



Resolution of the Township of Freehold
Monmouth County, New Jersey

No: R-20-171

Date of Adoption: September 8, 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 \$11,372,239.54 dated September 8, 2020 as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations subject to adoption of resolution authorizing expenditures.

No. R-20-171

VOTE OF THE TOWNSHIP COMMITTEE							
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-20-172

Date of Adoption: September 8, 2020

**TITLE: RESOLUTION CANCELLING TAXES AND DISBURSING
OVERPAYMENTS OF TAXES AND WATER/SEWER**

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

WHEREAS, certain property owners have credit balances on their accounts; and,

WHEREAS, the following Taxpayer Schedules include a 2016 and 2017 State Judgement; a 100% Disabled Veteran allowed; Overpayment of Taxes; and Overpayment of Water/Sewer, applicable to the blocks and lots and in the amounts set forth; and

WHEREAS, the Tax Collector of the Township of Freehold has certified to the Township Committee of the Township of Freehold that the items designated with the word "REFUND" on Schedules A, B, C, D and E be refunded, and the items designated with the word "CANCEL" on Schedule F be cancelled to the names appearing below;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold that the refunds be made to the taxpayer appearances on Schedules A, B, C, D and E, and the checks for the aforesaid refunds be issued by the Treasurer;

BE IT FURTHER RESOLVED that the Tax Collector is hereby authorized to make corrections and notations upon the Municipal records as may be necessary to effect this Resolution;

BE IT FURTHER RESOLVED by the Township Committee of the Township of Freehold that the Township Clerk is hereby authorized to forward a certified copy of the within Resolution to the Tax Collector and Treasurer/Director of Finance.

SCHEDULE A
2016 - STATE TAX APPEAL - REFUND

72 90	COMMUNITY BANK OF NEW JERSEY % VENTURA, MIESOWITZ ET AL TRUST ACCOUNT 783 SPRINGFIELD AVENUE SUMMIT, NJ 07901-2332	\$11,993.86
	TOTAL	\$11,993.86

SCHEDULE B
2017 - STATE TAX APPEAL - REFUND

72 90	COMMUNITY BANK OF NEW JERSEY % VENTURA, MIESOWITZ ET AL TRUST ACCOUNT 783 SPRINGFIELD AVENUE SUMMIT, NJ 07901-2332	\$11,791.19
	TOTAL	\$11,791.19

SCHEDULE C
2020/2021 - 100% DISABLED VETERAN - REFUND

36 10	JAMISON JOHNSON 115 TOPAZ DRIVE FREEHOLD, NJ 07728	\$ 3,236.55
	TOTAL	\$ 3,236.55

SCHEDULE D
2020 - OVERPAYMENT OF TAXES - REFUND

21 2	PENNYMAC LOAN SERVICES, LLC ATTN: TAX REFUNDS 6101 CONDOR DRIVE MOORPARK, CA 93021	\$ 2,036.69
83 21.163 S0S	EASTER SEALS NJ 25 KENNEDY BOULEVARD #600 EAST BRUNSWICK, NJ 08816	\$ 1,766.74
	TOTAL	\$ 3,803.43

SCHEDULE E
2020 - OVERPAYMENT OF WATER/SEWER - REFUND

71.02	12.284 S04	CAROLE DORAN 215 WINDERMERE AVENUE INTERLAKEN, NJ 07712	\$ 167.38
		TOTAL	\$ 167.38

SCHEDULE F
2020/2021 - 100% DISABLED VETERAN - CANCEL

36	10	JAMISON JOHNSON 115 TOPAZ DRIVE FREEHOLD, NJ 07728	\$15,396.69
		TOTAL	\$15,396.69

TOTAL REFUND	\$30,992.41
TOTAL CANCELLED	\$15,396.69

No. R-20-172

VOTE OF THE TOWNSHIP COMMITTEE							
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-20-173

Date of Adoption: September 8, 2020

TITLE: RESOLUTION - GOVERNING BODY CERTIFICATION OF THE ANNUAL AUDIT FOR 2019

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

WHEREAS, N.J.S.A. 40A:5-4 requires the governing body of every local unit to have made an annual audit of its books, accounts and financial transactions; and,

WHEREAS, the Annual Report of Audit for the year 2019 has been filed by a Registered Municipal Accountant with the Municipal Clerk pursuant to N.J.S.A. 40A: 5-6, and a copy has been received by each member of the Governing Body; and,

WHEREAS, R.S. 52:27BB-34 authorizes the Local Finance Board of the State of New Jersey to prescribe reports pertaining to the local fiscal affairs; and,

WHEREAS, the Local Finance Board has promulgated N.J.A.C. 5:30-6.5, a regulation requiring that the governing body of each municipality shall by resolution certify to the Local Finance Board of the State of New Jersey that all members of the governing body have reviewed, as a minimum, the sections of the annual audit entitled "Comments and Recommendations;" and,

WHEREAS, the members of the Governing Body have personally reviewed as a minimum, the Annual Report of Audit, and specifically the sections of the Annual Audit entitled "Comments and Recommendations", as evidenced by the group affidavit form of the Governing Body attached hereto; and,

WHEREAS, such Resolution of certification shall be adopted by the Governing Body no later than forty-five days (45) after receipt of the annual audit, pursuant to N.J.A.C. 5:30-6.5; and,

WHEREAS, all members of the Governing Body have received and have familiarized themselves with, at least, the minimum requirements of the Local Finance Board of the State of New Jersey, as stated aforesaid and have subscribed to the affidavit, as provided by the Local Finance Board; and

WHEREAS, failure to comply with the regulations of the Local Finance Board of the State of New Jersey may subject the members of the local Governing Body to the penalty provisions of R.S. 52:27BB-52, to wit:

R.S. 52:27BB-52: A local officer or member of a local governing body who, after a date fixed for compliance, fails or refuses to obey an order of the director (Director of Local Government Services), under the provisions of this Article, shall be guilty of a misdemeanor and, upon conviction, may be fined not more than one thousand dollars (\$1,000.00) or imprisoned for not more than one year or both, in addition shall forfeit his office.

NOW, THEREFORE BE IT RESOLVED that the Governing Body of the Township of Freehold, hereby states that it has complied with N.J.A.C. 5:30-6.5 and does hereby submit a certified copy of this Resolution and the required affidavit to said Board to show evidence of said compliance;

BE IT FURTHER RESOLVED that a certified copy of the within Resolution be forwarded to the Township Administrator and Director of Finance.

No. R-20-173

VOTE OF THE TOWNSHIP COMMITTEE							
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-20-174

Date of Adoption: September 8, 2020

TITLE: RESOLUTION CANCELLING UNEXPENDED GENERAL CAPITAL APPROPRIATION BALANCE

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

WHEREAS, the Township of Freehold adopted Ordinance #O-16-12, Various Capital Improvements on July 26, 2016; and

WHEREAS, it has been determined that the project relating to Land Acquisition located at Block 50, Lot 25 has been completed, the balance remains open and unexpended and needs to be formally cancelled;

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold, in the County of Monmouth, State of New Jersey, that the following unexpended balance of Ordinance #O-16-12 be cancelled and may be returned to either Capital Improvement Fund or other accounts as required by law:

GENERAL CAPITAL APPROPRIATIONS	AMOUNT TO BE CANCELLED	
	FUNDED	UNFUNDED
Ordinance #O-16-12 Various Capital Improvements -		
Land Acquisition Block 50, Lot 25	\$.00	\$ 700,000.00

BE IT FURTHER RESOLVED that a certified copy of this Resolution be forwarded to the Township Administrator and Chief Financial Officer/Treasurer.

No. R-20-174

VOTE OF THE TOWNSHIP COMMITTEE							
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-20-175

Date of Adoption: September 8, 2020

TITLE: RESOLUTION COMMITTING TO TAKE NECESSARY MEASURES TO ENSURE PROPER EXTENSIONS OF VARIOUS EXPIRING AFFORDABILITY CONTROLS

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

WHEREAS, WHEREAS, on July 2, 2015, the Township of Freehold (“Township”) filed a declaratory action with the Superior Court of New Jersey pursuant to In re N.J.A.C. 5:96 and 5:97, 221 N.J. 1 (2015) (Mount Laurel IV), seeking, among other things, a judicial declaration that its Housing Element and Fair Share Plan, to be amended as necessary, satisfies its obligation to create the realistic opportunity to meet its “fair share” of the regional need for low- and moderate-income housing pursuant to the “Mount Laurel doctrine;” and

WHEREAS, the Township simultaneously pursued, and ultimately secured, a protective order providing Freehold immunity from all exclusionary zoning lawsuits while it pursues approval of its Housing Element and Fair Share Plan, which is still in full force and effect; and

WHEREAS, the Township engaged in negotiations with the Fair Share Housing Center (“FSHC”) and executed a settlement agreement with FSHC on November 8, 2019; and

WHEREAS, a Fairness Hearing was held on December 13, 2019, which was publicly noticed pursuant to the procedures set forth in Morris County Fair Housing Council v. Boonton Tp., 197 N.J. Super. 359 (Law Div. 1984), affd o.b., 209 N.J. Super. 108 (App. Div. 1986); and

WHEREAS, the Settlement Agreement was approved, and said approval was later memorialized in an Order dated December 31, 2019; and

WHEREAS, as a result of the public notice of the hearing and Court approval following the hearing, the Settlement Agreement is now binding on parties and non-parties alike; and

WHEREAS, the FSHC Settlement Agreement provides for 204 extensions of controls affordable housing credits in the developments of Independence Square, Strickland Farms, and Wyndham Place that were originally deed restricted prior to July 1, 1995; and

WHEREAS, the Freehold Township Committee had the foresight to perform deed restrictions on those affordable units within those various developments that would never expire and remain available to low and moderate income households in perpetuity; and

WHEREAS, upon inspection of the deeds there were 202 units of the 204 units that qualified for continuing credits; and

WHEREAS, the developments of Strickland Farms, Wyndham Place and Independence Square contain units of this type with perpetual deed restrictions, which in part account for 202 credits towards the affordable housing obligation of Freehold Township as part of the Court approved settlement between Fair Share Housing Center and the Township; and

WHEREAS, during the course of adjudicating and filing of the deeds restrictions for affordable units, various clerical methods were employed to facilitate those deed restrictions, resulting in a lack of uniformity that could be challenged by some in an attempt to extinguish the perpetual restriction; and

WHEREAS, since the perpetual restrictions are justifiable, real and legally binding, and the need for affordable housing for low and moderate income families is essential and required by the Supreme Court of New Jersey, it is in the Township best interests to have these units and to maintain their affordability controls; and

WHEREAS, the Township of Freehold commits as both part of its affordable housing strategy and as a requirement in its Court approved settlement, to ensure that these units remain intact with their affordable housing restrictions in perpetuity;

NOW, THEREFORE BE IT RESOLVED that the Township Committee of the Township of Freehold commits to the protection of the affordable controls of these 202 units in Strickland Farms, Wyndham Place and Independence Square in the following manner:

1. The Township will legally defend the affordability controls against any and all claims to extinguish the deed restriction in any of the units credited for this Round;
2. The Township commits the funding of their Affordable Housing Trust, and other funds if the Trust is not sufficient, to financially protect the affordability controls, should legal challenges be successful in extinguishing the control. The commitment includes funding to purchase the unit outright, exercise its right of first refusal, augment the pricing model, and provide monetary assistance;

3. The Township commits to employing other measures, as may be necessary to enforce and defend the affordability controls; and

BE IT FURTHER RESOLVED that certified copies of this Resolution shall be provided to the following:

1. Peter R. Valesi, Township Administrator
2. Michael Imbriaco, Township Tax Assessor
3. Timothy P. White, Township Engineer
4. Robert F. Munoz, Esq. Township Attorney
5. Roger McLaughlin, Esq., Planning Board Attorney
6. Andrew Thomas, P.P. Thomas Planning Associates, LLC
7. Michael J. Edwards, Esq., Special Housing Attorney
8. Kendra Lelie, P.P. – Court Master - Kyle, McManus Associates
9. Other such Boards and/or agencies and their attorneys that may be affected by such expiring controls.

No. R-20-175

VOTE OF THE TOWNSHIP COMMITTEE							
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-20-176

Date of Adoption: September 8, 2020

TITLE: RESOLUTION AUTHORIZING AN EMERGENCY CONTRACT FOR THE REPAIR AND REPLACEMENT OF FIRE ALARM PANELS IN THE CONSTRUCTION BUILDING AND RECREATION ADMINISTRATIVE BUILDING

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

WHEREAS, the Director of I.T. and Facilities, by memorandum dated July 10, 2020, has advised of the need for emergency repairs and replacement of fire alarm panels in the Construction Building and Recreation Administrative Building; and,

WHEREAS, such repairs are needed immediately due to the lack of fire alarms in the two buildings affecting the public health, safety or welfare, in accordance with 40A:11-6; and,

WHEREAS, the Director of I.T. and Facilities, by memorandum dated July 10, 2020, recommends an emergency contract be awarded to Fire Security Technologies, in the amount of \$8,240.91, to immediately make the necessary repairs and replace the fire alarm panels in the Construction Building and the Recreation Administrative Building; and,

WHEREAS, the Director of Finance has certified funds are available in the following Bond Ordinance and 2020 Budget Account:

C-04-17-906-011-951 \$7,600.00
0-01-26-310-310-210 \$ 640.91

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby approves the award of a Contract for the emergency repairs and replacement of fire alarm panels in the Construction Building and Recreation Administrative Building to Fire Security Technologies in the amount of \$8,240.91;

BE IT FURTHER RESOLVED that certified copies of the within Resolution be forwarded to the Director of Finance, the Director of I.T. and Facilities, the Purchasing Agent and Fire Security Technologies.

No. R-20-176

VOTE OF THE TOWNSHIP COMMITTEE							
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-20-177

Date of Adoption: September 8, 2020

**TITLE: RESOLUTION AUTHORIZING A CONTRACT FOR THE
PURCHASE OF STAINLESS STEEL SPREADERS FOR THE
DEPARTMENT OF PUBLIC WORKS TRUCKS**

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

WHEREAS, the Township of Freehold has a need for stainless steel spreaders for the Department of Public Works trucks 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 the Township's bid threshold, but will exceed \$17,500 in vendor aggregation; and,

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

WHEREAS, Central Jersey Trailer & Hitch, LLC can supply the Township with stainless steel spreaders for the Department of Public Works trucks in the amount of \$26,514.00; and,

WHEREAS, Central Jersey Trailer & Hitch, LLC has completed and submitted a Business Entity Disclosure Certification which certifies that Central Jersey Trailer & Hitch, 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 Central Jersey Trailer & Hitch, 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 Bond Ordinance:

C-04-20-910-003-955

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold herein authorizes a contract for the purchase of stainless steel spreaders for the Department of Public Works trucks with Central Jersey Trailer & Hitch, LLC in the amount of \$26,514.00;

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 Central Jersey Trailer & Hitch, LLC.

No. R-20-177

VOTE OF THE TOWNSHIP COMMITTEE							
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-20-178

Date of Adoption: September 8, 2020

TITLE: RESOLUTION AWARDING CONTRACTS FOR THE FURNISHING AND DELIVERY OF TURF MAINTENANCE SUPPLIES

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

WHEREAS, bids were accepted by the Township Purchasing Agent for the Furnishing and Delivery of Turf Maintenance Supplies on Tuesday, August 4, 2020 at 10:00 AM; and,

WHEREAS, the following vendors submitted bids:

Levitt's LLC
PO Box 613
Pine Brook, NJ 07058-0613

Reed & Perrine Sales, Inc.
PO Box 100
Tennent, NJ 07763

SiteOne Landscape Supply
1385 East 36th Street
Cleveland, OH 44114

WHEREAS, the Superintendent of Parks and Recreation, by memorandum dated August 28, 2020, recommends that Contracts be awarded to the following firms per the attached spreadsheet;

Bidder	Items Awarded	Total
Levitt's LLC	*5, 8, 11 and 14	\$11,747.70
Reed & Perrine Sales, Inc.	1, 2, 3, 4, 6, 9, 12, 15 and *17	\$21,538.15
SiteOne Landscape Supply	7, 10, 13, 16 and *17	\$21,545.40

WHEREAS, Reed and Perrine was the low bidder on Item 5; Levitt's was awarded Item 5 due to Levitt's listing no exceptions to the product; and,

WHEREAS, Item 17 was a tie bid between Reed & Perrine and SiteOne Landscape Supply; it was decided to award this item to both bidders; and,

WHEREAS, the Director of Finance has certified with the Township Clerk that funds are available in the following Budget and Open Space Accounts:

0-23-56-858-000-237, 0-01-28-370-370-602,
*1-23-56-858-000-237 *1-01-28-370-370-602,

*Contingent upon the necessary funds being appropriated by the Governing Body in the 2021 Municipal Budget

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby awards Contracts for the Furnishing and Delivery of Turf Maintenance Supplies, per above, to Levitt's LLC in the estimated amount of \$11,747.70; Reed & Perrine Sales, Inc. in the estimated amount of \$21,538.15; and SiteOne Landscape Supply in the estimated amount of \$21,545.40 in accordance with the terms of the bid specifications;

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 all bidders.

No. R-20-178

VOTE OF THE TOWNSHIP COMMITTEE							
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