

**TOWNSHIP OF FREEHOLD
ORDINANCE O-21-6
TOWNSHIP COMMITTEE MEETING – APRIL 27, 2021**

**BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL
IMPROVEMENTS IN AND FOR THE TOWNSHIP OF
FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY,
APPROPRIATING \$15,088,000 THEREFOR AND AUTHORIZING
THE ISSUANCE OF \$13,687,000 BONDS OR NOTES TO FINANCE
PART OF THE COST THEREOF**

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

SECTION 1:

The improvements described in Section 3 of this bond ordinance (the “Improvements”) are hereby authorized to be undertaken by the Township of Freehold, New Jersey (the “Township”) as general improvements. For the said Improvements there is hereby appropriated the amount of \$15,088,000, such sum includes the sum (a) \$290,000 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(d) for Iron Bridge Road, (b) \$400,000 expected to be received as a grant from the New Jersey Department of Transportation in connection with the improvement described in Section 3(a)(d) for Center Street improvements, (d) \$25,000 expected to be received as a grant from the Monmouth County Historic Commission in connection with the improvement described in Section 3(a)(f) (collectively, the “Grants”) and (b) \$686,000 as the down payment (the “Down Payment”) required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”). The Down Payment is now available by virtue of provision in one or more previously adopted budgets for down payments or capital improvement purposes.

SECTION 2:

In order to finance the additional cost of the Improvements not covered by application of the Down Payment and the Grants, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$13,687,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$13,687,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

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

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
(a) Providing for the purchase of equipment, including but not limited to acquisition of computers, telephone system upgrades, body cameras, license plate reader, mobile data terminals, tractor, aerator and brush cutter with chain.	\$530,000	\$504,500	5 Years
(b) Providing for various traffic light upgrades, including all work and materials necessary therefore or incidental thereto.	42,000	40,000	10 Years
(c) Providing for Land Acquisition at Block 83, Lot 9 for Affordable Housing, including all work and materials necessary therefore or incidental thereto.	2,580,000	2,457,000	40 Years
(d) Providing for road improvements, including but not limited to bituminous concrete overlay for various roads, Three Brooks Road reconstruction, Iron Bridge Road Phase II, Center Street improvements, Rose Court Outfall reconstruction and Burke Road landfill closure, including all work and materials necessary therefore or incidental thereto.	9,462,000	8,354,000	15.03 Years
(e) Providing for recreation improvements, including but not limited to acquisition of playground equipment at Opatut Park, bathroom renovations at Jackson Mills Park, improvements to irrigation system, improvements to hockey rinks, improvements to walkway at Opatut Park, resurfacing of various tennis courts, replacement of bleachers and picnic tables at various parks, improvements to various buildings and structures and ballfield and dugout renovations at various parks, including all work and materials necessary therefore or incidental thereto.	2,438,000	2,321,500	15 Years

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
(f) Providing for improvements to Georgia Road Schoolhouse, including all work and materials necessary therefore or incidental thereto.	36,000	10,000	15 Years
TOTAL	\$15,088,000	\$13,687,000	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$13,687,000.

(c) The estimated cost of the Improvements is \$15,088,000 which amount represents the initial appropriation made by the Township. The excess of the appropriations made for each of the Improvements over the estimated maximum amount of Bonds or Notes authorized to be issued therefor and the Grant is the amount of the Down Payment for each purpose.

SECTION 4:

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

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

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

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

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 19.12 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$13,687,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$2,417,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

SECTION 7:

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

SECTION 8:

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

SECTION 9:

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

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$13,687,000.

SECTION 11:

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

**TOWNSHIP OF FREEHOLD
ORDINANCE O-21-7
TOWNSHIP COMMITTEE MEETING – APRIL 27, 2021**

**BOND ORDINANCE AUTHORIZING VARIOUS
WATER/SEWER CAPITAL IMPROVEMENTS IN AND
FOR THE TOWNSHIP OF FREEHOLD, IN THE COUNTY
OF MONMOUTH, NEW JERSEY APPROPRIATING
\$6,054,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$6,054,000 BONDS OR NOTES TO
FINANCE THE COST THEREOF**

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

SECTION 1:

The improvement described in Section 3 of this Bond Ordinance (the “Improvement”) is hereby authorized to be undertaken by the Township of Freehold, in the County of Monmouth, New Jersey (the “Township”) as a general improvement. For the said Improvement there is hereby appropriated the amount of \$6,054,000. No down payment is required by the Local Bond Law of the State of New Jersey, constituting Chapter 2 of Title 40A of the New Jersey Statutes, as amended and supplemented (the “Local Bond Law”) as the purpose authorized herein is deemed self-liquidating and the obligations authorized herein are deductible from the gross debt of the Township, as more fully explained in Section 6(e) of this Ordinance.

SECTION 2:

In order to finance the additional cost of the Improvements, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$6,054,000 pursuant to the provisions of the Local Bond Law (the “Bonds”). In anticipation of the issuance of the Bonds and to temporarily finance said improvements or purposes, negotiable bond anticipation notes of the Township are hereby authorized to be issued in the principal amount not exceeding \$6,054,000 pursuant to the provisions of the Local Bond Law (the “Bond Anticipation Notes” or “Notes”).

SECTION 3:

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

<u>Improvements</u>	<u>Appropriation and Estimated Cost</u>	<u>Estimated Maximum Amount of Bonds or Notes</u>	<u>Period of Usefulness</u>
1. Providing for improvements to the water system within the Township, including but not limited to Lafayette Court overlay, construction of new water tank, replacement of South Side filter media and internals, replacement of Jackson Mills Road generator, replacement of chemical room doors at all water treatment plants and valve replacement, including all work or materials necessary therefore or incidental thereto and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.	\$5,916,000	\$5,916,000	29.46 Years
2 Providing for improvements to the sewer system within the Township, including but not limited to, replacement of receiving manhole on Elton Adelpia Road, including all work or materials necessary therefore or incidental thereto and all as shown on and in accordance with the plans and specifications on file in the office of the Clerk and hereby approved.	138,000	138,000	40 Years
TOTAL	\$6,054,000	\$6,054,000	

(b) The estimated maximum amount of Bonds or Notes to be issued for the purpose of financing a portion of the cost of the Improvements is \$6,054,000.

(c) The estimated cost of the Improvements is \$6,054,000 which amount represents the initial appropriation made by the Township.

SECTION 4:

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

SECTION 5:

The capital budget of the Township is hereby amended to conform with the provisions of this ordinance to the extent of any inconsistency herewith. The resolution in the form promulgated by the Local Finance Board showing full detail of the amended capital budget and capital program as approved by the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey is on file with the Township Clerk and is available for public inspection.

SECTION 6:

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

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

(b) The average period of usefulness of the Improvements, within the limitations of the Local Bond Law, taking into consideration the respective amounts of all obligations authorized for the several purposes, according to the reasonable life thereof computed from the date of the Bonds authorized by this bond ordinance, is 29.70 years.

(c) The Supplemental Debt Statement required by the Local Bond Law has been duly prepared and filed in the office of the Township Clerk and a complete executed duplicate thereof has been filed in the office of the Director, Division of Local Government Services, Department of Community Affairs, State of New Jersey. Such statement shows that the gross debt of the Township, as defined in the Local Bond Law, is increased by the authorization of the Bonds and Notes provided in this bond ordinance by \$6,054,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,009,000 for items of expense listed in and permitted under Section 20 of the Local Bond Law is included in the estimated cost of the Improvements, as indicated herein.

(e) The obligations authorized herein are to be issued for a purpose that is deemed to be self-liquidating pursuant to N.J.S.A. 40A:2-47(a) and are deductible from gross debt pursuant to N.J.S.A 40A:2-44(c).

SECTION 7:

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

SECTION 8:

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

SECTION 9:

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

SECTION 10:

This Bond Ordinance constitutes a declaration of official intent under Treasury Regulation Section 1.150-2. The Township reasonably expects to pay expenditures with respect to the Improvements prior to the date that Township incurs debt obligations under this Bond Ordinance. The Township reasonably expects to reimburse such expenditures with the proceeds of debt to be incurred by the Township under this Bond Ordinance. The maximum principal amount of debt expected to be issued for payment of the costs of the Improvements is \$6,054,000.

SECTION 11:

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

**TOWNSHIP OF FREEHOLD
ORDINANCE NO. O-21-8
TOWNSHIP MEETING DATE – APRIL 27, 2021**

ORDINANCE AUTHORIZING THE LEASING OF CERTAIN CAPITAL EQUIPMENT BY THE TOWNSHIP OF FREEHOLD, NEW JERSEY FROM THE MONMOUTH COUNTY IMPROVEMENT AUTHORITY AND THE EXECUTION OF A LEASE AND AGREEMENT RELATING THERETO

BE IT ORDAINED by the Township Committee of the Township of Freehold, New Jersey (not less than two-thirds of all members thereof affirmatively concurring) as follows:

Section 1. Pursuant to Section 78 of the County Improvement Authorities Law, N.J.S.A. 40:37A-44, et seq., the Township of Freehold (the “Municipality”) is hereby authorized to unconditionally and irrevocably lease certain items of capital equipment from The Monmouth County Improvement Authority (the “Authority”) pursuant to a Lease and Agreement, substantially in the form submitted to this meeting (the “Lease”), a copy of which is on file in the office of the Clerk to the Municipality. The Mayor is hereby authorized to execute the Lease on behalf of the Municipality in substantially such form as submitted to this meeting and with such changes as may be approved by the Mayor, which approval shall be conclusively evidenced by the execution thereof, and the Clerk to the Municipality is hereby authorized to affix and attest the seal of the Municipality.

Section 2. The following additional matters are hereby determined, declared, recited and stated:

- (a) In recognition of the fact that the lease payment of the Municipality under the Lease will be based, in part, on the amount of bonds issued by the Authority to finance the acquisition of the leased equipment and the interest thereon, the maximum amount of bonds which the Authority shall issue to finance the acquisition of the equipment to be leased to the Municipality shall not exceed \$1,661,000 and the interest rate on said bonds shall not exceed five and fifty hundredths percent (5.50%) per annum;
- (b) The items to be leased from the Authority shall be as set forth in Schedule A hereto; provided that the Mayor or any authorized municipal representative (as defined in the Lease) may substitute or add items of equipment in accordance with the provisions of the Lease; and
- (c) The lease term applicable to a particular item of leased equipment shall not exceed the useful life of such item.

Section 3. This ordinance shall take effect twenty (20) days after the first publication thereof after final adoption as provided by law.

SCHEDULE A - EQUIPMENT LIST

Township of Freehold

<u>Equipment</u>	<u>Useful Life (Years)</u>	<u>Lease Term (Years)</u>	<u>Estimated Cost</u>
SUV Vehicles	5	5	\$ 70,000
Four (4) F250 Dump Trucks	5	5	170,000
Four (4) F450 Dump Trucks	5	5	210,000
Stump Grinder	15	10	40,000
Single Axle Dump Trucks	5	5	660,000
Leaf Machines	15	10	130,000
Roll Off Truck	15	10	230,000
Total			\$1,510,000

ORDINANCE NO. O-21-9
TOWNSHIP MEETING DATE: April 27, 2021

AN ORDINANCE AMENDING CHAPTER 190, LAND USE, ARTICLE XI, ZONES AND SCHEDULE OF REQUIREMENTS OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

I

PURPOSES: The purposes of this Ordinance are to amend Chapter 190, Land Use, Article XI, Zones and Schedule of Requirements, and Article XIII Zone Regulations to rezone designated parcels and create the following new zoning district: “ML-9 Moderate- and Low-Income Housing Zone”.

Note: Additions are underlined and deletions are shown with ~~strikethroughs~~.

II

Article XI, Zones and Schedule of Requirements, §190-97, Zones, is hereby amended with the following new zone as indicated:

§ 190-97 Zones.

For the purpose of this chapter, the Township is divided into the following classes of zones:

ML-9 - Moderate- and Low-Income Housing Zone

III

Article XI, Zones and Schedule of Requirements, § 190-99 Zoning Map Amendments, the Zoning Map (Schedule B) is hereby amended to include Block 83, Lot 9 as “ML-9” as depicted on a map dated April 20, 2021 prepared by Thomas Planning Associates attached hereto and made a part hereof as Appendix A and to add the Ordinance amendment number and adoption date, following adoption, as follows:

Ordinance	Date
<u>O-21-</u>	<u> /2021</u>

IV

Chapter 190, Land Use, Article XI, § 190-101 Schedule C, Schedule of Area, Yard and Bulk Requirements, is hereby amended to add a new line under the heading “RESIDENTIAL” following the line entitled ML-9 as follows: “ML-9 Moderate- and Low-Income Housing Zone”. (See §190-142.5 ML-9 Moderate and Low Income Housing Zone)

V

Chapter 190, Land Use, Article XIII, Zone Regulations, is hereby amended, by adding a new Section 190-142.5, “ML-9 Moderate- and Low-Income Housing Zone” as follows:

§ 190-142.5. ML-9 Moderate- and Low-Income Housing Zone. The following standards shall apply to development within the ML-9 zone district. All other provisions of Chapter 190, Land Use of the Freehold Township Code shall apply to development in the ML-9 zone only where specifically indicated as applicable herein.

- A. **Purpose.** The purpose of the ML-9 Moderate- and Low-Income Housing Zone is to provide a realistic opportunity for the construction of housing for persons and families of low and moderate incomes as part of a mixed income development, as required by the New Jersey Supreme Court in Southern Burlington County NAACP v. Twp. of Mt. Laurel, 92 N.J. 158 (1983) (Mount Laurel II) and by the Fair Housing Act, P.L. 1975, c. 222 (N.J.S.A. 52:27D-301 et seq.). and as required by the New Jersey Supreme Court's decision in In re Adoption of N.J.A.C. 5:96 and 5:97 by N.J. Council on Affordable Housing, 221 N.J. 1 (2015) ("Mount Laurel IV"), and in accordance with the Fair Housing Act, P.L. 1975, c. 222 (N.J.S.A. 52:270-301 et seq.)

B. **Permitted uses.** In the ML-9 Zone, the following uses shall be permitted:

(1) Permitted Principal Uses.

- a. Townhouses;
- b. Multifamily housing development;
- c. Notwithstanding Section 190-105 of the Township Code, multiple principal buildings and uses shall be permitted on each lot.

(2) Permitted Accessory Uses. The following may be permitted as an accessory use:

- a. Community Building with offices for leasing, management and maintenance operations;
- b. Outdoor barbecue structure, gathering and sitting areas;
- c. Essential utilities;
- d. Parks and playgrounds and shade structures (such as gazebos);
- e. Maintenance and equipment sheds;
- f. Fences in accordance with § 190-165;
- g. Signs, in accordance with the provisions set forth herein;
- h. Outdoor waste collection and recycling areas enclosed and constructed of materials similar to the facade of the building;
- i. Any use customary and incidental to a permitted principal use.

C. **Area, Yard and Building Requirements.**

- (1) Maximum Density: Eight (8) dwelling units per developable acre and a maximum of 60 units for townhouses and multifamily housing developments. Developable acres shall be determined consistent with requirements of Schedule C at the end of this chapter and footnotes thereto. See § 190-101.
- (2) Minimum Lot Area: Minimum lot area for townhouses and multifamily housing developments: 8 acres of developable land.
- (3) Minimum Lot Frontage On Public Street: 300 feet, with a minimum of two access points from public roads, one of which may be an emergency access road.

- (4) Maximum Lot Coverage: 50%. For purposes of this subsection, lot coverage shall be computed on the basis of all buildings and paving over the portion of the developable area as delineated by Subsection C(1) above and not on the basis of individual buildings upon individual lots, e.g. townhouses. There shall be no maximum floor area ratio applicable to properties within the ML-9 Zone.
- (5) Setback to property or lot lines for buildings: 50 feet
- (6) Scenic Corridor Buffer: 35 feet
- (7) Additional Area, Yard and Building Requirements:
 - a. Townhouses.
 - i. Front yard setback: 15 feet. Structure setbacks shall be measured from the sidewalk or curblin.
 - ii. Rear yard setback: 15 feet but not less than 50 feet between structures parallel to having window-to-window exposure.
 - iii. Side yard setback:
 - 1. 10 feet from all buildings and structures.
 - 2. 15 feet from all streets.
 - 3. 10 feet from all parking areas.
 - iv. Lot Size:
 - 1. Minimum 2,000 square feet in area.
 - 2. Minimum of 20 feet in width.
 - v. Maximum Number of Townhouse Units in One Building: 8.
 - b. Multifamily Housing Development.
 - i. No structure or building shall have more than 20 dwelling units.
 - ii. No structure or building shall exceed two hundred fifty (250) feet in length.
 - iii. Setback to property or lot lines: 50 feet.
 - iv. Setback requirements to roadways and parking areas:
 - 1. Building to interior roadways: 15 feet.
 - 2. Building to parking areas: 10 feet.
 - 3. Building to exterior public roadways: 50 feet.

- v. Minimum distance between buildings: 25 feet.
 - c. Notwithstanding anything to the contrary contained herein, parking, interior roadways, stormwater facilities and permitted accessory uses shall be permitted within required setbacks.
- (8) Maximum Height:
- a. Townhouse: 3 stories / 35 feet.
 - b. Multifamily Housing Development: 3 stories / 35 feet.
- (9) Off-Street Parking Requirements:
- a. Off-street parking shall be provided in spaces measuring not less than eighteen (18) feet by nine (9) feet for perpendicular parking stalls in accordance with N.J.A.C. 5:21, Residential Site Improvement Standards. Parking spaces for persons with disabilities shall be in accordance with the New Jersey Uniform Construction Code (N.J.A.C. 5:23-7) or the Americans with Disabilities Act,^[2] as applicable.
 - b. No structure or portion of a structure constructed as a private garage or storage area shall be converted into living area.
- (10) Open space requirement. Not less than 30% of the development site shall be devoted to Open Space (as defined in this chapter). Notwithstanding the foregoing, any outdoor recreational space proposed as part of a residential development shall be counted towards the Open Space requirement.
- (11) Provisions specifically waived or modified within the ML-9 zone.
- a. The provisions of Article XVIII, § 190-189 et seq., are waived or modified as follows: Subsections A, B and E are waived. Subsection D is modified to permit the following minimum gross habitable floor areas as provided for in the New Jersey Housing and Mortgage Finance Agency's Selection, Underwriting & Financing Guidelines & Policy for new construction:
 - i. Efficiency/Studio 550 sq. ft.
 - ii. One-Bedroom 600 sq. ft.
 - iii. Two-Bedroom 850 sq. ft.
 - iv. Three-Bedroom 1,150 sq. ft.
 - b. Subsection E of § 190-190 is waived; all other requirements of that subsection shall apply.

- c. Rental Unit Registration. Chapter 257 shall not apply to any dwelling units developed pursuant to this Ordinance. Such dwelling units and the owners thereof shall not be subject to the fees pursuant to Section 150-22. Notwithstanding the foregoing, upon issuance of a certificate of occupancy, each dwelling unit shall be registered with the Township, which registration shall be updated annually thereafter.
- d. Rent Control. Chapter 261 shall not apply to any dwelling units developed pursuant to this Ordinance.

D. Affordable Housing Requirements

- (1) Except as otherwise specified in this section Developer or Applicant shall comply with the Township’s Affordable Housing Ordinances. Developer shall satisfy the affordable housing obligation required in connection with the Project by setting aside at least fifty percent (50%) of all residential units developed for very low-, low- and moderate-income households as described herein (the “Affordable Units”).
- (2) All Affordable Units shall be non-age-restricted family rental units and shall fully comply with the Uniform Housing Affordability Controls, N.J.A.C. 5:80-26.1, et seq. (“UHAC”) and Section 42 of the Internal Revenue Code relative to Federal Low-Income Housing Tax Credits (“Section 42”), including but not limited to the required bedroom and income distribution, with the sole exception that thirteen percent (13%) of the Affordable Units within each bedroom distribution shall be required to be for very low income households earning less than thirty percent (30%) of the median income. In the event of any conflict between the requirements of UHAC and Section 42, Section 42 shall control. The Project, including the Affordable Units, shall substantially conform to the following bedroom distribution:

<u>Income Level</u>	<u>Number of Units</u>		
	<u>1 Bedroom</u>	<u>2 Bedroom</u>	<u>3 Bedroom</u>
<u>Very Low Income (811)</u>	<u>5</u>	<u>0</u>	<u>0</u>
<u>Very Low Income (30% AMI)</u>	<u>1</u>	<u>2</u>	<u>2</u>
<u>Low Income (50% AMI)</u>	<u>1</u>	<u>4</u>	<u>3</u>
<u>Moderate Income (60% AMI)</u>	<u>1</u>	<u>6</u>	<u>5</u>
<u>Market Rate</u>	<u>5</u>	<u>13</u>	<u>12</u>
<u>Total</u>	<u>13</u>	<u>25</u>	<u>22</u>

- (3) Further, the Affordable Units shall be subject to affordability controls of at least 30 years and affordable deed restrictions as provided for by UHAC, which may be extended pursuant to recorded Deed of Easement and Restrictive Covenant.
- (4) The Affordable Units shall be integrated with the market units to the extent possible, and the Affordable Units shall not be concentrated in separate building(s) or in separate area(s) from the market units. In buildings with multiple dwelling units, this shall mean that the Affordable Units shall be generally distributed within each building with market units. The residents of the Affordable Units shall have full and equal access to all the amenities, common areas, and recreation areas and facilities as the market units.

D. **Permitted Signage.** The following signs shall be permitted within the ML-9 Zone:

- (1) One freestanding, ground lit illuminated, double-sided sign, advertising the name and/or address of the residential development. The freestanding sign may not exceed 32 square feet in area and shall not exceed a height of 8 feet from ground level. All freestanding signs shall be at least 25 feet from all buildings, and shall be setback at least 15 feet from any lot line. Signage must be outside the sight triangle area as determined utilizing AASHTO guidelines
- (2) Two single-faced, freestanding, non-illuminated, temporary real estate signs of not more than 32 square feet for each sign; or, in lieu thereof, one double-faced sign of not more than 16 square feet of surface area for each face. Such sign or signs shall be permitted only in the case where it pertains to the lease or rental of the property on which it is located. No such sign shall be closer than 15 feet to any lot line. The overall height of each such sign shall not exceed a height of 8 feet from ground level. Each such sign shall be removed upon the leasing, or rental of the property.
- (3) Wayfinding signs, building identification signs, parking restriction and other community restriction signs shall be permitted throughout the ML-9 Zone.

E. **Application Requirements**

- (1) Any application for development for any portion of the ML-9 Zone shall be submitted in accordance with the site plan submission requirements of Chapter 190, except as hereinafter set forth.

(2) Notwithstanding other provisions of the Township Code regarding site plan submissions and submission requirements, applications for site plan approval in the ML-9 Zone shall be permitted to submit the following items as a condition of final site plan submission rather than as part of the preliminary site plan submission:

- i. Providing exterior material sample board for proposed buildings.
- ii. Environmental impact statement for projects in this zone shall be deemed satisfied by a summary letter from an environmental engineer detailing the general environmental conditions of the property, provided a valid wetlands letter of interpretation from the New Jersey Department of Environmental Protection is submitted along with either a preliminary assessment or Phase 1.
- iii. Application for sign permit.
- iv. Proof of application to the Monmouth County Planning Board.
- v. Proof of application to the Freehold Soil Conservation District.
- vi. Proof of application to the New Jersey Department of Transportation.
- vii. Proof of application to the New Jersey Department of Environmental Protection for either flood hazard area or freshwater wetlands permit or letter of interpretation.
- viii. Tree save and tree clearing plan per § 336-10. However, a heritage tree survey will be required as part of any preliminary application.
- ix. Proof of application to the Freehold Township Historic Preservation Committee.
- x. Off-site drainage and utility plans.
- xi. Center line profiles of streets bordering the site, if required by the Township Engineer.
- xii. Full soil boring logs. Test pits shall be sufficient for preliminary applications.
- xiii. Landscape plans. Applicants shall be required to provide preliminary landscaping plans as part of any preliminary application, which shall include the various species and the general planting locations; however, the full landscape plans, including final plant counts, shall not be required until submission of the final site plan application.
- xiv. Tree removal permit. While projects for low- and moderate-income rental apartments shall be required to provide and apply for tree removal permits as part of their final site plan application submission, it is agreed, due to the nature of those developments, said projects shall be limited to a permit fee of \$500 and not be required to make any restitution or repayments for the value of trees being removed, except as to heritage trees for which there will be a cap of \$30,000.

F. **Governmental subsidies.** Freehold Township shall take such steps as are necessary to assist the developer in obtaining state and/or federal subsidies for low- and moderate-income housing when such subsidies are sought by the applicant as a means to provide such housing.

G. **Elimination of Cost Generating Features.** It is further acknowledged that Section 14(b) of the Fair Housing Act N.J.S.A. 52:27D-301 et seq. incorporates the need to eliminate unnecessary cost-generating features from municipal land use ordinances. Accordingly, Freehold Township will eliminate development standards that are not essential in its reasonable opinion to protect the public welfare and to reasonably expedite or fast-track municipal approvals/denials on certain affordable housing developments.

VI.

Notice of this Ordinance shall be given in accordance with N.J. S. A 40:55D-62.1 at least 10 days prior to the hearing by the Township Clerk to the owners of all real property as shown on the current tax duplicates, located within 200 feet in all directions of Block 83, Lot 9 including a map delineating the proposed boundaries of the ML-9 Moderate and Low Income Housing Zone which is the subject of the hearing. Notice shall be given by mailing a copy thereof by verified mail and regular mail to the property owner at his address as shown on the said current tax duplicate. The notice requirements set forth herein are to govern the zone changes proposed under this Ordinance and do not govern any applications for development.

VII.

The Clerk shall execute affidavits of proof of service of the required public hearing on the proposed zoning ordinance change. Costs of the notice provision shall be the responsibility of the proponent of the proposed zoning amendment.

VIII.

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

IX.

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

X.

The ordinance shall take effect immediately upon passage, publication according to law, and filing with the Monmouth County Planning Board.

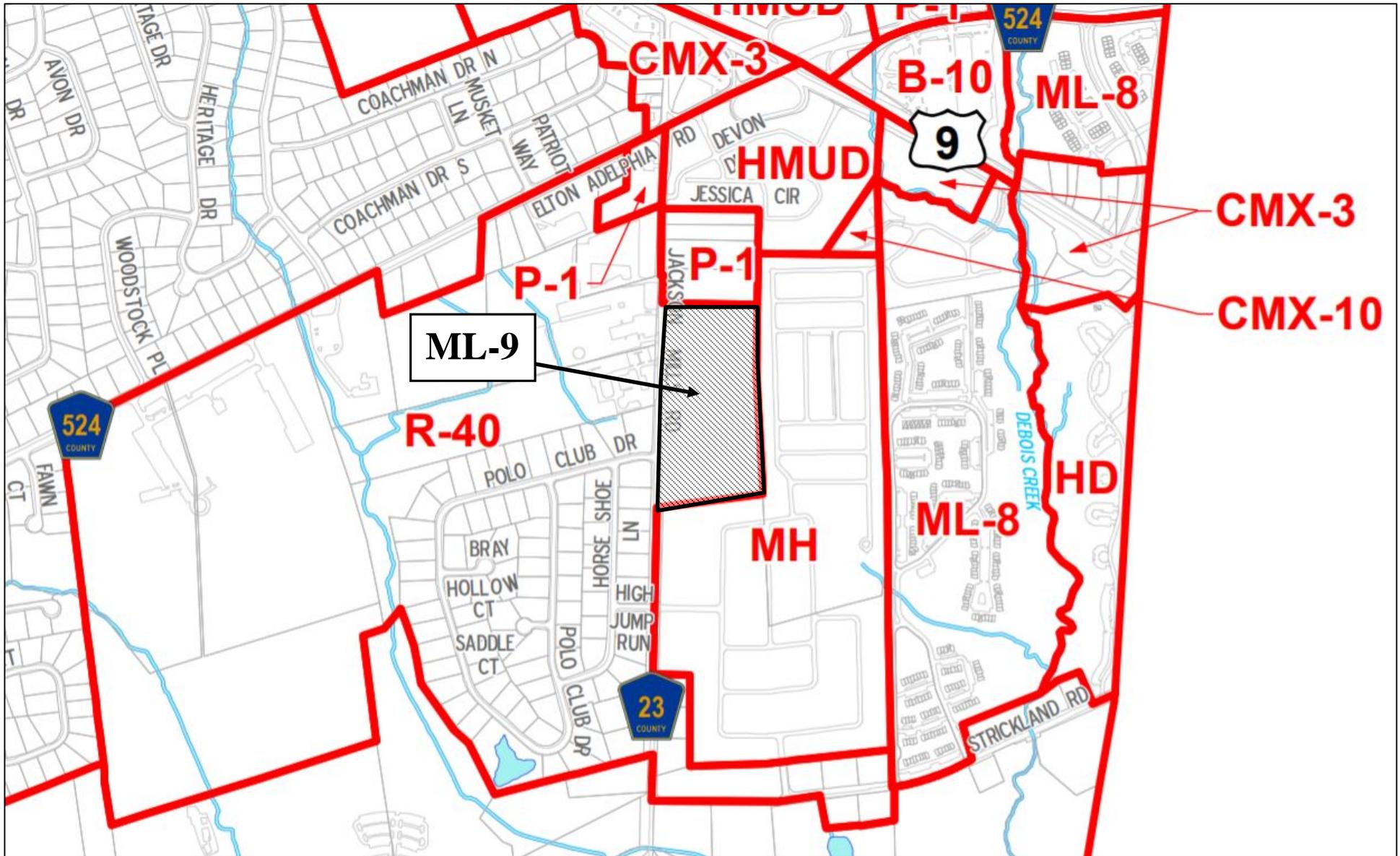
XI.

Copies of this ordinance shall be filed with the Freehold Township Clerk, Tax Assessor, Planning Board, Municipal Attorney, Township Engineer, Township Planners, Zoning Officer, Construction Official, Special Housing Counsel and the Court Appointed Special Master.

EXPLANATORY STATEMENT

The purposes of this Ordinance are: (1) to amend Chapter 190, Land Use, Article XI, Zones and Schedule of Requirements, to rezone and create the following new zoning district: “ML-9 Moderate- and Low-Income Housing Zone” to permit the development of multi-family, affordable housing on Lot 9 in Block 83 as depicted on Tax Map Sheet 38 consisting of approximately 17.44 acres on Jackson Mill Road north of Strickland Road; (2) To amend the Zoning Map to designate Block 83 Lot 9 as a ML-9 Moderate and Low-Income Zone and (3) To establish site development standards and affordable housing requirement for the ML-9 Zone including limiting the height of a multi-family building to 35 feet and three (3) stories and the number of multi-family, affordable units shall be limited to no more than 50% or 30 housing units.

APPENDIX A
ZONING MAP REVISION



Zoning Revision
 Block 83, Lot 9
 ML-9 - Moderate and Low Income Housing Zone
 55 Jackson Mills Rd.
 Freehold Township

Map not to scale

Prepared: April 20, 2021



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-21-90

Date of Adoption: April 27, 2021

TITLE: RESOLUTION DECLARING ACCEPTANCE AND FINAL PAYMENT OF CONTRACT 20-3; MICHAEL J. TIGHE PARK ADMINISTRATION BUILDING BATHROOM ADDITION AND ALTERATION

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

WHEREAS, a contract was awarded to EAJ Services, Inc. by Resolution R-20-81 on March 24, 2020 for the Michael J. Tighe Park Administration Building Bathroom Addition and Alteration in the amount of \$688,000.00; and,

WHEREAS, Change Order Number 1, in the amount of \$54,000.000 was authorized by Resolution R-20-115 on May 12, 2020, bringing the total Contract amount to \$742,000.00; and,

WHEREAS, the Township Engineer, by memorandum dated April 16, 2021, has advised that the above-referenced project has been completed in accordance with the terms of the bid specifications; and,

WHEREAS, EAJ Services, Inc. has submitted a One (1) Year Maintenance Bond in accordance with the terms of the bid specifications; and,

WHEREAS, 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;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold, based on the above referenced recommendation, accepts the public project known as Contract 20-3; Michael J. Tighe Park Administration Building Bathroom Addition and Alteration and authorizes final payment be made to EAJ Services;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Director of Finance, the Township Engineer, the Purchasing Agent and EAJ Services, Inc.

No. R-21-90

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

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-21-91

Date of Adoption: April 27, 2021

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 \$2,348,444.95 dated April 27, 2021 as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations subject to adoption of resolution authorizing expenditures.

No. R-21-91

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

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-21-92

Date of Adoption: April 27, 2021

**TITLE: RESOLUTION AMENDING HEALTH CARE BENEFITS BUY OUTS
PURSUANT TO CHAPTER 47, SUBSECTION 47-26 OF THE
REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF
FREEHOLD**

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

WHEREAS, on June 22, 1999, the Township Committee adopted an Ordinance on Health Care Benefits Buy Outs, of the Revised General Ordinances of the Township of Freehold; and,

WHEREAS, this section provides for payment to Township employees who are eligible for and who opted for health care coverage from a source other than the Township; and,

WHEREAS, providing for such incentive and payment is of monetary benefit to the Township and to the employee;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Freehold that the following employees are entitled to the following buy out payments for 2021 pursuant to the Ordinance in Chapter 47, Subsection 47-26:

Anthony Delle Chiaie	Removal	(opted in to insurance/no buyout)
Thomas Deveney	Health/Dental	\$825.00 revised due to resignation
Todd Feuster	Health/Dental	\$1,237.50 revised due to FT/PT
Matthew Horvath	Health/Dental	\$3,712.50 revised amount (pro-rated)
Jake McTigue	Health/Dental	\$4,950.00
Erik Stump	Health/Dental	\$3,712.50 (pro-rated)
Kevin Hobbs	Health/Dental	\$2,475.00 (pro-rated)
Jason Baratta	Health Only	\$3,200.00 (pro-rated)

No. R-21-92

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

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-21-93

Date of Adoption: April 27, 2021

**TITLE: RESOLUTION CANCELLING TAXES AND DISBURSING
OVERPAYMENTS OF TAXES**

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

WHEREAS, the Township of Freehold has entered into a PILOT Agreement with PIRHL Acquisitions, LLC in connection with the affordable housing units at Block 69.01 Lot 23; and,

WHEREAS, preliminary 2021 land taxes were billed and paid on Block 69.01 Lot 23; and,

WHEREAS, since the PILOT is up-and-running, the preliminary 2021 land taxes should be cancelled and refunded in the amount of \$2,788.45 and;

WHEREAS, land taxes billed in the 2021 Extended Duplicate for said property for Final 2021/Preliminary 2022 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.

No. R-21-93

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

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-21-94

Date of Adoption: April 27, 2021

**TITLE: RESOLUTION APPROVING FIREWORKS DISPLAYS AT THE
FREEHOLD TOWNSHIP DAY AND CONCERT IN THE PARK AT
MICHAEL J. TIGHE PARK**

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

WHEREAS, the Veterans Community Alliance, in partnership with the Township of Freehold, plans to hold Freehold Township Day and Concert in the Park at Michael J. Tighe Park on Saturday, July 10, 2021 (rain date Sunday, July 18, 2021); and,

WHEREAS, in conjunction with this event, an evening of fireworks displays has been planned at the Park; and,

WHEREAS, the Freehold Township Board of Parks and Recreation Commissioners has requested conceptual approval by the Township Committee for the fireworks displays; and,

WHEREAS, the review of the application for a fireworks permit has been directed to the Freehold Township Fire Official for his approval;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold does hereby approve, in concept, fireworks displays at Michael J. Tighe Park on the above named evening, subject to the strict adherence to all State and Municipal Ordinances regulating such activity, and subject to the approval of the Freehold Township Fire Official;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Freehold Township Fire Official, Police Chief, and Superintendent of Parks and Recreation.

No. R-21-94

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

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-21-95

Date of Adoption: April 27, 2021

TITLE: RESOLUTION APPROVING OVERNIGHT PLAY AT IPLAY AMERICA

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

WHEREAS, IPlay America submitted a request on April 15, 2021 for four (4) various dates for overnight play, as allowed by Township Ordinance O-11-24; and,

WHEREAS, the request included all the information that is required by Ordinance before it will be considered; and,

WHEREAS, the Chief of Police has reviewed these requests and has recommended that the Township Committee grant these requests:

Rancocas Valley High School- June 17, 2021 - 11:00 pm - 5:00 am
North Bergen High School - June 25, 2021 - 10:30 pm - 4:30 am
South Brunswick High School - June 22, 2021 - 11:00 pm - 5:00 am
North Hunterdon High School - June 16, 2021 - 11:00 pm -5:00 am

NOW, THEREFORE BE IT RESOLVED, that the Township Committee does hereby grant these one time overnight play events for the above listed organizations at IPlay America;

BE IT FURTHER RESOLVED, that the Township Clerk will send a certified copy of this Resolution to:

- a. IPlay America
- b. George Baumann, Chief of Police
- c. Peter R. Valesi, Township Administrator

No. R-21-95

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

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-21-96

Date of Adoption: April 27, 2021

TITLE: RESOLUTION AUTHORIZING EXECUTION OF A SHARED SERVICES AGREEMENT WITH BOROUGH OF HIGHLANDS FOR LICENSED OPERATIONAL SERVICES FOR HIGHLANDS BOROUGH UTILITIES

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

WHEREAS, the Township of Freehold is interested in continuing to provide Licensed Operational Services for Highlands Borough Utilities; and,

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

WHEREAS, Freehold Township and Highlands Borough have reached an Agreement detailing specifics of the services to be provided and costs for same;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that said Agreement is hereby authorized to be executed;

BE IT FURTHER RESOLVED that a copy of the Agreement shall be maintained in the Township Clerk's Office upon passage of this Resolution and available for public inspection;

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

BE IT FURTHER RESOLVED that a certified copy of the within Resolution and copy of the Agreement be forwarded to the Highlands Borough Administrator, Freehold Township Administrator, Freehold Township Superintendent of Utilities and Freehold Township Director of Finance.

No. R-21-96

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

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-21-97

Date of Adoption: April 27, 2021

TITLE: RESOLUTION AUTHORIZING EXECUTION OF AN AGREEMENT FOR PAYMENT IN LIEU OF TAXES PURSUANT TO N.J.S.A. 55:14K.1 ET SEQ. WITH PIRHL DEVELOPERS, LLC CONCERNING PROPERTY IDENTIFIED AS BLOCK 83, LOT 9 ON THE FREEHOLD TOWNSHIP TAX MAPS

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

WHEREAS, PIRHL Developers, LLC (“PIRHL”) proposes to construct and operate approximately sixty (60) units of family rental housing, of which at least fifty percent (50%) will be set aside for low and moderate income housing, together with such other improvements as may be necessary such as leasing offices, community meeting space, landscaping, curbing and paving (the “Project”), within the Township of Freehold (hereinafter referred to as the “Township”) on a site identified as Block 83, Lot 9 on the Official Tax Map of the Township of Freehold, County of Monmouth, New Jersey (the “Property”), pursuant to the provisions of the New Jersey Housing and Mortgage Finance Agency Law of 1983, as amended (N.J.S.A. 55:14K-1 et seq.) (the “HMFA Law”);

WHEREAS, the Project will help satisfy the Township’s “Mt. Laurel” affordable housing obligation;

WHEREAS, the Project will be subject to the requirements of the New Jersey Housing and Mortgage Finance Agency (the “HMFA”), including mortgage and loan documents executed pursuant to the HMFA Law;

WHEREAS, at least fifty percent (50%) of the sixty units of family rental housing in the Project will qualify as low and moderate income units under the Fair Housing Act, N.J.S.A. 52:27D-301 et seq. and the Uniform Housing Affordability Controls, N.J.A.C. 5:80-16.1 et seq.;

WHEREAS, the HMFA Law permits the governing body of a municipality in which a housing project financed by the HMFA is located to exempt such housing project from real property taxation if the housing project’s sponsor enters into an agreement (a “PILOT Agreement”) with the municipality for payments to the municipality in lieu of taxes for municipal services;

WHEREAS, the Mayor and Township Committee find that entering into a PILOT Agreement with PIRHL is necessary to assure implementation of the Project and the construction of the family rental housing, and have negotiated a PILOT Agreement with PIRHL consistent with HMFA Law and protocols that obligate PIRHL to pay an annual service charge of 5% of its Project revenues to the Township for a period of thirty years;

WHEREAS, PIRHL has provided an estimate of Project revenues and payments in lieu of taxation to the Township, it being acknowledged that the actual Project revenues and corresponding payments in lieu of taxation cannot be determined until the Project has been implemented and, further are subject to HMFA Law; and

WHEREAS, the Mayor and Township Committee deem it appropriate and in the best interests of the public to authorize and enter into a PILOT Agreement with PIRHL.

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

1. The preamble to this Resolution is hereby incorporated as if more fully set forth herein.

2. The Mayor and Clerk are hereby authorized to execute an Agreement for Payments in Lieu of Taxes with PIRHL, and the Mayor and Committee, in the form previously negotiated between the parties.

3. This Resolution is hereby adopted with the intent and purpose that from the date of execution of a mortgage from the HMFA, the proposed Project, including both the land and improvements thereon, will be exempt from real property taxation as provided in the HMFA Law, provided that payments in lieu of taxes for municipal services supplied to the Project are made to the municipality in the manner set forth in the attached Agreement for Payments in Lieu of Taxes.

4. The Township Committee hereby adopts the within Resolution and makes the determination and findings herein contained by virtue of, pursuant to, and in the conformity with the provisions of the HMFA Law with the intent and purpose that the HMFA shall rely thereon in making a mortgage loan to PIRHL, which shall construct, own and operate the Project.

ATTEST:

TOWNSHIP OF FREEHOLD

Sanabel Abouzeina, Township Clerk

Thomas L. Cook, Mayor

No. R-21-97

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

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-21-98

Date of Adoption: April 27, 2021

TITLE: RESOLUTION AUTHORIZING THE AWARD OF CONTRACT FOR MAINTENANCE AND REPAIR SUPPLIES FOR UNDERGROUND UTILITIES FOR THE UTILITIES DEPARTMENT

- - - RESOLUTION - - -

WHEREAS, the Township of Freehold has a need to purchase maintenance and repair supplies for underground utilities for the Utilities Department 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 in vendor aggregation; and

WHEREAS, the anticipated term of this contract is one (1) year; and

WHEREAS, Raritan Pipe & Supply Company can supply the Township with maintenance and repair supplies for underground utilities for the Utilities Department in an amount not to exceed \$42,000.00; and

WHEREAS, Raritan Pipe & Supply Company has completed and submitted a Business Entity Disclosure Certification which certifies that Raritan Pipe & Supply Company 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 Raritan Pipe & Supply Company from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has certified funds are available in the following Budget Accounts, contingent upon the necessary funds being appropriated by the Governing Body in the 2020 and 2021 Municipal Budget:

1-09-55-502-502-247; 2-09-55-502-502-247; 1-09-55-502-502-218;
2-09-55-502-502-218; 1-09-55-502-502-219; 2-09-55-502-502-219-
Not to Exceed \$42,000.00

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold authorizes a contract for the purchase of maintenance and repair supplies for underground utilities for the Utilities Department in an amount not to exceed \$42,000.00 with Raritan Pipe & Supply Company;

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Director of Finance, the Superintendent of Utilities, the Purchasing Agent and Raritan Pipe & Supply Company.

No. R-21-98

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

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-21-99

Date of Adoption: April 27, 2021

**TITLE: RESOLUTION AUTHORIZING THE AWARD OF A CONTRACT
FOR THE PURCHASE OF HORIZONTAL RECYCLER/GRINDER
PARTS FOR THE DEPARTMENT OF PUBLIC WORKS**

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

WHEREAS, the Township of Freehold has a need to purchase horizontal recycler/grinder parts for the Department of Public Works 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 anticipated acquisitions will not exceed that Township's bid threshold, but will exceed \$17,500 in vendor aggregation; and

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

WHEREAS, King Kong Tools LLC can supply the Township with horizontal recycler/grinder parts for the Department of Public Works in an amount not to exceed \$35,000.00; and

WHEREAS, King Kong Tools LLC has completed and submitted a Business Entity Disclosure Certification which certifies that King Kong Tools 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 King Kong Tools, LLC from making any reportable contributions through the term of the contract; and

WHEREAS, the Director of Finance has certified to the Township Clerk that funds are available in the following budget account:

G-02-41-717-708-309-Not to Exceed \$35,000.00

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold herein authorizes a contract for horizontal recycler/grinder parts for the Department of Public Works, in an amount not to exceed \$35,000.00, with King Kong Tools LLC;

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 King Kong Tools, LLC.

No. R-21-99

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

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-21-100

Date of Adoption: April 27, 2021

TITLE: RESOLUTION AMENDING RESOLUTION R-21-72 ADOPTED ON MARCH 23, 2021 AUTHORIZING CONTRACTS FOR SPORTS CAMP DIRECTOR SERVICES AS AN EXTRAORDINARY UNSPECIFIABLE SERVICE

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

WHEREAS, R-21-73 awarded Contracts for Sports Camp Director Services as an Extraordinary Unspecifiable Service to the following list of Sports Camp Directors:

Patriot Pride BB	John Sciarappa	Not to Exceed \$ 8,000.00
Sharp Shooters BB	Brian Golub	Not to Exceed \$12,000.00
Patriot Shooters BB	Brian Golub	Not to Exceed \$12,000.00
Pre-Season BB Clinic	John Sciarappa	Not to Exceed \$ 3,000.00
Spring Track & Field	Todd Briggs	Not to Exceed \$12,000.00
Summer Track & Field	Todd Briggs	Not to Exceed \$12,000.00
Fall Track & Field	Todd Briggs	Not to Exceed \$12,000.00
Cross Country Camp	Todd Briggs	Not to Exceed \$12,000.00, and,

WHEREAS, Patriot Shooters Basketball directed by Brian Golub has been cancelled and will no longer be offered for the 2021 summer camps; and,

WHEREAS, the Superintendent of Parks and Recreation, by memorandum dated April 19, 2021, has requested that an additional program be added to this contract as follows:

Patriot Soccer Camp	Dave Patterson & Joshua Mehl	Not to Exceed \$12,000.00
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WHEREAS, the Township's Director of Finance has certified to the Township Clerk that funds are available in the following Parks and Recreation Trust Account:

T-49-56-150-537-299

WHEREAS, the Local Public Contracts Law requires the Resolution authorizing the award of a contract for "extraordinary unspecifiable service" without competitive bids, together with the contract, be made available for public inspection; and

WHEREAS, the Superintendent of Recreation has certified that this circumstance meets the requirement of the law, specifically, N.J.A.C 5:34-2.1 et. seq. regarding the award of a contract (a copy of said Certification is annexed hereto) because the service rendered cannot be reasonably described by written specifications, and due to the expertise of the staff in providing a safe and enjoyable sport specific environment to large camp groups as described in the attached certification;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that Resolution R-21-72 is hereby amended to reflect the revisions stated above;

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

1. The Township Administrator is hereby authorized to execute a contract with Camp Directors in the amounts specified herein:

Patriot Soccer Camp	Dave Patterson & Joshua Mehl	Not to Exceed \$12,000.00
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2. These contracts are awarded without competitive bidding as an "extraordinary unspecifiable service" in accordance with N.J.S.A. 40A:11-5(1)(a) ii of the Local Public Contracts Law for the reasons set for above;

BE IT FURTHER RESOLVED that the Township Clerk is directed to do the following:

A. A notice of the passage of this Resolution to be published in an official newspaper of the municipality within 10 days of its passage;

B. Retain a copy of this Resolution, as well as a copy of the written contracts and the Recreation Superintendent's certification referred to herein, in the office of the Township Clerk;

C. Forward a copy of this Resolution, certified to be a true copy, to:

1. Dave Patterson and Joshua Mehl
2. New Jersey Dept. of Community Affairs, Division of Local Government Services
3. Township Chief Financial Officer
4. Township Superintendent of Parks and Recreation
5. Township Administrator
6. Township Purchasing Agent

No. R-21-100

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

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-21-101

Date of Adoption: April 27, 2021

TITLE: RESOLUTION EXTENDING CONTRACT 20-4; HEATING VENTILATION AND AIR CONDITIONING MAINTENANCE IN FREEHOLD TOWNSHIP FOR ONE (1) ADDITIONAL YEAR

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

WHEREAS, the Township of Committee awarded a One (1) Year Contract for Heating Ventilation and Air Conditioning Maintenance in Freehold Township to Automated Building Controls, Inc. by Resolution R-20-102; and,

WHEREAS, the Director of I.T. and Facilities has recommended that the above named Contract be extended for One (1) Year, due to high quality of work and reasonable pricing; and,

WHEREAS, the provisions of N.J.S.A. 40A:11-15(44) of the Local Public Contracts Law allow municipalities to extend a contract for an additional year upon a finding by the governing body that the services were performed in an effective and efficient manner; and,

WHEREAS, the Director of Finance has certified to the Township Clerk that funds are available in the Budget Accounts, contingent upon the necessary funds being appropriated by the Governing Body in the 2021 and 2022 Municipal Budgets:

1-01-26-310-310-210; 2-01-26-310-310-210
1-09-55-502-502-209; 2-09-55-502-502-209

NOW, THERFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby authorizes contract extension for Contract 20-4; Heating Ventilation and Air Conditioning Maintenance in Freehold Township in the estimated amount of \$72,000.00;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Director of Finance, the Director of I.T. and Facilities, the Purchasing Agent and Automated Building Controls, Inc.

No. R-21-101

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

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-21-102

Date of Adoption: April 27, 2021

**TITLE: RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S
AGREEMENT FOR REGENT OAKS AT FREEHOLD, SUBDIVISION
NO. 890-13, BLOCK 71, LOT 8**

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

WHEREAS, on June 18, 2015, the Freehold Township Planning Board granted preliminary and final major subdivision approval for Regent Oaks at Freehold, Subdivision No. 890-13, Block 71, Lot 8, located on US Highway 9; and

WHEREAS, in accordance with its 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 subdivision.

NOW, THEREFORE, BE IT RESOLVED by the 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 the Developer.

No. R-21-102

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

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-21-103

Date of Adoption: April 27, 2021

TITLE: RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT FOR REGENT OAKS AT FREEHOLD (CLUBHOUSE), SITE PLAN NO. 854-14, BLOCK 71, LOT 8

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

WHEREAS, on June 18, 2015, the Freehold Township Planning Board granted preliminary and final major site plan approval for Regent Oaks at Freehold (Clubhouse), Site Plan No. 854-14, Block 71, Lot 8, located on US Highway 9; and

WHEREAS, in accordance with its 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 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 the Developer.

No. R-21-103

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

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