

ORDINANCE NO. O-17-13

TOWNSHIP MEETING DATE - October 10, 2017

ORDINANCE AUTHORIZING SALE OF AN UNDERSIZED PARCEL OF REAL PROPERTY (BLOCK 43, LOT 37) TO CONTIGUOUS PROPERTY OWNERS PURSUANT TO N.J.S.A. 40A:12-13(b) (5)

I

WHEREAS, the Township of Freehold is the owner of Block 43, Lot 37 consisting of approximately 1.27 acres, located on Center Street, in the Township of Freehold; and

WHEREAS, the parcel proposed for sale is less than the minimum size required for development, is without capital improvement thereon and is an irregularly shaped parcel; and

WHEREAS, the following lots are adjacent:

1. Block 43, Lot 35 - Iron Mountain Information Management, LLC
1 Federal Street, Boston, MA 02110
2. Block 43, Lot 38 - DCH Investments, Inc.
150 N. Bartlett Street, Medford, OR 97501

WHEREAS, with the restrictions and conditions set forth herein, it is the opinion of the Township Committee that the fair market value is \$25,000.00; and

WHEREAS, it is the desire of the Township Committee to have the property restored to the tax rolls; and

WHEREAS, N.J.S.A. 40A:12-13(b) (5) allows for the sale of undersized parcels to contiguous property owners.

NOW THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Freehold that it authorizes the Mayor and Township Clerk to execute any and all documents necessary to effectuate a sale and transfer of title to the subject property to the highest bidder of the contiguous property owners.

BE IT FURTHER ORDAINED by the Township Committee of the Township of Freehold that such conveyance will be made subject to each of the following:

1. Easements and restrictions of record, if any.
2. Zoning Ordinance.
3. Environmental factors such as, but not limited to wetlands.
4. Such facts as an accurate title search and accurate survey would disclose.
5. The lot to be sold shall be consolidated with the contiguous property of the successful bidder.
6. All provisions of this Ordinance shall merge with and become part of the instrument of conveyance from the Township to the successful bidder.
7. Conveyance shall be made by Quit Claim Deed from the Township to the successful bidder.

BE IT FURTHER ORDAINED that in compliance with N.J.S.A. 40A:12-13, a notice of this sale shall be posted by the Township Clerk on the bulletin board in the Municipal Building and published in an official newspaper of the municipality within five (5) days of the adoption of this Ordinance.

BE IT FURTHER ORDAINED that the Township Clerk mail a copy of this Ordinance to the two contiguous property owners upon introduction of this Ordinance.

BE IT FURTHER ORDAINED that in the event that within twenty (20) days from the date of the publication of notice, the Township does not receive an offer to purchase the property for a consideration equal to or greater than \$25,000.00, subject to all of the aforementioned restrictions, this Ordinance shall be of no effect.

BE IT FURTHER ORDAINED that in the event that within twenty (20) days from the date of the publication of notice, the Township does receive an offer to purchase the property for a consideration equal to or greater than \$25,000.00, subject to all of the aforementioned restrictions, the Township Attorney is authorized to prepare the necessary documents to effectuate the transfer of title to the highest bidder.

BE IT FURTHER ORDAINED that the Township Clerk is hereby directed to file the following documents with the Director of the Division of Local Government Services in the Department of Community Affairs at 101 South Broad Street, CN 803, Trenton, New Jersey 08625-0803:

1. A true copy of this Ordinance.
2. Affidavit verifying the publication of the aforementioned notice.
3. Affidavit of the Township Clerk verifying the posting of the aforementioned notice in the Municipal Building.

II

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

EXPLANATORY STATEMENT

This Ordinance authorizes the sale of Block 43, Lot 37 consisting of approximately 1.27 acres located on Center Street to the highest bidder from among the contiguous property owners.

NOTICE

Take notice that on October 24, 2017 the Freehold Township Committee adopted Ordinance No. O-17-13 entitled "An Ordinance Authorizing Sale of an Undersized Parcel of Real Property to Contiguous Property Owners" (the "Ordinance") which provided for the sale of 1.27 acres of land, known as Block 43, Lot 37 (the "Property"). The sale, pursuant to N.J.S.A. 40A:12-13(b)(5), is offered to contiguous property owners for the highest bid at or in excess of \$25,000.00. The Property is nonconforming as to size, frontage and access, has no capital improvements and is not needed for public use. The successful bidder will consolidate the Property with its existing contiguous property. A copy of the adopted Ordinance is available for review at the Township Clerk's Office, Freehold Township Municipal Building, One Municipal Plaza, Freehold, New Jersey 07728, during regular business hours or can be viewed on-line at <http://twp.freehold.nj.us>.

If a contiguous property owner desires to purchase the Property, pursuant to the conditions in the Ordinance, for an amount at or in excess of \$25,000.00, such person or entity should set forth such offer in writing addressed to the Township Clerk and assure receipt by the Clerk of such written offer on or before twenty (20) days from the date of this publication.

ORDINANCE NO. O-17-14
TOWNSHIP MEETING DATE - October 10, 2017

ORDINANCE AMENDING CHAPTER 150, SECTION 150-54, FIRE PREVENTION, 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 150, Fees, Section 150-54, Fire Prevention, is hereby amended to read as follow:

150-54 **Fire Prevention.**

A. No change.

B. [~~Life hazard user inspections~~] Special Fire Permits.

Type	Fee
Type 1	[\$35] <u>\$54</u>
Type 2	[\$138] <u>\$214</u>
Type 3	[\$276] <u>\$427</u>
Type 4	[\$414] <u>\$641</u>

II

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

III

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

IV

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

Explanatory Statement:

This Ordinance updates fees for Chapter 150-54, Fire Prevention.



Resolution of the Township of Freehold

Monmouth County, New Jersey

No: R-17-236

Date of Adoption: October 24, 2017

TITLE: RESOLUTION AUTHORIZING CHANGE ORDER NO. 1 AND DECLARING ACCEPTANCE OF THE CONTRACT FOR THE 2017 BASKETBALL AND TENNIS COURT IMPROVEMENTS (VARIOUS PARK LOCATIONS)

--- RESOLUTION ---

WHEREAS, a Contract was awarded to Viviano Construction, LLC by Resolution R-17-102 on April 25, 2017 for the 2017 Basketball and Tennis Court Improvements (Various Park Locations) in the amount of \$221,237.50; and,

WHEREAS, the Township Engineer, by memorandum dated October 11, 2017, recommends Change Order No. 1 in the amount of \$3,562.50 reflecting items over and under Contract quantities, thereby bringing the total Contract amount to \$224,800.00 and has advised that the above-referenced project has been completed, contingent upon receipt of a one-year Maintenance Bond in accordance with the terms of the bid specifications;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold, based on the above referenced recommendations, authorizes Change Order No. 1 in the amount of \$3,562.50, accepts the public project known as 2017 Basketball and Tennis Court Improvements (Various Park Locations) and authorizes final payment to Viviano Construction, LLC;

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 Viviano Construction, LLC.

No. R-17-236

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

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-17-237

Date of Adoption: October 24, 2017

TITLE: RESOLUTION APPROVING CONSOLIDATED BILLS LIST

--- RESOLUTION ---

BE IT RESOLVED by the Township Committee of the Township of Freehold that the vouchers listed on the Consolidated Bills List, in the amount of \$3,012,114.77 dated October 24, 2017, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations.

No. R-17-237

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

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-17-238

Date of Adoption: October 24, 2017

TITLE: RESOLUTION AUTHORIZING ANNUAL WAIVER OF WATER AND SEWER SERVICE FEE INCREASE FOR 2018, AUTHORIZING WATER AND SEWER RATE FREEZE FOR CALENDAR YEAR 2018

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

WHEREAS, Freehold Township Ordinance provides for annual water and sewer fee increases of 1.4% as of March 1 of each calendar year; and,

WHEREAS, the Township Committee may consider a waiver of this increase by Resolution of the Governing Body; and,

WHEREAS, the Township Administrator has advised that no annual increase is necessary for calendar year 2018 due to the current financial position of the Water and Sewer Utility, and the current near term financial outlook;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that, pursuant to Freehold Township Code Sections 150-6.3B1, (1) and 150-59A1, (1) annual increases in Water and Sewer Service Fees are hereby waived for 2018, and will remain at the 2017 rates throughout the 2018 calendar year;

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to the Township Administrator, Township Attorney, Township Superintendent of Utilities, Township Director of Finance and Township Tax Collector.

No. R-17-238

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

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-17-239

Date of Adoption: October 24, 2017

TITLE: RESOLUTION APPROVING THE SUBMISSION OF A GRANT APPLICATION AND EXECUTION OF A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR ROADWAY PRESERVATION PROJECTS: MA-2018 - IRON BRIDGE ROAD - PHASE I-00681 AND MA-2018 - DOUBLE CREEK PARKWAY - PHASE 2-00676

--- RESOLUTION ---

NOW, THEREFORE, BE IT RESOLVED that the Freehold Township Committee formally approves the Grant Application for the above stated projects;

BE IT FURTHER RESOLVED that the Township Mayor and Clerk are hereby authorized to submit an electronic Grant application identified as MA-2018 - IRON BRIDGE ROAD (MONMOUTH COUNTY ROUTE 537/WEST MAIN STREET TO TOTEM ROAD (COUNTY CULVERT F-36) - PHASE I-00681 AND MA-2018 - DOUBLE CREEK PARKWAY (STILLWELLS CORNER ROAD TO IVY ROAD) - PHASE 2-00676 to the New Jersey Department of Transportation on behalf of the Township of Freehold;

BE IT FURTHER RESOLVED that the Township Mayor and Clerk are hereby authorized to sign the Grant Agreement on behalf of the Township of Freehold and that their signatures constitute acceptance of the terms and conditions of the Grant Agreement and approves the execution of the Grant Agreement;

BE IT FURTHER RESOLVED that three (3) certified copies of the within Resolution shall be forwarded to the New Jersey Department of Transportation, and one (1) copy each to the Township Administrator, Township Engineer and Township Director of Finance.

I do hereby certify that the foregoing is a true copy of the Resolution adopted at a Meeting of the Freehold Township Committee held on October 24, 2017.

Signed _____ Date _____

My signature and the Clerk's seal serve to acknowledge the above Resolution and constitute acceptance of the terms and conditions of the Grant Agreement and approve the execution of the Grant Agreement as authorized by the Resolution above.

Theresa Patino, Township Clerk

Lester A. Preston, Jr., Mayor

No. R-17-239

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

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-17-240

Date of Adoption: October 24, 2017

TITLE: RESOLUTION - RENEWAL OF 2017-2018 LIQUOR LICENSE FOR BK THICK SHAKE, LLC - LICENSE #1316-33-002-005 (POCKET LICENSE)

--- RESOLUTION ---

WHEREAS, BK Thick Shake, LLC, c/o Bruce Blackmore, 401 South Palm Ave., Unit 702, Sarasota, Florida 34236 submitted the renewal application and appropriate fees for the renewal of the liquor license; and,

WHEREAS, the Division of Alcoholic Beverage Control has granted approval in the matter of application to Permit the Renewal of an Inactive License Pursuant to N.J.S.A. 33:1-12.39 for the 2017-2018 License Term for License #1316-33-002-005;

NOW, THEREFORE BE IT RESOLVED that the renewal of the liquor license for 2017-2018 for BK Thick Shake, LLC, (Consumption) (Pocket) License 1316-33-002-005, is hereby approved.

BE IT FURTHER RESOLVED that the Township Clerk shall send certified copies of this Resolution to the following:

- A. Division of Alcoholic Beverage Control
- B. BK Thick Shake, LLC
- C. Robert Munoz, Esq., Township Attorney
- D. R. Gelber, Freehold Township Police

No. R-17-

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

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-17-241

Date of Adoption: October 24, 2017

TITLE: RESOLUTION AMENDING 2017 BUDGET (CHAPTER 159) TO INSERT A MODIFICATION TO THE SPECIAL ITEM OF REVENUE AND APPROPRIATIONS FOR THE 2017 STATE BODY ARMOR REPLACEMENT FUND GRANT

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

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

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

WHEREAS, the Township of Freehold has received notice of an award of \$5,883.12 from the State of New Jersey, Department of Law and Public Safety, Division of Criminal Justice for State Body Armor Replacement Grant and wishes to amend the 2017 Budget to include this a amount as a revenue;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold, in the County of Monmouth, State of New Jersey, hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the budget of the year 2017 in the sum of \$5,883.12 which is now available as revenue from:

Miscellaneous Revenues:

Section F: Special Items of General Revenue Anticipated
with prior written consent of the Director
of the Division of Local Government Services:

Public and Private Revenues Offset with Appropriations:
2017 State Body Armor Replacement Grant

BE IT FURTHER RESOLVED that a like sum of \$5,883.12 is hereby appropriated under the caption of:

General Appropriations:

- (a) Operations excluded from "CAPS"
 - Public & Private Programs Offset by Revenues
 - 2017 State Body Armor Replacement

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

BE IT FURTHER RESOLVED that the Township Clerk forward copies of this Resolution to Township Administrator, Chief of Police or his designee and Director of Finance.

No. R-17-241

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

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-17-242

Date of Adoption: October 24, 2017

TITLE: RESOLUTION CERTIFYING TAX LIENS FOR SIDEWALK REPAIR

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

WHEREAS, the Township Engineer has certified costs incurred by the Township of Freehold to repair sidewalks abutting certain properties within the Township; and,

WHEREAS, three owners have failed to reimburse the Township pursuant to offer made;

NOW, THEREFORE, BE IT RESOLVED by the Freehold Township Committee that the amounts set forth on the attached Certification of the Township Engineer are hereby certified to the Township Tax Collector to be imposed upon the real property identified in the Township Engineer's Certification;

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

No. R-17-242

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

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-17-243

Date of Adoption: October 24, 2017

TITLE: RESOLUTION AUTHORIZING A CONTRACT FOR UNIFORM DRY CLEANING AND ALTERATIONS FOR THE POLICE DEPARTMENT

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

WHEREAS, the Township of Freehold has a need for Uniform Dry Cleaning and Alterations for the Police 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 \$17,500.00 in vendor aggregation; and,

WHEREAS, the anticipated term of this contract is for 1 year; and,

WHEREAS, Hometown Cleaners, Inc. can supply the Township with the required services for a cost not to exceed \$40,000.00; and,

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

WHEREAS, the Director of Finance has certified to the Township Clerk that additional funds are available in the following Budget Accounts contingent upon the necessary funds being appropriated by the Governing Body in the 2018 Municipal Budget:

7-01-25-240-240-212

8-01-25-240-240-212

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold herein authorizes a Contract for Uniform Dry Cleaning and Alterations for the Police Department with Hometown Cleaners, Inc. in an amount not to exceed \$40,000.00;

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Director of Finance, the Chief of Police, the Purchasing Agent and Hometown Cleaners, Inc.

No. R-17-243

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

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-17-244

Date of Adoption: October 24, 2017

TITLE: RESOLUTION AUTHORIZING A CONTRACT FOR THE PURCHASE OF SODIUM CHLORIDE (ROCK SALT) THROUGH THE MONMOUTH COUNTY COOPERATIVE PRICING SYSTEM

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

WHEREAS, the Township of Freehold is a member of the Monmouth County Cooperative Pricing System; and,

WHEREAS, a Contract was awarded for the above referenced materials by the County of Monmouth as the Lead Agency for the Monmouth County Cooperative Pricing System, of which the Township of Freehold is an active participant, as authorized by N.J.S.A. 40A:11-11(6); and,

WHEREAS, the aforementioned bids were forwarded to the Township of Freehold to provide:

Sodium Chloride (Rock Salt) - Contract No. F-41-2016
\$72.09 per ton

Morton Salt, Inc.
123 N. Wacker Drive
Chicago, IL 60606

WHEREAS, the Director of Finance has certified to the Township Clerk that funds are available in the following Budget accounts contingent upon the necessary funds being appropriated by the Governing Body in the 2018 Municipal Budget:

7-01-26-291-291-239; T-22-56-856-000-029; 8-01-26-291-291-239

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold herein authorizes a Contract for the Purchase of Sodium Chloride (Rock Salt) with Morton Salt, Inc., in an amount not to exceed \$216,270.00 in 2017 and \$82,500.00 in 2018;

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

No. R-17-244

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

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-17-245

Date of Adoption: October 24, 2017

**TITLE: RESOLUTION DECLARING ACCEPTANCE OF CONTRACT 17-11
FOR PAVILION INSTALLATION AT MICHAEL J. TIGHE PARK**

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

WHEREAS, a Contract was awarded to Whirl Construction, by Resolution R-17-128 on May 23, 2017, for Pavilion Installation at Michael J. Tighe Park in the amount of \$26,100.00; and,

WHEREAS, the Superintendent of Parks and Recreation, by Memorandum dated October 9, 2017, recommends acceptance and final payment of \$26,100.00, as said project is complete;

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 Pavilion Installation at Michael J. Tighe Park and authorizes final payment to Whirl Construction;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Director of Finance, the Superintendent of Parks and Recreation, the Purchasing Agent and Whirl Construction.

No. R-17-245

VOTE OF THE TOWNSHIP COMMITTEE							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. McMorrow							
Mr. Salkin							
Mayor Preston							
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-17-246

Date of Adoption: October 24, 2017

**TITLE: RESOLUTION AMENDING RESOLUTION R-17-173 AND
AUTHORIZING ADDITIONAL FUNDS TO THE CONTRACT FOR
AS-NEEDED REPAIRS AND INSTALLATION OF WATER AND
SEWER SYSTEM COMPONENTS AND EMERGENCY SERVICE**

--- RESOLUTION ---

WHEREAS, a Two Year Contract was awarded to Montana Construction Corporation, Inc. for As-Needed Repairs and Installation of Water and Sewer Components and Emergency Service, by Resolution R-15-159; Change Order #1 by Resolution R-17-31 and Contract Extension by Resolution R-17-173; and,

WHEREAS, the Superintendent of Utilities, by memorandum dated October 16, 2017, recommends that funds be added to the above referenced Contract in the amount of \$75,000.00 under the Capital Improvement Fund for valve replacement throughout the Township; and,

WHEREAS, the Director of Finance has certified funds are available in the following Budget Account:

7-09-55-511-501-000

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold herein approves the additional funds to said Contract with Montana Construction Corporation, Inc. in the amount of \$75,000.00;

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 Montana Construction Corporation, Inc.

No. R-17-246

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

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-17-247

Date of Adoption: October 24, 2017

TITLE: RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT FOR FIRST HARTFORD REALTY CORPORATION (CVS PHARMACY), SITE PLAN NO. 852-14, BLOCK 85.12, LOTS 22 AND 24

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

WHEREAS, on January 7, 2016, the Freehold Township Planning Board granted final site plan approval to First Hartford Realty Corporation (CVS Pharmacy), Site Plan No. 852-14, Block 85.12, Lots 22 and 24, located on Monmouth County Route 537 and Redwood Lane; 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-17-247

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

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-17-248

Date of Adoption: October 24, 2017

TITLE: RESOLUTION DENYING REQUEST FOR RELEASE OF PERFORMANCE GUARANTEES AND REDUCING PERFORMANCE GUARANTEES FOR 3690 ROUTE 9, LLC (ADVANCE AUTO), SITE PLAN NO. 877-15

--- RESOLUTION ---

WHEREAS, the developer of 3690 Route 9, LLC, located on Route 9 South, has requested a release of its performance guarantees; and

WHEREAS, the Township Engineer conducted an inspection and, by memorandum dated October 13, 2017, has recommended that the performance guarantees not be released until the Punch List has been completed satisfactorily, but has recommended that the performance guarantees be reduced; 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 3690 Route 9, LLC, Site Plan No. 877-15 to the following:

a. Bond: Westchester Fire Insurance Company, No. K09003289 in the amount of \$326,817.00 be reduced to \$98,045.10.

b. Cash deposit in the amount of \$36,313.00 be reduced to \$10,893.90.

2. All of the foregoing shall be in accordance with the Engineer's Estimates of Quantities and Costs annexed to his Memorandum dated October 13, 2017.

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 Treasurer, Township Attorney, and by certified mail, to the Developer herein.

No.R-17-248

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

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