

# **FREEHOLD TOWNSHIP COMMITTEE AGENDA**

## **WORKSHOP MEETING**

**OCTOBER 11, 2022**

**8:00 P.M.**

1. Announcement to Open Public Meetings Act:

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

2. Pledge of Allegiance
3. Roll Call
4. Approval of Previous Minutes
5. Report – ABC Social Affair Permit – VFW Post 4374 Freehold – Bike Night – October 22, 2022 – From 3:00 p.m. to 8:00 p.m.

Report - ABC Social Affair Permit – Silvermead Community Club – Halloween Dance – 10/22/22 – From 6:00 p.m. to 11:00 p.m.

### **PRESENTATION**

6. NJ Legislative Proclamation – Rebecca-Julianne Lopes – Miss New Jersey Teen

### **OLD BUSINESS**

- \* 7. O-22-19 – An Ordinance Authorizing the Purchase of Block 101, Lot 10 Located At 52 Siloam Road in the Township of Freehold

\* Attachments

## NEW BUSINESS

- \* 8. R-22-232 - Resolution Approving Consolidated Bills List
- \* 9. R-22-233 – Resolution Appointing Sophia Shalaby, Esq. as Municipal Court Public Defender

## 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.

- \* 10. R-22-234 – Resolution Authorizing Application for a Historical Preservation Grant from the Monmouth County Historical Commission
- \* 11. R-22-235 – Resolution Cancelling Taxes and Disbursing Overpayment of Taxes – Disabled Veteran
- \* 12. R-22-236 - Resolution Authorizing the Award of a Contract for the Furnishing of T-Shirts, Jackets, and Various Items for Freehold Township Departments
- \* 13. R-22-237 – Resolution Awarding Contracts for the Disposal of Leaves
- \* 14. R-22-238 - Resolution Rejecting Bids for the Hampton Drive Culvert Replacement
- \* 15. R-22-239 – Resolution Authorizing Reduction of Performance Guarantees for M&M Realty Partners of Freehold, LLC, Site Plan No. 886-16, Block 80, Lot 3
- \* 16. R-22-240 – Resolution Authorizing Reduction of Performance Guarantees for Regency at Freehold Clubhouse, Site Plan No. 884-16, Block 67, Lot 21

## **MAYOR'S APPOINTMENTS**

17. Meg Thomann – Historic Preservation Commission – Moved from Alternate 1 to Class A Member – Term to Expire 12/31/22
  
18. David Seme – Historic Preservation Commission – Moved from Alternate 2 to Class B Member – Term to Expire 12/31/22

AUDIENCE

TOWNSHIP COMMITTEE COMMENTS

ADJOURNMENT

**7:00 P.M. – EXECUTIVE SESSION**

\* Open Public Meetings Act – Resolution R-22-K – Executive Session

1. PERSONNEL

1A. Historic Preservation Commission

1B. Disciplinary Matters

2. ATTORNEY-CLIENT PRIVILEGE

2A. Affordable Housing

ORDINANCE NO. O-22-19  
TOWNSHIP MEETING DATE September 20, 2022

AN ORDINANCE AUTHORIZING THE PURCHASE OF BLOCK 101, LOT 10 LOCATED AT  
52 SILOAM ROAD IN THE TOWNSHIP OF FREEHOLD

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BE IT ORDAINED by the Mayor and Township Committee of the Township of Freehold, County of Monmouth and State of New Jersey as follows:

WHEREAS, pursuant to N.J.S.A. 40A:12-5 the Township is authorized to acquire real property; and

WHEREAS, the Township has determined it to be in the public interest to purchase Block 101, Lot 10 located at 52 Siloam Road in the Township of Freehold (hereafter “the Property”), for open space or other public purposes; and

WHEREAS, the Township has negotiated with the property owner and has agreed to purchase the Property for \$50,000.00 contingent upon title review and receipt of funds to purchase the Property by bond, loan or grant.

NOW, THEREFORE, BE IT ORDAINED that the Mayor and Township Clerk of the Township of Freehold are hereby authorized to execute a contract for the purchase of the Property, such purchase price to be in the amount of \$50,000.00.

BE IT FURTHER ORDAINED that the Mayor, Township Clerk, Township Attorney and such other Municipal officials as are necessary, are hereby authorized to undertake any and all acts reasonably necessary to effectuate the purchase of the above-described Property.

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

**EXPLANATORY STATEMENT:**

This Ordinance authorizes the purchase of Block 101, Lot 10 located at 52 Siloam Road in the Township of Freehold.



Resolution of the Township of Freehold  
Monmouth County, New Jersey

No: R-22-232

Date of Adoption: October 11, 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 \$13,811,657.31 dated October 11, 2022 as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations subject to adoption of resolution authorizing expenditures.

No. R-22-232

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-233

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION APPOINTING SOPHIA SHALABY, ESQ. AS  
MUNICIPAL COURT PUBLIC DEFENDER**

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

WHEREAS, in accordance with Township Ordinance, a Municipal Court Public Defender may be appointed for the Township of Freehold; and,

WHEREAS, as the current Township Public Defender has been sworn in as Monmouth County Prosecutor, the Township of Freehold must appoint a replacement Public Defender for the Township of Freehold; and,

WHEREAS, the Township Administrator has recommended to the Township Committee that Sophia Shalaby, Esq., of the Law Offices of Sophia M. Shalaby, LLC, be appointed;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that Sophia Shalaby, Esq. be and is hereby appointed Municipal Court Public Defender for the unexpired term through December 31, 2022;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the following:

1. Assignment Judge, Superior Court  
Monmouth County Court House  
71 Monument Park  
Freehold, NJ 07728
2. Administrative Office of the Courts, CN 986, Trenton, NJ 07625
3. Sophia Shalaby, Esq., Law Offices of Sophia M. Shalaby, LLC
4. Peter R. Valesi, Township Administrator
5. Denise Yuhas, Municipal Court Administrator

6. Peter R. Valesi, Township Administrator
7. Jeffrey C. Elsasser, Chief Financial Officer
8. Cheryl Horne, Human Resources Officer

No. R-22-233

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-234

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION AUTHORIZING APPLICATION FOR A  
HISTORICAL PRESERVATION GRANT FROM THE MONMOUTH  
COUNTY HISTORICAL COMMISSION**

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

WHEREAS, the Monmouth County Historical Commission's Historical Preservation Grant Program provides Grant funding for the promotion of preservation of Monmouth County history; and,

WHEREAS, the Governing Body of the Township of Freehold desires to obtain such funding in the amount of \$10,000.00, to be a matching Grant, for Historic Georgia Road Schoolhouse Main Building Repainting and Replacement of Shutters in Freehold Township, NJ 07728; and,

WHEREAS, the Township of Freehold is the owner and controls the project site;

NOW, THEREFORE, BE IT RESOLVED by the Freehold Township Committee that:

1. Peter R. Valesi, Township Administrator or his successor is authorized to (a) make such Application (b) provide additional application information and furnish such documents as may be required by Monmouth County and (c) act as the Municipal contact person and correspondent of the above named Municipality; and,
2. The Township of Freehold is committed to this project and will provide the balance of funding necessary to complete the project as described in the Grant application; and,
3. If the County of Monmouth determines that the application is complete and in conformance, the Township of Freehold is willing to use the funds in accordance with County policies and procedures, and applicable Federal, State and Local Government rules, regulations and statutes thereto; and,
4. Peter R. Valesi, Township Administrator or his successor is hereby authorized to sign and execute any required documents, agreements and amendments thereto for the Monmouth County Historical Commission's Historical Preservation Grant; and,

5. This Resolution shall take effect immediately.

BE IT FURTHER RESOLVED that a certified copy of the within Resolution and Application shall be forwarded to Barbara Harrigan, Chairperson, Monmouth County Historical Commission, Hall of Records Annex, 3 East Main Street, 2nd Floor, Freehold, NJ 07728; Peter R. Valesi, Township Administrator; Cheryl Polverino, Chairperson, Freehold Township Historic Preservation Commission; and Jeffrey Elsasser, Director of Finance.

No. R-22-234

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-235

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION CANCELLING TAXES AND DISBURSING  
OVERPAYMENT OF TAXES - DISABLED VETERAN**

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

WHEREAS, a certain property has had an assessment change for the year 2022;  
and

WHEREAS, the following Taxpayer Schedules include a 100% Disabled Veteran  
allowed; applicable to the block and lot and in the amount 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 item designated with the word  
"CANCEL" on Schedule A be cancelled, and the item designated with the word  
"REFUND" on Schedule B be refunded to the name appearing below; and

WHEREAS, taxes billed in the 2022 Extended Duplicate for said property for Final  
2022/Preliminary 2023 will also be cancelled;

NOW, THEREFORE, BE IT 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 - 100% DISABLED VETERAN - CANCEL

|         |                                                      |            |
|---------|------------------------------------------------------|------------|
| 96.03 7 | POLLIO, GERARD<br>11 APPIAN CT<br>FREEHOLD, NJ 07728 | \$2,962.21 |
|         | TOTAL                                                | \$2,962.21 |

SCHEDULE B  
2022 - 100% DISABLED VETERAN - REFUND

|         |                                                      |           |
|---------|------------------------------------------------------|-----------|
| 96.03 7 | POLLIO, GERARD<br>11 APPIAN CT<br>FREEHOLD, NJ 07728 | \$ 241.81 |
|         | TOTAL                                                | \$ 241.81 |

|                 |            |
|-----------------|------------|
| TOTAL CANCELLED | \$2,962.21 |
| TOTAL REFUNDED  | \$241.81   |



No. R-22-235

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-236

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT FOR THE FURNISHING OF T-SHIRTS, JACKETS AND VARIOUS ITEMS FOR FREEHOLD TOWNSHIP DEPARTMENTS**

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

WHEREAS, the Township of Freehold has a need to acquire t-shirts, jackets and various items for Township Departments as a non-fair and open contract pursuant to the provisions of N.J.S.A. 19:44A-20.4 or 20.5 as appropriate; and,

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

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

WHEREAS, Campus Coordinates can supply the Township with t-shirts, jackets and various items for Freehold Township Departments in an amount not to exceed \$42,000.00; and,

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

T-22-56-856-000-029; T-49-56-100-510-299; T-49-56-400-903-299;  
T-49-56-500-825-299; T-49-56-500-829-299; T-49-56-550-825-299;  
- Not to Exceed \$42,000.00

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold herein authorizes a contract for the purchase of t-shirts, jackets and various items for Freehold Township Departments, in an amount not to exceed \$42,000.00, with Campus Coordinates, LLC;

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Director of Finance, the Superintendent of Parks and Recreation, the Purchasing Agent and Campus Coordinates, LLC.

No. R-22-236

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-237

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION AWARDING CONTRACTS FOR THE DISPOSAL OF LEAVES**

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

WHEREAS, the Purchasing Agent accepted bids for Two-Year Contracts for the Disposal of Leaves on Wednesday, September 14, 2022 at 10:00 A.M.; and,

WHEREAS the following bids were submitted:

| BIDDER                                                                 | 2022 Price/<br>Cubic Yard | 2023 Price/<br>Cubic Yard |
|------------------------------------------------------------------------|---------------------------|---------------------------|
| Dancer Farms<br>183 Sweetmans Lane<br>Millstone, NJ 08535              | \$4.00/CY                 | \$4.00/CY                 |
| Gibson Farms<br>853 Hwy 33 East<br>Freehold, NJ 07728                  | \$4.50/CY                 | \$5.00/CY                 |
| Sigismondi Greenhouse III<br>104 Millhurst Road<br>Manalapan, NJ 07726 | \$6.00/CY                 | \$6.00/CY                 |

WHEREAS, the Superintendent of Public Works, by memorandum dated September 20, 2022, recommends that Contracts be awarded to the lowest bidders, Dancer Farms for \$4.00/cy in 2022 and \$4.00/cy in 2023 for a maximum of 9,000 cubic yards per year, and Gibson Farms for \$4.50/cy in 2022 and \$5.00/cy in 2023; and,

WHEREAS, the Director of Finance has certified to the Township Clerk that funds are available in the following budget accounts and Clean Communities Grant, contingent upon the necessary funds being appropriated by the Governing Body in 2023 Municipal Budgets:

2-01-26-305-305-242 - \$80,000.00;  
3-01-26-305-305-242 - \$80,000.00;

G-02-41-719-707-301 - \$12,644.69;  
G-02-41-719-707-399 - \$ 173.50;  
G-02-41-720-707-301 - \$22,152.43;  
G-02-41-721-707-301 - \$25,000.00;  
G-02-41-721-707-399 - \$ 142.40;  
G-02-41-722-707-399 - \$22,886.98

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby awards Two-Year Contracts for the Disposal of Leaves to the aforementioned bidders and amounts per cubic yard in the estimated amount of \$243,000.00;

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

No. R-22-237

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-238

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION REJECTING BIDS THE FOR HAMPTON DRIVE  
CULVERT REPLACEMENT**

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

WHEREAS, the Purchasing Agent accepted bids for the Hampton Drive Culvert Replacement on Tuesday, September 13, 2022 at 10:00 AM; and,

WHEREAS, the following bids were received:

| BIDDER                    | Bid Amount     |
|---------------------------|----------------|
| CMS Construction          | \$ 536,225.00  |
| Berto Construction        | \$ 608,526.00  |
| Montana Construction      | \$ 678,465.00  |
| Hutton Construction       | \$ 687,321.00  |
| C.J. Hesse                | \$ 709,019.62  |
| S&G Paving                | \$ 977,922.75  |
| Lima Charlie Construction | \$1,084,084.00 |
| Earle Asphalt             | \$1,279,423.13 |

WHEREAS, the Township Engineer, by memorandum dated September 28, 2022 and the Township's Professional Engineer, T&M Associates, by letter dated September 19, 2022, advise that all bids exceeded budget estimates and recommend that all bids be rejected;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby rejects all bids for the Hampton Drive Culvert Replacement;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Director of Finance, the Township Engineer, the Township's Professional Engineer-T&M Associates, the Purchasing Agent and all bidders.



No. R-22-238

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-239

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR M&M REALTY PARTNERS OF FREEHOLD, LLC, SITE PLAN NO. 886-16, BLOCK 80, LOT 3**

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

WHEREAS, the developer of M&M Realty Partners of Freehold, LLC, located at 3301 Route 9 North, has requested that performance guarantees for sanitary sewers, storm sewers, water distribution system, parking lot construction and miscellaneous improvements be reduced due to the completion of a number of items required pursuant to the posted performance guarantees; and

WHEREAS, the Township Engineer has made an inspection of the subject property and has reported to the Township Committee, by Memorandum dated October 4, 2022, attached hereto as Exhibit "A", and has made certain recommendations concerning the amount of the performance guarantees which should remain; and

WHEREAS, the Township Committee is in agreement with the recommendations of the Township Engineer and adopts them by reference as though specifically set forth herein.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Freehold as follows:

1. It hereby authorizes the reduction of the posted performance guarantees for M&M Realty Partners of Freehold, LLC, Site Plan No. 886-16 to the following:

Bond: Westchester Fire Insurance Company, Bond No. K15769051, in the amount of \$214,218.00 be reduced to \$64,265.00.

Cash deposit in the amount of \$23,802.00 be reduced to \$7,141.00.

2. All of the foregoing shall be in accordance with the Engineer's Estimates of Quantities and Costs annexed to his Memorandum dated October 4, 2022.

3. The aforementioned reduction of the cash performance guarantee is conditioned upon the Developer and its successors and/or assigns agreeing by acceptance of the reduction approved herein to post maintenance bonds for the improvements at such time as required by the Township Engineer, but in no circumstances later than the release of the balance of the performance guarantee and upon the Developer posting an appropriate performance bond, approved by the Township Attorney, in the decreased amount as set forth above.

BE IT FURTHER RESOLVED that the Township Clerk, Township Treasurer and all other appropriate municipal officials are hereby authorized to execute such papers and to perform such acts as are necessary to effectuate the purpose of this Resolution.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified to be a true copy by the Township Clerk, be forwarded to the following: Township Engineer, Township Chief Financial Officer, Township Attorney, Planning Board Administrative Officer and by certified mail, to the Developer herein.

No. R-22-239

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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-22-240

Date of Adoption: October 11, 2022

**TITLE: RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR REGENCY AT FREEHOLD CLUBHOUSE, SITE PLAN NO. 884-16, BLOCK 67, LOT 21**

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

WHEREAS, the developer of Regency at Freehold Clubhouse, located on Route 33 Business, has requested that performance guarantees for sanitary sewers, storm sewers, water distribution system, parking lot construction and miscellaneous improvements be reduced due to the completion of a number of items required pursuant to the posted performance guarantees; and

WHEREAS, the Township Engineer has made an inspection of the subject property and has reported to the Township Committee, by Memorandum dated October 3, 2022, attached hereto as Exhibit "A", and has made certain recommendations concerning the amount of the performance guarantees which should remain; and

WHEREAS, the Township Committee is in agreement with the recommendations of the Township Engineer and adopts them by reference as though specifically set forth herein.

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Freehold as follows:

1. It hereby authorizes the reduction of the posted performance guarantees for Regency at Freehold Clubhouse, Site Plan No. 884-16 to the following:

Bond: Liberty Mutual Insurance Company, Bond No. 019062924, in the amount of \$306,663.30 be reduced to \$91,999.00.

Cash deposit in the amount of \$34,073.70 be reduced to \$10,222.00.

2. All of the foregoing shall be in accordance with the Engineer's Estimates of Quantities and Costs annexed to his Memorandum dated October 3, 2022.

3. The aforementioned reduction of the cash performance guarantee is conditioned upon the Developer and its successors and/or assigns agreeing by acceptance of the reduction approved herein to post maintenance bonds for the improvements at such time as required by the Township Engineer, but in no circumstances later than the release of the balance of the performance guarantee and upon the Developer posting an appropriate performance bond, approved by the Township Attorney, in the decreased amount as set forth above.

BE IT FURTHER RESOLVED that the Township Clerk, Township Treasurer and all other appropriate municipal officials are hereby authorized to execute such papers and to perform such acts as are necessary to effectuate the purpose of this Resolution.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified to be a true copy by the Township Clerk, be forwarded to the following: Township Engineer, Township Chief Financial Officer, Township Attorney, Planning Board Administrative Officer and by certified mail, to the Developer herein.

No. R-22-240

| <b>VOTE OF THE TOWNSHIP COMMITTEE</b> |   |   |   |   |    |    |  |
|---------------------------------------|---|---|---|---|----|----|--|
| 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