

ORDINANCE NO. O-20-9

TOWNSHIP MEETING DATE – May 12, 2020

ORDINANCE AMENDING AND SUPPLEMENTING CHAPTER 190 (LAND USE), ARTICLE XIII (ZONE REGULATIONS), SECTION 190-153 (LIGHT INDUSTRIAL ZONE LI-3), OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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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 XIII, Zone Regulations, Section 190-153, Light Industrial Zone LI-3, is hereby amended to read as follow:

§ 190-153 **Light Industrial Zone LI-3.**

A. Permitted uses:

(1) – (2) No change.

(3) Farms.

B. – D. No change.

**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All Ordinances and parts of Ordinances inconsistent herewith are hereby repealed.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 and filing with the Monmouth County Planning Board.

**EXPLANATORY STATEMENT:**

The purpose of this ordinance is to include farms as a permitted use in the Light Industrial Zone LI-3.

ORDINANCE NO O-20-12

TOWNSHIP MEETING DATE- May 26, 2020

ORDINANCE AMENDING CHAPTER 265 (RIGHT TO FARM) OF THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY

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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 265, Right to Farm, is hereby amended to read as follows:

265-1 Recognition as natural right.

The provisions of any land use ordinance to the contrary notwithstanding, the right to farm all land is hereby recognized to exist as a natural right and is also hereby ~~[ordained to exist as]~~ a permitted use everywhere in the Township of Freehold, subject only to ~~[size requirements and to]~~ Township Health and Sanitary Codes. The right to farm ~~[as it is used in this chapter]~~ includes, but is not limited to, the use of irrigation pumps and equipment, aerial and ground seeking and spraying, tractors, farm laborers and the application of chemical fertilizers, insecticides and herbicides as well as other mechanized equipment and modern procedures such as vegetables, grains, hay, fruits, fibers, wood, trees, plants, shrubs, flowers and seeds, as well as the propagation and maintenance of horses, cows and other grazing stock, and to otherwise engage in any and all activities set forth in the New Jersey Right to Farm Act and attendant regulations.

**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 amendment updates the Right to Farm ordinance to reference the enabling legislation.



*Resolution of the Township of Freehold*  
Monmouth County, New Jersey

No: R-20-123

Date of Adoption: June 9, 2020

**TITLE: RESOLUTION ACKNOWLEDGING RECEIPT AND REVIEW OF  
PLANNING BOARD REPORT RE: ORDINANCES NO. O-20-9 AND  
ORDINANCE NO. O-20-12**

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

WHEREAS, the Township Committee introduced Ordinance No. O-20-9 on May 11, 2020 and Ordinance No. O-20-12 on May 26, 2020 referred it to the Planning Board, pursuant to N.J.S.A. 40:55D-26(a); and,

WHEREAS, on June 4, 2020 the Planning Board reported its findings on the Ordinance to the Township Committee and finds it to be consistent with the Freehold Township Master Plan as stated in the Board's most recent Master Plan Re-examination and Amendments;

NOW, THEREFORE, BE IT RESOLVED that the Township Committee acknowledges receipt that it has reviewed the Planning Board report;

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to the Planning Board Secretary.

No. R-20-123

<b>VOTE OF THE TOWNSHIP COMMITTEE</b>							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Walker							
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-20-124

Date of Adoption: June 9, 2020

**TITLE: RESOLUTION AUTHORIZING CHANGE ORDER NO. 1,  
DECLARING ACCEPTANCE AND FINAL PAYMENT OF  
CONTRACT 19-5, SANITARY SEWER REHABILITATION**

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

WHEREAS, a Contract was awarded to National Water Main Cleaning Company by Resolution R-19-314, on December 3, 2019 for the Sanitary Sewer Rehabilitation in the amount of \$69,854.00; and,

WHEREAS, the Township's Professional Engineer, Mott MacDonald, by letter dated May 19, 2020, and the Assistant Superintendent of Utilities, by memorandum dated May 22, 2020, recommend reduction Change Order Number 1 in the amount of -\$14,520.00, due to as-built adjustment of quantities, reducing the total contract amount to \$55,334.00 and advise that all work on the above-referenced Project has been completed; and,

WHEREAS, National Water Main Cleaning Company 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, authorizes reduction Change Order No. 1 in the amount of -\$14,520.00, accepts the public project known as Contract 19-5 and authorizes final payment to National Water Main Cleaning Company.;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Director of Finance, the Township's Professional Engineer-Mott MacDonald, the Superintendent of Utilities, the Purchasing Agent and National Water Main Cleaning Company.



No. R-20-124

<b>VOTE OF THE TOWNSHIP COMMITTEE</b>							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Walker							
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-20-125

Date of Adoption: June 9, 2020

**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 Bills List, in the amount of \$9,867,618.18 dated June 9, 2020, as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations subject to adoption of resolution authorizing expenditures.

No. R-20-125

<b>VOTE OF THE TOWNSHIP COMMITTEE</b>							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Walker							
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-20-126

Date of Adoption: June 9, 2020

**TITLE: RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH MANALAPAN TOWNSHIP FOR HEALTH SERVICES**

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

WHEREAS, the Township of Freehold and the Township of Manalapan are interested in Freehold Township providing the services of a Licensed Registered Environmental Health Specialist to Manalapan Township; and,

WHEREAS, this cooperative Agreement between the Township of Freehold and the Township of Manalapan would be beneficial to the taxpayers in both municipalities; and,

WHEREAS, an Agreement entitled "Shared Services Agreement between Freehold Township & Manalapan Township" has been proposed and found acceptable;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that the Mayor and Township Clerk are hereby authorized to execute the aforementioned Agreement;

BE IT FURTHER RESOLVED that a copy of the Agreement be maintained in the Township Clerk's Office 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 be forwarded to the Manalapan Township Clerk, the Freehold Township Administrator, the Freehold Township Health Officer and the Freehold Township Director of Finance.

No. R-20-126

<b>VOTE OF THE TOWNSHIP COMMITTEE</b>							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Walker							
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-20-127

Date of Adoption: June 9, 2020

**TITLE: RESOLUTION AUTHORIZING EXECUTION OF DEVELOPER'S AGREEMENT FOR CENTRASTATE MEDICAL CENTER, INC., (CARDIAC CATH/IR EXPANSION), SITE PLAN NO. 748-7-19, BLOCK 86, LOTS 8 AND 8.03**

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

WHEREAS, on February 6, 2020, the Freehold Township Planning Board granted preliminary and final site plan approval to CentraState Medical Center, Inc. (Cardiac Cath/IR Expansion), Site Plan No. 748-7-19, Block 86, Lots 8 and 8.03, located at 901 West Main Street; 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-20-127

<b>VOTE OF THE TOWNSHIP COMMITTEE</b>							
COMMITTEEMAN	I	S		Y	N	NV	AB
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Walker							
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-20-128

Date of Adoption: June 9, 2020

**TITLE: RESOLUTION AMENDING RESOLUTION R-20-98 AUTHORIZING THE TAX COLLECTOR TO ISSUE ESTIMATED TAX BILLS IN ACCORDANCE WITH P.L. 1994, c 72**

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

WHEREAS, pursuant to Resolution No. R-20-98, the Tax Collector has been authorized to process third quarter estimated tax bills due August 1, 2020, due to the State of New Jersey extending its fiscal year through September, 2020; and

WHEREAS, the Tax Collector, in consultation with the Chief Financial Officer, has computed an estimated tax levy in accordance with N.J.S.A. 54:4-66.3; and

WHEREAS, it is desirous of the Township of Freehold to issue estimated tax bills for the third installment of taxes payable to the Township in 2020 to ensure timely and consistent billings to the taxpayers; and

WHEREAS, the Township of Freehold estimates a total Tax Levy of \$143,251,431.00, inclusive of the County, Local School, Regional School and Municipal Levies.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold, in the County of Monmouth, State of New Jersey as follows:

1. The Tax Collector is hereby authorized and directed to prepare and issue estimated tax bills for the Third Installment of 2020 taxes. The Tax Collector may proceed without approval from the Director of the Division of Local Government Services, and take such actions as are permitted and required by P.L. 1994, C.72 (N.J.S.A. 54:4-66.2 and 54:4-66.3).

2. The estimated base tax levy for 2020 is hereby set at \$143,251,431.00, and the estimated tax rate is set at \$2.1340, to be billed along with the estimated rate of \$.040 for Fire District 1 and the rate of \$.035 for Fire District 2.



3. In accordance with law, the Third Installment taxes shall not be subject to interest until the later of August 10th or the twenty-fifth calendar day after the date the estimated tax bills are mailed.

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-20-128

<b>VOTE OF THE TOWNSHIP COMMITTEE</b>							
COMMITTEEMAN	I	S	Y	N	NV	AB	
Mr. Ammiano							
Mr. Cook							
Mrs. Fasano							
Mr. Walker							
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-20-G

Date of Adoption: June 9, 2020

**TITLE: RESOLUTION - EXECUTIVE SESSION**

**- - - RESOLUTION - - -**

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from meetings of public bodies in certain circumstances which are set forth in N.J.S.A. 10:4-12 (b); and

WHEREAS, the Township Committee of the Township of Freehold is of the opinion that such circumstances currently exist.

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

1. The public shall be excluded from the discussion of any action upon the hereinafter specified matters.

2. The nature of the subject matter to be discussed is as follows:

1. PERSONNEL

1A. Staff Reduction

2. ATTORNEY-CLIENT PRIVILEGE

2A. Affordable Housing

3. It is anticipated at this time the above-stated subject matter will be made public in approximately thirty days or at such time as any litigation discussed is resolved.

No. R-20-G

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

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