$75; for each 25 receptacles or fixtures in addition to this, the fee is \$25. For the purpose of computing this fee, receptacles or fixtures shall include lighting outlets, wall switches, fluorescent fixtures, convenience receptacles or similar fixtures, and motors or devices of less than one horsepower or one kilowatt.

(2) For each motor or electric device one horsepower or greater than one horsepower and less than or equal to 10 horsepower, and for transformers and generators one kilowatt or greater than one kilowatt and less than or equal to 10 kilowatts: ~~\$15~~ \$25.

(3) Various electrical fees:

(a) Communication points:

[1] One to 25 points: ~~\$25~~ \$65.

[2] Each additional 10 points: ~~\$10~~ \$25.

(b) Alarm devices:

[1] One to 25 devices: ~~\$25~~ \$65.

[2] Each additional 10 devices: ~~\$10~~ \$25

(c) - (e) No change.

(f) Dryer/receptacles: ~~\$15~~ \$25.

(g) Dishwasher: ~~\$15~~ \$25.

(h) Garbage disposal: ~~\$15~~ \$25.

(i) Central air-conditioning unit: ~~\$35~~ \$50 per unit.

(j) Space heater/air handler: ~~\$40~~ \$50 per unit.

(k) Baseboard heat: ~~\$25~~ \$65.

(l) Electric sign/outline light:

[1] One: ~~\$50~~ \$75.

[2] Each additional: \$25.

[3] Car charging stations \$100 each.

(m) Photovoltaic system:

[1] One to ~~50~~ 10 kilowatts: \$100.

[2] ~~Fifty-one to 100~~ Eleven to 20 kilowatts: \$200.

- [3] Twenty-one to 30 kilowatts: \$300.
- [4] Thirty-one to 50 kilowatts: \$500.
- ~~[3]~~ [5] Greater than Fifty-one to 100 kilowatts: \$700 \$800 and \$100 per kilowatt thereafter.
- [6] Battery backup \$150 per 10 kilowatts.

(n) Motors:

[1] By horsepower:

- [a] One to 10 horsepower: ~~\$20~~ \$65.
- [b] Ten to 50 horsepower: ~~\$50~~ \$100.
- [c] Fifty-one to 100 horsepower: ~~\$100~~ \$225.
- [d] No change.

[2] Light Poles:

- [a] One to five: ~~\$25~~ \$65.
- [b] Six and greater: ~~\$5~~ \$25 each.

[3] Service amperes:

- [a] One hundred amperes: ~~\$100~~ \$125.
- [b] One hundred fifty amperes: ~~\$125~~ \$150.
- [c] Two hundred amperes: ~~\$125~~ \$150.
- [d] Three hundred amperes: ~~\$275~~ \$300.
- [e] Four hundred amperes: ~~\$400~~ \$450.
- [f] Four hundred one to 1,000 amperes: ~~\$500~~ \$750.
- [g] One thousand one and above: ~~\$600~~ \$800, plus \$25 per 50 amperes or portion thereafter.
- [h] Meter stack cost per meter amperage see above.

(o) Inground pools: ~~\$150~~ \$200.

(p) Above Ground pools: ~~\$100~~ \$150.

(q) Annual visual bonding and grounding inspection fee for each commercial pool, spa, hot, tub therapeutic tub or pool for other than residential use \$100 each.

~~(q)~~(r) Hot tubs: ~~\$100~~ \$150.

For the purpose of computing these fees, all motors except those in plugin appliances shall be counted, including control equipment, generators, transformers and all heating, cooling or other devices consuming or generating electrical current.

(s) Heating and cooling equipment: \$75 for the first two, \$50 each over two.

~~(4) Woodburning stove or other heating device installation: \$45.~~

~~(5) Various installation fees:~~

~~(a) — Underground and aboveground fuel tanks: \$45.~~

~~(b) — Heating equipment: gas and oil fired appliances not connected to plumbing systems: \$45~~

(4) (e) Fire protection and other hazardous equipment: sprinklers, standpipes, detectors (smoke and heat); gas- and oil-fired appliances not connected to the plumbing system, kitchen exhaust systems, incinerators and crematoriums:

[1] Twenty or fewer heads or detectors: \$75.

[2] Twenty-one to and including 100 heads or detectors: ~~\$120~~ \$175.

[3] One hundred one to and including 200 heads or detectors: ~~\$225~~ \$325.

[4] Two hundred one to and including 400 heads or detectors: ~~\$590~~ \$790.

[5] Four hundred one to and including 1,000 heads or detectors: ~~\$820~~ \$1,020.

[6] Over 1,000 heads or detectors: \$1,050, plus ~~\$100~~ \$200 per 100 heads or portion thereafter.

In computing fees for heads and detectors, the number of each shall be counted separately, and two fees, one for heads and one for detectors, shall be charged.

~~(ad)~~ Standpipe fees:

[1] Per fire pump: ~~\$300~~ \$400.

[2] Per standpipe: ~~\$300~~ \$400.

~~(be)~~ Alarm systems:

[1] Residential: \$75 per residence.

[2] Nonresidential: \$25 per unit or zone.

- (cf) Each independent pre-engineered system: ~~\$90~~ \$150.
- (dg) Each kitchen exhaust system: ~~\$50~~ \$150.
- (eh) Each incinerator: ~~\$338~~ \$400.
- (fi) Each crematorium: ~~\$338~~ \$400.
- (5) Woodburning stove or other heating device installation: \$75.
- (6) Various installation fees:
 - (a) Underground and aboveground fuel tanks: \$150.
 - (b) Heating equipment: gas and oil fired appliances not connected to plumbing systems: \$75

D. - H. No change.

I. Mechanical subcode fees.

- (1) - (2) No change.
- (3) After two (2) units: ~~\$25~~ \$50 each unit thereafter.
- (4) - (17) No change.

J. For expired and/or uncompleted permits, the cost to reactivate is 50% of the total permit cost or minimum fee of each subcode that has not been fully inspected.

II

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

III

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

IV

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This ordinance modifies the fees in the Chapter 150 (Fees), Section 15-62 (Uniform Construction Code).

ORDINANCE NO. O-22-8
TOWNSHIP MEETING DATE: MAY 10, 2022

AN ORDINANCE AMENDING CHAPTER 2 (ADMINISTRATION OF GOVERNMENT), ARTICLES V, VI, VII, VIII, XI, XI(A), XIV, XIVA AND XVI (VARIOUS DEPARTMENTAL SECTIONS), CHAPTER 10 (BOARDS, COMMITTEES AND COMMISSIONS) ARTICLE I (SHADE TREE COMMISSION), CHAPTERS 17, 21, 43, 47, 51, 71, 115, 150, 154, 162, 232, 270 AND 351 (VARIOUS SECTIONS) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

BE IT ORDAINED by the Mayor and Township Committee of the Township of Freehold, County of Monmouth, and State of New Jersey as follows (additions are underlined and deletions are shown with ~~strikethroughs~~):

I

Chapter 2 (Administration of Government), Article V (Department of the Township Clerk) is hereby amended as follows:

Section 2-16 through Section 2-17. – No change.

Section 2-18 Custodian of records.

The Clerk shall have custody of and safely keep all records, books and documents of the Township, except those committed by ordinance or by statute to any other office or transferred thereto by the Township Committee. He/She shall, on request and the payment of the fees prescribed therefor by resolution of the Township Committee for the use of the Township, furnish a certified copy of any such paper in his/her custody under the corporate seal of the Township. The Chief of Police shall designate a custodian of records for the Police Department, who shall be responsible for the records of the Police Department, who shall work with the Township Clerk for record requests.

Section 2-19 Corporate Seal.

The Clerk shall cause the corporate Seal of the Township to be affixed to instruments and writings when authorized by ordinance or resolution of the Township Committee or when necessary to exemplify any document on record in his office, or to certify any act or paper which from the records in his/her office shall appear to have been a public act of the Township or a public document. He/She shall not affix the Seal or cause or permit it to be affixed to any other instrument, writing or other paper unless required by law or ordinance.

Section 2-20 through Section 2-23. No change.

Section 2-24 Deputy Township Clerk.

The Township Committee may appoint a Deputy Township Clerk. The Deputy Clerk shall have all the powers and perform all the duties of the Clerk during such times and specific periods as the Clerk shall be absent, on vacation or on leave of absence granted by the Township Committee. He/She shall assist the Clerk in the performance of his/her duties as the Township Committee may from time to time prescribe. The Deputy Township Clerk shall serve for a term of one year.

II

Chapter 2 (Administration of Government), Article VI (Administrative Organization) is hereby amended as follows:

Section 2-25. Department, boards and commissions.

There shall be the following departments, offices, boards and commissions in the Township of Freehold:

A. No change.

(1) No change.

(2) Department of Public Works ~~and Automotive Services.~~

(3) – (18). No change.

(19) Department of Buildings and Grounds

B. No change.

(1) – (2) No change.

C. Boards and commissions.

(1) – (7). No change.

~~(8) Municipal Communications Committee.~~

(9) – (10) No change.

~~(11) Insurance Advisory Commission.~~

~~(12) Senior Citizens Advisory Committee.~~

(13) Street Name Review Committee.

~~(14) Industrial Committee.~~

(15) – (17) No change.

(NOTE TO CODIFIER: Renumber the paragraphs above)

Section 2-26 Powers and duties of department heads.

The head of a department, reporting directly to the Township Administrator, subject to the code and the approval or direction of the Township Administrator or Township Committee or the responsible authority thereof, shall:

A. – F. No change.

Section 2-27. No change.

III

Chapter 2 (Administration of Government), Article VII (Department of Finance; Chief Financial Officer) is hereby amended as follows:

Section 2-28. No change.

Section 2-29 Director of Finance/Chief Financial Officer.

A. No change.

B. Duties. The Director/CFO shall perform his/her duties and obligations of said position in accordance with N.J.S.A. 52:27BB-26 et seq. and N.J.S.A. 40A:9-140.1 et seq., as amended. The Director/CFO shall be responsible for the Division of the Treasury, the Division of Tax Collection, the Division of Tax Assessments, ~~and the Division of Information Services~~ and shall perform such other duties as assigned by the Township Administrator. [Amended 12-27-2005 by Ord. No. O-05-48]

C. Requirements. The Director/CFO shall be a certified municipal finance officer having successfully fulfilled the requirements as set forth in N.J.S.A. 40A:9-140.2, as amended. No person shall be appointed or reappointed as the Chief Financial Officer unless he/she holds a municipal finance officer certificate issued pursuant to law ~~or unless on or before February 22, 1989, such individual has been granted tenure pursuant to N.J.S.A. 40A:9-140.8.~~ The Director/CFO must also possess a four-year college degree (B.S. or equivalent) from a college of recognized standing, with major course of study in financial or business administration, accounting, economics, or a related financial major.

D. Term. The Director/CFO shall continue to hold such office during good behavior and efficiency, and shall not be removed therefrom except for just cause and then only after a public hearing upon a written complaint setting forth the charge or charges against him/her, or upon expiration or revocation of certification by the Director of the Division of Local Government Services.

E. No change.

F. Tenure. ~~The Director/CFO who has served in that position for a period of not less than five consecutive years, who is a holder of a municipal finance officer certificate shall be granted tenure upon filing with the Clerk of the Township and with the Division of Local Government Service in the Department of Community Affairs a notification evidencing his/her compliance.~~ In accordance with N.S.J.A. 40A:9-140.8; Notwithstanding the provisions of any other law to the contrary, any person who has served as the Chief Financial Officer of a municipality for four consecutive years and who is reappointed as that municipality's Chief Financial Officer shall be granted tenure of office upon filing with the clerk of the municipality and with the Division of Local Government Services in the Department of Community Affairs a notification evidencing his/her compliance with this section, etc.

Section 2-30 Division of the Treasury.

A. No change.

B. Powers and duties of the Treasurer. The Treasurer shall have, perform and exercise all the functions, powers and duties provided by general law and Township ordinances. He/She shall keep and maintain books and records of all financial transactions of the Township in accordance with the standards and requirements of the Division of Local Finance in the Department of Community Affairs of the State of New Jersey. He/She shall have custody of all public moneys of the Township and shall make monthly reports to the Township Committee of all receipts, expenditures, commitments and unexpended appropriations. Within 60 days after the end of each fiscal year he/she shall, under penalties prescribed by law, make to the Township Committee and file with the Township Clerk a detailed statement of the amount of bonds issued and outstanding and a full and detailed account of his/her receipts and disbursements for the preceding fiscal year. The statement shall be in writing and verified by his/her oath, and may be prepared with the advice, assistance and consultation of the Township auditor. All moneys received from any source by or on behalf of the Township or any department, board, office or agency thereof, except as otherwise provided by Township ordinance, shall be paid to the Treasurer who shall, within 48 hours after their receipt, deposit them in the authorized public depository of the Township to the credit of the proper account.

C. No change.

(1) – (7) No change.

~~(8) This subsection shall become effective 20 days after final passage and publication according to law.~~

Section 2-31 Division of Tax Collection.

A. No change.

B. The Tax Collector shall possess all the powers and duties established by law. He/She shall enter in suitable books to be kept for that purpose the sums received by him/her each day for taxes, with the names of the persons on whose account the same have been paid; shall keep a record and account of the finances of the Township; and shall, within 60 days after the end of the fiscal year, or when otherwise required by the Township Committee, make and furnish a report thereof, with a detailed and true statement of all moneys received by him/her and disbursed therefrom and for what purposes, from the commencement of his/her official year to the date of his/her report, or for such period as the Township Committee may require, and a list of delinquent taxpayers for the previous year. He/She shall file the report, with two copies of the statement and list of delinquents, with the Clerk within the time hereinabove specified or when otherwise required by the Township Committee. He/She shall as necessary and as directed, arrange for sales of real estate for delinquent taxes.

Section 2-32 Division of Tax Assessments.

Within the Department of Finance there shall be a Division of Tax Assessments, the head of which shall be the Tax Assessor. The Tax Assessor shall:

A. – E. No change.

F. Defend, with assistance from counsel appointed by the Township Committee, tax appeals before the County Tax Board and New Jersey Tax Court and file counter-claims as necessary to protect the assessed value of real property within the Township.

Section 2-33 Tax Search Officer.

The Tax Search Officer shall be appointed by the Township Committee. He/She shall furnish reports and certificates relating to property taxes and assessments in the Township.

IV

Chapter 2 (Administration of Government), Article VIII (Department of Public works and Automotive Services) is hereby amended as follows:

Article VIII, Department of Public Works and Automotive Services

Section 2-34 Establishment; Divisions.

There shall be a Department of Public Works and Automotive Services, the head of which shall be the Director of Public Works or the Superintendent of Public Works. The Department shall include the Division of Streets and the Division of Public Property Divisions of Streets and Roads, Equipment Maintenance and Repair, Shade Tree, and Recycling.

Section 2-35 Director.

- A. ~~Appointment. The Director of Public Works and Automotive Services shall be appointed by a majority vote of the Township Committee to hold office at the pleasure of the Township Committee. Any vacancy shall be filled by appointment of the Township Committee. Director or Superintendent. The Director of Public Works or the Superintendent of Public Works may be a classified or unclassified employee in accordance with the appropriate Civil Service designation for the title. The Director or Superintendent shall report directly to the Township Administrator and shall be responsible for the direction of all divisions of Public Works.~~
- B. ~~Qualifications of Director or Superintendent. The Director/Superintendent of Public Works shall hold Certified Public Works Manager Certification from the State of New Jersey in accordance with N.J.S.A 40A:9-154.6b. a bachelor of science degree in civil engineering, with a minimum of five years' experience and training to perform the duties of his office. He shall have secured and be the holder of a valid professional engineers and land surveyors license issued by the State of New Jersey.~~
- C. ~~Absence or disability. During the absence or disability of the Director of Public Works and Automotive Services, the Township Administrator or Township Committee may appoint an officer or regular employee of the Township to perform his duties. Absence or disability shall be limited to three months, after which time the absence or disability may be deemed a vacancy.~~
- D. ~~Removal. The Director of Public Works and Automotive Services may be removed by a ~~two-thirds~~ vote of the Township Committee or by the Township Administrator. The resolution of removal shall become effective three months after its adoption by the Township Committee. The Township Committee may provide that the resolution shall have immediate effect, provided that the Township Committee shall cause to be paid to the Director any unpaid balance of his salary and his salary for the next three calendar months following adoption of the resolution. A Superintendent of Public Works, holding a classified title, may be superseded in their position by the appointing of a Director of Public Works by the Township Administrator or Township Committee. In that case, the Superintendent will report to the newly appointed Director.~~

Section 2-36 Duties of Department.

The Department of Public Works ~~and Automotive Services~~ through its director shall have charge of construction, operation and maintenance of all public buildings, grounds, streets, utilities and public works within the Township shall be responsible of the maintenance, protection and repair of all Township roads, open space, shade trees, streams and stream crossings, storm sewers and detention basins, along with the general public infrastructure of the Township.

Section 2-37 Duties of Director or Superintendent.

The Director or Superintendent of Public Works ~~and Automotive Services~~ shall:

- A. – D. No change.
- E. Receive and investigate all complaints from residents and taxpayers of the Township relating to the operations under his/her jurisdiction, take appropriate action thereon and report results to the Township Committee.
- F. Attend Township Committee meetings as when directed by the Committee.

Section 2-38 Division of Streets and Roads.

Within the Department of Public Works ~~and Automotive Services~~ there shall be a Division of Streets in which there shall be a ~~Road Supervisor~~ Road Supervisors. Under the direction and supervision of the ~~Road Supervisor, who shall be designated as head,~~ Road Supervisors, the Division shall:

- A. – C. No change.
- D. Provide, operate, maintain and/or supervise facilities for the collection and disposal of refuse and garbage on the streets at such times and in such manner as may be authorized by Township ordinance.
- E. – F. No change.

Section 2-39 ~~Division of Public Property.~~ Division of Equipment Maintenance and Repair.

Within the Department of Public Works there shall be a Division of Equipment Maintenance and Repair. The Division Shall:

- A. Maintain all Township mechanical equipment in working order and plan for the purchase of new equipment to replace equipment near the end of its useful life.

- B. Maintain a stock of parts and essential replacement tools for the ongoing operations of the entire department.
- C. Report to the Director or Superintendent on the equipment needs of equipment of other departments and facilitate the purchase and repair of same.
- D. Submit to the Director or Superintendent an inventory of all equipment, vehicles and essential major parts that are required for the upcoming month, quarterly or year in an effort to plan for budgetary needs.

~~Within the Department of Public Works and Automotive Services there shall be a Division of Public Property. The Division shall:~~

- ~~A. Operate, maintain and repair Township owned buildings and properties and provide custodial and janitorial services therefor.~~
- ~~B. Trim, plant, care for and preserve public parks, greens, grounds and trees in the public way.~~
- ~~C. Maintain and repair playing fields and playgrounds and recreational areas and facilities.~~
- ~~D. Control the care, use and disposition of motor vehicles owned by the Township.~~

Section 2-40 Division of Shade Tree.

Within the Department of Public Works there shall be a Division of Shade Tree. The Division Shall:

- A. Work with the Shade Tree Commission in the focus and planning of their duties.
- B. Receive and process Tree Removal Permits in accordance with Chapter 336-10, in certain circumstances, the approval of same may require consent from the Township Shade Tree Commission.
- C. Report issues relating to Shade Trees, their illegal removal, downed trees belonging to the Township, and other issue that may arise relating to Shade Trees and their immediate locations.

Section 2-41 Division of Recycling

Within the Department of Public Works there shall be a Division of Recycling. The Division Shall perform duties and oversight, under the direction of the Director or Superintendent, to adhere to the requirements of the Laws of the State of New Jersey with regard to mandatory recycling and Chapter 253 of the Township Code.

Section ~~2-40~~ 2-42 Rules and regulations.

The Township may by resolution make rules and regulations necessary for the proper regulation of the Department of Public Works ~~and Automotive Services~~, and these shall be known as the "Rules and Regulations Governing the Department of Public Works ~~and Automotive Services~~" and shall be binding on each member of the Department.

V

Chapter 2 (Administration of Government), Article XI (Department of Administration) is hereby amended as follows:

Section 2-47. Municipal Administrator. No change.

Section 2-48. Terms of employment.

The following terms of employment shall apply to the position of Municipal Administrator:

- A. No change.
- B. Compensation. The employee's annual salary shall be as set by ~~resolution of the Township Committee~~ the Township Committee in the annual resolution setting salaries, in accordance with the current year's salary ordinance.
- C. Vacation days. The employee shall be entitled to vacation days for a department head set forth in chapter § ~~47-11A(1)~~ § 47-11A(2), plus five days ~~for a total of 17 vacation days for each year of employment in years one through five.~~ Vacation days shall, on an annual basis, be used or forfeited by December 31 of each calendar year or upon termination, as applicable, except that a maximum of five unused vacation days may be carried over at the end of each year but must be used by April 30 of the next year, otherwise any of those five carryover vacation days not used will expire. Upon resignation, termination or retirement, the Township Administrator shall not receive payment for any unused vacation days.
- D. – F. No change.
- G. ~~Dues and expenses. The employee shall represent the Township at such service clubs and community organizations as shall be approved by the governing body. All such related dues and expenses shall be henceforth paid by the employee.~~ Work Week and Hours of Work. The Township Administrator shall generally work a five-day week, consistent with the hours of operation of the Municipal Offices. Due to the nature of the Township Administrator's responsibilities, requiring access and work beyond normal business hours, the Township Administrator shall be available remotely, telephonically, virtually, in-person or by other means necessary to address the immediate and/or emergency nature from Department Heads, Government Officials or the Township Committee. The Township Administrator

may alter his/her work schedule, but shall be reachable by the Township Committee and his/her Executive Secretary during the work day.

~~H. Personnel Manual. The Township's Personnel Manual has been given to the employee. It does not represent a contract. Its terms may be changed from time to time, unilaterally, by the Township.~~

HI. Conventions. The Employee shall be required to pay all travel, food and lodging expenses of professional conventions which are attended.

II. Longevity. Compensation for longevity shall not apply. The Township Administrator shall not receive any compensation for longevity.

~~KJ.~~ Absence or disability. During the absence or disability of the Municipal Administrator, the Municipal Administrator of the Township shall designate the Township employee to perform the duties of the Municipal Administrator, unless otherwise directed by the Township Committee. If such designation is not made by the Township Administrator, the Township Committee shall make the designation should they determine a need exists. Absence or disability shall be limited to three months, after which time the absence or disability may be deemed a vacancy.

Section 2-49 Removal of Administrator.

The Municipal Administrator ~~or Assistant Administrator~~ may be removed by a two-thirds vote of the members of the Township Committee eligible to vote, but in no circumstance by fewer than three affirmative votes. The resolution of removal shall become effective three months after its adoption by the Township Committee. The Township Committee may provide that the resolution shall have immediate effect, provided that the Township Committee shall cause to be paid to the Administrator any unpaid balance of his/her salary and his/her salary for the next three calendar months following adoption of the resolution. Notwithstanding any of the foregoing, no advance notice nor prospective salary payment shall be required for removal for good cause as defined in N.J.S.A. 40:69A-43, made applicable by reference herein.

Section 2-50 Qualifications and residency requirement for Administrator. No change.

Section 2-51 Powers and duties of Administrator.

The Municipal Administrator shall:

A. Be the Chief Administrative Officer of the Township and shall be responsible to the Township Committee as a whole for the proper and efficient administration of the business affairs of the Township. ~~His~~ The duties and responsibilities shall relate to the general management of all Township business, except those duties and responsibilities conferred upon other Township officials by state statute, other applicable laws, rules and regulations promulgated by state and county agencies, judicial authority or ordinances of the Township. Except for the purpose of inquiry, the Township Committee and its members shall deal with the administrative service solely through the Municipal Administrator, and neither the Township Committee nor any member thereof shall give orders to any subordinates of the Municipal Administrator either publicly or privately.

- B. No change.
- C. Serve as the personnel officer of the Township and as such hire and promote employees of the Township subsequent to satisfactory completion of the probationary period and advance employees to the next step, and when he/she deems it necessary or advisable for the betterment of the Township, meet out discipline, suspend or discharge employees, provided that persons covered by the Department of Personnel provisions of the state or other applicable statutes shall be promoted, hired, suspended or discharged only in accordance with such provisions. When required or necessary, the Township Administrator shall make changes with regard to salaries, stipends, hourly rates, as relates to any organizational or departmental changes, including shared services, that may arise during the fiscal year. The Municipal Administrator shall report ~~at the next regular meeting of~~ to the Township Committee on any action taken by authority of this subsection in a timely manner, and provide a revised and final salary resolution with current salaries during the fiscal year.
- D. Prepare and submit to the Township Committee ~~before the close of the fiscal year in the required statutory timeframe~~, or at such time as the Township Committee shall determine, a proposed budget for the next fiscal year ~~and an explanatory budget message and any required detail requested by the Township Committee.~~ In preparing the proposed budget, the Municipal Administrator, or an officer designated by him, shall obtain from the head of each department, agency, board or officer, estimates of revenues and expenditures and other supporting data as he/she requests. The Municipal Administrator shall review the estimates and may revise them before submitting the proposed budget to the Township Committee.
- E. Be responsible for the administration of the budget after its adoption by the Township Committee and ~~the implementation of the work programs contained in the budget~~ report the status of same on an ongoing basis to the Township Committee.
- F. No change.
- G. Attend all meetings of the Township Committee and other committees as directed, with a right to take part in the discussion and receive notice of all regular and special meetings of the Township Committee and all advisory committees. The absence of the Township Administrator shall not preclude the Township Committee from their right to meet.
- H. Prepare the ~~workshop~~ agenda for each meeting of the Township Committee and supply facts pertinent thereto and deliver same to Township Committee on the evening preceding ~~workshop~~ the meeting.
- I. Keep the Township Committee informed as to the conduct of Township affairs, submit periodic reports, either in writing or orally, on the condition of the Township finances and such other reports, ~~either in writing or orally~~, as the Township Committee shall request, and make such recommendations to the Township Committee as he deems necessary and advisable for the welfare of the Township.
- J. ~~Submit to the Township Committee, as soon as possible after the close of the fiscal year, a complete written report on the administrative activities of the Township for the preceding year.~~ Report to the Township Committee, after the end of the fiscal year or sooner at an

appropriate time, on the status of Township affairs, operationally and fiscally, that immediately affect the succeeding year.

K. See that the provisions of all franchises, leases, permits, contracts and privileges granted by the Township are complied with.

L. Recommend and contract for the work ~~the employment~~ of experts and consultants, duly appointed by the Township Committee in an annual process and/or in accordance with State purchasing guidelines, to perform work and render advice in connection with the operation of the Township infrastructure, dedicated utilities or ~~work~~ projects in the Township subject to approval by the Township Committee.

M. Attend to the letting of all forms of contracts, in due form of law, and supervise the performance and faithful execution of the same except insofar as such duties are expressly imposed upon some other Township officer or official by statute, in all areas of the Township's operations, including but not limited to employment, technology, operational maintenance, software subscriptions and maintenance, telephone and other utility services, etc.

N. No change.

O. Review and recommend all bills and vouchers for payment prior to final approval by the Township Committee. Authorize the payment of bills on behalf of the Township Committee relating to the payment of claims for health insurance through the Township's Self-Insurance Program. Such payments shall be ratified on the Bills List at a meeting immediately following the Administrator's authorization.

P. No change.

Q. Receive all complaints regarding services or personnel of the Township. ~~He~~ The Township Administrator or an officer designated by him/her shall investigate and dispose of the complaints and ~~the Municipal Administrator~~ they shall keep a written record of each complaint and when and what action was taken in response thereto and provide the Township Committee with a copy when requested to do so.

R. – S. No change.

T. Keep the Township Committee informed as to federal aid projects and state aid projects and any other aid programs for which the Township may qualify. Assign duties to the appropriate personnel to research and obtain aid and awards for these programs.

U. Assign duties and responsibilities to designated department heads as deemed appropriate.

V. No change.

~~W. Authorize the payment of bills on behalf of the Township Committee relating to the payment of claims for health insurance through the Township's Self Insurance Program. Such payments shall be ratified on the Bills List immediately following the Administrator's authorization.~~

W. Manage the Township's insurance claims and legal matters relating to same by employing appointed counsel for the Township and/or the counsel representing the Township's current or past Joint Insurance Funds. He/She is authorized to negotiate settlement, and tentatively approve or deny offers for settlement, to be ratified by the Township Committee at the next possible meeting. The Township Administrator shall at regular intervals, apprise the Township Committee of the progress of these legal matters, their potential resolutions, and seek direction, as required.

X. Manage the Public Information Office, and any assigned employees to that office.

Y. Shall perform such other duties as the Township Committee may require or may otherwise prescribe.

Z. Shall, from time to time, determine items from the assets of the Township that are no longer efficient and economical for operation or ownership by the Township and will coordinate a public auction for these items in accordance with applicable State Laws. The Township Administrator shall also determine those items that have no value, and properly arrange for the recycling or proper disposition of same.

Section 2-51.1 Public Information Office.

~~The Public Information Office shall be responsible for communicating with the public concerning Township business, and other assignments and duties as assigned by the Township Committee or Department of Administration.~~

The Township Administrator shall be responsible for managing a Public Information Office, any employee assigned to the duties of that office shall report to the Township Administrator. Duties of the Office shall be:

A. Communicating with the public concerning Township business, and other assignments and duties as assigned by the Township Committee or Department of Administration.

B. Disseminating information approved by the Administrator at the direction of the Township Committee, in writing, by social media in its various formats, flyers and signs, communication with local media outlets and news agencies, telephonic emergency notification systems, or the Township Website

C. Maintain the Township Website with current and relevant information, and ensure that contact information, directions, forms, maps, and other pertinent information is up to date and usable by the public.

VI

Chapter 2 (Administration of Government), Article XI(A) (Department of Purchasing) is hereby amended as follows:

Section 2-52 Purchasing.

A. – B. No change.

C. The Municipal Administrator shall keep an account of all purchases and shall, from time to time, or when directed by the Township Committee make a full written report. He/She shall also issue rules and regulations governing the requisition and purchase of all municipal supplies and equipment consistent with the provisions of this section. For the purposes of this section only, during the absence, disqualification or disability of the Municipal Administrator, the ~~Assistant Municipal Administrator~~ Chief Financial Officer shall act in his place and stead, so long as he/she is not the appointed purchasing agent at the time.

Section 2-53 Emergency purchasing. No change.

VII

Chapter 2 (Administration of Government), Article XIV (Department of Code Enforcement) is hereby amended as follows:

Section 2-56. Code Administrator.

The head of the Department of Code Enforcement shall be the ~~Code Administrator~~ Construction Code Official. He shall be ~~elected~~ appointed by the Township Committee to serve for a term of ~~three~~ four years. ~~Prior to his election, he~~ He/She shall be qualified by training and experience for his duties.

Section 2-56.1 Duties of Code Administrator.

A. – C. No change.

D. Have all the powers and duties prescribed by the Township Committee by ordinance and/or resolution and as directed by the Township Administrator.

E. Work with and cooperate with the Department of Zoning and Housing in the performance of their duties to ensure complete and consistent enforcement of the Code.

Section 2-56.2 Duties of Department.

The Department of Code Enforcement shall be responsible for the enforcement of all laws, ordinances, codes, rules, uniform state construction code and all regulations relating to building of structures, their location, construction, property maintenance and such other ordinances as designated by the Township Committee, and insofar as applicable State Law, Township Ordinances and adopted Codes and Standards apply.

Section 2-56.3 Division of Construction.

Within the Department of Code Enforcement, there shall be a Division of Construction. ~~The head of which shall be the Construction Official who shall be appointed for a term of four years.~~ The Construction Official shall:

- A. – D. No change.

VIII

Chapter 2 (Administration of Government), Article XIVA (Department of Zoning and Housing Enforcement), is hereby amended as follows:

Section 2-57 Establishment.

There is hereby established the Department of Zoning and Housing Enforcement, which shall be supervised by the Township Construction Code Official and will work in conjunction with the Department of Code Enforcement in the performance of their duties.

Section 2-57.1 Zoning Officer.

The Zoning Officer shall be the ~~department head~~ authority in approving and denying requests for zoning relief, or for conforming applications seeking zoning approval.

Section 2-57.2 Duties of the Department.

~~The Zoning Officer, besides performing the duties set out in the Municipal Land Use Law, N.J.S.A. 40:55D-1 et seq., shall cause the~~ The Department of Zoning and Housing Enforcement and its personnel to shall:

- A. No change.
- B. Support, through review and investigation, the enforcement of the Township's Land Use Ordinances and related codes and ordinances, as time and resources allow, and suggest necessary or suggested changes to the Township's Land Use Ordinance to the Township Administrator.

C. – D. No change.

E. Inspect and certify Housing Code compliance for all residential rental properties when there is a change of occupancy, or a complaint.

F. No change.

Section 2-58 through Section 2-59. (Reserved)

IX

Chapter 2 (Administration of Government), Article XVI (Department of Information Technology) is hereby amended as follows:

Section 2-62 Duties.

Responsibilities of the Department of Information Technology include the management, ~~of the metropolitan area network, telephone and door access systems,~~ implementation and maintenance of all technologically related systems, providing support to all users, and making recommendations regarding the purchasing and upgrading of all hardware and software.

Section 2-63 Director and Responsibilities.

The head of the Department of Information Technology shall be the Director of Information Technology. The Director shall report to the Township Administrator. The Director shall be appointed in accordance with the New Jersey Department of Personnel policies and procedures. The Department shall have the following responsibilities:

- A. Attend to the day-to-day operations of the Township's Technology Infrastructure and end users.
- B. Report regularly to the Township Administrator regarding required changes, updates and upgrades required to secure the Township's Technology resources.
- C. Maintain an adequate level of staff to properly engage the Township's employees and end users and to address network and security issues.
- D. Maintain an inventory of technology assets and track their useful life in a technology replacement plan for both the short- and long-term.
- E. Educate staff on cyber-security issues, use of new systems, network or technology outages, and required upgrades and procedures.
- F. Purchase equipment, software and subscriptions, as required. Recommend contracts for same to the Township Administrator for approval.
- G. Respond to technology issues on an emergency basis on an on-call basis around the clock.

X

Chapter 10 (Boards, Committees and Commissions), Article I (Shade Tree Commission) is hereby amended as follows:

Section 10-1 through Section 10-4. No change.

Section 10-5. Annual appropriations.

A. During the month of ~~October~~ December in each year, the Shade Tree Commission shall certify to the Township Committee the estimated sum necessary for the proper conduct of its work during the ensuing fiscal year, which shall include the sums estimated to be expended for such of the following items as it is anticipated expenditure will be made:

(1) – (4). No change.

B. No change.

~~**Section 10-6. Contractor maintenance guaranties.**~~

~~Whenever the Shade Tree Commission shall accept any bid from any contractor to perform services for and on behalf of the Shade Tree Commission, a condition of that bid shall be the posting of a maintenance guaranty upon completion of the services, which maintenance guaranty shall be in a sum equal to 20% of the amount of the contract price. Said guaranty shall be in the form of cash, certified check, letter of credit or bond as approved to form and sufficiency by the Municipal Attorney. The maintenance guaranty shall be posted upon completion of the work and before final release of any performance guaranties which may have been posted and shall be expressly conditioned upon the maintenance by the contractor of all such work for a period of one year and particularly shall guarantee the remedy of any defects in such work which occur or become evident during said period.~~

XI

Chapter 17 (Claims Approval) is hereby amended as follows:

Chapter 17 Claims Approval of Payments and Bills

Section 17-1 Presentation of ~~bill of demand~~ bills.

Any person claiming payment from the Township shall present a detailed bill ~~of demand~~ or invoice to the Municipal Administrator or Chief Financial Officer duly certified, or in the alternative supported by an affidavit of the vendor or claimant. It shall be the duty of the Municipal Administrator or the Chief Financial Officer to determine that the signature of the

officer or employee who has been designated by the Township Committee to certify that the materials have been received by or the services rendered to the Township, appears on every ~~claim~~ purchase order. The identification, processing, approvals and payment of all bills and claims for payment shall adhere to the Laws of the State of New Jersey, and be in accordance with the Freehold Township Financial Controls Manual, adopted by the Township Committee.

Section 17-2 Approval or rejection of ~~claim~~ bills by Township Committee.

~~Claims shall be considered by the~~ Bills shall be aggregated and presented to the Township Committee, ~~which shall approve the same for their consideration, and shall be approved,~~ except that the Committee may reject any ~~claim~~ bill presented to it stating the reason for rejection. Any disapproval shall be referred back to the Municipal Administrator with such instructions as the Township Committee may give at the time of disapproval. The aggregated list shall be referred to as the "Bills List" as presented by an accompanying resolution during public meetings of the Township Committee. In special circumstances, the Township Committee may give authority to the Township Administrator, to approve certain types of bills to ensure timely payment of same, which will be presented in the Bills List immediately following the payment of same.

Section 17-3 Recording of ~~claims and action.~~

It shall be the duty of the Township Clerk to record all ~~claims~~ Bills Lists in the official minutes indicating that the Township Committee has by formal action approved, disapproved or rejected the ~~claim~~ Bills. ~~The schedule or list~~ The Bills List shall be made available to every member of the Township Committee at least three days before the claims are subject to formal action. After approval, claims shall be listed in a book or record to be assigned as "Claims Bills Approved by the Township Committee on _____." This list shall be amplified by appropriate detail in the minutes to permit ready inspection.

Section 17-4 Issuance of checks by Treasurer; recording.

The Township Clerk shall certify the resolution that all claims have been approved and shall turn it over to the Treasurer, who shall issue the necessary checks or automated bank transfers. Checks shall be signed by the Mayor and the Treasurer, or by designated individuals named by the Township Committee in the absence of disability of the Mayor or Treasurer. After preparing the checks for payment of ~~claims~~ bills, the Treasurer shall record them in proper books of account and mail or otherwise distribute them to the claimants.

XII

Chapter 21 (Court, Municipal) is hereby amended as follows:

Section 21-1. Establishment; location; powers.

There shall be a Municipal Court in the Township pursuant to the provisions of N.J.S.A. 2B:12-1 et seq., to be known as the "Municipal Court of the Township of Freehold, Monmouth County." The Municipal Court shall have a seal bearing the impress of the name of the Court. The Court shall be held at the ~~public library~~ Municipal Justice Complex or such other place as the Township Committee shall designate ~~from time to time~~, and shall exercise all the functions, powers, duties and jurisdiction conferred upon municipal courts by law.

Section 21-2. Municipal Judge.

- A. No change.
- B. The Municipal Judge shall have and possess the qualifications and shall have, possess and exercise all the functions, duties, powers and jurisdiction conferred by law or ordinance. ~~He~~ The Municipal Court Judge need not be a resident of the Township, but ~~he~~ shall be an attorney at law of the State of New Jersey. Whenever the Municipal Judge shall be unable to sit as such ~~he~~ the Judge may designate any other judge of any Municipal Court (~~except a nonattorney judge~~) ~~or an attorney at law to sit for him temporarily~~ that meets the approval of the Monmouth County Assignment Judge and hold the Municipal Court. Any such designation shall be made in writing and shall be filed in the Court and any person so designated, while sitting temporarily, shall possess all the powers of the Municipal Judge.

Section 21-3. Municipal Court Administrator.

There shall be an Administrator of the Municipal Court who shall be appointed by the Municipal Administrator in accordance with Civil Service Guidelines, and who shall perform the functions and duties prescribed for him/her by law, the rules of court applicable to Municipal Courts, and by the Municipal Judge. The Municipal Court Administrator shall be entitled to the tenure rights afforded by N.J.S.A. 2A:8-13.3. He/She must either be certified as a Municipal Court Administrator pursuant to N.J.S.A. 2B:12-11, or be in a position to hold such certification within six months of their appointment to the position pursuant to New Jersey Court Rule 1:41-3. His/her duties shall include, but not be limited to:

- A. – E. No change.
- F. Interviewing persons on informal ~~police~~ Municipal court matters to determine if there is a basis for formal action and, if necessary, issuing summonses requiring Court appearances, maintaining and classifying records and files.
- G. No change.

Section 21-4 Deputy Municipal Court Administrator.

The Municipal Administrator may appoint a Deputy Municipal Court Administrator ~~of the Municipal Court~~ and such other clerks who shall perform the functions assigned to him/her by the Municipal Judge and by the Municipal Court Administrator.

Section 21-5 through Section 21-7. No change.

XIII

Chapter 43 (Payroll), is hereby amended as follows:

Section 43-1 Establishment.

There shall be an account to be designated the “Township of Freehold Payroll Account” and from time to time the Treasurer, on receipt of a ~~warrant~~ or an amount due the Payroll Account, shall deposit it to the credit of the Payroll Account for the payment of all salaries and wages and related payroll taxes and deductions.

Section 43-2 Transfer of salary appropriation to Payroll Account.

The moneys appropriated or to be appropriated for such salaries and wages and related payroll taxes and deductions, under the budget and in accordance with the statutes and ordinances controlling the same, shall be transferred from the applicable funds to the Payroll Account at such times that disbursements are to be made for the processing of payroll.

Section 43-3 Disbursement by check; errors and adjustments.

Disbursement from the Payroll Account ~~may be made by payroll checks signed by the Treasurer or Township Administrator and the Mayor or Deputy Mayor~~ shall be made via Direct Deposit upon preaudit by the Treasurer and approval by the Township Committee of the entire payroll at the next succeeding meeting of the Township Committee. In case of error or adjustment in the payroll, the Treasurer shall make proper correction and appropriate record thereof.

Section 43-4. Purpose; definitions. No change.

Section 43-5 Authorization.

A. The Township is authorized to use a payroll service for the following activities:

(1) – (3) No change.

B. No change.

(1) – (2) No change.

Section 43-6 Local unit requirements.

A. The appointment of a payroll service shall be pursuant to the Local Public Contracts Law, and shall require the contractor to do the following, not by way of limitation: data collection, agency report preparation, calculation of withholding, direct deposit of payroll disbursements, and/or local unit transfer of funds to ~~contractor's account~~ the account of the payroll service for subsequent disbursement of payment.

B. – D. No change.

Section 43-7 through Section 43-8. No change.

XIV

Chapter 47 (Personnel) is hereby amended as follows:

Section 47-1 Applicability of state personnel rules.

This chapter and all its provisions shall at all times be subject to the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey, which prescribe basic minimum standards. To the extent that this chapter should at any time and in any particular provide standards less liberal than those embodied in the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey, the latter rules shall be deemed applicable. To the extent, however, that the provisions of this chapter contain benefits or provisions more liberal than the minimum requirements of the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey, the provisions of this chapter shall control.

Section 47-2 General policies.

A. No change.

(1) The New Jersey State ~~Department of Personnel~~ Civil Service Commission Law and the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey, which shall be applicable to municipalities in the state, provide the basic framework for employment in the Township government.

(2) – (4). No change.

(5) Appointments, promotions and other personnel actions requiring the application of the merit principle shall be based on systematic tests and evaluations of knowledge and performance, carried out through the Township's participation in the New Jersey ~~state civil service system~~ State Civil Service Commission.

(6) – (8). No change.

B. No change.

C. No change.

(1). No change.

(a) No change.

(b) The Municipal Administrator, Township Clerk, Attorney, Engineer, Auditor, ~~Building Inspector~~ and Treasurer.

(c) – (d). No change.

(e) All other offices or positions that are so classified by Rule 7(2) of the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey.

(f) Tax Assessor and Deputy Tax Assessor.

(g) – (j). No change.

(k) ~~Director of Welfare~~.

(l) – (n). No change.

(o) ~~Research scientist~~.

(p) Municipal Court ~~Director~~ Administrator.

(q) ~~Public Information Officer~~. Municipal Court Judge.

(r) No change.

(s) Personnel Officer.

(t) Municipal department head.

(u) Special Law Enforcement Officer Class I, II & III.

(NOTE TO CODIFIER: Re-letter above paragraphs accordingly.)

- (1) Classified service. The classified service shall include all other positions in the Township service that are not specifically placed in the unclassified service by the above provisions of this subsection, or which are excluded from the classified service by Rule 7(2) of the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey.

Section 47-3 Position Classification Plan.

- A. ~~Establishment.~~ The Administrator shall, as part of the ongoing operational personnel structure, make or cause to have made an analysis of the duties and responsibilities of all part-time and full-time positions in the Township, except his own position. He shall recommend in writing to the Committee a Position Classification Plan. Within 30 days after the adoption of a Position Classification Plan by resolution of the Committee, the The Administrator shall assign each position to an appropriate class ~~in accordance with the approved Position Classification Plan of the Township Committee developed in cooperation with the Merit Service Board of the Stat of New Jersey. and an appropriate Civil Service Title, commensurate with his/her analysis and classification of each position. Positions and titles shall conform to the descriptions and limitations of each Civil Service job description, and be consistent with the educational and experience requirements listed therein.~~
- B. Basis of position classification. Each position shall be assigned or allocated to an appropriate job classification on the basis of the kind and level of its duties and responsibilities to the end that all positions in the same classification shall be sufficiently alike to permit the use of a single descriptive title, the same tests of competence and the same salary range, thus carrying out the basic principle of classification which is equal pay for equal work. A job classification may contain one position or a number of positions. The Administrator shall from time to time review ~~the job classification and submit a report to the Committee setting forth his recommendations~~ the Township's organizational structure with the Township Committee and suggest changes, appropriately detailing the classification and title changes that would be consistent with the changes. When the NJ Civil Service Commission performs a Title Consolidation, where several classified titles are merged into a single title, The Administrator shall review the personnel and titles that have been changed, and adjust the classifications and titles as required to reestablish the proper organizational structure.
- C. ~~Change in classification plan~~ Changes in classification and organizational structure.
 - (1) ~~The classification plan~~ Classifications may be amended from time to time by the Township Committee, or the Administrator. Such changes may result from the need for creating new positions, changes in organization or changes in assigned duties and responsibilities and will be ~~effected~~ affected in cooperation with the ~~Merit Service~~

Board of the State of New Jersey rules and regulations of the New Jersey Civil Service Commission, Title 4A.

(2) No change.

(3) ~~(a) He~~ The Administrator shall study the current duties and responsibilities of the position concerned and make recommendations ~~in writing~~ from time to time to the Township Committee that the appropriate action necessary to insure the correct classification and allocation of the position be taken.

(4) ~~(3)~~ Each department head shall report to the Administrator any changes in ~~his~~ their organization or assignment of duties and responsibilities to a given employee which would result in changes in the Position Classification Plan or in the classification of any of the positions in his department.

(5) ~~(4)~~ An employee may submit a request in writing to the Administrator at any time for a review of the duties and responsibilities of their position. Such a request shall be submitted through their department head and shall include the employee's own description of their current duties and responsibilities. The Administrator shall then make an investigation of the position to determine its correct allocation. They shall report their findings in writing to the Committee and shall furnish a copy to the employee requesting the review and to their department head.

(6) ~~(5)~~ An employee may submit a request for a review of the duties and responsibilities of their position directly to the Merit Service Board of the State of New Jersey.

D. Abolishment of position. A position may be abolished or the number of personnel reduced by the Administrator for reasons of efficiency and/or economy or because of reorganization within a department or because of a shared service meeting the definitions under New Jersey Statutes. A permanent employee must receive written notice of such action 45 days prior to its effective date. In the Police Department such events shall be governed by the provisions of N.J.S.A. 40A:14-118 et seq. Every effort shall be made by the Administrator, in cooperation with the ~~Merit Service Board~~ Civil Service Commission of the State of New Jersey, to reassign any affected permanent employee to another position in the Township service for which the employee may be qualified. ~~If no such position is available immediately, the name of the affected employee shall be kept on file, and he must be offered employment should a vacancy occur in a position for which he is qualified prior to taking applications for the vacancy. If an employee is demoted because of economy or departmental reorganization, he shall be placed in the new salary range in the same step he held in his prior position before demotion. Township employees subjected to layoffs shall be placed on a list by the Civil Service Commission with addressed right to new positions in the Township as the need may arise, governed by the rules of the Commission for Special~~

Re-employment Lists.

Section 47-4 Pay Plan Salaries and Compensation.

- A. Salaries shall be in accordance with the Salary Ordinance adopted annually by the Township Committee. Each year, the Administrator shall analyze, or cause to be analyzed, the proposed salary needs for the upcoming year, including any departmental or organizational changes, step increases under employment agreements or collective bargaining agreements, and recommend to the Township Committee the required changes in the salary ordinance for the upcoming year. Subsequent to the adoption of an annual Salary Ordinance, the Township Committee shall adopt a salary resolution at their reorganization meeting or immediately thereafter, setting the exact salaries of all Township Positions.

In accordance with Section 2-51, the Administrator shall cause to be paid, those salaries set forth in the salary resolution, with amendments as required for the reasons of, but not limited to, existing agreements, promotions, statutory changes, shared services, departmental reorganizations, replacement of personnel, or new hires. These changes shall be reported to the Township Committee in an aggregate and amended salary resolution.

~~Notice to employee of pay and salary range; basis for further increase. After each class of position has been assigned to a salary range and the pay plan and rules for its administration have been adopted by the Committee, each employee shall be advised of his rate of pay and the salary range to which his position title has been assigned. When an employee attains the maximum rate of the salary range for his position, he shall not receive further salary increases unless:~~

- ~~(1) His position is reclassified.~~
- ~~(2) He is promoted to another position having a higher salary range.~~
- ~~(3) His position's salary range is increased.~~
- ~~(4) A general salary increase is granted to all employees~~

- B. New appointments. A new employee shall be paid at the minimum of the approved salary range within the confines of the approved salary range of the position for which they were hired, commensurate with their relative experience and scale of meeting the requirements of the job description for the position to which ~~he is~~ they have been appointed. ~~In~~ exceptional cases, the Administrator may recommend an appointment at a rate above the minimum subject to the approval of the Township Committee.

C. – D. No change.

E. Reinstatements. When an employee is reinstated within two years following a layoff to a position in the same classification, ~~he~~ they shall enter the position at the same salary in the salary range as he received in his previous position. ~~His~~ The employee's service shall be considered continuous for the purpose of promotion, seniority, layoff, and vacation except following a dismissal.

F. Re-employment. When an employee is re-employed following a resignation in good standing to a position in the same classification, they shall enter the position at the minimum rate of the salary range for the position. However, if their resignation has been of less than ~~one year~~ one-year duration, ~~he~~ they shall enter the position at the same salary which they held at the time of his resignation. Seniority from past employment with the Township will be lost in this instance, and employment considered non-continuous, unless otherwise authorized by the Administrator by agreement.

G. No change.

Section 47-5 Appointment.

A. Basis for original appointment. Original appointments to vacancies in the Township service shall be based on merit, fitness and ability, which shall be determined by competitive examinations insofar as practicable, and shall be in accordance with the Civil Service Rules of the State of New Jersey. Non-competitive titles shall be appointed as entry level positions and shall follow the NJ Civil Service Commission requirements for non-competitive titles.

B. Temporary appointments. In the absence of an appropriate list or for the filling of temporary or seasonal positions, or temporarily in the case of emergencies, vacancies may be filled by temporary appointments by the Administrator. Such temporary appointments shall have a ~~maximum~~ duration of ~~two~~ six months and may be extended for a ~~similar~~ period of six additional months in accordance with Civil Service Regulations.

C. No change.

D. Physical examination. Any job applicant may be required to submit to a physical examination by the Township physician or a designated alternate. Psychological or psychiatric examinations by a psychologist or psychiatrist designated by the Township may also be required. The Township Administrator shall designate which positions will require these examinations.

E. Probationary period.

(1) All employees appointed permanently to the classified service shall serve a probationary period of 90 days. At the expiration of the probationary period, the Administrator may discontinue the service of any such employee if, in the appointing authority's opinion, the employee is unwilling or unable to perform the duties of his position in a satisfactory manner, or if the employee is of such reputation, temperament and habits relating to their employment, as not to merit continuance in the service of the Township. In every case, the Administrator shall notify the employee in writing of the discontinuance ~~and the reasons for the same~~ in accordance with civil service rules, and shall forward a copy of the notice to the Department of Civil Service of the State of New Jersey. In certain circumstances, and in accordance with Title 4A, the probationary period may be extended for an additional 90 days to allow for a longer period of evaluation.

(2) – (3). No change.

F. Permanent status. Classified employees who satisfactorily complete their probationary period shall have permanent employment status, conditioned upon good behavior and satisfactory job performance. They shall be subject to removal by the Administrator only for cause or for reason of economy, after proper notice and the opportunity to be heard, as set forth under the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey.

Section 47-6 Promotions.

A. No change.

(1) – (2). No change.

B. Effect of reclassification. When there is a major change in the duties or responsibilities of a position resulting in its reallocation to a higher classification, the position shall be considered vacant and subject to filling under promotional procedures, at the sole discretion of Administration or Township Committee. The incumbent in the reclassified position may be permitted to serve pending promotional procedures.

C. No change.

(1) Vacancies shall be filled by utilizing competitive promotional examinations, in accordance with the ~~Department of Personnel~~ Civil Service Commission Rules of the State of New Jersey.

(2) Where the Administrator, after consultation with the New Jersey ~~Department of Personnel~~ Civil Service Commission, finds that no employee is qualified for promotion to the vacancy, he may order competitive examination, open to candidates outside the Township's employ. In post-examination selection, the Administrator shall give appropriate

consideration to the applicant's qualifications, record of past performance and the length and quality of his service.

(3) Selection shall be made from the top three candidates, as determined by the examination process of the ~~Department of Personnel~~ Civil Service Commission of the State of New Jersey.

D. No change.

Section 47-7 Separation from service.

A. Types of separation. Classified employees who have acquired permanent employment status may be temporarily suspended from the Township's employ by layoff or suspension, or permanently separated by resignation or dismissal, subject at all times to the rules and regulations of the ~~Department of Personnel~~ Civil Service Commission of the State of New Jersey.

B. No changes.

C. Retirement.

(1) Employees enrolled in the Public Employees Retirement System or Police and Fire Retirement System of the State of New Jersey are subject to the requirements and provisions of that plan.

~~(2) Employees are eligible to retire with full benefits at age 55, and with reduced benefits at any age after 25 years of service.~~

~~(3) Police officers are eligible to retire with full benefits at age 55, and with reduced benefits at any age after 25 years of service.~~

~~(4)~~ (2) Medical benefits.

(a) The Township will provide medical benefits upon eligibility for retirement to any ~~elected,~~ full-time or tenured employee who attained the status as ~~an elected,~~ a full-time or tenured employee on or before December 31, 2009, and who shall have attained either of the following:

[1] – [2]. No change.

(b) – (d). No change.

D. No change.

~~E. Involuntary separation of full-time unclassified employees. In the event of the involuntary separation of a full-time unclassified employee, the employee shall receive 60 days' notice (including accumulated vacation leave), or be compensated at the rate of one day's wages for each day less than the 60 days for which notice is required to be given, except in cases of disciplinary dismissal for cause.~~

Section 47-8 Compensation.

A. No change.

B. Computation of daily and hourly rates. As not all payroll periods consist of the same number of days, the daily rate of pay of each employee normally shall be 1/260th of his annual salary. The hourly rate shall normally be computed by dividing the annual rate by 2080. This calculation shall be set, regardless of any calendar anomalies in a given year that may increase or decrease the numbers of certain days, or days of the year, or the work hours set by a particular position, agreement, schedule, or collective bargaining agreement.

C. Deductions for leave without pay. Deductions in salary for leave without pay shall be computed on the basis of ~~hourly~~ daily rate as calculated in Section B, above.

D. Compensation for overtime.

(1) Employees, including members of the Police Department, may be compensated for overtime work when the compensation has been recommended by the department head and payment authorized by the Administrator. In all instances overtime compensation shall commence only after the employee has worked the full 40 hours during the workweek for which overtime compensation is sought. Holidays and vacation days and sick days may be counted toward the 40 hours for overtime ~~but not sick days~~. Authorized overtime compensation shall be computed at an hourly rate equal to 1 1/2 times the equivalent hourly rate.

(2) When an employee works a prescribed ~~workweek~~ work week of less than 40 hours, overtime pay shall be computed at the normal equivalent hourly rate up to 40 hours after which the time-and-one-half provisions would take effect.

(3) No change.

(4) Department heads are not eligible to receive overtime compensation or compensatory time.

- E. Salary increments. Salary increments may be granted to each employee effective January 1 of each year ~~or on their anniversary date~~ of employment with the Township until the employee's salary has reached the maximum salary provided for his position title. ~~No employee, however, shall be granted an annual salary increment until his department director has certified in writing to the Administrator that, during the past year, the employee's performance and service were such as to be deserving of an increase, setting forth the basis for such conclusion.~~ In the case of employees who will have served less than one full year as of January 1, the salary increase, if any, to be effective at that time shall be specified by the Administrator at the time of employment.

Section 47-9 Hours of work.

A. – B. No change.

C. Flex-time. Department heads may, with ~~administrative review and approval~~ permission of the Township Administrator, institute a ~~flex~~ flexible schedule ~~policy, referred to as “flex time.”~~ Flex time policy and procedures are as follows: The schedule shall be discussed and approved and shall constitute an understanding that Department Heads work hours are routinely necessary outside of the normal hours of work, and the ability to flex that time during normal business hours is fair and reasonable. The practice shall be at the sole discretion of Administration, and will be limited to a flexing of hours and not full days. The practice should be limited and reasonable. Flex time may not be accumulated or accounted for as “earned” and has no value.

~~(1) Each flex period shall be two weeks in length.~~

~~(2) With departmental approval, employees may begin work as early as 7:30 a.m. and work until as late as 5:30 p.m.~~

~~(3) All accumulated flex time must be used during the next two week period.~~

~~(4) With administrative approval, department heads will determine the department's employees eligible to participate in the flex time policy.~~

~~(5) Core time is the time period during which all employees must be at their work stations, 9:30 a.m. through 3:30 p.m., excluding lunch and breaks.~~

~~(6) Department heads will be responsible to keep accurate records of all employees' time. Copies of said schedule are to be submitted to personnel at the end of each pay period.~~

~~(7) Accumulated flex time hours are to be used in the minimum of two hour time blocks.~~

D. No change.

Section 47-10 Holidays.

A. Not applicable to Police Department. Due to the emergency nature of the work of the Police Department and due to the fact that members thereof do not receive normal holiday allowances because of the peculiar nature of their schedules and employment, ~~each member of the Police Department shall be entitled to a maximum of 13 days of vacation leave per year with pay in addition to the amount of vacation leave with pay allowable provided for in the schedule set forth in § 47-11. The Township Committee shall designate the actual number of paid holidays annually and appropriate funds accordingly on a straight time basis. It is the intent of this subsection to compensate police officers for holidays either by additional salary or by compensatory vacation leave. Police officers with less than one year of service are entitled to the above on a pro rata basis. the compensation for Holiday Pay and/or Holiday Leave will be in accordance with the Collective Bargaining Agreements covering the respective types and rank of Police Officers.~~

B. Paid holidays.

(1) The following official holidays with pay shall be observed by the Township.

January 1, known as New Year's Day

January 15, known as the ~~birthday~~ Birthday of Martin Luther King, Jr.

February 12, known as Lincoln's ~~birthday~~ Birthday

The third Monday in February, known as ~~Washington's birthday~~ President's Day

Good Friday

The last Monday in May, known as Memorial Day

July 4, known as Independence Day

The first Monday in September, known as Labor Day

General Election Day

The second Monday in October, known as Columbus Day.

The fourth Monday in October, known as Veteran's Day

The fourth Thursday in November, known as Thanksgiving Day

The Friday after Thanksgiving Day

December 25, known as Christmas Day

(2) No change.

(3) The Township Administrator may designate certain Township holidays as floating holidays. As such, all department/offices must remain open to the public. Any employee who works on a floating holiday shall be entitled to a compensatory free day ~~scheduled on~~ a day to be selected by the employee and by the department head.

- C. Compensation for working on holidays. Where it is necessary to maintain service requiring an employee to work on an official holiday, such employee shall be compensated at their overtime rate, and by being permitted to take an equal amount of time off with pay on a regular working day at a time approved by the Municipal Administrator. Work on holidays shall only be with the approval of the Township Administrator.
- D. No change.

Section 47-11 Vacations.

- A. No change.
- (1) All contractual employees who are permanent and full time, whether classified or unclassified, shall be granted annual leave, with pay, for vacation purposes pursuant to the prevailing collective bargaining agreement between the employee’s negotiating unit and the Township. All other permanent full-time employees of the Township shall be granted annual leave, with pay, for vacation purposes during each calendar year in accordance with the following schedule based on length of employment as of the anniversary date of the current year. Vacation days are granted on January 1, in anticipation of future employment through the end of the year and become a prorated benefit should a separation of employment occur.

Length of Uninterrupted Employment	Vacation Leave
(years of service)	(working days)
Up to 1 <u>In their first calendar year until 12/31 of that year</u>	1 for each per month of service <u>(Max 10)</u>
1 to 5 <u>After their calendar year</u>	12
6 to 10 <u>After their 5th Anniversary</u>	15
11 to 15 <u>After their 10th Anniversary</u>	16
16 to 20 <u>After their 15th Anniversary</u>	19
21 and over <u>After their 20th Anniversary</u>	22

- (2) No change.
- B. No change.
- (1) Vacation leave shall be considered to be on a calendar-year basis and shall not accumulate following the twelve-month period within which the employee is entitled to same. Failure to use vacation leave during the year to which the employee is entitled to same shall cause a forfeiture of such vacation leave, with the exception of five (5) vacation days that may

be carried over to the next year to be used by April 30th of that year. Failure to use the carry-over days by April 30th will result in their forfeiture.

(2) ~~Full-time and permanent part-time employees shall not be eligible for vacation leave until they have been so employed for six consecutive months or more.~~ Permanent part-time employees are eligible for vacation leave on a pro rata basis. Temporary part-time employees shall not be eligible for vacation leave. If any vacation leave is to be given to full-time temporary employees, it shall be negotiated at the time of employment. New probationary employees shall be entitled to one working day of vacation leave for each month of the first year up to a maximum of 10 working days.

(3) – (4). No change.

(5) At the time of separation from service, an employee shall be entitled to any full days vacation pay to which ~~he is~~ they are entitled during the year of separation and have not previously used but earned, since vacation days are granted in anticipation of future employment through the end of the calendar year, vacation time will be prorated to the day of separation for the purposes of calculating payment of same.

(6) Employees shall not be paid for vacation leave earned and unused ~~except with the permission of the Administrator.~~

Section 47-12 Leaves of absence.

A. Sick leave.

(1) As used in this subsection, "sick leave" shall mean paid leave that may be granted to each full-time classified and full-time unclassified employee who through sickness or injury becomes incapacitated to a degree that makes it impossible or highly impractical for him to perform the duties of his position or who is quarantined by a physician because he has been exposed to a contagious disease. Part-time permanent employees are eligible for sick leave on a prorated basis. ~~Part-time and full-time temporary employees are not eligible for sick leave.~~

(2) – (5). No change.

(6) An employee, who was hired and began employment prior to March 1, 2016, provided ~~he is~~ that they are not a member of an organized bargaining unit, and provided further that other employment agreements do not provide otherwise, after 10 years of service shall be paid for 1/2 ~~his/her~~ of their accumulated sick leave upon retirement under the Public Employee's Retirement System or the Police and Firemens' Retirement System. The amount of sick leave paid hereunder shall be limited as follows:

(a) – (c). No change.

B. No change.

(1) – (2). No change.

C. Leave of absence as result of injury in line of duty shall be subject to the Workers' Compensation Law and Regulations and the Family Medical Leave Act.

~~(1) When a full time employee is injured in the line of duty, the Township Committee may pass a resolution giving the employee up to one year's leave of absence with pay. When such action is taken, the employee shall not be charged any sick leave time for time lost due to such injury.~~

~~(2) Prior to the passage of the resolution referred to in Subsection A, the employee shall agree in writing to reimburse the Township to the extent of any temporary disability benefits under workman's compensation he may receive as a result of the injury.~~

D. No change.

(1)- (3). No change.

E. Maternity leave. Maternity leave may be granted for a period of six months, provided that the request for such leave is made in writing to the Administrator no later than the end of the fourth month of pregnancy. This leave may be extended for an additional six months with the approval of the Administrator and the Township Committee. Requests for maternity leave must be favorably endorsed by the Department Director and approved by the Municipal Administrator before becoming effective. Such leave, if granted, shall be without pay. ~~Under no circumstances shall an employee work beyond the sixth month of pregnancy.~~

F. No change.

(1) – (3). No change.

G. No change.

- H. Requests for leave. A request for any type of leave shall be made ~~on a form prescribed by the Township Committee~~ in writing to the Township Administrator. Such request, whenever possible, shall be made far enough in advance to permit approval, and at the same time, to permit coverage for the particular employment so that municipal service shall not suffer. In the case of sick leave, the employee shall notify their supervisor immediately if they are unable to report for work.
- I. No change.
- J. Personal leave. All full-time noncontractual Township employees shall be granted two personal days during each calendar year in addition to existing sick leave and vacation allotments. Personal days may be used for such purposes as religious holidays or events, personal birthdays, etc. All personal days must be used during the calendar year earned, and must be used in increments of full days.
- K. No change.

Section 47-13 Political Activity.

- A. No change.
- B. No change.
- (1) - (2). No change.
- (3) ~~Township employees shall not make financial contributions for the purpose of supporting the nomination or the election of any person to public office or party position. No person shall invite, demand or accept payment or contribution from Township employees for campaign purposes.~~
- (4) No change.
- C. Rights preserved. Nothing in this section shall be construed to prevent Township employees from becoming or continuing to be members of any political party, club or organization, ~~provided that they do not serve as officers of such party, club or organization~~; attending political meetings; expressing their views on political matters outside of working hours and off Township property; circulating petitions on public questions; or voting with complete freedom in any election.

Section 47-14 Conflicts of Interest. No change.

Section 47-15 Outside employment.

- A. Full-time employees, in either the classified or unclassified service, shall not accept outside employment or engage in outside business activities without the prior approval of the department head and the Municipal Administrator. Applications for permission to accept outside employment shall be made in writing to the department director who shall forward the same to the Municipal Administrator with his recommendation. The application shall set forth pertinent information concerning the type of activity to be engaged in, the name and address of the prospective employer, and the hours of such employment and its potential effect on the Township.
- B. No application for permission to accept outside employment shall be approved by the Municipal Administrator if, in their judgment, there is any reasonable probability that such outside employment will interfere with the employee's performance or compromise the employee's position with the Township through a conflict of interest ~~or if such employment shall exceed 20 hours per week.~~

Section 47-16 Department rules and regulations. No change.

Section 47-17 Disciplinary actions.

- A. ~~Dismissal or demotion~~ Dismissal, demotion, or suspension. A permanent employee may be dismissed from the service, ~~or demoted for cause, or suspended without pay.~~ The causes sufficient for ~~removal~~ these disciplinary actions are detailed from the service in N.J.A.C. 4A:2-2.3 and shall include the following:
 - (1) Incompetency, inefficiency or failure to perform duties; ~~Neglect of duty.~~
 - (2) Insubordination; ~~Absence without leave or failure to report after authorized leave has expired or after such leave has been disapproved or revoked; provided that any regular member or officer of the Police Department who shall be absent from duty without just cause for a term of five days continuously and without leave of absence shall, at the expiration of such five days, cease to be a member of the Police Department as provided by N.J.S.A. 40A:14-122, as amended.~~
 - (3) Inability to perform duties; ~~Incompetency, inefficiency or incapacity due to mental or physical disability.~~
 - (4) Chronic or excessive absenteeism or lateness; ~~Insubordination or serious breach of discipline.~~
 - (5) Conviction of a crime; ~~Intoxication while on duty.~~

- (6) Conduct unbecoming a public employee; Commission of a criminal act.
- (7) Neglect of duty; Participation in any political activity prohibited by this chapter.
- (8) Misuse of public property, including motor vehicles; Disobedience of the departmental rules and regulations established pursuant to this Code.
- (9) Discrimination that affects equal employment opportunity (as defined in 4A:7-1.1), including sexual harassment; Conduct unbecoming a public employee.
- (10) Violation of Federal regulations concerning drug and alcohol use by and testing of employees who perform functions related to the operation of commercial motor vehicles, and State and local policies issued thereunder; Any violation of the Township disciplinary guidelines.
- (11) Violation of New Jersey residency requirements as set forth in P.L. 2011, c. 70; and
- (12) Other sufficient cause.

B. Suspension explained.

- (1) No change.
- (2) An employee who shall be suspended, fined or demoted more than three times in any one year, or more than five days at one time, or for a period of more than 15 days in the aggregate in any calendar year shall have the right of appeal to the Civil Service ~~Department~~ Commission, and the Civil Service ~~Department~~ Commission shall have the power to revoke or modify the action of the appointing authority.

Section 47-18 Personnel records. No change.

~~**Section 47-19 Medical examinations.**~~

~~The Municipal Administrator may schedule medical examinations for all Township employees annually or more frequently if required.~~

Section 47-19 ~~47-20~~ Surety bonds.

- A. Required. Every officer or employee of the Township who, by virtue of his office or position, is entrusted with the receipt, custody or expenditure of public moneys or funds, and any other officer or employee who may be required so to do by the Township Committee shall, before entering upon the duties of ~~his~~ their office or position, cooperate

with Township Administration so the Township may procure ~~execute and deliver~~ a surety bond in such amount as may be fixed by the Township Committee, binding ~~him~~ such officer or employee to the Township in its corporate name and conditioned upon the true and faithful performance of ~~his~~ their duty. Each officer or employee required by law to give bond shall execute such bond with sufficient surety in order to enable such bond to be and deliver the same to received by the Township Clerk, except that the The Township Clerk shall deliver ~~his~~ the bond to the Treasurer, before ~~he~~ the officer or employee enters upon the discharge of ~~his~~ their duties of the office or employment.

- B. Failure to obtain. If any officer or employee shall ~~neglect to execute and deliver his~~ fail to cooperate such that the bond, as herein required has not been received by the Township within 30 days after due notification of his election or appointment, ~~his~~ the office or position may be declared vacant by the Committee. The consequences of such failure to obtain the bond shall not attach if such failure is a result of action or inaction by the Township. The determination in regard to this subsection B. shall be made by the Township Administrator in the reasonable exercise of his/her discretion.

- C. Form and requisites. In every case where any person is required by the laws of the state or by any ordinance of the Township to give be covered by a bond for the faithful performance of ~~his~~ their duties, such bond shall be secured by a corporate surety authorized to do business in this state, and the premium shall be paid by the Township. Each bond shall be approved by the Township Attorney as to form and sufficiency, and nothing in this section shall be construed to prevent the use of one or more blanket bonds when so approved.

Section 47-20 ~~47-21~~ Grievance procedures.

- A. No change.

- B. No change.
 - (1) Whenever an employee has a grievance he should first present it verbally to ~~his~~ their supervisor. It is the responsibility of the supervisor to arrange a mutually satisfactory settlement of the grievance within ~~48 hours~~ one week of the time when it was first presented to him or failing in that, within that time to advise the employee of his inability to do so.

 - (2) No change.

- C. Formal written grievance.

- (1) The employee shall prepare the grievance in writing ~~in duplicate~~. The grievance should be stated as completely and as clearly as possible in order to permit prompt handling. ~~One copy of the~~ The grievance shall be immediately placed in the hands of given directly to the Administrator.
- (2) ~~The other~~ A copy of the grievance shall be presented by the employee to his immediate supervisor to whom the grievance was made verbally. The supervisor shall report the facts and events which led up to its presentation in writing, including in his written report any verbal answer he may have previously given to the employee concerning the grievance. Within ~~48 hours~~ one week after receipt of the written grievance, the supervisor must present it with the information required of him to the Administrator.
- (3) – (4). No change.

Section 47-21 ~~47-22~~ Code of Ethics. No change.

Section 47-22 ~~47-23~~ Restrictions on award of professional contracts. No change.

Section 47-23 ~~47-24~~ Tuition reimbursement.

A. No change.

(1) – (2). No change.

B. No change.

(1) No change.

(a) – (c). No change.

(2) Course eligibility.

(a) – (b). No change.

(c) To be completed outside of working hours, where possible.

(d) – (f). No change.

C. No change.

(1) – (3). No change.

D. Reimbursement amount. The following items of expense shall be eligible for reimbursement under the tuition reimbursement program: shall be the actual cost of the course as pre-approved before taking the course.

~~(1) Registration fee.~~

~~(2) Tuition which will be reimbursed at a rate equal to the average tuition rate of New Jersey colleges. The average tuition rate shall be determined by contacting not less than four accredited New Jersey state colleges not later than August 1 of each year. The Township reimbursement rate shall be the average of the tuition rates of the schools contacted.~~

~~(3) Laboratory fees.~~

~~(4) Graduation fees.~~

~~(5) Required books, which reimbursement shall not exceed \$50 per course.~~

~~(6) Diplomas.~~

~~(7) Thesis bindings.~~

E. No change.

(1) – (5). No change.

Section ~~47-24~~ 47-25 Indemnification of municipal officers and employees. No change.

Section ~~47-25~~ 47-26 Health care benefits buyout. No change.

Section ~~47-26~~ 47-27 Employee program discounts. No change.

Section ~~47-27~~ 47-28 Retirement plan edibility of positions. No change.

XV

Chapter 51 (Police Department) is hereby amended as follows:

Section 51-1 through Section 51-3. No change.

Section 51-4 Police Commissioner.

Each year as soon after the ~~organization~~ reorganization of the Township Committee as may be possible, its members may select and designate a member thereof who shall be the Police Commissioner and who shall act as liaison between the Township Committee and the Chief of

Police. Unless otherwise specified in each calendar year at the Township reorganization meeting, the Mayor shall serve as the Police Commissioner and shall be the Chairman of the Police Subcommittee for his/her term as Mayor.

Section 51-5. No change.

Section 51-6 Qualifications of applicants for membership.

A. No change.

B. All duly qualified applicants for the position of police officer shall be classified in the following classes as permitted by, and registered with the New Jersey Civil Service Commission:

(1) - (4). No change.

C. – D. No change.

E. ~~No person shall be appointed to the Police Department as a regular or probationary member unless such person shall at the time of making application be at least the age of 21. The applicant~~ All applicants shall be a citizen of the United States of America. The applicant shall obtain, at Township expense, a certificate from the Township Physician stating that he/she is in good health and that his/her hearing, eyesight and general physical condition are such that he/she is capable of performing the duties required of a police officer. Each applicant shall be given an examination as arranged by the New Jersey ~~Department of Personnel~~ Civil Service Commission in order to determine whether such person is fully qualified to serve in the Police Department.

F. Pursuant to P.L. 2021, c. 7, N.J.S.A. 11A:4-1.3, entry-level law enforcement officers may be appointed by the Municipal Administrator upon the recommendation of the Chief of Police without taking a Civil Service examination, so long as the individual has successfully completed a full Basic Course for Police Officers training course at a school approved and authorized by the New Jersey Police Training Commission. This exemption from the Civil Service examination requirement shall remain in effect on a temporary basis until December 31, 2022, at which time this subsection F shall expire unless otherwise extended by Ordinance. (NOTE TO CODIFIER: This Section F was previously added by Ordinance No. 0-22-1 adopted on January 25, 2022 but was not yet reflected in the Code Book at the time this Ordinance was prepared.)

Section 51-7 through Section 51-8. No change.

Section 51-9 Duties and responsibilities of Police Department.

A. The police department shall:

(1) – (4). No change.

B. The Police Department shall consist of the maximum set forth for each of the following positions, in addition to the Chief of Police as described in Section 51-8:

- (1) Captain: ~~one position~~ up to two positions. The Captain is assigned as the operations commander. The Captain oversees and directs the day-to-day operations of the Patrol Division, Records Bureau, Special Services Bureau, Detective Bureau, Traffic Bureau, Park Ranger program and the Freehold Township/Freehold Borough Joint Investigation Team.
- (2) Lieutenants: up to six positions. The Lieutenants are assigned to oversee the day-to-day operations of the Detective Bureau, Records Bureau and Special Services Bureau. Lieutenants are also assigned as watch commanders to oversee and direct the 2:00-to-midnight shift.
- (3) Sergeants: up to 13 positions. The Sergeants are assigned to directly supervise the three patrol shifts, the Detective Bureau and Traffic Bureau.
- (4) Detectives: up to eight positions. Detectives can be assigned to investigate all offenses covered under the laws of the State of New Jersey, ordinances of Freehold Township and can be assigned specific duties such as juvenile problems, Megan's Law compliance, narcotics and various duties assigned by their supervisors.
- (5) Police officers: up to 50 positions. Police officers patrol the Township of Freehold, respond to calls for service, enforce all criminal and motor vehicle laws of the State of New Jersey and ordinances of the Township of Freehold. Police officers can be assigned to specific duties such as Traffic Bureau, street crimes, investigations and task forces, among other details.
- (6) Class II special law enforcement officers: up to four positions. Class II special law enforcement officers can be assigned to such duties as permitted by New Jersey statutory law, Title 40A, Chapter 14, Subchapter D, some of which include parking enforcement, traffic enforcement, court officer, traffic control and patrol duties.
- (7) Class III special law enforcement officers: up to eight positions. Class III special law enforcement officers can be assigned to such duties as permitted by New Jersey statutory law, Title 40A, Chapter 14, Subchapter D, some of which include providing security at a public school or nonpublic school or county college.

C. No change.

Section 51-10. No change.

Section 51-11 Special law enforcement officers.

The Police Chief, subject to the approval by resolution of the Township Committee, may appoint special law enforcement officers (SLEO), in the amounts consistent with Chapter 51-9 for each class of SLEO, for a term not exceeding one year, said appointment may be revoked by the Township for cause after an adequate hearing unless the appointment is for four months or less, in which event the appointment may be revoked without cause or hearing. The special law enforcement officers shall carry out their duties and responsibilities under the direct supervision of the Chief of Police and their powers, rights and duties shall be specifically defined by the Chief of Police. Their powers, rights and duties, however, shall immediately cease at the expiration of the term for which they were appointed or upon revocation of their appointment. The special law enforcement officers shall not carry a revolver or other weapon at any time except while engaged in actual performance of the officer's official duties and when specifically authorized by the Chief of Police or in the absence of the Chief such other chief law enforcement officer of the Township Police Department and further provided that the special law enforcement officer has satisfactorily completed the basic firearms course required by the State Police Training Commission. No person shall be appointed a special law enforcement officer unless he is a citizen of the United States, is able to read and write and speak English well and intelligently and has a high school diploma or its equivalent; is physically qualified; is of good moral character; and shall not have been convicted of any offense involving dishonesty or which would make him unfit to perform his duties; and has successfully undergone the same psychological testing that is required of full-time police officers in the Township. Every special law enforcement officer shall be fingerprinted, and his fingerprints filed with the Division of State Police and the Federal Bureau of Investigations. Reports shall be made by the Chief of Police to the governing body and Police Subcommittee concerning the eligibility and qualifications of any person proposed to be appointed as a special law enforcement officer.

Section 51-12 through Section 51-14. No change.

Section 51-15 Removal and suspension.

A. – B. No change.

C. Any such hearing thereon shall be held by the Police Subcommittee no more than 30 days from the date of the service of a complaint upon an officer of a violation. In cases of discipline involving five days or more of loss of pay, up to and including removal, shall be heard and adjudicated by the New Jersey Civil Service Commission rules for disciplinary hearings.

Section 51-16 through Section 51-17. No change.

Section 51-18 Promotions.

All promotions to superior positions in the Police Department shall be made from the membership of the Department as constituted at the time of promotion and shall be made with due regard to length of service of the person to be promoted and his merit in the Department in

accordance with the regulations and policies of the New Jersey ~~Department of Personnel~~ Civil Service Commission. No person shall be eligible for promotion to a superior position unless he shall have first served in the grade of patrolman in the Department.

Section 51-19. No changes.

Section 51-20. Extra Duty.

A. No change.

(2) – (3) No change.

(4) Any and all extra duty assignments shall be determined and approved by the Chief of Police or his designee. The Chief of Police or his designee may assign a patrol vehicle for use in performing extra duty if and in the event it is determined that the use of a patrol vehicle is necessary to perform the contracted duty. The contract shall contain a full-day and half-day rate to rent the vehicle as part of the assignment.

(5) No change.

(6) Any and all payments due under any such agreement shall be paid ~~15~~ 30 days from the date of billing. Interest shall be charged at ~~the rate of 12%~~ a rate per annum specified in the contract on any amount billed for which payment has not been made within ~~15~~ 30 days. The delinquent party shall be liable for all costs, fees and attorney's fees associated with the collection of any amounts due.

B. No change.

XVI

Chapter 71 (Alcoholic Beverages) is hereby amended as follows:

Sections 71-1 through Section 71-5. No change.

Section 71-6 License fees; maximum number of licenses.

A. License fees. The annual license fees shall be as provided in Chapter **150**, Fees, and the maximum number of licenses for the sale or distribution of alcoholic beverages in the Township shall be ~~as follows:~~ the number set by the State of New Jersey, Division of Alcoholic Beverages.

Class of License	No. of Licenses
Plenary retail consumption	12
Plenary retail distribution	4
Club	3

- B. ~~The number of licenses set forth above shall change from time to time, without the necessity of further ordinance amendment, to reflect the maximum number of each class of license permitted to be issued by the Township pursuant to the pertinent New Jersey statutes. The annual fees shall apply to licenses issued in each year. The annual fee shall be the maximum license fee allowed by the pertinent New Jersey statute.~~

Sections 71-7 through Section 71-20. No change.

XVII

Chapter 115 (Construction Codes, Uniform) is hereby amended as follows:

Section 115-1 and Section 115-2. No change.

Section 115-3 Liability of Construction Official.

The Construction Official, any employee and/or subcode official charged with the enforcement of this code, acting in good faith and without malice for the Township in the discharge of his duties shall not thereby render himself liable personally, and he is hereby relieved from all personal liability for any damage that may occur to persons or property as a result of any act required or by reason of any act or omission in the discharge of his duties. Any suit brought against the Construction Official, any employee and/or subcode official, because of such act or omission performed by him in the enforcement of any provision of this code, shall be defended by the ~~Legal Department of the~~ Township until final termination of the proceedings.

Section 115-4. No change.

Section 115-5 Fees.

The fee for a construction permit shall be the sum of the fees listed in ~~§ 150-62A, B and C Chapter 150, corresponding to the appropriate type and quantity of work listed therein~~ and shall be paid prior to the issuance of any permit.

Section 115-6 through 115-9. No change.

XVIII

Chapter 150 (Fees) is hereby amended as follows:

Section 150-59 Sewers (Chapter 270).

A. Building sewers and connections to sewers.

(1) Building sewer. If not approved by the Township, further tests shall be made following completion of necessary corrections; there shall be an hourly charge of \$25 for observation of each test subsequent to the initial test.

A1. No change.

(1) – (2). No change.

B. Sanitary Sewer rentals and charges.

		Sewer Rentals and Charges		
Class	Type of Unit	Allowance per Quarter (gallons)	Minimum Charge per Quarter	Surcharge per 1,000 Gallons Over Allowance
1 and 2	Residential	10,000	\$118.35 <u>\$126.87</u>	10k to 32k: \$1.96 <u>\$2.11</u> Maximum charge: \$161.41 <u>\$173.29</u>
3	Residential - Non-Water User	N/A	\$143.05 <u>\$153.35</u>	flat rate
4	Residential - Non-Water User	N/A	\$124.84 <u>\$133.83</u>	flat rate
5	Residential - Manufactured/Mobile Home (Silvermead)	N/A	\$111.35 <u>\$119.89</u>	flat rate
6	Commercial	10,000	\$118.35 <u>\$126.87</u>	10k to 32k: \$1.96 <u>\$2.11</u> 32k and up: \$7.33

C. No change.

XIX

Chapter 150 (Fees) is hereby amended as follows:

Section 150-63 Water (Chapter 351).

A. – B1. No change.

C. Metering and water service charges.

(1) Water rents:

Meter Size		Quarterly Allowance	Surcharge Over Minimum		
(inches)	Quarterly Minimum	(gallons)	Surcharge per 1,000 Gallons		Gallons Over Minimum
3/4		12,000	\$3.04 <u>\$3.16</u>		12,000 to 30,000
			\$3.19 <u>\$3.33</u>		30,000 to 50,000
			\$3.25 <u>\$3.40</u>		50,000 to 100,000
			\$3.34 <u>\$3.49</u>		100,000 and up
1		40,000	\$3.40 <u>\$3.55</u>		40,000 to 50,000
			\$3.50 <u>\$3.66</u>		50,000 to 100,000
			\$3.56 <u>\$3.71</u>		100,000 and up
1 1/2	\$260.06	80,000	\$3.50 <u>\$3.65</u>		80,000 to 100,000
			\$3.56 <u>\$3.71</u>		100,000 and up
2	\$388.74	120,000	\$3.56 <u>\$3.71</u>		120,000 and up
3	\$686.94	200,000	\$3.56 <u>\$3.71</u>		200,000 and up
4	\$1,219.35	350,000	\$3.56 <u>\$3.71</u>		350,000 and up
6	\$2,464.45	700,000	\$3.56 <u>\$3.71</u>		700,000 and up
3/4 (not Freehold Township)		12,000	\$29.59 <u>\$30.85</u>		12,000 to 30,000
			\$3.36 <u>\$3.51</u>		
			\$3.52 <u>\$3.67</u>		30,000 to 50,000
			\$3.59 <u>\$3.74</u>		50,000 to 100,000
			\$3.66 <u>\$3.81</u>		100,000 and up

In order to bill in an equitable fashion, all multiple residential complexes served by a single water meter shall be billed as if such individual residential unit was metered separately. The total meter reading shall be divided by the number of residential units to determine the average use per residential unit. The bill shall be based on the average use time of the total number of users in the complex.

(2) No change.

(3) Fire protection; quarterly rates:

Size of Connection

(inches)

Cost Per Quarter

2	\$48.42	<u>\$51.92</u>
3	\$71.58	<u>\$76.73</u>
4	\$95.45	<u>\$102.32</u>
6	\$161.07	<u>\$172.66</u>
8	\$238.61	<u>\$255.78</u>
10	\$328.10	<u>\$351.72</u>
12	\$477.22	<u>\$511.57</u>

(4) No change.

(5) Water meters: charge for customers of Township.

Size of Meter

(inches)

Rate

3/4	\$322.12	<u>\$345.31</u>
1	\$357.92	<u>\$383.68</u>
1 1/2	\$382.38	<u>\$409.90</u>
2	\$503.18	<u>\$539.39</u>

(6) – (10). No change.

(11) Private fire hydrants supplied with water by the Township, annual maintenance fee: ~~\$215~~
\$255.84 per hydrant per year.

(12) – (14). No change.

D. – F. No change.

XX

Chapter 154 (Firearms) is hereby amended as follows:

Section 154-1 through Section 154-2. No change.

Section 154-3 Exceptions.

The provisions of Section 154-2 of this chapter shall not be applicable to the discharge of any handgun, rifle, shotgun, weapon or firearm in the following places and/or under the following circumstances, provided that the firearm is legal to be possessed in the State of New Jersey and its use is permitted by State and Federal Laws; except that the "farmer" exemption allowed by Subsection C shall be only as to shotguns, and 0.22 caliber rifles using hollow point bullets and not as to any other firearm:

- A. Upon a firearm range which is under the supervision of the Township, Township Police Department, the County of Monmouth or the New Jersey State Police, or other authorized agency as approved by the Township Committee.

- B. No changes.

- C. On a Farm, duly recognized and registered by the Monmouth County Agricultural Development Board, for the discharge of firearms provided that such discharge meets the following: 1) the closest outbound property line is at least 200 feet from the proposed target; and 2) the closest outbound property line, as measured in the direction of fire, is at least a distance of 200 feet; and 3) the firearm, while loaded, and the proposed target are at least 450 feet from any occupied building other than that of the owner, except that sections (1) and (2) above will not apply if the intended target is an animal that is detrimental to the farmer's crops or property. By the owner, tenant or lessee of a farm, or the immediate family of such owner, tenant, or lessee, while in and upon said farm and so long as no firearm other than a shotgun or 0.22 caliber rifle using hollow point bullets is used and: 1) the closest outbound property line is at least 200 feet from the proposed target; and 2) the closest outbound property line from the shotgun or 0.22 caliber rifle using hollow point bullets, as measured in the direction of fire, is at least a distance of 200 feet; and 3) the shotgun or 0.22 caliber rifle using hollow point bullets, while loaded, and the proposed target are at least 450 feet from any occupied building other than that of the owner, tenant or lessee, except that Subsections (1) and (2) shall not apply if the intended target is a groundhog or other pest likely to be detrimental to the farmer's crops or property.

- D. No change.

~~E. During a recognized ceremonial event such as the firing of salutes by veterans' organizations and similar associations as part of patriotic and holiday activities. This subsection shall not be deemed to create an exception for any individual discharging a firearm in celebration of holidays such as the 4th of July, New Year's Eve, etc.~~

~~F.E.~~ On any properties within the Township which are zoned R-R (Rural Residential) or R-E (Rural Environmental) pursuant to the latest official Zoning Map of the Township, so long as either Subsection **F(1)** or **(2)** below applies:

(1) – (2). No change.

G. – H. No change.

Section ~~154-4~~ Posting of signs; distribution of chapter.

~~On or before September 1 of each year, the Township administrator shall arrange for the posting of appropriate signs on all major roads which provide access to this Township advising the general public that there are zones within the Township of Freehold where firearms shall not be discharged. The signs shall also indicate that it shall be necessary for any persons desiring to discharge firearms or to hunt in this Township to obtain a copy of this chapter at the Freehold Township police headquarters. In addition, the Township Administrator shall prepare and arrange for distribution of copies of this chapter in any other appropriate manner so that any persons desiring to discharge firearms or hunt in this Township shall be made aware of this chapter and the state statute which it supplements. Copies of this chapter shall be made available free of charge. Nothing herein shall be deemed to abrogate the presumption that each person knows the various laws applicable to any activity being undertaken. Failure of compliance with this section shall not provide a defense for charged violations of this chapter.~~

Section ~~154-4~~ 154-5 Areas considered supplemental to areas described in statute. No change.

Section ~~154-5~~ 154-6 Violations and penalties. No change.

XXI

Chapter 162 (Fire Prevention) is hereby amended as follows:

Section 162-1 through Section 162-4. No change.

Section 162-5 Local enforcing agency.

The Freehold Township Fire Prevention Bureau shall be under the supervision of the Fire Official who shall be appointed by the governing body pursuant to Title 11A, Civil Service, of the Revised Statutes. The Fire Official shall hold his/her position pursuant to Civil Service requirements. Such fire inspectors and other support staff as may be necessary for the Freehold Fire Prevention Bureau to properly carry out its responsibilities shall be appointed by the Township Administrator pursuant to Title 11A, Civil Service, of the Revised Statutes. The Fire Official, fire inspectors and other support staff shall be removed from their offices and positions pursuant to the requirements of Title 11A, Civil Service, of the Revised Statutes.

Section 162-6 through Section 162-09. No change.

Section 162-10 Life hazard use inspections.

The state permit fees as established in N.J.A.C. 5:70-2.9(a) and (c) are as provided for in Chapter 150, Fees.

Section 162-11. No change.

Section 162-12 Fire Prevention Board.

The Fire Prevention Board shall consist of the Chiefs of the fire companies or ~~their~~ his/her designees, the Chief of Police or his/her designee, the Construction Official or his/her designee, the Fire Official or his/her designee, and six members at large designated by the Township Committee. The terms of the six at large members shall be for four years. Appointment shall be by the Township Committee at its organizational meeting. If a member at large, during that member's four-year term, shall be elected or appointed as a Fire Chief, Police Chief, Construction Official or Fire Official, his or her at-large membership shall be deemed vacated in which event the Township Committee shall appoint a replacement at-large member to fill the unexpired term. The members of the Board shall, at its annual reorganization meeting held in January of each year, elect one of the members to serve as Chief of the Board and another of its members to serve as Deputy Chief of the Board.

Section 162-13 through Section 162-24. No change.

~~**Section 162-25 Exemptions.—**~~

~~The following buildings or structures shall be exempt:~~

~~A. Any building or structure staffed 24 hours a day, seven days a week.~~

~~B. Any building or structure already constructed or for which a building permit has been issued as of the effective date of this article and which is less than 5,000 square feet in area, except for educational and day care buildings or structures. For purposes of determining this exemption, where more than one business is maintained in a common structure (i.e., strip shopping centers),~~

~~the measurement of the square footage of the structure shall include all individual businesses within the overall building or structure.~~

(NOTE TO CODIFIER: Renumber Sections 162-26 through 162-29 accordingly.)

Section 162-30 Master key security.

As used herein, “master key” shall mean the instrument used to gain access to the various rapid entry system boxes to be utilized as a result of the provisions of this article. The Fire Department shall establish a system of security and procedure to limit access to any master key(s) to authorized personnel in times of emergency. The Fire Department shall, to the extent feasible and practical, use the latest technological advances available to preserve and enhance the security of the master key(s) under the direction of the Fire Official.

Section 162-31 Violations and penalties. – No change.

Article V Open Burning.

Section 162-32 Open burning, legislative findings – Policy - Applicability.

A. The Township Committee of the Township of Freehold find that open burning and burning of combustible materials in a residential setting may pose a serious hazard to the public health, safety, general welfare and the quality of life of the residents of Freehold Township. The public has a right to and should be ensured of an environment free from noxious fumes and the threat of fire. It is the policy of the Township of Freehold to prevent the danger of fire from open burning which is a detriment to the public health, comfort, safety, welfare and quality of life.

B. The necessity in the public interest for the provisions, prohibitions and controls hereinafter contained and enacted is declared as a matter of legislative determination and public policy and are for the purpose of securing and promoting the public health, comfort, safety and general welfare and quality of life of the residents of Freehold Township.

C. Definitions.

For the purpose of this Chapter, the following definitions shall apply:

“Chiminea, outdoor fireplace, outdoor fire pit” as defined by the manufacturers, means approved containers for open burning.

“Firewood” means trunks and branches of trees and bushes, but does not include leaves, needles, vines or brush smaller than three (3) inches in diameter.

“Nuisance” means any odor, emission, or event that prevents the reasonable use and enjoyment of one’s property.

“Open burning” means an outdoor fire where wood or any combustible materials are burned for entertainment. Open burning is allowed at single-family homes, duplexes and townhomes without a permit provided the regulations set forth herein are met.

“Treated lumber” means dry wood which has milled and dried and has been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

“Untreated lumber” means dry wood which has milled and dried but which has not been treated or combined with any petroleum product, glue, chemical, preservative, adhesive, stain, paint or other substance.

D. Open burning regulations.

- (1) Open burning in approved containers shall be allowed without a permit at single-family homes, duplexes, townhomes, subject to the regulations contained herein.
- (2) Fires shall be limited to a maximum three-foot diameter and two-foot height, and must be contained in a noncombustible chiminea, outdoor fireplace, fire pit or other method approved by the fire prevention officer.
- (3) All openings in the container or fire pit must be covered with wire mesh or other screening materials that will prevent the passage of sparks and embers.
- (4) Fires must be kept at least ten (10) feet from any structure or combustible exterior wall.
- (5) Fires must be constantly attended.
- (6) No such fire or container used for open burning may be used on any porch, deck, balcony or any other portion of a building; within any room or space; under any building overhang.
- (7) The burning of yard waste, leaves, brush, vines, evergreen needles, branches smaller than three (3) inches in diameter, treated lumber, garbage, paper products or anything other than firewood as set forth herein is prohibited.
- (8) All open fires as set forth herein shall be extinguished no later than 1:00 a.m.
- (9) The fire prevention officer, police officer or code enforcement officer may order any open fire, or use of a chiminea, outdoor fireplace or fire pit which creates a nuisance, to be extinguished.

E. Enforcement.

- (1) This Chapter shall be administered by the fire prevention officer, the police department and the code enforcement officer.

- (2) Any person, firm or corporation, violating any of the provisions of this Chapter, shall be liable to a fine not exceeding the sum of one thousand two hundred fifty dollars (\$1,250.00), or to imprisonment not exceeding ninety (90) days, or both.

XXII

Chapter 232 (Peace and Good Order) is hereby amended as follows:

Section 232-1 Disorderly conduct.

All the following named acts shall be deemed disorderly and against the public peace and order and are hereby prohibited within the Township:

- A. – C. No change.
- D. Malicious injury to property. Any person who shall maliciously destroy, damage or injure property may, where the damage does not exceed the sum of ~~\$25~~ \$200, be adjudged in violation of this chapter.
- E. – G. No change.
- H. Erecting sign or encroachment. Any person who erects within the limits of this Township any sign or encroachment of any nature without first having obtained permission to do so from the Township ~~Committee or the Board of Chosen Freeholders, as the case may be,~~ shall be adjudged in violation of this chapter.
- I. No change.
- J. Misrepresentation of age. Any person who shall misrepresent or mistake his or her age or the age of any other person for the purpose of inducing any licensee or any employee of any licensee to sell, serve or deliver any alcoholic beverage, tobacco product or any other age restricted product or service to a person under the legal age of 21 years shall prescribed by law shall be deemed and adjudged in violation of this chapter.
- K. – L. No change.
- M. Manufacturing, selling, transporting or using fireworks. Any person who shall manufacture, sell, transport or use fireworks of the types that are prohibited by State Law, or permit the use of said fireworks on premises under ~~ones~~ one's ownership or control, shall be adjudged in violation of this chapter. ~~"Fireworks," as used herein, shall include any combustible or explosive composition, or any substance or combination of substances, or article prepared for the purpose of producing a visible or an audible effect by combustion, explosion, deflagration or detonation. The manufacturing, selling, using or transporting of hand held sparklers shall not be deemed a violation of this chapter so long as each individual tip, head or igniting point or surface is thoroughly covered and securely protected from accidental contact or friction with any other surface.~~ Persons having ownership or control of premises

at which fireworks have been used in violation of this subsection shall give rise to a rebuttable presumption to having permitted the use of fireworks on such premises. Such presumption may be rebutted by submitting evidence that such person took affirmative action to stop or prevent such use, or was not physically at or in close proximity to the premises at any time during such use.

N. – P. No change.

Q. Open Burning and Fires in violation of Section 162, Article V, shall be in violation of this Chapter.

Section 232-2. No change.

XXIII

Chapter 270 (Sewers) is hereby amended as follows:

Section 270-1 through Section 270-2. No change.

Section 270-3 Building sewers and connections.

A. – X. – No change.

Y. No roof drainage, cellar drainage, sump pump discharge, surface water, swimming pool drainage or backwash water, waste from hydrants or groundwater from underground drainage fields shall be admitted or be permitted to drain into the sewer system. The sewer system is intended to convey sanitary sewage and industrial wastes only.

Z. The Township shall have the right to close or disconnect from the sewer system any building sewer used for carrying rain, cellar drainage, sump pump discharge, surface water, groundwater or objectionable matter or whenever any violations of this section are committed.

AA. – CC. No change.

Section 270-4 through Section 270-35. No change.

XXIV

Chapter 351 (Water) is hereby amended as follows:

Section 351-1 through Section 351-15. No change.

Section 351-16 Residential customer dispute.

A. No Change.

B. The procedure for residential customer dispute shall be as follows:

(1) - (5). No change.

(6) If the decision is unsatisfactory to the customer, the customer within five days of ~~his receipt~~ ~~of receiving~~ the official's decision may request, in writing, a formal hearing before the Township Administrator or ~~his~~ the Administrator's designee.

(7) - (8). No change.

(9) Based on the record established at the hearing, the Administrator, within five days of the completion of the hearing, shall issue ~~his a~~ written decision formally resolving the dispute. ~~His~~ The Administrator's decision shall be final and binding on both the Department and the residential customer.

C. No Change.

D. Until the date of the Township Administrator's or the Department of Public Utilities official's decision, whichever is later, the Department of Public Utilities shall not terminate the utility service of this residential customer and shall not issue a notice of termination to them ~~him~~ solely for nonpayment of the disputed amount. If it is determined that the customer must pay some or all of the disputed amount, the Department of Public Utilities shall promptly mail to or personally serve upon the customer a notice of termination which shall contain the following:

(1) – (4). No change.

Section 351-17 – No change.

Section 351-18 Required backflow protection installations.

The following regulations to assure backflow protection are required:

A. – B. No change.

- C. For uses with minor to intermediate cross connection backflow hazard, including but not limited to retail stores and shops, motels, hotels, schools, office complexes, fire lines (city water systems only), etc., a ~~factory assembled double check valve~~ double check valve assembly must be installed.
- D. Any existing and proposed residential wells which will be used for outside purposes only must be disconnected from the Township water system, and all pumps, tanks and piping must be located outside the building or dwelling. In addition, a factory assembled dual double check valve ~~value~~ valve must be installed.
- E. For uses with major cross connection backflow hazard, including but not limited to chemical plants, sewage pumping stations, restaurants, beauty parlors, attached retail units, industrial waste treatment plants, commercial laundries, car washes, manufacturing plants, drug and pharmaceutical plants, dry cleaners, gasoline stations, auto repair shops, office complexes with x-ray and laboratory facilities or uses, etc., a reduced pressure zone backflow preventor must be installed.
- F. – I. No change.
- J. In all instances where buildings are served by municipal water for fire protection, a detector type (U.S. gallons) ~~factory assembled~~ double check valve assembly must be installed.
- K. No change.

Section 351-19, Use of hydrants by developers.

Hydrant meter usage shall be at the discretion of the Utility Superintendent.

- A. – D. No change.
- E. Hydrant meter specifications. The hydrant meter shall mount to the two-and-one-half-inch nozzle side barrel only. A Reduced Pressure Zone, ~~factory assembled R.P.Z.~~ backflow preventor shall be used in all installations. A meter, allowing for readings in terms of 1,000 gallons, shall be attached to the hydrant. A backflow preventor and shutoff valve must be supplied on the influent and effluent side of the assembly. (See attached drawing as Exhibit A.)

Section 351-20. No change.

XXV

All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.

XXVI

If any section, subparagraph, sentence, clause or phrase of this Ordinance shall be held to be invalid, such decision shall not invalidate the remaining portion of this Ordinance.

XXVII

This Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This ordinance effects omnibus changes to numerous ordinance sections contained in the Township's Code Book. The entirety of this ordinance is available online at <https://twp.freehold.nj.us/2022> or a copy of the ordinance is available from the Township Clerk's office during regular business hours.



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-22-114

Date of Adoption: May 24, 2022

TITLE: RESOLUTION AUTHORIZING REDUCTION CHANGE ORDER NUMBER 1, DECLARING ACCEPTANCE AND FINAL PAYMENT OF CONTACT 21-6, JACKSON MILLS ROAD WATER TREATMENT PLANT SOUTH SIDE FILTER UPGRADES

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

WHEREAS, a Contract was awarded to Level-1 Construction, Inc. by Resolution R-21-230 on October 12, 2021 for the Jackson Mills Road Water Treatment Plant South Side Filter Upgrades in the amount of \$479,000.00; and,

WHEREAS, the Township's Professional Engineer, Mott MacDonald, by letter dated May 10, 2022 and the Superintendent of Utilities, by memorandum dated May 13, 2022, recommend reduction Change Order Number 1 in the amount of -\$15,790.41 due to a decrease in final contract value consistent with the final as-built quantities for the project, reducing the total final contract amount to \$463,209.59 and advise that all work on the above-referenced Project has been completed and recommends acceptance of the Contract and issuance of final payment; and,

WHEREAS, Level-1 Construction, Inc. has submitted a one-year Maintenance Bond in accordance with the terms of the bid specifications;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby authorizes reduction Change Order Number 1 in the amount of -\$15,790.41 for the aforementioned Contract, bringing the total Contract amount to \$463,209.59, accepts the public project known as Contract 21-6, Jackson Mills Road Water Treatment Plant South Side Filter Upgrades and authorizes final payment;

BE IT FURTHER RESOLVED that it is the intention of the Township Committee of the Township of Freehold to adopt the within Resolution only for the purposes described in N.J.S.A. 2A:44-132;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to Professional Engineer-Mott MacDonald, the Director of Finance, the Superintendent of Utilities, the Purchasing Agent and Level-1 Construction, Inc.

No. R-22-114

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

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-22-115

Date of Adoption: May 24, 2022

TITLE: RESOLUTION APPROVING CONSOLIDATED BILLS LIST

--- RESOLUTION ---

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 \$3,608,029.98 dated May 24, 2022 as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations subject to adoption of resolution authorizing expenditures.

No. R-22-115

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

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-22-116

Date of Adoption: May 24, 2022

**TITLE: RESOLUTION AUTHORIZING RENEWAL OF MEMBERSHIP IN
THE WESTERN MONMOUTH PURCHASING GROUP
COOPERATIVE PRICING SYSTEM**

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

WHEREAS, the Township of Freehold is currently a member of the Western Monmouth Purchasing Group Cooperative Pricing System CPS-10WMCP; and,

WHEREAS, the Western Monmouth Purchasing Group currently has Freehold Township, Freehold Borough, Manalapan Township and Marlboro Township as members; and,

WHEREAS, the Cooperative Pricing System registration is due to expire on June 30, 2022;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby authorizes renewal of registration in the Western Monmouth Purchasing Group Cooperative Pricing System CPS-10WMCP;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the New Jersey Division of Local Government Services-Cooperative Purchasing Department;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Freehold Township Administrator and Purchasing Agent, and the Municipal Clerks of Freehold Borough, Manalapan Township and Marlboro Township.

No. R-22-116

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

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-22-117

Date of Adoption: May 24, 2022

TITLE: RESOLUTION DISBURSING OVERPAYMENTS OF TAXES

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

WHEREAS, certain property owners have credit balances on their accounts; and,

WHEREAS, the following Taxpayer Schedule includes Overpayments of Taxes; creating overpayments, applicable to the blocks and lots and in the amounts set forth; and,

WHEREAS, the Tax Collector of the Township of Freehold has certified to the Township Committee of the Township of Freehold that the items designated with the word "REFUND" on Schedule A be refunded to the names appearing below;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that the refunds be made to the taxpayers appearing on Schedule A and the checks for the aforesaid refunds be issued by the Treasurer;

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to make corrections and notations upon the Municipal records as may be necessary to effect this Resolution;

BE IT FURTHER RESOLVED by the Township Committee of the Township of Freehold that the Township Clerk is hereby authorized to forward a certified copy of the within Resolution to the Tax Collector and Treasurer/Director of Finance.

SCHEDULE A
2022 - OVERPAYMENT OF TAXES - REFUND

32.01 3	ASSOCIATED TITLE AGENCY 83 SOUTH STREET - SUITE 307 FREEHOLD, NJ 07728	\$2,786.09
65 7	COASTAL TITLE AGENCY, INC 2 PARAGON WAY - SUITE 400B FREEHOLD, NJ 07728	\$1,376.59
	TOTAL	\$4,162.68

TOTAL REFUNDED \$4,162.68

No. R-22-117

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

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-22-118

Date of Adoption: May 24, 2022

TITLE: RESOLUTION AUTHORIZING EXECUTION OF RIGHT OF ENTRY AGREEMENT

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

WHEREAS, the owners of Block 8.07, Lot 15, located at 171 Sherwood Drive (hereafter Property Owners), will be constructing a pool on their property; and

WHEREAS, the Township of Freehold is the owner of vacant land which is adjacent to 171 Sherwood Drive, and known as Block 8.07, Lot 25, 121 Sherwood Drive; and

WHEREAS, the Property Owners have requested permission to use the Township's adjacent vacant land for access by their construction contractors; and

WHEREAS, it is necessary for the Township and the Property Owners to enter into a Right of Entry Agreement setting forth the terms and conditions for access, providing indemnification to the Township for allowing access across its property, and ensuring restoration of the Township property to its original condition upon completion of the construction.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Freehold that the Mayor is hereby authorized to execute and the Township Clerk to attest the attached Right of Entry Agreement.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to the Township Engineer and the Property Owners.

No. R-22-118

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

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-22-119

Date of Adoption: May 24, 2022

**TITLE: RESOLUTION AUTHORIZING A CONTRACT FOR THE
PURCHASE OF ONE (1) CARLTON SP5014 STUMP GRINDER -
SELF PROPELLED THROUGH THE EDUCATIONAL SERVICES
COMMISSION OF NEW JERSEY**

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

WHEREAS, the Township of Freehold is a member of the Educational Services Commission of New Jersey Cooperative Pricing System; and,

WHEREAS, a contract was awarded for the above referenced items by the Educational Services Commission of New Jersey as the Lead Agency for the Educational Services Commission of New Jersey Cooperative Pricing System, of which the Township of Freehold is an active participant, as authorized by N.J.S.A. 40A11-11(6); and,

WHEREAS the following bidder is able to provide One (1) Carlton SP5014 Stump Grinder - Self Propelled in the amount of \$35,107.90 to the Township of Freehold per said Cooperative Pricing System and Contract:

One (1) Carlton SP5014 Stump Grinder - Self Propelled - Contract No. ESCNJ 18/19-22
& Contract No. ESCNJ 18/19-25

Cherry Valley Tractor Sales
35 Route 70 West
Marlton, NJ 08053-3099

WHEREAS, the Director of Finance has certified to the Township Clerk that funds are available in the following MCIA CELP 2021 :

C-04-56-921-000-982

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold herein authorizes a Contract for the purchase of One (1) Carlton SP5014 Stump Grinder - Self Propelled in the amount of \$35,107.90;

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Director of Finance, the Superintendent of Public Works, the Purchasing Agent and Cherry Valley Tractor Sales.

No. R-22-119

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

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-22-120

Date of Adoption: May 24, 2022

**TITLE: RESOLUTION AWARDING A CONTRACT FOR VARIOUS
STREETS AND ROAD MATERIALS - WESTERN MONMOUTH
PUCHASING GROUP**

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

WHEREAS, the Township Administrator, Township of Marlboro, accepted bids as Lead Agency Representative in the Western Monmouth Purchasing Group for Various Streets and Road Materials on Wednesday, May 4, 2022 at 3:00 P.M.; and,

WHEREAS, the following vendors submitted bids:

American Bituminous Company, Inc.
100 Main Street
West Collingswood Heights, NJ

Stavola Construction Materials, Inc.
175 Drift Road
Tinton Falls, NJ

Trap Rock Industries LLC*
PO Box 419
Kingston, NJ

Walter R. Earle Corporation
1800 Route 34
Bldg. 2, Suite 205
Wall, NJ

WHEREAS, Trap Rock was unresponsive due to failure to supply a listing of sub-contractors as per the bid specifications. American Bituminous was the low bidder on Items 3 and 8 but didn't fit the criteria of distance. They are over 45.60 miles from the Public Works Garage; and,

WHEREAS, the Superintendent of Public Works for Freehold Township, in a memorandum dated May 13, 2022, recommends that a contract be awarded as follows:

Stavola Construction Materials	Item 1	Hot Mix Asphalt(Surface)	\$312,000.00
175 Drift Road	Item 2	Hot Mix Asphalt(Base)	\$148,000.00
Tinton Falls, NJ 07724	Item 3	Bituminous Cold	\$ 16,000.00
	Item 18A	Rip Rap Stone	\$ 10,750.00
	Item 41A	Recycled Concrete	\$ 25,250.00
	Item 42	3/4" Clean Stone	\$ 15,625.00
	Item 43	Stone Dust	\$ 15,625.00
	Item 44	Dense Graded Base	\$ 31,250.00

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

2-01-26-290-290-254
3-01-26-290-290-254

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby awards a contract for Various Streets and Road Materials - Western Monmouth Purchasing Group to Stavola Construction Materials for the corresponding items, in the estimated amounts noted;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Superintendent of Public Works, the Director of Finance, the Purchasing Agent and all bidders.

No. R-22-120

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

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-22-121

Date of Adoption: May 24, 2022

TITLE: RESOLUTION AMENDING R-21-248 ADOPTED ON OCTOBER 26, 2021 AUTHORIZING THE AWARD OF A CONTRACT FOR THE GRAVEL HILL ROAD WATER STORAGE TANK REBID

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

WHEREAS, R-21-248 awarded a Contract for the Gravel Hill Road Water Storage Tank Rebid to Fisher Tank Company, LLC; and,

WHEREAS, funds were certified in the amount of \$1,086,974.68 under Bond Ordinance C-08-09-917-000-951; however funding from Bond Ordinance C-08-21-917-000-951 should have been used; and,

WHEREAS, the Township's Director of Finance has certified to the Township Clerk that funds are available in the following Bond Ordinance C-08-21-907-000-951 in the amount of \$1,086,974.68;

NOW, THEREFORE, BE IT RESOLVED that funds under Bond Ordinance C-08-21-917-000-951 will be used as per the Certification from the Director of Finance. Funds will not be used from C-08-09-917-000-951;

RBE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Director of Finance, the Superintendent of Utilities and the Purchasing Agent.

No. R-22-121

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

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-22-122

Date of Adoption: May 24, 2022

**TITLE: RESOLUTION AMENDING 2022 BUDGET (CHAPTER 159) TO
INSERT MODIFICATION TO THE SPECIAL ITEM OF REVENUE
AND APPROPRIATIONS FOR THE 2022 DMHAS YOUTH
LEADERSHIP GRANT**

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any Special Item of Revenue in the Budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Freehold has entered into a Grant for DMHAS Youth Leadership with the Governors Council on Alcoholism and Drug Abuse and has received notice of an award of \$11,106.16. and wishes to amend the 2022 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold, in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2022 in the sum of \$11,106.16 which is now available as revenue from:

Miscellaneous Revenues:

Section F: Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services - Public and Private
Revenues Offset with Appropriations:
DMHAS Youth Leadership Grant 2022

BE IT FURTHER RESOLVED that the like sum of \$11,106.16 be and the same is hereby appropriated under the caption of:

General Appropriations:

- (A) Operations excluded from "CAPS"
Public and Private Revenues Offset with
Appropriations:

Salary and Wages	\$555.31
Consultant	7,300.85
Other Direct Costs	3,250.00

BE IT FURTHER RESOLVED, that certification of adoption of this Resolution will be electronically forwarded to the Director of the Division of Local Government Services;

BE IT FURTHER RESOLVED that the Township Clerk forward certified copies of this Resolution to the Freehold Township Health Officer and the Freehold Township Director of Finance.

No. R-22-122

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

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-22-123

Date of Adoption: May 24, 2022

**TITLE: RESOLUTION AMENDING 2022 BUDGET (CHAPTER 159) TO
INSERT MODIFICATION TO THE SPECIAL ITEM OF REVENUE
AND APPROPRIATIONS FOR THE 2022 SAFE AND SECURE
COMMUNITIES GRANT**

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any Special Item of Revenue in the Budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Freehold has entered into a Grant for Safe and Secure Communities with the New Jersey Department of Law and Public Safety and has received notice of an award of \$32,400.00 and wishes to amend the 2022 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold, in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2022 in the sum of \$32,400.00 which is now available as revenue from:

Miscellaneous Revenues:

Section F: Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services - Public and Private
Revenues Offset with Appropriations:
Safe and Secure Communities Grant 2022

BE IT FURTHER RESOLVED that the like sum of \$32,400.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations excluded from "CAPS"

Public and Private Revenues Offset with

Appropriations:

Other Expenses

\$32,400.00

BE IT FURTHER RESOLVED, that certification of adoption of this Resolution will be electronically forwarded to the Director of the Division of Local Government Services;

BE IT FURTHER RESOLVED that the Township Clerk forward certified copies of this Resolution to the Freehold Township Chief of Police and Freehold Township Director of Finance.

No. R-22-123

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

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-22-124

Date of Adoption: May 24, 2022

**TITLE: RESOLUTION AMENDING 2022 BUDGET (CHAPTER 159) TO
INSERT MODIFICATION TO THE SPECIAL ITEM OF REVENUE
AND APPROPRIATIONS FOR THE 2022 NEW JERSEY
DEPARTMENT OF TRANSPORTATION SAFE CORRIDORS ACT
GRANT**

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

WHEREAS, N.J.S.A. 40A:4-87 provides that the Director of the Division of Local Government Services may approve the insertion of any Special Item of Revenue in the Budget of any County or Municipality when such items shall have been made available by law and the amount thereof was not determined at the time of the adoption of the Budget; and

WHEREAS, said Director may also approve the insertion of an item of appropriation for an equal amount; and

WHEREAS, the Township of Freehold has entered into a Grant for Safe Corridors 2022 with the New Jersey Department of Transportation and has received notice of an award of \$35,909.00 and wishes to amend the 2022 Budget to include this amount as a revenue.

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold, in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the Budget of the year 2022 in the sum of \$35,909.00 which is now available as revenue from:

Miscellaneous Revenues:

Section F: Special Items of General Revenue Anticipated
with Prior Written Consent of the Director of the
Division of Local Government Services - Public and Private
Revenues Offset with Appropriations:
Safe Corridors Grant 2022

BE IT FURTHER RESOLVED that the like sum of \$35,909.00 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations excluded from "CAPS"

Public and Private Revenues Offset with

Appropriations:

Other Expenses

\$35,909.00

BE IT FURTHER RESOLVED, that certification of adoption of this Resolution will be electronically forwarded to the Director of the Division of Local Government Services;

BE IT FURTHER RESOLVED that the Township Clerk forward certified copies of this Resolution to the Freehold Township Chief of Police and Freehold Township Director of Finance.

No. R-22-124

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

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-22-125

Date of Adoption: May 24, 2022

TITLE: RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT FOR BH 550-558 HALLS MILL HOLDERS LLC, SITE PLAN NO. 526-1-20, BLOCK 79, LOT 4, LOCATED AT 550 HALLS MILLS ROAD

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

WHEREAS, on December 3, 2020, the Freehold Township Planning Board granted preliminary and final site plan approval to RDM Group, LLC for Site Plan No. 526-1-20, Block 79, Lot 4, located at 550 Halls Mill Road; and

WHEREAS, subsequent to granting approval, the property was conveyed to BH 550-558 Halls Mill Holders LLC and BH 550-558 Halls Mill Holders LLC will be the Developer of the site plan; and

WHEREAS, in accordance with the Planning Board approval, the Developer is required to enter into a Developer's Agreement with the Township of Freehold; and

WHEREAS, the Township Attorney has prepared a Developer's Agreement for this site plan.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Freehold that the Mayor is hereby authorized to execute and the Township Clerk to attest the Developer's Agreement between the Township of Freehold and the Developer in accordance with the approval granted by the Freehold Township Planning Board.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to: Township Engineer, Township Attorney, Township Planning Board, Township Construction Official and Kenneth L. Pape, Esq. (attorney for Developer), 516 State Route 33, Millstone, NJ 08535.

No. R-22-125

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

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-22-126

Date of Adoption: May 24, 2022

TITLE: RESOLUTION AMENDING RESOLUTION NO. R-22-59 ADOPTED ON FEBRUARY 22, 2022 APPROVING WIRELESS COMMUNICATION FACILITIES MODIFICATION APPLICATION FOR NEW YORK SMSA D/B/A VERIZON WIRELESS, 169 ROBERTSVILLE ROAD, BLOCK 8, LOT 5, APPLICATION NO. WCFMA 07-21

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

WHEREAS, on February 22, 2022, the Township Committee of the Township of Freehold adopted Resolution No. R-22-59 approving the application for installation of eight (8) Verizon Wireless Antennas, eight (8) remote radio head units, and three (3) OVP boxes to be added to the existing 120 foot tall monopole, in addition to a ground mounted Verizon Wireless equipment platform with generator and associated equipment; and

WHEREAS, the applicant is now requesting to amend the approved WCFMA application to include four (4) additional Verizon Wireless antennas for a total of twelve (12) antennas; and

WHEREAS, all other aspects of the approval remain the same; and

WHEREAS, by memorandum dated May 13, 2022 from the Assistant Township Engineer to the Mayor and Township Committee of the Township of Freehold, a copy of which is attached hereto as Exhibit A, the Assistant Township Engineer has advised of no objection to the proposed amendments to include the additional antennas.

WHEREAS, the proposed amendments to the Application have been reviewed by the Township Attorney and found to be in compliance with Township Ordinance Section 190-172.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Freehold that the proposed amendments to Application No. WCFMA 07-21 are hereby approved, subject to such conditions as are imposed in the Assistant Township Engineer's memorandum referenced above.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to each of the following:

1. New York SMSA d/b/a Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921.
2. M. Bryant, Assistant Township Engineer
3. T. Brown, Township Zoning Officer
4. L. Kontiris, Engineering Secretary

No. R-22-126

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

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