

FREEHOLD TOWNSHIP COMMITTEE AGENDA

WORKSHOP MEETING

JULY 11, 2023

8:00 P.M.

1. Announcement to Open Public Meetings Act:

“In accordance with the Open Public Meetings Act, this Meeting was announced on January 9, 2023 by posting a notice on the bulletin board in the Municipal Building reserved for that purpose, by forwarding such notice to the offices of the official newspapers of the Township and by filing such notice with the Township Clerk.”

2. Pledge of Allegiance
3. Roll Call
4. Approval of Previous Minutes

OLD BUSINESS

- * 5. O-23-11 – Bond Ordinance Authorizing Various Capital Improvements in and for the Township of Freehold, in the County of Monmouth, New Jersey, Appropriating \$13,230,000 Therefor and Authorizing the Issuance of \$12,568,500 Bonds or Notes to Finance Part of the Cost Thereof
- * 6. O-23-12 – Bond Ordinance Authorizing Various Water/Sewer Capital Improvements in and For the Township of Freehold, in the County of Monmouth, New Jersey, Appropriating \$4,940,000 Therefor and Authorizing the Issuance of \$4,940,000 Bonds or Notes to Finance Part of the Cost Thereof
- * 7. O-23-13 – Bond Ordinance Reappropriating \$820,736.18 Proceeds of Obligations Not Needed for Their Original Purposes and to be used for Various Improvements by the Township of Freehold

* Attachments

- * 8. O-23-14 – An Ordinance Authorizing the Sale and Conveyance of Certain Lots to the County of Monmouth

- * 9. O-23-15 – An Ordinance Vacating Lisa Anne Way, Eric Court and a Portion of Maher Road that were to be Constructed as Part of a Subdivision to be Known as Beacon Ridge

NEW BUSINESS

- * 10. R-23-169 – Resolution Approving Consolidated Bills List

- * 11. O-23-16 – An Ordinance Adopting the ‘South Freehold Shopping Center’ Redevelopment Plan and Amending Chapter 190, Land use, Article XI Zones and Schedule of Requirements, and Article XIII, Zoning Regulations, of the Revised General Ordinances of the Township of Freehold, County of Monmouth, State of New Jersey

- * 12. O-23-17 – Ordinance Authorizing the Purchase of Block 101, Lot 51.01 Located at 122 Hendrickson Road

FORMAL ACTION – CONSENT AGENDA RESOLUTIONS

Matters listed under the items of “Consent Agenda” are required to conduct the day-to-day operations of the Township and will be enacted by one (1) motion in the form listed below. There will be no separate discussion of these items. If discussion of any item is desired, that item will be considered separately.

- * 13. R-23-170 – Resolution Cancelling Taxes and Disbursing Overpayment of Taxes – 100% Disabled Veteran

- * 14. R-23-171 – Resolution Granting an Additional Six (6) Month Unpaid Leave of Absence to Brian Caruso

- * 15. R-23-172 – Resolution Authorizing an Agreement with CentraState Healthcare System for Health Promotion and Diabetes Control

- * 16. R-23-173 – Resolution Extending Contract 22-11 for One (1) Additional Year for Golf Course and Banquet Rental

- * 17. R-23-174 - Resolution Amending 2023 Budget (Chapter 159) to Insert Modification to the Special Item of Revenue and Appropriations for the National Opioid Settlement

- * 18. R-23-175 – Resolution Amending 2023 Budget (Chapter 159) to Insert Modification to the Special Item of Revenue and Appropriations for the Alcohol Education, Rehabilitation and Enforcement Fund Grant

- * 19. R-23-176 – Resolution Authorizing Reduction of Performance Guarantees for The Brooks at Freehold, Subdivision No. 677-1-21, Block 72, Lot 88

- * 20. R-23-177 – Resolution Approving Wireless Communication Facilities Modification Application for Crown Castle on Behalf of New Jersey State Police, 61 Stone Hill Road, (Southwest Corner of Jackson Mills Road and Stone Home Road Adjacent to the Freehold Township Water Tower), Block 97.01, Lot 17, Application No. WCFMA-01-23

AUDIENCE

TOWNSHIP COMMITTEE COMMENTS

ADJOURNMENT

7:00 P.M. – EXECUTIVE SESSION

* Open Public Meetings Act – Resolution R-23-L – Executive Session

1. PERSONNEL
 - 1A. Employment Agreements

2. ATTORNEY-CLIENT PRIVILEGE
 - 2A. Pending Litigation

3. PROPERTY ACQUISITION
 - 3A. Update - Various Parcels

ORDINANCE O-23-11
TOWNSHIP COMMITTEE MEETING DATE – JUNE 27, 2023

BOND ORDINANCE AUTHORIZING VARIOUS CAPITAL IMPROVEMENTS IN AND FOR THE TOWNSHIP OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$13,230,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$12,568,500 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 \$13,230,000, such sum includes the sum of \$661,500 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, negotiable bonds of the Township are hereby authorized to be issued in the principal amount of \$12,568,500 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 \$12,568,500 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 for the IT Department, including, but not limited to, camera system and workstations.	\$ 260,000	\$ 247,000	5 Years
(b) Providing for road improvements, including, but not limited to, bituminous concrete overlay for various roads, pavement preservation program, Hampton Drive Culvert, Hunt Road, Pedestrian Walkway Bridge, parking lot improvements, Three Brooks Road, East Freehold Road, sidewalk and curb improvements and Fox Chase Court outfall reconstruction, including all work and materials necessary therefor or incidental thereto.	9,012,000	8,561,400	16.02 Years
(c) Providing for various building and ground improvements, including, but not limited to traffic camera upgrades, various municipal building renovations and salt shed roof improvements, including all work and materials necessary therefor or incidental thereto.	410,000	389,500	14.28 Years
(d) Providing for the purchase of various equipment for the Police Department, including, but not limited to, mobile data terminals, license plate readers, in car camera systems and fingerprinting machine.	195,000	185,250	6.79 Years
(e) Providing for the purchase of various equipment for the Public Works Department, including, but not limited to, roller, roller trailer, sand pro and jet truck.	567,000	538,650	15 Years

<p>(f) Providing for recreation improvements, including, but not limited to, installation of additional cameras at Michael J. Tighe Park and Opatut Park, resurfacing various courts, upgrades to Lacrosse Field lighting, replacement of office windows, acquisition of picnic tables, renovations to parking lot lights at Michael J. Tighe Park, replacements of air conditioning units at Opatut Park, replacement of Pocket Park playgrounds, ballfield/dugout renovations, senior center expansion and acquisition of irrigation pad pump, including all work and materials necessary therefor or incidental thereto.</p>	2,786,000	2,646,700	15 Years
TOTAL	\$13,230,000	\$12,568,500	

(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 \$12,568,500.

(c) The estimated cost of the Improvements is \$13,230,000 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 15.35 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 \$12,568,500 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$1,718,000 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 (\$190,000 expected to be received as a grant from the Monmouth County Open Space Program for Pedestrian Walkway Bridge and \$274,290 expected to be received as a grant from the New Jersey Department of Transportation for Hunt Road) 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 \$12,568,500.

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.

ORDINANCE NO. O-23-12
TOWNSHIP COMMITTEE MEETING DATE – JUNE 27, 2023

**BOND ORDINANCE AUTHORIZING VARIOUS
WATER/SEWER CAPITAL IMPROVEMENTS IN AND
FOR THE TOWNSHIP OF FREEHOLD, IN THE COUNTY
OF MONMOUTH, NEW JERSEY, APPROPRIATING
\$4,940,000 THEREFOR AND AUTHORIZING THE
ISSUANCE OF \$4,940,000 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 \$4,940,000. 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 \$4,940,000 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 \$4,940,000 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, system improvements, rehabilitation of wells #3 and #8, Koenig filter rehabilitation, Jackson Mills north side contract piping, and including all work or materials necessary therefor 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.	\$2,418,000	\$2,418,000	40 Years
(2) Providing for improvements to the sewer system within the Township, including, but not limited to, Three Brooks water main and fence replacement, and including all work or materials necessary therefor 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.	2,522,000	2,522,000	34.04 Years
TOTAL	\$4,940,000	\$4,940,000	

(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 \$4,940,000.

(c) The estimated cost of the Improvements is \$4,940,000 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 36.95 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 \$4,940,000 and the obligations authorized herein will be within all debt limitations prescribed by the Local Bond Law.

(d) An aggregate amount not exceeding \$740,000 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 \$4,940,000.

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.

BOND ORDINANCE NO. O-23-13

TOWNSHIP COMMITTEE MEETING DATE – JUNE 27, 2023

**BOND ORDINANCE REAPPROPRIATING \$820,736.18
PROCEEDS OF OBLIGATIONS NOT NEEDED FOR THEIR
ORIGINAL PURPOSES AND TO BE USED FOR VARIOUS
IMPROVEMENTS BY THE TOWNSHIP OF FREEHOLD**

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

SECTION 1:

Pursuant to N.J.S.A. 40A:2-39, it is hereby determined that \$820,736.18, consisting of the bond proceeds of obligations originally made available pursuant to the following ordinances of the Township of Freehold, New Jersey (the “Township”) is no longer necessary for the purposes for which the obligations or funds previously were authorized. Each amount is listed under the column, “Balance to be Reappropriated,” and is further described by reference to the number of the bond ordinance pursuant to which such amounts have been made available, the original appropriation made by the bond ordinance, as amended, supplemented and/or cancelled, and the original description of the improvement for which such amounts were appropriated.

The total amount of \$820,736.18 bond proceeds to be reappropriated are made available as follows:

<u>Ordinance Number (Section)</u>	<u>Original Appropriation</u>	<u>Original Description of Improvement</u>	<u>Balance to be Reappropriated</u>
O-06-22 (1)	\$ 125,000	Water Main Improvements	\$38,495.49
O-07-15 (1)	150,000	Water Main Improvements	89,180.00
O-07-15(2)	150,000	Sewer Improvements	58,400.00
O-09-17 (a)	2,662,500	Improvements to the Water System	1,935.00
O-10-22(b)	650,000	Improvements to the Sewer System	8,835.63
O-11-21 (a)	237,000	Improvements to the Water System	22,059.48
O-12-13 (a)	675,000	Improvements to the water system	2,929.54
O-14-06(a)	4,900,000	Replacement of Water Meters	311,685.08
O-15-11 (1)	1,873,000	Improvements to the Water System	136,995.65
O-16-18	1,000,000	Various upgrades to SCADA System	48,061.48
O-17-07	250,000	Water and Sewer Utility Capital Improvements	102,158.83

SECTION 2:

The total amount of \$820,736.18 referred to in Section 1 above is hereby reappropriated as follows:

(a)	Interconnection Water Meters	55,000.00
(b)	Sewer Main Repairs	425,000.00
(c)	North Side Boiler	155,000.00
(d)	Riviera/Robertsville Pump Station	105,000.00
(e)	Road Paving Renovations	30,736.18
(f)	Patten St. Interconnection	50,000.00

SECTION 3:

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 Clerk of the Township and is available for public inspection.

SECTION 4:

The useful life of the improvements described in Section 2 above is 38.87 years and Section 20 expenses is \$20,736.18.

SECTION 5

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

ORDINANCE NO. O-23-14
TOWNSHIP MEETING DATE – June 27, 2023

AN ORDINANCE AUTHORIZING THE SALE AND CONVEYANCE OF CERTAIN LOTS
TO THE COUNTY OF MONMOUTH

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

WHEREAS, pursuant to N.J.S.A. 40A:12-13.4, the Township is authorized to sell and convey property that is no longer needed for municipal purposes to the County of Monmouth for a nominal consideration; and

WHEREAS, as part of a subdivision application known as Beacon Ridge, located on Maher Road, the Township of Freehold acquired the following lot dedications:

Open Space Lot Dedication for Block 42, Lot 19 by way of Deed recorded in the Monmouth County Clerk's Office on November 18, 2005 in Book 8513, Page 1424.

Detention Basin Lot Dedication for Block 42, Lot 19.04 by way of Deed recorded in the Monmouth County Clerk's Office on October 21, 2005 in Book 8504, Page 5110; and

WHEREAS, no improvements have been made to the property, the project has been abandoned and the owner is under contract to sell the property to the County of Monmouth; and

WHEREAS, since the subdivision was not constructed and the County of Monmouth will own the property, the Township does not need the lots for municipal purposes.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Township Committee of the Township of Freehold that it hereby authorizes the conveyance of the above referenced lot dedications to the County of Monmouth for a nominal consideration.

BE IT FURTHER ORDAINED that the Mayor and Township Clerk are hereby authorized to execute Deeds conveying the lots to the County of Monmouth, as well as any other documents necessary to effectuate the purpose of this Ordinance.

BE IT FURTHER ORDAINED that said Deeds shall contain a restriction that the interests conveyed therein shall be used only for public purposes of the County of Monmouth, otherwise the interests shall revert to the Township of Freehold.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance authorizes the sale and conveyance of Block 42, Lots 19 and 19.04 to the County of Monmouth.

ORDINANCE NO. O-23-15
TOWNSHIP MEETING DATE – June 27, 2023

AN ORDINANCE VACATING LISA ANNE WAY, ERIC COURT AND A PORTION OF MAHER ROAD THAT WERE TO BE CONSTRUCTED AS PART OF A SUBDIVISION TO BE KNOWN AS BEACON RIDGE

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

WHEREAS, Lisa Anne Way, Eric Court and a portion of Maher Road which were to be constructed as part of a subdivision to be known as Beacon Ridge are “paper streets” and are shown on Tax Map Sheet 16 of the Township of Freehold and the subdivision map which was filed on November 14, 2005 as Case No. 299-32; and

WHEREAS, no improvements have been made to the property, the streets were not constructed, the project has been abandoned, and the owner is under contract to sell the property to the County of Monmouth; and

WHEREAS, since the subdivision and the streets were not constructed and the County of Monmouth will own the property, the Township has determined that the paper streets are not needed for public purposes and can be vacated; and

WHEREAS, the paper streets to be vacated are Lisa Anne Way, Eric Court and the portion of Maher Road that was to be part of the Beacon Ridge subdivision, all as reflected on the filed subdivision map; and

WHEREAS, N.J.S.A. 40:49-6, 40:67-1b, 40:67-19 and 40:67-21 provide the means whereby a municipality may vacate a street or part thereof.

NOW, THEREFORE, BE IT ORDAINED by the Township Committee of the Township of Freehold that the above referenced paper streets are hereby vacated.

BE IT FURTHER ORDAINED that the effect of this Ordinance shall be to vacate all public rights to the paper streets, except all rights and privileges, if any, now possessed by public utilities, as defined in N.J.S.A. 48:2-13, and by any cable television company, as defined in the “Cable Television Act”, N.J.S.A. 48:5A-1, et seq., to maintain, repair and replace their existing facilities in, adjacent to, over or under the portion of the right-of-way to be vacated hereby.

BE IT FURTHER ORDAINED that the Township Clerk is hereby authorized and directed do the following:

1. Publish a copy of this Ordinance in an official newspaper of the municipality, together with a notice of the introduction thereof and the time and place when and where this Ordinance will further be considered for final passage, such publication to be at least 10 days prior to the time fixed for further consideration of this Ordinance for final passage.

2. Send, by certified mail, return receipt requested, a copy of this Ordinance, together with the notice of the introduction thereof, the time and place when and where this Ordinance will be considered for final passage to The Trust Created Under the Last Will and Testament of Harry Gross, Carl P. Gross, Trustee, c/o G.B. Ltd., Oper. Co., 63 West Main Street, P.O. Box 5008, Freehold, New Jersey 07728, and Gross & Gross Associates, c/o G.B. Ltd., Oper. Co., 63 West Main Street, P.O. Box 5008, Freehold, New Jersey 07728.

3. Publish in an official newspaper of this municipality notice of the passage of this Ordinance by title.

4. Within 60 days after this Ordinance becomes effective, file a copy of this Ordinance, certified by the Township Clerk to be a true copy, under the seal of the Township of Freehold, together with a copy of the proof of publication thereof, in the office of the County Clerk, to be recorded in a book entitled "Vacations".

II

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon adoption and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance vacates paper streets that were to be created as part of the Beacon Ridge subdivision and known as Lisa Anne Way, Eric Court and a portion of Maher Road.



Resolution of the Township of Freehold
Monmouth County, New Jersey

No: R-23-169

Date of Adoption: July 11, 2023

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 \$3,910,604.03 dated July 11, 2023 as presented by the Township Treasurer/Chief Financial Officer, be paid from existing appropriations subject to adoption of resolution authorizing expenditures.

No. R-23-169

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

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

ORDINANCE NO. O-23-16
TOWNSHIP MEETING DATE – July 11, 2023

**AN ORDINANCE ADOPTING THE “SOUTH FREEHOLD SHOPPING CENTER”
REDEVELOPMENT PLAN AND AMENDING CHAPTER 190, LAND USE, ARTICLE XI
ZONES AND SCHEDULE OF REQUIREMENTS, AND ARTICLE XIII, ZONING
REGULATIONS, 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 adopt the “South Freehold Shopping Center” Redevelopment Plan attached hereto and amend Chapter 190, Land Use, Article XI, Zones and Schedule of Requirements, and Article XIII Zoning Regulations to adopt the Plan including: rezoning the designated parcels from B-10 - Highway Development-10 Acres to “South Freehold Shopping Center”; applicable zoning requirements; design standards; administrative and procedural requirements; and redeveloper obligations.

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

II.

Article XI, Zones and Schedule of Requirements Regulations, §190-97 Zones, is hereby amended to add the “South Freehold Shopping Center” to the list of zones where applicable:

§190-97 List of Zones

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

South Freehold Shopping Center Redevelopment Area (SFSC)

III.

Article XI, Zones and Schedule of Requirements Regulations, §190-98 Zoning Map, is hereby amended to rezone the following block and lot from B-10 - Highway Development-10 Acres to “South Freehold Shopping Center” (SFSC) as follows:

§190-98 Zoning Map

Block	Lots	Address	Acres	Current Zone	Proposed Zone
50	31, 31.01, 32 and 32.01	3585 Rt. 9; 3583-3631 Rt. 9; 3625 Rt. 9; 270 South St.	+/-16.77	B-10	“South Freehold Shopping Center Redevelopment Area” (SFSC)

IV.

Article XIII, Zoning Regulations, is hereby amended to add new subsection §190-160.4, South Freehold Shopping Center Redevelopment Plan as follows:

§190-160.4 – South Freehold Shopping Center Redevelopment Plan

The South Freehold Shopping Center Redevelopment Plan is hereby established for the area as designated on the Township Zoning Map. A copy of South Freehold Shopping Center Redevelopment Plan is located on the Township website at: <https://twp.freehold.nj.us/planning-board> office or a copy can be requested at the office of the Township Clerk or Planning Board.

V.

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

VI.

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.

VII.

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

VIII.

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

EXPLANATORY STATEMENT:

This Ordinance adopts the South Freehold Shopping Center Redevelopment Plan (SFSC) which is located between Route 9 and Route 79 (South Street) north of Route 33. The properties contain a total of +/-16.77 acres and are identified as Block 50, lots 31, 31.01, 32 and 32.01 on the Township tax maps. The Ordinance amends Chapter 190, Land Use, Article XI, Zones and Schedule of Requirements, and Article XIII Zoning Regulations to adopt the Redevelopment Plan including applicable zoning provisions to permit a variety of commercial uses in accordance with and defined in the NAICS code and similar to those uses in the current B-10 zone. The Redevelopment Plan also provides for zoning requirements, design standards, administrative and procedural requirements, and other redeveloper obligations.

South Freehold Shopping Center Redevelopment Plan

**U.S. Route 9 and N.J. 79 South Street
(Block 50, Lots 31, 31.01, 32 and 32.01)**

June 20, 2023

Freehold Township Committee

Alan C. Walker, Mayor
Lester A. Preston, Jr., Deputy Mayor
Anthony J. Ammiano
Thomas L. Cook
Maureen Fasano

Township Administrator: Peter R. Valesi
Township Attorney: Andrew J. Ball, Esq.
Township Engineer: Matthew J. Bryant, P.E.
Township Planner: T. Andrew Thomas, P.P.
Township Planner / Zoning Officer: Todd Brown, P.P. A.I.C.P.

Freehold Township Planning Board

Jason Levy, Chairman
John Bazzurro, Vice Chairman

Alan C. Walker, Mayor (or Mayor's Designee – Lester A. Preston, Jr.)

Maureen Fasano
Leon Bruno, Jr.
Patrick Coburn
Matthew Barbieri
Robert Shortmeyer
Apyrl Kurtz
Michael Pucci, Alternate I
Christopher Marion, Alternate II
John Krok, Alternate III

Planning Board Attorney: Roger J. McLaughlin, Esq.
Planning Board Engineer: Matthew J. Bryant, P.E.
Planning Board Administrative Officer: Heather A. Tormey

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REDEVELOPMENT PLAN
SOUTH FREEHOLD SHOPPING CENTER
(Block 50, Lots 31, 31.01, 32 and 32.01)

Introduction and Purpose

The Freehold Township Committee has determined that the South Freehold Shopping Center (Block 50, Lots 31, 31.01, 32 and 32.01) is an "area in need of redevelopment" within the definition and requirements of the Local Redevelopment and Housing Law, (LRHL), N.J.S.A. 40A:12A-1 et seq. The Freehold Township Committee adopted (R-14-31) Resolution on January 28, 2014 determining the area is in need of redevelopment (See Appendix 1).

The process to designate the site as an area of redevelopment began on October 8, 2013 when the Township Committee adopted Resolution R-13-222 authorizing the Planning Board to undertake a preliminary investigation and public hearing to determine whether the South Freehold Shopping Center located at the corner of Route 9 and Route 79 within the Township met the statutory criteria for designation as an "area in need of redevelopment" in accordance with the Local Redevelopment and Housing Law, P.L. 1992, c.79 (N.J.S.A. 40A:12A-1 et seq.)

In accordance with the resolution of the Township Committee, the Planning Board adopted a Resolution on November 7, 2013 authorizing the Township Planner and Engineer to investigate the properties, prepare a redevelopment area boundary map and prepare a report setting forth the basis for the investigation and including the findings of the property investigation, as required by N.J.S.A. 40A:12A-1 et seq.

The Township Committee also adopted Resolution R-13-239 on November 12, 2013 (See Appendix 1) which amended the October 8, 2013 Resolution stating its intentions not to exercise the power of eminent domain for the designated redevelopment area site. The Resolution amendment is in accordance with amendments to N.J.S.A. 40A:12A-6 approved as P.L. 2013 Chapter 159 on September 6, 2013. The Resolution stated the following:

"it is not the intention of the Township Committee to exercise the power of eminent domain in conjunction with any redevelopment authority, in the event the Planning Board's investigation should determine the Property qualifies as an area in need of redevelopment."

The Planning Board held a special meeting on November 27, 2013 to review a map of the area delineated for redevelopment and a report from the Township Planner and Engineer. Based upon the Board's observations and the conclusions of the report the Planning Board found that reasons existed justifying the delineated area as an "area in need of redevelopment" within the meaning of N.J.S.A. 40A:12A-6. (See Appendix 1)

On December 19, 2013 the Planning Board conducted a public hearing. There was no opposition to the designation of the delineated area as an area in need of redevelopment. Following the public hearing, the Planning Board determined the area was an area in need of redevelopment within the definitions and requirements of the law and adopted a Resolution to that effect. The Township

Committee Resolution followed on January 28, 2014.

This report sets forth the Redevelopment Plan for the South Freehold Shopping Center including land uses, bulk and area requirements, and design standards for redevelopment.

Statutory Process and Authority

The Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1, et seq.) requires that a Redevelopment Plan shall include an outline for the planning, development, redevelopment or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definitive local objectives as to appropriate land uses, density of population and improved traffic and public transportation, public utilities, recreational and community facilities and other public improvements;
2. Proposed land uses and building requirements in the project area;
3. Adequate provision for the temporary and permanent relocation, as necessary, of residents in the project area, including an estimate of the extent to which decent safe and sanitary dwelling units, affordable to displaced residents will be available to them in the existing local housing market;
4. An identification of any property within the redevelopment area proposed to be acquired in accordance with Redevelopment Plan;
5. Any significant relationship of the Redevelopment Plans to:
 - The Master Plans of contiguous municipalities;
 - The Master Plan of the County in which the municipality is located, and;
 - The State Development and Redevelopment Plans adopted pursuant to the "State Planning Act".
6. Pursuant to N.J.S.A. 40A:12A-7c, the Redevelopment Plan must also describe its relationship to pertinent municipal development regulations.
7. As of the date of the adoption of the resolution finding the area to be in need of redevelopment, an inventory of all housing units affordable to low and moderate income households, as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304), if any, that are to be removed as a result of implementation of the Redevelopment Plan, whether as a result of subsidies or market conditions, listed by affordability level, number of bedrooms, and tenure.

8. If applicable, a plan for the provision, through new construction or substantial rehabilitation of one comparable, affordable replacement housing unit for each affordable housing unit that has been occupied at any time within the last 18 months, that is subject to affordability controls and that is identified as to be removed as a result of implementation of the Redevelopment Plan. Displaced residents of housing units provided under any State or federal housing subsidy program, or pursuant to the “Fair Housing Act,” P.L.185 c.222 (C.52:27D-301 et al.), provided they are deemed to be eligible, shall have first priority for those replacement units provided under the plan; provided that any such replacement unit shall not be credited against a prospective municipal obligation under the “Fair Housing Act,” P.L.185 c.222 (C.52:27D-301 et al.), if the housing unit which is removed had previously been credited toward satisfying the municipal fair share obligation. To the extent reasonably feasible, replacement housing shall be provided within or in close proximity to the redevelopment area. A municipality shall report annually to the Department of Community Affairs on the progress in implementing the plan for the provision of comparable, affordable replacement housing required pursuant to this section.
9. Proposed locations for electrical vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network, to the extent required by ordinance and statute.

The LRHL also provides that “a Redevelopment Plan may include the provision of affordable housing in accordance with the “Fair Housing Act,” P.L. 1985 c.222 (C.52:27D-301 et al.), and the housing element of the municipal master plan.” Lastly, the Redevelopment Plan is required to describe its relationship to applicable municipal development regulations and must state whether the provisions of the Redevelopment Plan supersede applicable provisions of the development regulations of the municipality or constitute an overlay zoning district within the redevelopment area. When the Redevelopment Plan supersedes any provision of the development regulations, the Redevelopment Plan shall contain an amendment to the zoning ordinance and zoning map.

Redevelopment Plan Overview

This Redevelopment Plan recommends and provides for the redevelopment of the overall shopping center.

The South Freehold Shopping Center site is a prominent development within the Township due to its central location at the intersection of U.S. Route 9, N.J. Route 79 and N.J. Route 33. It is the intent of Freehold Township, through the implementation of this Redevelopment Plan, to provide an opportunity to revitalize the shopping center, in order to maximize the economic development opportunities of the shopping center by enhancing the overall architectural design of the building and aesthetic appearance of the site while minimizing any adverse impact to the Township.

The Redevelopment Plan sets forth standards and guidelines for land use, circulation, lighting, parking, loading, and signage to create development that meets the goals and objectives of the Plan.

Location of Redevelopment Area

Appendix 2 and 3 show the boundaries of the redevelopment area, which consists of the South Freehold Shopping Center shown as Block 50, Lots 31, 31.01, 32 and 32.01 located between Route 9 and Route 79 (South Street) north of Route 33 as identified on the official Freehold Township tax maps. The total site area contains 16.77 acres (16.59 acres per the Township's Tax Map).

The designated Redevelopment Area is located in the central portion of Freehold Township, south of Freehold Borough at the intersection of Route 9, Route 79 (South Street) and adjacent to the Route 33 Bypass. Access to the site is from Route 9 and Route 79. There is no access from the Route 33 Bypass, which is a limited access highway and which is elevated at that location. The regional location of the Redevelopment Area is shown in Appendix 4.

Lot 31 contains 4.52 acres (4.55 acres per the Township's Tax Map) and is located at 3585 Route 9. Lot 31 contains a supermarket along the northern portion of the lot and the remainder is parking and drive aisles.

Lot 31.01 contains a total of 11.05 acres (11.03 acres per the Township's Tax Map), is irregularly shaped, and contains the following buildings: (1) a large, L-shaped strip shopping center that is attached to the supermarket building. The strip shopping center contains a total of 20 individual tenant units; (2) a gasoline filling station; (3) a freestanding commercial building and (4) a freestanding strip shopping center with 10 tenant spaces. The addresses of the uses range from 3583 to 3631 Route 9 North.

Lot 32 is located at the southern portion of the Redevelopment Area. Lot 32 is .91 acres (0.69 acres per the Township's Tax Map) and contains a small freestanding commercial building. The address of the site is 3625 Route 9.

Lot 32.01 is located at the southeastern portion of the Redevelopment Area and contains a vacant automotive center. The address of the property is 270 South Street and it contains .29 acres (0.32 acres per the Township's Tax Map).

Existing Land Use, Master Plan and Zoning Designations

A. Existing Land Use

The existing land uses of the redevelopment area include retail shopping center, former automotive repair station, and gasoline filling station.

To the north and adjacent to the redevelopment area is a reception and catering hall. Also located to the north is a development of single-family homes including homes along Moreau Avenue, Pittenger Avenue, Patten Street and Euretta Avenue. To the north and west of the redevelopment area is a shopping mall, which contains an approximately 300 space commuter parking lot leased and maintained by the Township. To the west of the redevelopment area are quick serve restaurants, retail, and a gasoline filling station. The redevelopment area is bordered to the south by the Route 33 Bypass, which is a limited access highway and elevated at the site, bordered to

the east by South Street (Route 79) and the Route 33/Route 79 interchange and bordered to the west by Route 9. East of and across South Street is the NJDOT regional administrative office and highway maintenance facilities.

B. Master Plan

Freehold Township adopted its current Master Plan on March 20, 1985. The Land Use Plan Element has been amended several times since that date with the last amendment occurring on August 4, 2016. The Planning Board last adopted a Reexamination Report on August 21, 2014. The current Master Plan designation for the redevelopment area is B-10 – Highway Development 10 Acres. The site has been designated B-10 since the Master Plan adoption in 1985.

The Township Committee Resolution of October 8, 2013 requesting that the Planning Board undertake a study to determine whether the South Freehold Shopping Center was an area in need of redevelopment occurred after a Reexamination Report Addenda dated September 19, 2013 to the Reexamination Report adopted on June 7, 2012.

C. Zoning

The current zoning for the redevelopment area is B-10 Highway Development 10 Acres. The redevelopment area has been zoned B-10 at least since the early 1980s.

The permitted uses in the B-10 zone include the following:

- (1) Office buildings for professional, executive, engineering or administrative purposes.
- (2) Banks, retail stores and shops, provided that no exterior storage or sales of building materials shall be permitted.
- (3) Personal service establishments.
- (4) Restaurants, cafes and coffee shops. Fast-food restaurants shall not be located nearer than 3,000 feet from one another, except that this provision shall not apply to fast-food restaurants located within shopping centers. Family-style restaurants without liquor licenses with video interactive games and/or child entertainment centers with or without video interactive games shall be permitted subject to the following design standards:
 - (a) Minimum floor area devoted to an individual family style restaurant or child entertainment center use: 2,500 square feet.
 - (b) Minimum floor area for each restaurant where two or more family-style restaurants are located in the same building: 2,500 square feet.
 - (c) Minimum number of seats is 125.
 - (d) No separate take-out service area is permitted.

- (e) No drive-up windows are permitted.
 - (f) Video interactive devices, video games, and children entertainment uses in conformance with Chapter 75, Article II, § 75-19, provided that the area used for such uses shall not reduce the minimum required restaurant floor area and shall not exceed 25% or 1,000 square feet of the total floor area of a family-style restaurant, whichever is less.
 - (g) In any child entertainment center the area which contains video interactive games shall not exceed 7,500 square feet and the total area devoted to food service and party rooms shall not exceed 20% of the total floor area of the child entertainment center.
- (5) Shopping centers comprised only of uses permitted in this zone.
 - (6) Wholesale business and distributors.
 - (7) Passenger bus stations.
 - (8) Research laboratories and light industries for the manufacture of products which may be produced without the creation of objectionable or detrimental effects on any other properties, subject to the performance requirements and specifications as hereinafter set forth in this chapter.
 - (9) Horse racetracks, horse racecourses, and premises wherein pari-mutuel wagering is permitted by the state.
 - (10) Municipal facilities.
 - (11) Extension and commercial schools.
 - (12) Public utility installations.
 - (13) Fitness and recreational sports centers (NAICS 713940). [Added 6-17-2008 by Ord. No. 0-08-11]
 - (14) Bowling centers (NAICS 713950). [Added 6-17-2008 by Ord. No. 0-08-11]
 - (15) Other indoor recreational facilities including dancing schools, gymnastic and cheerleading centers, miniature golf, target golf, archery centers, skateboard parks and similar types of indoor recreational activities and/or instruction. [Added 6-17-2008 by Ord. No. 0-08-11]

The bulk standards for the B-10 zone are summarized in the following table with an indication if the redevelopment area conforms to the standards under existing conditions:

Requirement	Standard	Site	Redevelopment Area Conforms (Yes/No)
Minimum Lot Area	10 Acres	16.77 Acres	Yes
Minimum Lot Width	1,000 ft.	+/- 372 Ft.	No
Minimum Lot Frontage	1,000 ft.	+/- 967 Ft.	No
Minimum Lot Depth	500 ft.	+/- 858 Ft.	Yes
Maximum Lot Coverage - All Buildings	15%	+/- 24.6%	No
Maximum Lot Coverage - All Impervious Surfaces	60%	+/- 89.3%	No
Maximum Floor Area Ratio	0.15	+/- 0.22	No
Maximum Building Height (Feet)/Stories	35 Ft./ 2 Story	35 ft./ 2 Story	Yes
Front Yard Setback	100 Ft.	+/- 62.7 Ft. (Rt.79); +/- 33.7 Ft.(Rt.9); 10.9 Ft. (Rt. 33)	No
Side Yard Setback	100 Ft.	+/- 7.4 Ft.	No
Rear Yard Setback	100 Ft.	N/A	No
Minimum Width Buffer Zone	75 Ft.	+/- 24 Ft.	No
Scenic Corridor Buffer	50 Ft.	+/- 9.3 Ft. (Rt. 33)	No

As shown on the table above the present shopping center does not conform with several of the B-10 bulk standards since the shopping center was developed in the 1960s, long before adoption of the current B-10 zoning and design standards.

Existing Conditions

(Building square footage area for reference purposes only)

A. Main Supermarket Building (59,182 SF)

The supermarket building is located at the northeast corner of the Redevelopment Area along South Street. The building contains approximately 59,182 square feet and was originally constructed in 1963. Primary access to the building and parking area is from South Street which contains two separate entrances. Additional access to supermarket is from Route 9 through the shopping center parking area. The building is oriented with the side of the building facing South Street. Aside from directional signs, there is no signs at the South Street entrances, however, there is signs located on the side and front of the building. A loading area is located at the rear of the building along the property boundary with the reception and catering hall. A portion of the loading area driveway is located on an access easement on the reception and catering hall property. The driveway is also utilized by the reception and catering hall for its deliveries and loading area.

B. Strip Shopping Center (72,729 SF) – adjacent to Main Supermarket Building

The strip shopping center adjacent to the main supermarket is the largest building in the redevelopment area and contains approximately 72,729 square feet. It is located along the northern portion of the site in an L-shaped design.

C. Secondary Strip Shopping Center Building (20,166 SF)

Currently, a secondary strip building, scheduled for demolition, is located along the southern portion of the site abutting the four-lane divided limited access Route 33 Bypass. This secondary center currently contains approximately 20,166 square feet, all of which will be demolished.

D. Small Freestanding Commercial Buildings (1,452 SF and 5,905 SF)

Currently, located at the south western portion of the redevelopment area along Route 9 are two small building of approximately 1,452 square feet and 5,905 square feet, which will both be demolished.

E. Automotive Center (Former) (5,218 SF)

The former automotive center is a 3-bay, two—story, building of approximately 5,218 square feet located in the southeastern corner of the site, which is scheduled for demolition.

F. Gasoline Filling Station

The gasoline filling station is located in the southern portion of the Redevelopment Area, off Route 9 northbound, with access only from the entry driveways to the overall shopping center. The station does not have its own separate site entrance from Route 9.

The station is comprised of 6 service station bays and has a canopy. The station has a small 668 square foot building used for an office, bathroom, and some retail sales. The station also has some ancillary facilities including vehicle air and vacuum stations and propane sales.

The Delta gasoline station, formerly a Getty gasoline service station, had several monitoring wells installed in 2005 pursuant to the underground storage tank regulations. Since that time, groundwater contamination has been detected resulting in an on-going investigation and remediation under rules established by the NJDEP. Recently a Classification Exception Area (CEA) was established in accordance with NJDEP regulations which describes the area calculated to encompass the greatest extent of the groundwater impacts.

The gasoline filling station currently has a land lease that runs through 2028 with all options. From a land use planning perspective, the gasoline filling station is a major visual barrier to the shopping center buildings from Route 9.

G. Environmental Conditions

Environmental conditions in the redevelopment area were analyzed in order to document the presence of critical features and any natural constraints on development. There were no environmental conditions evidenced from the available NJDEP GIS data at the redevelopment area, i.e. no freshwater wetlands, steep slopes, critical habitat or stream corridors.

An environmental status summary report dated September 15, 2020 and prepared by Brilliant Environmental Services, LLC is attached as Appendix 8. The report provides a summary of the ongoing investigation and remediation activities at the South Freehold Shopping Center and gasoline station.¹

Redevelopment Plan

The Redevelopment Plan provides the terminology, goals and objectives, land use plan, circulation plan, utility plan, land use and development standards and phasing of the Redevelopment Area.

A. Redevelopment Plan Goals and Objectives

The objectives of the Redevelopment Plan are as follows:

- Create land use requirements specific to the Redevelopment Area that effectuate the rehabilitation and/or replacement of the buildings and grounds on the site, that are sensitive to properties adjoining the Redevelopment Area and the general welfare of the Township to advance the intent and purposes of the zoning ordinance and master plan;
- Provide an opportunity for the development of a mix of non-residential uses that will foster the long-term viability of the existing buildings and grounds;

¹ This report is subject to further updates.

- Provide increased employment opportunities for the existing and future residents of the Township of Freehold;
- Provide for the redevelopment of the South Freehold Shopping Center property to increase tax ratables within the Township of Freehold;
- Provide infrastructure improvements for the Redevelopment Area;
- Provide circulation improvements for the Redevelopment Area that promote the free flow of traffic;
- Provide for and improve pedestrian circulation and safety;
- Maintain the current integrity of the site by eliminating obsolete or faulty building arrangements;
- Utilize to the maximum extent practicable, Smart Growth Planning Principles in the redevelopment of the South Freehold Shopping Center. Such principles include:
 - Master Planning for community rehabilitation and redevelopment;
 - Utilizing high quality design and planning techniques.
- Institute land use and building controls to promote a visually attractive building and site;
- Promote maximum visibility of the principal building in the shopping center from Route 9.

B. Terminology

Except as otherwise provided herein, words that appear in this Redevelopment Plan shall be interpreted in accordance with the "Definitions" section in the Township's Land Use Regulations set forth in Chapter 190-3.

"Impervious Surface" shall mean a surface that has been covered with a layer of material so that it is highly resistant to infiltration by water. Non-motor vehicle stone or gravel surfaces, including utility, mechanical and electrical equipment areas, shall not be considered impervious surfaces.

"Motor Vehicle Surface" shall mean any pervious or impervious surface that is intended to be used by motor vehicles and/or aircraft, and is directly exposed to precipitation including, but not limited to, driveways, parking areas, parking garages, roads, racetracks, and runways.

"Redeveloper" shall mean the corporation, partnership or other entity designated by the Redevelopment Entity as Redeveloper pursuant to N.J.S.A. 40A:12A-1 et seq., and having entered into a Redevelopment Agreement with the Redevelopment Entity for the purpose

of advancing this Redevelopment Plan. Nothing herein shall prohibit the Township from acting as a Redeveloper if and when appropriate or convenient.

"Redevelopment Agreement" shall mean a contract made by and between the designated Redeveloper and the Township, acting in its capacity as Redevelopment Entity for the redevelopment area, which shall detail the specific rights, responsibilities and obligations of each party related to the development of the Redevelopment Area.

"Redevelopment Entity" shall mean the Township of Freehold, acting as the implementing agent for this Redevelopment Plan in accordance with and under the provisions of N.J.S.A. 40A:12A-1 et seq.

"Redevelopment Plan" shall mean the South Freehold Shopping Center Redevelopment Plan herein. Upon adoption by the Township Committee, this Redevelopment Plan shall satisfy all statutory requirements of the Local Redevelopment and Housing Law and shall constitute a Redevelopment Plan under N.J.S.A. 40A:12A-3, -7 & -15.

"Redevelopment Statute" shall mean the New Jersey Local Redevelopment and Housing Law (N.J.S.A. 40A:12A-1 et seq.).

C. Land Use Plan

The Land Use Plan section of the Redevelopment Plan provides for the overall building layout, permitted uses and development review procedure. A site plan that includes the proposed improvements to the entire property in the redevelopment area shall be submitted in accordance with the provisions of this Redevelopment Plan.

1. Site Plan

- The site plan shall be generally in conformance with a plan entitled Site Plan, attached as Appendix 5. The Redeveloper is not required or obligated to provide improvements outside of the proposed limits of improvements specifically shown in Appendices 5, 6, and 7, or to improve or replace the existing conditions shown to remain in Appendix 5, except when reasonable and necessary to effectuate the site plan attached as Appendix 5.

The architectural plans to be submitted with the site plan shall be generally in conformance with an architectural plan entitled "Elevations and Renderings Proposed Renovation and Addition for South Freehold Shopping Center", prepared by Robert W. Adler & Associates, PA, dated January 7, 2022, as revised. Attached as Appendix 7.

The disposition of certain existing buildings is as follows:

- a. The secondary strip center building (20,166 s.f.) will be demolished. This area will be utilized for other required site improvements.
- b. The small freestanding commercial buildings (1,452 s.f. and 5,905 s.f.) will be demolished. This area will be utilized for other required site improvements.

- c. The former automotive center building (5,218 s.f.) will be demolished. This area will be utilized for other required site improvements.
- d. The existing Delta gasoline service station on Route 9, which is a leased property and which use and termination of lease is currently not under the control of the redeveloper, will be redeveloped as a site for commercial use that will complement the architectural style of the principal shopping center structure. Redeveloper agrees to provide the Township with a concept plan for such redevelopment 18 months prior to the expiration of the current service station lease. The Land Use Plan does not include gasoline service stations as a permitted use. The existing Delta gasoline service station shall be redeveloped in accordance with all the standards set forth in this Redevelopment Plan.

2. Land Use Procedures

This Redevelopment Plan shall supersede the provisions of the Township regulations for the redevelopment area. Unless specifically provided otherwise herein, the development of the redevelopment area shall be governed solely by the provisions of this Redevelopment Plan, either as set forth in the text of the Redevelopment Plan, or as shown on the plans and other materials attached as Appendices. For standards not specifically covered in this Redevelopment Plan, or reflected in the plans and other materials attached as Appendices, the Township development regulations shall apply including specific regulations within the B-10 zone, with the exception of the following: (a) minimum lot depth requirement in Schedule C to §190; and (b) Requirements set forth in §190-145D(2).

- a. Pursuant to N.J.S.A. 40A:12A-13, development applications shall be submitted to the Planning Board for review and approval. No application may be filed until a Redeveloper has been designated by the Redevelopment Entity and there has been an executed Redevelopment Agreement.
- b. Pursuant to the Municipal Land Use Law, (N.J.S.A. 40:55D-1 et seq.) (the “MLUL”) and the Freehold Township Land Use Ordinance, the Planning Board shall conduct site plan review for all development.
- c. The Planning Board may grant deviations from the requirements of this Redevelopment Plan pursuant to the criteria for “C” variances pursuant to N.J.A.C. 40:55D-70c of the MLUL, and may also grant “C” variances and exceptions and/or waivers from any applicable provisions of the Freehold Township Land Use Ordinance.
- d. Any deviation from standards of this Redevelopment Plan that results in a “D” variance, pursuant to N.J.S.A. 40:55D-70d, shall be addressed pursuant to an amendment to the Redevelopment Plan by the Township Committee rather than variance relief by the Planning Board.

- e. Any proposed change in use within the Redevelopment Area shall be reviewed for compliance with the Redevelopment Plan by the zoning officer, who shall determine whether a zoning permit can be issued, or whether Planning Board review is required.
- f. The Planning Board may require the redeveloper to furnish performance guarantees pursuant to N.J.S.A. 40:55D-53 and as required in the Freehold Township Land Use Ordinance as part of site plan approval.
- g. Where there is a proposed change of tenancy or revision to the site that does not require either subdivision or site plan approval pursuant to the Township's Development Regulations, Planning Board approval shall not be required. A Building Permit or Zoning Permit may be issued by the Construction Official or Zoning Official in that instance.
- h. Once the redevelopment of the property has been completed in accordance with this Redevelopment Plan, it may not be converted to any use otherwise not permitted in this Redevelopment Plan, unless the Redevelopment Plan is amended to permit such use. No non-conforming use, building, or structure may be expanded or made more non-conforming after adoption of this Redevelopment Plan.
- i. A use or structure not conforming to the requirements of this Redevelopment Plan may not be reconstructed in the event of its destruction. The Zoning Officer shall determine the issue of whether the non-conforming use or building structure has been "destroyed."
- j. Where applicable, the regulations and controls of this Redevelopment Plan shall be implemented, through agreements between the Redeveloper and the Redevelopment Entity pursuant to N.J.S.A. 40A:12A-8 and 40A:12A-9.
- k. The Redeveloper shall be required to pay all applicable escrow and major site plan application fees and other required fees in accordance with applicable provisions of the Township Ordinance and State law.

If any word, phrase, clause, section, or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the word, phrase, clause, section, or provision so judged and the remainder of the Redevelopment Plan and implementing ordinances shall remain in effect.

D. Circulation Plan

Any application submitted for approval shall include a detailed circulation plan which shall address vehicular and pedestrian circulation throughout the site. At a minimum, the circulation plan design shall incorporate the following:

- (a) The interior road network servicing the existing building shall be privately owned and maintained

- (b) Internal striped pavement or islands shall be provided within the parking lot to delineate the terminus of parking rows and also define the internal circulation roadway.
- (c) Pedestrian routes shall be designed to accommodate pedestrian activity and meet applicable American with Disabilities Act (ADA) standards.
- (d) Sidewalks along Route 9 shall be addressed as part of the site plan approval for the redevelopment of the Delta gasoline service station pursuant to Section C(1)(d) of this Redevelopment Plan.
- (e) Sidewalks shall be provided along Route 9 and South Street (NJ State Route 79).
- (f) Sidewalks along Route 79 may be provided on-site or within the DOT right-of-way.
- (g) At the time of site plan submission, a traffic impact study shall be provided for driveways and for the intersection of South Street and the Route 33 ramp-site driveway.
- (h) Conflicts between pedestrians and vehicles should be minimized to the greatest extent practicable, and crosswalks should be provided to define pedestrian access.
- (i) A Phasing Plan consistent with the plan attached as Appendix 10 will be submitted with the site plan application. Construction phasing details will be coordinated with the Township Construction Code Official subsequent to signing of the site plans. Changes due to unforeseen conditions will be reviewed in advance with the Township Construction Code Official.
- (j) Loading docks, truck parking, HVAC equipment, emergency generators, trash dumpsters and recycling areas, and other service functions shall be incorporated into the overall design so that the visual and acoustic impacts of these functions are minimized from adjacent residential properties. The above notwithstanding, emergency generators are only required to comply with the New Jersey State Noise Control Rules at N.J.A.C. 7:29-1.1 et. seq. regard to the acoustic standards.
- (k) Site circulation shall encourage separation of delivery vehicles from customer parking and pedestrian areas by use of main circulation driveways throughout the site. Deterrents to customer and cut-through traffic through the existing loading zone of the main building, including the use of signs, shall be provided. During construction, separation of loading operations and delivery vehicles from customer parking and pedestrian areas shall be maintained to the greatest extent possible.
- (l) Two-way access aisles along the rear of the main building, in the vicinity of the loading areas, shall have a minimum width of 20 feet. Signs indicating access for authorized vehicles and deliveries only shall be provided.

E. Water, Sanitary Sewer and Utility Plan

Development of the site shall provide for installation of utility distribution lines and service connections in accordance with the provisions of the applicable Standard Terms and Conditions incorporated as a part of their tariffs on file with the State of New Jersey Board of Public Utility Commissioners. The Redevelopment Plan shall be designed to meet the Township utility service goals, including but not limited to:

- (a) Ensure that water, sewer, electricity, natural gas, are reliable, of the highest quality, and available at a reasonable cost.
- (b) Comply with the minimum design and performance standards for erosion control as established under the Soil Erosion and Sediment Control Act, N.J.S.A. 4:24-39 et seq. and implementing rules.
- (c) Abandon, alter, and/or remove existing sanitary sewer and water system infrastructure as required to accommodate proposed site improvements
- (d) Provide a sanitary sewer report which estimates the projected wastewater flows for the development utilizing the NJDEP Treatment Works Approval guidelines (N.J.A.C. 7:14A-23.3). The report should relate the existing sanitary sewer flows to the projected sanitary sewer flows for the proposed new buildings.
- (e) Provide a water demand report that estimates the projected drinking water demands for the development. The demand calculation should utilize Safe Drinking Water guidelines (N.J.A.C. 7:10-12.6) to compute domestic demands. The report should relate the existing water demands to the proposed water demands.

F. Stormwater Management Plan

A Stormwater Management Plan is required to be provided. The proposed Stormwater Management Plan shall be required to meet the current State (N.J.A.C. 7:8-5 et. seq.) and Chapter 190 of the Township Land Use Ordinance.

G. Landscaping Plan

A Landscape Plan shall be provided as part of site plan submission.

H. Land Use and Development Standards

1. Schedule of Yard, Area and Building Requirements ²

Requirement	Standard
Minimum Lot Area	15 acres
Minimum Lot Depth	No minimum requirement
Minimum Lot Dimensions	Width at building line: 300 feet
	Frontage: 500 feet
Maximum Lot Coverage (Percent)	All buildings: 25 Percent ³
	All impervious surfaces: 90 Percent
Maximum Floor Area Ratio	25 Percent
Maximum Building Height	40 feet
	2 Story
Minimum Yard Depth (in feet) for Principal Buildings	Front Yard: Route 9: 30 feet Route 79: 50 feet Route 33: 5 feet Side Yard: 5 feet Rear Yard: N/A
Minimum Yard Depth (in feet) for Accessory Buildings and Refuse Enclosures	Front Yard: Route 9: 30 feet Route 79: 50 feet Route 33: 5 feet Side Yard: 30 feet Rear Yard: N/A
Minimum Width Buffer Zone (in feet)	N/A
Minimum Size of Main Building	25,000 square feet
Scenic Corridor Buffer	N/A

2. Schedule of Permitted Uses

The schedule of permitted uses for the redevelopment area is located in Appendix 9. The source for specific uses is from the 2017 North American Industrial Classification System (NAICS) which is used to define business and government establishments according to industry type. This system is particularly useful in defining permitted uses within a zone so it is clear to the Boards, Zoning Officer and current and prospective applicants and tenants as to what is specifically permitted. The

² All bulk requirements shall apply to the Redevelopment Area as a whole, and shall not be applied to individual tax lots that may be located within the Redevelopment Area

³ Building coverage shall exclude covered walkways.

NAICS also defines each of the uses. The NAICS list and definitions for each of the uses can be found on the web at: <https://www.census.gov/naics/>. Since NAICS does not offer guidance on the classification of multiple establishments a separate category for "shopping center" has been added as a permitted use.

3. Other Standards

- a. A permitted supermarket use may operate 24 hours/7days week.

4. Permitted Accessory Uses

- a. Signs as specified in the following section entitled "signage".
- b. Fences may be erected to a height not to exceed eight feet above ground level, including solid fence, consistent with Site Plan in Appendix 5.
- c. Freestanding Screening walls not exceeding a height of eight (8) feet. Screen walls attached to building shall not exceed the height of the building it's attached to.
- d. Solar panels, canopy style ground and roof mounted.
- e. Garbage storage and recycling enclosures and waste compactors, both internally and externally located.
- f. Parking.
- g. Loading. No restrictions or curfew shall be required for loading operations
- h. Outdoor storage, sales, and display, as follows:
 - (1) Outdoor displays and sales shall be limited to those materials and goods that are connected with the principal use on the premises.
 - (2) Outdoor sales and displays shall be permitted on front and side walkways against the front and side walls of the business and shall provide for an ADA compliant pathway to be maintained at all times. Outdoor displays shall not obstruct any means of ingress or egress, including emergency exits.
 - (3) Outdoor sales and displays shall not be permitted within access drive or fire lanes, or within landscaped and off-street parking areas, except as permitted herein.
 - (4) Outdoor sales and displays shall be arranged and maintained in a safe, orderly and neat manner.
- i. Seasonal outdoor storage, sales, and displays shall be permitted, and shall adhere to the Township Land Use Ordinance section 190-116.

- j. Emergency generators, as accessory to any permitted use.

I. Architectural

The appearance of the ShopRite and retail store buildings within the South Freehold Shopping Center Redevelopment Area shall be substantially similar to the architectural plans attached as Appendix 7, subject to reasonable modifications.

J. Signs

1. The existing pylon sign along Route 9 shall remain, but with modifications substantially conforming to those shown on the plan attached as Appendix 6, subject to reasonable modification.
2. All other signage shall substantially conform to the signage plans attached as Appendix 6, subject to reasonable modification.
3. Signage onsite shall be limited to a total of eight (8) different colors.
4. Regulatory signs shall be permitted in accordance with State Department of Transportation standards or the Manual on Uniform Traffic Control Devices.

K. Off-Street Parking and Loading

Off-street parking and loading shall be in accordance with the following requirements:

1. Parking facilities shall be permitted in any yard area.
2. Storage, display, and sales within required off-street parking shall be permitted in accordance with the Permitted Accessory Uses section of this Redevelopment Plan.
3. No parking spaces, access drive or aisle shall be located closer than ten (10) feet to any street line, with the exception of along Route 33, where five (5) feet is allowed, or five (5) feet to any side or rear property line, or within any required buffer, with the exception of Route 33 and along the tract's common property line with Block 50 Lot 30, where no setback is required. Parking spaces, access drives and aisles are permitted to be located within five feet of any side or rear property line where existing pavement is located within five feet of the side or rear property line, unless the existing pavement is to be reconstructed. This provision shall not apply to the existing gas station on Route 9.

4. Minimum drive aisle width shall be as follows: 26 feet for a two-way aisle with adjacent parking, except where noted on the site plan attached to this Redevelopment Plan per Appendix 5; 24 feet for a two-way aisle without adjacent parking. This provision shall not apply to the two-way driveway behind the supermarket, which shall have a variable width of at least 20 feet. This provision shall also not apply to the existing two-way aisles with adjacent parking to remain in the northwesterly corner of the site, which shall be permitted to remain at existing aisles width (24 feet minimum).
5. Parking spaces, except for parallel parking spaces, shall be not smaller than nine (9) feet wide by eighteen (18) feet in length and shall be striped with hairpin markings. Parallel parking spaces shall not be smaller than eight (8) feet wide by twenty-two (22) feet in length and shall be striped with a single stripe.
6. Curb islands where indicated shall have a minimum width of 5 feet measured from face-of-curb to face-of-curb.
7. Handicap accessible parking shall be provided in accordance with current American with Disabilities Act (ADA) standards.
8. Minimum number of parking spaces: 5 parking spaces per 1,000 square feet of gross leasable area up to 100,000 square feet and 4.0 parking spaces per 1,000 square feet of gross leasable area above 100,000 square feet gross leasable area. This requirement shall apply to the aggregate gross leasable area of the shopping center and shall not apply to the individual gross leasable area of each building. Mezzanine areas, not subject to leases (including storage and mechanical mezzanines), and vestibule areas are not leasable area shall not be included in the parking calculations.
9. Each truck loading space shall measure at least 9 feet in width and 45 feet in length, and shall have a vertical clearance of at least 14 feet in height.

Minimum number of loading spaces: 0 loading spaces for 0 — 9,999 square feet of gross leasable area, 1 loading space for 10,000 — 25,000 square feet of gross leasable area, and 1 additional loading space for each additional 20,000 S.F. of gross leasable area or fraction thereof. This requirement shall apply to the individual gross leasable area of each building and shall not apply to the aggregate gross leasable area of the shopping center. Loading in designated areas is not time restricted.

L. Electric Vehicle Charging Infrastructure

The New Jersey Redevelopment and Housing Law (N.J.A.C. 40A:12A-7) was amended by P.L. 2021, C.168, approved July 9, 2021 by the New Jersey Legislature requiring that redevelopment plans indicate the:

40A:12A-7(8) “proposed locations for zero-emission vehicle fueling and charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.”

Additional requirements for the installation of electric vehicle supply equipment or Make-Ready parking spaces are provided pursuant to P.L. 2021, c171 adopted July 9, 2021 which include amendments to N.J.A.C. 40:55D-66.18 through 40:55D-66.21.

Electric vehicle supply equipment or Make-Ready parking spaces parking facilities must comply with N.J.A.C. 40:55D-66.18 through 40:55D-66.21.

The proposed redevelopment results in a net decrease in the number of off-street parking spaces, and in accordance with N.J.S.A. 40:55D—66.18 et. seq. (P.L. 2021, c171) and applicable State regulations, the Redeveloper is not required to provide or install electric vehicle supply equipment or make-ready parking spaces. The Township shall consider the proposed redevelopment to be “grandfathered” and not required to provide such equipment or parking spaces regardless of subsequent statutory or regulatory amendments. The Redeveloper shall indemnify and hold harmless the Township, the Planning Board, or any officer, agent, or employee of the Township or Planning Board, for any costs, expenses, fees, or damages, including reasonable counsel fees and costs, incurred in connection with any effort by any person or entity, including without limitation the State of New Jersey, or an agency thereof, to enforce such requirements in connection with the proposed redevelopment.

M. Storage of Recyclable Materials

Per Article XII General Zoning Provisions - Section 190-122 shall apply, but no screening, landscaping or enclosure shall be required for compactors that are internally fed from within a building whether located interior or exterior to the building it serves.

N. Lighting

A lighting plan shall be submitted at the time of site plan submission. The objective of the lighting plan is to provide safety and security on the site, while minimizing effects to off-site properties and neighboring residential zones. All area lighting in places such as parking lots or for security shall provide translucent fixtures with shields around the light source. The mounting heights may vary; however, the maximum mounting height shall be 30 feet. Reuse of existing light poles is permitted. Fixtures shall be thin profile LED lights in the parking lot. The light intensity at ground level in traffic areas shall be a maximum of 10 foot-candles in parking lots and 35 foot-candles under covered walks, with a minimum of 0.5 foot-candles. No lighting source shall glare into windows or onto streets and driveways. No lighting source shall be a beam or a rotating, pulsating or other intermittent frequency. Pedestrian-level, bollard lighting, ground mounted lighting or other low, glare controlled fixtures mounted on buildings or landscape walls shall be used to light pedestrian walkways.

O. Improvement and Design Standards

Improvement and Design Standards shall be per Articles IX and X of the Freehold Township Land Use Ordinance Chapter 190, 70 through 96, except as follows⁴:

- 1) Storm sewer and roof leader pipes.
 - a) Material of storm sewer mains shall be gasketed reinforced concrete pipe (RCP), except outside of paved areas where pipe may be high density polyethylene (HDPE) pipe, or polyvinyl chloride (PVC). Roof leader pipe material may be HDPE or PVC.
 - b) Minimum pipe diameter shall be sufficient to convey flows generated by the 25-year storm event, except the minimum pipe size shall not be less than fifteen inches, with exception of roof leaders, which shall not be less than six inches. The existing 8-inch PVC pipe, currently draining the existing trench drains in the supermarket loading docks to the off-site stormwater basin on adjacent lot 30, may be reused for draining any land cover type without the need to comply with the minimum 15-inch pipe size.

P. Landscaping Standards

Landscaping and buffer requirements shall be as follows:

1. Buffers – As indicated in the Schedule of Yard, Area and Building Requirements contained in the Land Use and Development Standards section of this Redevelopment Plan, there is no required Minimum Width Buffer Zone nor Scenic Corridor Buffer. However, the following standards are provided for application to the existing landscape strip along the subject property's common boundary with the adjacent R-9 Residential Zone.
 - a. The existing landscape strip width along the subject property's common boundary with the adjacent R-9 Residential Zone shall be maintained.
 - b. Existing vegetation within the width of the existing landscape strip may be altered as necessary to accommodate proposed improvements.
 - c. Existing vegetation shall be supplemented with deciduous or evergreen trees in a quantity equal to one (1) tree per 50 linear feet of existing landscape strip. Incremental lengths of less than 50 feet shall be rounded to the nearest 50-foot interval. Based on an existing landscape strip length of approximately 520 feet, ten (10) supplemental trees shall be required under this standard. Trees shall be incorporated into the existing vegetation and need not be spaced evenly. Minimum planting size for deciduous and evergreen trees shall be 2 to 2-1/2 inch caliper and 5 to 6 feet in height, respectively.

⁴ This list is subject to change as the site plan is fully developed.

- d. The only structures which may be erected within the existing landscape strip are fences, light poles, traffic signs, and above grade utility installations.
2. Landscaping – All nonpaved areas of the property shall be suitably landscaped with trees, shrubs, grass, and other suitable landscaping materials, including, but not limited to, mulch and stone. The following standards shall apply to landscape areas within the proposed limits of improvements as expressly shown in Appendix 5 and as will be further defined by the limit of disturbance on the soil erosion and sediment control plan submitted for site plan approval. The Redeveloper is not required or obligated to provide landscape improvements outside of the limits of improvements shown in Appendix 5.
 - a. Existing vegetation may be removed or altered as necessary to accommodate proposed improvements.
 - b. Minimum planting island width shall comply with the Off-Street Parking and Loading section of this Redevelopment Plan.
 - c. Minimum depth of topsoil shall be four (4) inches. Topsoil may be sourced from onsite or imported.
 - d. Perennial beds shall be provided at the base of the existing freestanding sign to remain along Route 9 and the two (2) proposed freestanding signs along Route 79.
 - e. Shrubs shall be the primary planting feature and shall be provided at a rate of 1 shrub per 200 SF of proposed planting island area located north and/or east of the ShopRite. Proposed planting islands south and/or west of the ShopRite are not required to be planted with shrubs and are not included in calculation of the rate to determine compliance with this standard.
 - i. Shrubs need not be evenly distributed between planting islands.
 - ii. Shrub planting species shall be selected to ensure a mature height not exceeding 30 inches above grade elevation can be maintained.
 - iii. Juniper shrub species shall not be required.
 - f. Trees shall be a secondary planting feature and shall be provided at a rate of 1 tree per 2,000 SF of proposed planting island area located north and/or east of the ShopRite. Proposed planting islands south and/or west of the ShopRite are not required to be planted with trees and are not included in calculation of the rate to determine compliance with this standard.
 - i. Trees shall not be required in any planting island along the front driveway associated with the proposed ShopRite.
 - ii. Trees need not be evenly distributed between planting islands.

- iii. Tree species shall be provided in accordance with the Township’s “Freehold Township Preferred Tree Planting List” and “Preferred Evergreen Trees for Planting in Freehold Township” lists in their current form at the time of adoption of this Redevelopment Plan.
 - iv. Minimum planting size for deciduous and evergreen trees shall be 2 to 2-1/2 inch caliper and 5 to 6 feet in height, respectively.
- g. Drought resistant plantings shall be provided in planting islands without irrigation.
 - h. Irrigation shall be provided for 50 percent of the area of proposed planting islands located north and/or east of the ShopRite. Proposed planting islands south and/or west of the ShopRite are not required to be irrigated and are not included in calculation of the percentage to determine compliance with this standard.
 - i. The above landscaping standards shall not apply to stormwater management areas.
 - j. Stormwater management areas shall be designed as required to meet the current State (N.J.A.C. 7:8-5 et. seq.) standards and Chapter 190 of the Township Land Use Ordinance.

Q. Pavement Construction

1. Full depth pavement locations shall be determined by Site Plan grading designs and/or pavement evaluations, and shall not be required in pavement transitions or overlays where existing subgrade is adequate. The minimum requirements for standard duty full depth pavement construction shall be: i) **6.0”** of dense graded aggregate (DGA) or recycled concrete aggregate (RCA) conforming to NJDOT standards base course; ii) **4.0”** of NJDOT Hot Mix Asphalt (HMA) 19M64 or Mix I-2 base course; iii) **2.0”** of NJDOT Hot Mix Asphalt (HMA) 9.5M64 or Mix I-5 surface course. The minimum requirements for heavy duty full depth pavement construction shall be: i) 6.0” of DGA or RCA conforming to NJDOT standards base course; ii) 6.0” of NJDOT HMA 19M64 or Mix I-2 base course; iii) 2.0” of NJDOT HMA 9.5M64 or Mix I-5 surface course. Millings may be used for fill below the aggregate base course.
2. The minimum requirements for pavement overlay is 2.0”. It is recognized that reconstruction of sub-grade, sub-base and stabilized base may not be necessary in all portions of the site. The Redeveloper shall have a qualified N.J. licensed engineer perform an analysis of the existing movement, and shall submit a pavement design, based on that analysis, during the site plan review.
3. Clear sight triangles at the intersection of site access drives with public right-of-way shall be determined in accordance with AASHTO standards. In the sight triangle, the planting of trees or other plantings, or the location of structures, fences or other alterations of the topography or contour of the land, including but not limited to the placement of fill exceeding 30 inches

in height that would obstruct clear sight across the sight triangle is prohibited. Maintenance of clear sight across the triangle is the responsibility of the Redeveloper; therefore, sight triangle easements are not required, unless required by the NJDOT.

4. Maintenance of landscaping as proposed in accordance with the Landscape Plan is the responsibility of the Redeveloper. Shade trees shall be provided on the landscape plan at appropriate locations. 10 foot wide shade tree easements are not required along public right-of-ways.

Plan Consistency Review

As required by the Redevelopment and Housing Law (N.J.A.C. 40A:12A-7), this section describes the consistency between the Redevelopment Plan and the Freehold Township Master Plan and how the provisions herein are designed to effectuate the Master Plan. It also describes the relationship of the Redevelopment Plan to the Monmouth County Master Plan, adjacent municipal Master Plans, and the New Jersey Development and Redevelopment Plan.

A. Freehold Township Master Plan

This Redevelopment Plan is consistent with the Freehold Township Master Plan as last amended August 4, 2016. It is particularly consistent with several objectives and policies that are stated in the Township Master Plan including:

Objectives:

- To encourage municipal actions which will guide the long range appropriate use and development of lands within Freehold Township in a manner which will promote the public health, safety, morals and general welfare of present and future residents.
- To promote a desirable visual environment through creative development techniques which respect the environmental qualities and constraints of the Township and of particular sites.
- To encourage the continued economic development of the Township as a regional commercial and industrial center in areas which are suitable for such development.
- To encourage energy efficient site designs and provisions for renewable energy resources including solar, wind and recycled heat.

Policies:

- Planning will include a variety of residential and non-residential uses which will encourage continuation of and enhancement of Freehold Township as a quality suburban/rural residential community and as a commercial, employment, governmental and recreational center for western Monmouth County.

B. Monmouth County Master Plan

This Redevelopment Plan is consistent with the goals, principles, and objectives (GPOs) of the 2016 Monmouth County Master Plan particularly with respect to Master Plan Goal #3 which states: Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay. The following objectives from Master Plan Goal #3 are applicable to this Redevelopment Plan:

- Encourage the redevelopment and revitalization of highway commercial corridors that incorporate multi-purpose uses, higher design standards, are located outside Special Flood Hazard Areas (SFHA), and improve circulation both on and off-site.
- Encourage the use of green technology and design to reduce the impact of property improvements on natural systems.
- Promote the development and use of design standards that reinforce neighborhood character and improve the appearance and appeal of special improvement districts, commercial districts and corridors, and redevelopment areas.
- Encourage development of a high quality, diversified tax base to provide superior economic resiliency when confronted with unanticipated changes in the overall economy.

The 2016 Monmouth County Master Plan also references a number of consultative and supportive documents which provide additional information and resources. One of those documents is the Route 9/ Western Monmouth Development Plan, which establishes a framework for municipal Master Plans. This Redevelopment Plan is consistent with the Route 9/Western Monmouth Development Plan, particularly with the goals of establishing interconnection between businesses along Route 9, improving traffic flow and pedestrian connections.

A study entitled "Monmouth County State Route 79 Corridor Study" was adopted in July 2007 and is also relevant to the Redevelopment Plan. The South Freehold Shopping Center is located at the terminus of the "Monmouth County State Route 79 Corridor Study." There are no specific recommendations in that Plan along Route 79 where the redevelopment area is located.

C. New Jersey Development and Redevelopment Plan

The South Freehold Shopping Center is located in Suburban Planning Area (PA-2) of the New Jersey State Development and Redevelopment Plan that was adopted by the State Planning Commission on March 1, 2001. The site is also within a proposed regional center named "The Greater Freehold Regional Center."

In the Suburban Planning Area, the State Plan's intention is to:

- provide for much of the state's future development
- promote growth in Centers and other compact forms
- protect the character of existing stable communities

- protect natural resources
- redesign areas of sprawl
- reverse the current trend toward further sprawl
- revitalize cities and towns

Two of the specific policy objectives of the PA-2 are as follows:

"Land Use: Guide development and redevelopment into more compact forms - Centers and former single-use developments that have been retrofitted or restructured to accommodate mixed-use development, redevelopment, services and cultural amenities."

"Redevelopment: Encourage redevelopment efforts in existing Centers and single-use areas which can be redeveloped into mixed-use areas, and areas within walking distance of train stations or other major public transit facilities."

The revitalization of the South Freehold Shopping Center is consistent with the goals of the Suburban Planning Area (PA 2).

D. Master Plans of Adjacent Municipalities

There is no significant relationship of this Redevelopment Plan to the Freehold Borough Master Plans or master plans of other adjacent municipalities.

General Provisions

A. Adverse Influences

No use shall be permitted which, when conducted under proper and adequate conditions and safeguards, will produce corrosive, toxic or noxious fumes, glare, electromagnetic disturbance, radiation, smoke, cinders, odors, dust or waste, undue noise or vibration, or other objectionable features so as to be detrimental to the public health, safety or general welfare.

B. Non-Discrimination Provisions

No covenant, lease, conveyance or other instrument shall be affected or executed by the Township Committee or by a redeveloper or any of his successors or assignees, whereby land within the Plan Area is restricted by the Township Committee, or the redeveloper, upon the basis of race, creed, color, or national origin in the sale, lease, use or occupancy thereof. Appropriate covenants, running with the land forever, will prohibit such restrictions and shall be included in the disposition instruments. There shall be no restrictions of occupancy or use of any part of the Plan Area on the basis of race, creed, color or national origin.

C. Duration of the Plan

The provisions of this Plan specifying the redevelopment of the Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of thirty (30) years from the date of approval of the plan by the Township Committee.

D. Completion of Redevelopment

Upon the inspection and verification by the Township of Freehold that the redevelopment within the Plan Area has been completed, a certificate of completion shall be issued to the redeveloper. All redevelopment agreements associated with the implementation of this Redevelopment Plan shall be in effect until the issuance of such a certificate.

E. Severability

If any section, paragraph, division, subdivision, clause or provision of this Redevelopment Plan shall be adjudged by the courts to be invalid, such adjudication shall only apply to the section, paragraph, division, subdivision, clause or provision so judged, and the remainder of this Redevelopment Plan shall be deemed valid and effective.

F. Additional Provisions and Statements

The following additional provisions / statements are made in accordance with N.J.S.A. 40A:12A-7 – Adoption of Redevelopment Plan:

- (1) The Redevelopment Plan herein has outlined its relationship to local objectives as to appropriate land uses, density of population, and improved traffic and public transportation, public utilities, recreation and community facilities, and other public improvements.
- (2) The Redevelopment Plan provides for permitted uses, building and zoning requirements for the designated Redevelopment Area.
- (3) The Redevelopment Plan does not require the acquisition of privately owned land.

Redevelopment Entity and Appointment of a Designated Redeveloper

The Township of Freehold shall act as the “Redevelopment Entity”. The selection and appointment of a “Redeveloper” by the “Redevelopment Entity,” as both defined herein, shall be subject to the execution of a negotiated Redevelopment Agreement.

A. Development Standards

Development standards set forth in this Redevelopment Plan, including definitions, shall supersede the Freehold Township Land Use Ordinance. In all other instances, the Township Land Use Ordinance – Chapter 190 shall remain in effect.

Prior to the start of construction of any improvements within Redevelopment Area, final site plans and related application documents must be submitted to the Planning Board for site plan approval as required by the Township Ordinance and Municipal Land Use Law (NJSA 40:55D-1 et seq.) and LRHL.

B. Amending the Redevelopment Plan

The Township Committee shall not amend, revise, or modify the Redevelopment Plan, except as may be permitted pursuant to the terms of a Redevelopment Agreement entered into between the Redevelopment Entity and the designated Redeveloper. Review and approval of any proposed amendments authorized by the Redevelopment Agreement shall be in accordance with the procedures set forth in the LRHL and shall require notice and public hearings consistent with the adoption of the original Plan.

C. Duration of the Plan

The provisions of this Plan specifying the redevelopment of the Plan Area and the requirements and restrictions with respect thereto shall be in effect for a period of thirty (30) years from the date of approval of the plan by the Township Committee.

D. Acquisition and Relocation

The Study Area is a Non-Condemnation Redevelopment Area, therefore no properties are anticipated to be acquired to effectuate the redevelopment of the area. The Redevelopment Area does not contain any residential uses, so provisions related to acquisition and relocation assistance are not required.

E. Affordable Housing

The Redevelopment Area contains no affordable housing units as defined pursuant to section 4 of P.L.1985, c.222 (C.52:27D-304). The Redevelopment Area is subject to the provisions of the Statewide Non-Residential Development Fee Act, N.J.S.A. 40:55D-8.1 et.seq.

Redeveloper Obligations

Redevelopment shall be pursuant to a Redevelopment Agreement entered into between the Redevelopment Entity and the designated Redeveloper. The following obligations shall apply:

- (1) The Redeveloper shall develop the Redevelopment Area in accordance with the uses, improvements and requirements as specified in this Redevelopment Plan.
- (2) Any Redeveloper covenants provided for in N.J.S.A. 40A:12A-9 and contained in a Redevelopment Agreement, lease, deed or other instruments shall remain in effect until the improvements are completed and a Construction Approval (CA) is issued.

- (3) The Redevelopment Agreement shall contain provisions to assure the timely construction of the redevelopment area, performance guarantees of the Redevelopment and any additional provisions as may reasonably be necessary for the implementation of the Redevelopment Plan.

Amendment to Zoning Map and Land Use Ordinance

In the Freehold Township Land Use Ordinance the Township Zoning Map (§190-98) is hereby amended to include the “South Freehold Shopping Center Redevelopment Area (SFSC)” as a Zoning District in its entirety. The listing of zoning districts (§190-97) is also hereby amended to include the “South Freehold Shopping Center Redevelopment Area (SFSC)” as a zone.

Appendix

Appendix 1 – Resolutions

Appendix 2 – Aerial Map

Appendix 3 – Tax Map

Appendix 4 – Regional Location Map

Appendix 5 – Site Plan

Appendix 6 – Sign Plan

Appendix 7 – Architectural Plans

Appendix 8 – Environmental Report

Appendix 9 – Schedule of Permitted Uses

Appendix 10 – Phasing Plan

ORDINANCE NO. O-23-17
TOWNSHIP MEETING DATE – July 11, 2023

ORDINANCE AUTHORIZING THE PURCHASE OF BLOCK 101, LOT 51.01 LOCATED AT
122 HENDRICKSON ROAD

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

WHEREAS, pursuant to N.J.S.A. 40A:12-5 the Township is authorized to acquire real property; and

WHEREAS, the Township has determined it to be in the public interest to purchase Block 101, Lot 51.01, located at 122 Hendrickson Road in the Township of Freehold (the “Property”), for open space or other public purposes; and

WHEREAS, the Township has made an offer to purchase the Property for \$425,000.00 subject to inspections which shall include an environmental assessment.

NOW, THEREFORE, BE IT ORDAINED that the Mayor and Township Clerk of the Township of Freehold are hereby authorized to execute a contract for the purchase of the Property in a form to be reviewed and approved by the Township Attorney, such purchase price to be in the amount of \$425,000.00.

BE IT FURTHER ORDAINED that the Mayor, Township Administrator, Township Clerk, Township Attorney and such other municipal officials as are necessary, are hereby authorized to undertake any and all acts reasonably necessary to effectuate the purchase of the above-described Property.

BE IT FURTHER ORDAINED that this Ordinance shall take effect upon passage and publication according to law.

EXPLANATORY STATEMENT:

This Ordinance authorizes the purchase of Block 101, Lot 51.01, located at 122 Hendrickson Road in the Township of Freehold.



Resolution of the Township of Freehold
Monmouth County, New Jersey

No: R-23-170

Date of Adoption: July 11, 2023

**TITLE: RESOLUTION CANCELLING TAXES AND DISBURSING
OVERPAYMENT OF TAXES - 100% DISABLED VETERAN**

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

WHEREAS, a certain property has had an assessment change for the year 2023;
and

WHEREAS, the following Taxpayer Schedules include a 100% Disabled Veteran
allowed; applicable to the block and lot 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 item designated with the word
"CANCEL" on Schedule A be cancelled, and the item designated with the word
"REFUND" on Schedule B be refunded to the name appearing below; and

WHEREAS, taxes billed in the 2023 Extended Duplicate for said properties for Final
2023/Preliminary 2024 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.

SCHEDULE A
2023 - 100% DISABLED VETERAN - CANCEL

86.33 1.254 S08	GUTHMILLER, NICHOLAS 254 DAFFODIL DR FREEHOLD, NJ 07728	\$ 230.88
	TOTAL	\$ 230.88

SCHEDULE B
2023 - 100% DISABLED VETERAN - REFUND

86.33 1.254 S08	GUTHMILLER, NICHOLAS 254 DAFFODIL DR FREEHOLD, NJ 07728	\$ 230.88
	TOTAL	\$ 230.88

TOTAL CANCELLED	\$230.88
TOTAL REFUNDED	\$230.88

No. R-23-170

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

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-23-171

Date of Adoption: July 11, 2023

**TITLE: RESOLUTION GRANTING AN ADDITIONAL SIX (6) MONTH
UNPAID LEAVE OF ABSENCE TO BRIAN CARUSO**

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

WHEREAS, Brian Caruso requested unpaid leave of absence for a period of three (3) months which was approved by the Township Administrator, and said leave of absence expired on July 1, 2023; and

WHEREAS, it is estimated that Mr. Caruso will be able to return to work within six (6) months; and

WHEREAS, Mr. Caruso has requested that the Township extend his unpaid leave for an additional six (6) months; and

WHEREAS, the Township Code at Section 47-12(G) provides that leaves of absence may be extended beyond three months by approval of the Township Committee;

NOW THEREFORE BE IT RESOLVED that Brian Caruso is hereby granted an additional unpaid leave of absence for six (6) months through January 1, 2024, or until such time that Brian Caruso is medically cleared to return to work, whichever is sooner.

No. R-23-171

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

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-23-172

Date of Adoption: July 11, 2023

**TITLE: RESOLUTION AUTHORIZING AN AGREEMENT WITH
CENTRASTATE HEALTHCARE SYSTEM FOR HEALTH
PROMOTION AND DIABETES CONTROL**

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

WHEREAS, the Township Committee of the Township of Freehold is knowledgeable that there is a need for Health and Diabetes education, programs and services; and,

WHEREAS, an Agreement is proposed wherein CentraState Healthcare System shall serve this purpose;

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

1. The Mayor is hereby authorized to execute the Agreement with CentraState Healthcare System for Health Promotion and Diabetes Control.
2. The Agreement is awarded without competitive bidding because of the critical need for expertise and extensive training in the areas of Health Promotion and Diabetes Control.

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

1. Cause notice of the passage of this Resolution to be published within ten (10) days of its passage in an official newspaper of this municipality.
2. Retain a copy of this Resolution, as well as a copy of the Agreement, in the Office of the Township Clerk.
3. Forward a certified copy of the within Resolution to CentraState Healthcare System; the Township Administrator; the Township Health Officer; and the Township Director of Finance.

No. R-23-172

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

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-23-173

Date of Adoption: July 11, 2023

**TITLE: RESOLUTION EXTENDING CONTRACT 22-11 FOR ONE (1)
ADDITIONAL YEAR FOR GOLF COURSE AND BANQUET RENTAL**

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

WHEREAS, the Township Committee awarded a Contract for Golf Course and Banquet Rental to Pine Barrens Golf Club LLC by Resolution R-22-194; and,

WHEREAS, the Superintendent of Parks and Recreation has recommended, by memorandum dated June 27, 2023, that the above named Contract be extended for one (1) additional year, due to high quality and reasonable pricing; and,

WHEREAS, the provisions of NJSA 40A:11-15 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 following Parks and Recreation Trust account:

T-49-56-400-903-299

NOW, THEREFORE, BE IT RESOLVED that the Township Committee of the Township of Freehold hereby authorizes the above named contract extension for Golf Course and Banquet Rental to Pine Barrens Golf Club LLC in the amount of \$26,400.00, in accordance with 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 Pine Barrens Golf Club LLC.

No. R-23-173

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

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-23-174

Date of Adoption: July 11, 2023

**TITLE: RESOLUTION AMENDING 2023 BUDGET (CHAPTER 159) TO
INSERT MODIFICATION TO THE SPECIAL ITEM OF REVENUE
AND APPROPRIATIONS FOR THE NATIONAL OPIOID
SETTLEMENT**

- - - 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

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 2023 in the sum of \$10,375.43 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:
National Opioid Settlement

BE IT FURTHER RESOLVED that the like sum of \$10,375.43 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations excluded from "CAPS"
Public and Private Revenues Offset with
Appropriations:
National Opioid Settlement

\$10,375.43

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 certified copies of this Resolution to the Freehold Township Health Officer and the Freehold Township Director of Finance.

No. R-23-174

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

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-23-175

Date of Adoption: July 11, 2023

TITLE: RESOLUTION AMENDING 2023 BUDGET (CHAPTER 159) TO INSERT MODIFICATION TO THE SPECIAL ITEM OF REVENUE AND APPROPRIATIONS FOR THE ALCOHOL EDUCATION, REHABILITATION AND ENFORCEMENT 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

NOW, THEREFORE, BE IT RESOLVED by 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 2023 in the sum of \$10,513.50 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:

Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund

BE IT FURTHER RESOLVED that the like sum of \$10,513.50 be and the same is hereby appropriated under the caption of:

General Appropriations:

(A) Operations excluded from "CAPS"
Public and Private Revenues Offset with
Appropriations:

Municipal Court Alcohol Education, Rehabilitation and Enforcement Fund

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 certified copies of this Resolution to the Freehold Township Chief of Police and Freehold Township Director of Finance.

No. R-23-175

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

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-23-176

Date of Adoption: July 11, 2023

TITLE: RESOLUTION AUTHORIZING REDUCTION OF PERFORMANCE GUARANTEES FOR THE BROOKS AT FREEHOLD, SUBDIVISION NO. 677-1-21, BLOCK 72, LOT 88

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

WHEREAS, the developer of The Brooks at Freehold, located at 161 Three Brooks Road, has requested a reduction in the performance sureties posted to guarantee the installation of the proposed improvements for the above referenced project; and

WHEREAS, the Township Engineer has performed an inspection of the subject property and has reported to the Township Committee by Memorandum dated June 15, 2023, attached hereto as Exhibit "A", and has made certain recommendations concerning the amount of the performance guarantees which should remain; 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 The Brooks at Freehold, Subdivision No. 677-1-21 to the following:

Performance Bond: NGM Insurance Company, Bond No. S336157 in the amount of \$1,802,293.20 be reduced to \$609,619.50.

Cash deposit in the amount of \$200,254.80 be reduced to \$67,735.50.

2. All of the foregoing shall be in accordance with the Engineer's Estimates of Quantities and Costs annexed to his Memorandum dated June 15, 2023.

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 Chief Financial Officer, Township Attorney, Planning Board Administrative Officer and, by certified mail, to the Developer herein.

No. R-23-176

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

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-23-177

Date of Adoption: July 11, 2023

TITLE: RESOLUTION APPROVING WIRELESS COMMUNICATION FACILITIES MODIFICATION APPLICATION FOR CROWN CASTLE ON BEHALF OF NEW JERSEY STATE POLICE, 61 STONE HILL ROAD, (SOUTHWEST CORNER OF JACKSON MILLS ROAD AND STONE HILL ROAD ADJACENT TO THE FREEHOLD TOWNSHIP WATER TOWER), BLOCK 97.01, LOT 17, APPLICATION NO. WCFMA-01-23

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

WHEREAS, Crown Castle on behalf of New Jersey State Police (the “Applicant”) has filed a Wireless Communication Facilities Modification Application dated May 8, 2023, together with plans prepared by Colliers Engineering and Design, dated April 14, 2023, and revised April 27, 2023, (collectively, the “Application”), assigned Application No. WCFMA 01-23, in order to make the following modifications to the existing 178.5 feet tall monopole and associated wireless facility: installation of two 6 feet long arm mounts, three 6 feet long mounting pipes, two 13 feet long omni antennas, one tower top amplifier (ITA) unit, associated ancillary equipment and cabling; and

WHEREAS, the applicant has also proposed to make the following modifications to the ground facility: two proposed GPS units mounted to the existing equipment shelter, three new equipment racks within the existing equipment shelter, two 60A single pole breakers and one 15A breaker in existing electrical panel within the existing equipment shelter, association conduit, cabling and electric; and

WHEREAS, by memorandum dated June 13, 2023 from the Assistant Township Engineer to the Mayor and Township Committee of the Township of Freehold, a copy of which is attached hereto as Exhibit A, the Assistant Township Engineer advised of no objection to the approval of the Application subject to the following conditions:

1. The property upon which the cell tower is located is Township owned and subject to a separate lease agreement. Subject to approval of the Application, a lease agreement or amendment may be required which should be handled through the Freehold Township Utility Department and Township Attorney's office.

2. Revise the zip code in the address from 07722 to 07728 on the associated plans;
and

WHEREAS, the Application has been reviewed by the Township Attorney and found to be in compliance with Township Ordinance Section 190-172.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Township Committee of the Township of Freehold that Application No. WCFMA 01-23 is hereby approved, subject to such conditions as are imposed in the Assistant Township Engineer's memorandum referenced above.

BE IT FURTHER RESOLVED that a copy of this Resolution, certified by the Township Clerk to be a true copy, be forwarded to each of the following:

1. Crown Castle on behalf of the New Jersey State Police.
c/o Gessenia DeLaCruz, 2000 Corporate Drive Canonsburg, PA 15317
2. M. Bryant, Assistant Township Engineer
3. T. Brown, Township Zoning Officer
4. L. Krontiris, Engineering Secretary

No. R-23-177

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

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