

ORDINANCE NO. O-15-4
TOWNSHIP MEETING DATE - January 27, 2015

ORDINANCE AMENDING CHAPTER 190 (LAND USE), ARTICLE XII (GENERAL ZONING PROVISIONS), SECTION 190-116 (OUTDOOR STORAGE, SALES AND DISPLAY OF GOODS) AND SECTION 190-146 (CORPORATE MULTI-USE DEVELOPMENT ZONES CMX-10, CMX-4, CMX-3 AND CMX-2) 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, State of New Jersey, as follows (additions are underlined, and deletions are in [brackets]):

I

Chapter 190, Land Use, Article XII, General Zoning Provisions, Section 190-116, Outdoor storage, sales and display of goods, is hereby amended to read as follows:

190-116 Outdoor storage, sales and display of goods.

A. Site plan review and approval shall be required for all outdoor storage, sales, and display areas as specified in § 190-37 of this chapter. Nothing shall be stored, sold or displayed out of doors for any purpose except in compliance with the following provisions:

(1) New or used automobiles on display for sale or awaiting delivery may be stored out of doors as a permitted accessory use to a ~~new car dealership~~ New Car Dealership in accordance with §190-146B(9) for any indefinite period of time, provided that the automobiles are in operating condition and further provided that they shall be stored on a paved area constructed to the standards established by this chapter. Automobiles shall not be stored or displayed on access drives or within parking areas designated for customer and employee parking. Automobiles shall not be placed on display ramps or on lawns or other landscaped areas.

(2) - (5)- No change.

B. - D. - No change.

II

Chapter 190, Land Use, Article XII, General Zoning Provisions, Section 190-146, Corporate Multi-Use Development Zones CMX-10, CMX-4, CMX-3 and CMX-2, is hereby amended to read as follows:

190-146 Corporate Multi-Use Development Zones CMX-10, CMX-4, CMX-3 and CMX-2.

A. - No change.

B. Permitted uses. Permitted uses are limited to those included in the North American Industrial Classification System (NAICS) group or classification indicated. NAICS codes are based on North American Industrial Classification Manual of 1997 approved by the United States Office of Management and Budget:

(1) - (8) - No change.

(9) Within the CMX-3/A Zone only, New Car Dealers (NAICS 441110). No more than 30% of a New Car Dealer's displayed inventory may consist of second-hand or used automobiles.

(910) Corporate office uses including or similar to permitted uses listed in Subsection B(1) through (89) above.

(1011) Conference and convention centers.

(1112) Within the CMX-3/A Zone only, motor vehicle showrooms, offices and mechanical repair and maintenance service facilities.

(~~1213~~) Within the CMX-2 and the CMX-4 Zones only, permitted uses shall also include:

- (a) Hotels and motels with a minimum of 100 rooms.
- (b) Conference facilities.

(~~1314~~) Within the CMX-2 and CMX-3, only permitted uses shall also include houses of worship provided that the front yard setback shall be a minimum of 100 feet and the side yards shall be a minimum of 75 feet.

(~~1415~~) Within the CMX-3 Zone, integrated limited business and support services. In addition to the permitted uses in the CMX-3 Zone listed above, integrated limited business and support services may be permitted as an office/commercial planned development option within the CMX-3 Zone in accordance with the provisions of N.J.S.A. 40:55D-65c as part of a planned development to include uses permitted under § 190-146B(1) through (~~1011~~) and uses permitted within Subsection B(~~1415~~)(a) of this section [§ 190-146B(~~1415~~)(a)] and conditional uses permitted under § 190-146C in accordance with the following:

- (a) - No change.
- (b) Bulk, architectural and tract area requirements for:

[1] - [2] - No change.

[3] The floor area approved for an integrated limited business and support services planned development comprised of non-office uses shall not exceed 30% of the total approved floor area. Permitted uses in Subsection B(1) through (~~1314~~) and permitted conditional uses shall not be classified as non-office uses for purposes of this calculation.

[4] Applicants for integrated business and support services planned developments shall submit a schedule of development providing a phasing plan of permitted uses, conditional uses, office and non-office uses based upon the gross leasable floor areas for each category of use. Non-office uses as calculated in Subsection B(~~1415~~)(b)[3] shall not exceed 65% of any construction phase within an approved limited business and support services planned development.

[5] - [10] - No change.

(~~1516~~) Fitness and recreational sports centers (NAICS 713940).

C. - F. - No change.

III

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

IV

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

V

This Ordinance shall take effect upon adoption and publication according to law and filing with the Monmouth County Planning Board.

EXPLANATORY STATEMENT:

The purpose of this Ordinance is to establish the amount of display area to be devoted to second-hand or used automobiles.

ORDINANCE NO. O-15-5
TOWNSHIP MEETING DATE – February 10, 2015

AN ORDINANCE AMENDING CHAPTER 190, LAND USE, OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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

I

Chapter 190, Land Use, Article XIII, Zone Regulations, Section 190-159, Village Center Zone, is hereby amended to read as follows:

190-159. Village Center Zone

A. – C. No change.

D. The maximum permitted floor area in the Village Center planned development shall be 500,000 square feet, with a maximum of 403,573 square feet being utilized for retail. A minimum of ~~60%~~ 90% of the retail space shall be comprised of stores with a minimum of 60,000 square feet, and the balance of the planned development comprised of stores with a minimum of ~~20,000~~ 9,000 square feet. If less than 403,573 square feet is proposed for retail use, the square footage not so utilized may be utilized for office, hotel/motel and/or restaurant uses. This additional 3,573 square feet does not increase the total development size beyond the 500,000 square feet provided for in this Subsection D. Restaurants, banks and financial institutions are not retail uses. Multiple retail stores, restaurants and/or banks and financial institutions can be located in a single multitenant building, provided that said building and said retail stores, restaurants, and/or banks and financial institutions otherwise conform to the requirements of §190-159.

E. – L. No change.

II

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

III

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.

IV

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

V

Copies of this ordinance shall be filed with the Freehold Township Clerk, Tax Assessor, Planning Board, Board of Adjustment, Municipal Attorney, Township Engineer, Township Planner, Zoning Officer and Construction Official.

EXPLANATORY STATEMENT

The purpose of this Ordinance is to amend Chapter 190, Land Use, by amending the requirements in the Village Center Zone to increase the percentage of retail space that shall be comprised of stores with a minimum of 60,000 square feet from 60% to 90% while reducing the minimum size requirement for retail stores to 9,000 square feet.



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-15-64

Date of Adoption: March 10, 2015

**TITLE: RESOLUTION AUTHORIZING ACCEPTANCE OF CONTRACT 14-7
JOYSAN PUMP STATION PUMP AND MOTOR REPLACEMENTS**

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

WHEREAS, a Contract was awarded to KRS Services, Inc., by Resolution R-14-208 on September 23, 2014, for the Joysan Pump Station and Motor Replacements in the amount of \$76,294.00; and

WHEREAS, the Township's Professional Engineer, Hatch Mott MacDonald, by letter dated February 18, 2015, and the Superintendent of Utilities, by memorandum dated February 23, 2015, advise that all work on the above-referenced Project has been completed; and

WHEREAS, KRS Services, Inc. has submitted a one-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 recommendations, accepts the public Project known as Contract 14-7 and authorizes final payment be made to KRS Services, Inc.;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Director of Finance, the Township's Professional Engineer-Hatch Mott MacDonald, the Superintendent of Utilities, the Purchasing Agent and KRS Services, Inc.

No. _____

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mrs. McMorrow							
Mr. Preston							
Mr. Salkin							
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-15-65

Date of Adoption: March 10, 2015

TITLE: RESOLUTION APPROVING CONSOLIDATED BILLS LIST

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

BE IT RESOLVED by the Township Committee of the Township of Freehold that the vouchers listed on the Consolidated Bill List, in the amount of \$8,620,932.39 dated March 10, 2015, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

No. R-15-

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mrs. McMorrow							
Mr. Preston							
Mr. Salkin							
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-15-66

Date of Adoption: March 10, 2015

TITLE: RESOLUTION AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH RCC CONSULTANTS, INC. FOR RADIO FREQUENCY CONSULTANT SERVICES

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

WHEREAS, the Township of Freehold has a need to acquire the services of various professionals and consultants to advise the Township Committee and Administration, and perform such professional services as may be required, pursuant to NJSA 19:44A-20.5 et seq., thereby assuring that the parties awarded the Contracts will continue to be restricted in its political contributions under the State Pay to Play Law; and,

WHEREAS, at this time, the Township of Freehold may require the services of a Radio Frequency Consultant; and,

WHEREAS, the Purchasing Agent has certified that the cost of this Contract may or will exceed \$17,500.00; and,

WHEREAS, the Township Committee is awarding this Contract under a "fair and open process" that has included public solicitation of qualifications; and,

WHEREAS, a publicly advertised request for qualifications was posted on the Township's website on February 6, 2015; and on February 19, 2015, proposals were publicly opened for 2015 Professional Services-Radio Frequency Consultant; and,

WHEREAS the Chief Financial Officer shall certify the availability of funds on an as-needed basis, should the Township require the services provided by these professionals; and,

WHEREAS, the Freehold Township Committee has determined that the following proposal shall best serve the needs of the Township;

RCC Consultants, Inc. - Radio Frequency Consultant

NOW, THEREFORE, BE IT RESOLVED that the Freehold Township Committee herein authorizes the above Contract; and,

BE IT FURTHER RESOLVED that the above appointment shall be for the year ending December 31, 2015. This appointment has been made without competitive bidding as "professional services" under the provisions of the Local Public Contracts Law because the services to be performed are to be performed by recognized professionals licensed and/or regulated by law;

BE IT FURTHER RESOLVED that this proposal and agreement shall be on file in the Township Clerk's Office;

BE IT FURTHER RESOLVED that notice of this appointment shall be published as required by law within ten days of the passage of this Resolution;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution shall be forwarded to the Township Administrator, the Township Engineer and the Contractor.

No. _____

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mrs. McMorrow							
Mr. Preston							
Mr. Salkin							
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-15-67

Date of Adoption: March 10, 2015

TITLE: RESOLUTION - TRANSFER OF APPROPRIATION RESERVES

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

WHEREAS, various 2014 bills have been presented for payment this year, which bills represent obligations of the prior year and were not recorded at the time of transfers between the 2014 Municipal Budget in the last two months of 2014; and

WHEREAS, N.J.S. 40A:4-59 provides that all unexpended balances carried forward after the close of the year are available, until lapsed at the close of the succeeding year, to meet specific claims, commitments or contracts incurred during the preceding year, and allow transfers to be made from unexpended balances to those which are expected to be insufficient during the first three months of the succeeding year;

NOW, THEREFORE BE IT RESOLVED by the Township Committee of the Township of Freehold, in the County of Monmouth, State of New Jersey, (2/3 of the majority of the full membership concurring herein) that the transfers in the amount of \$4,500.00 be made between the 2014 Budget Appropriation Reserves as follows:

	FROM	TO
Buildings and Grounds		
Salaries and Wages	\$ 4,500.00	
Other Expenses		\$ 4,500.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Chief Financial Officer.

No. _____

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mrs. McMorrow							
Mr. Preston							
Mr. Salkin							
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-15-68

Date of Adoption: March 10, 2015

TITLE: RESOLUTION AUTHORIZING EXECUTION OF A DEVELOPER'S AGREEMENT FOR SOLNISHKA, LLC (KIDDIE ACADEMY), BLOCK 69, LOT 36.09, SITE PLAN NO. 853-14 (ZONING BOARD NO. 11-14)

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

WHEREAS, on December 11, 2014, the Freehold Township Zoning Board of Adjustment granted final site plan approval to Gibson Medical, LLC, Site Plan No. 853-14, (Zoning Board No. 11-14), Block 69, Lot 36.09, located on Gibson Place; and

WHEREAS, subsequent to granting site plan approval by the Zoning Board of Adjustment, Block 69, Lot 36.09 was purchased by Solnishka, LLC and all rights and responsibilities under the original site plan approval were assigned to Solnishka, LLC; and

WHEREAS, in accordance with its Zoning Board of Adjustment 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 Zoning Board of Adjustment.

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 Zoning Board, Township Construction Official and the Developer.

No. _____

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

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