

Agenda No. 3/2023

February 10, 2023

A REGULAR MEETING OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
FREEHOLD WILL BE HELD MONDAY, FEBRUARY 13, 2023

6:30 PM REGULAR MEETING

1. Open Public Meetings Notice.
2. Salute to the Flag.
3. Roll Call.
4. Swearing In and Oath of Office: Freehold Borough Police Officer James Nause.
5. Approval of Minutes: Reorganization Meeting January 1, 2023.
6. Second Reading and Public Hearing: Ordinance #2023/1 to Amend and Supplement Chapter 3 "Revenue and Finance" of the Code of the Borough of Freehold Pertaining to Transfer and User Taxes on the Sale/Transfer of Cannabis.
Resolution Adopting Ordinance #2023/1 and Authorization of Publication.
7. Second Reading and Public Hearing: Ordinance #2023/2 to Amend and Supplement Title 6 "Animals" of the Code of the Borough of Freehold.
Resolution Adopting Ordinance #2023/2 and Authorization of Publication.
8. Second Reading and Public Hearing: Ordinance #2023/3 to Amend and Supplement Title 5 "Business Licenses and Regulations" of the Code of the Borough of Freehold.
Resolution Adopting Ordinance #2023/3 and Authorization of Publication.
9. Second Reading and Public Hearing: Ordinance #2023/4 Adopting the Redevelopment Plan Entitled, "200 Park Avenue Redevelopment Plan".
Resolution Adopting Ordinance #2023/4 and Authorization of Publication.
10. First Reading and Introduction: Ordinance #2023/5 to Amend and Supplement Title 10 "Vehicles and Traffic" of the Code of the Borough of Freehold.
11. First Reading and Introduction: Ordinance #2023/6 to Amend and Supplement Title 5 "Business Licenses and Regulations" of the Code of the Borough of Freehold.
12. First Reading and Introduction: Ordinance #2023/7 to Amend and Supplement Title 10 "Vehicles and Traffic" of the Code of the Borough of Freehold.
13. First Reading and Introduction: Ordinance #2023/8 Amending Title 8 "Health and Safety" of the Code of the Borough of Freehold Establishing the Lead Paint Inspection Program.

14. First Reading and Introduction: Ordinance #2023/9 to Amend and Supplement Title 18 "Zoning" of the Code of the Borough of Freehold.
15. First Reading and Introduction: Ordinance #2023/10 Amending the Fixing and Determining Salaries of Certain Officers, Positions and Employees of the Borough of Freehold, in the County of Monmouth, and Repealing Any and All Other Ordinances Heretofore Adopted Which are Inconsistent Herewith.
16. First Reading and Introduction: Ordinance #2023/11 Adopting the Redevelopment Plan Entitled "Downtown Freehold: Hometown Redevelopment Phase 1 Block 35 Redevelopment Plan.
17. Proclamation of the Mayor and Council Declaring February 2023 as Black History Month in the Borough of Freehold.
18. **CONSENT AGENDA** – **Note:** Matters listed under the items of "Consent Agenda" are required to conduct the day to day operations of the Borough, and will be enacted by (1) motion in the form listed below. There will be no separate discussion of these items. If discussion is desired of any items, that item will be considered separately.

CR-1 Resolutions of the Mayor and Council Honoring Reverend Jonathan Elsensohn and Jennifer Schlameuss Elsensohn.

CR-2 Authorizing the Execution of the Notice in Lieu of Deed Notice.

CR-3 Authorizing the Execution of Any and All Documents Necessary for the Participation in the Low-Income Household Water Assistance Program (LIHWAP).

CR-4 Authorizing Shared Services Agreement with the County of Monmouth and Monmouth County Sheriff's Office for the Provision of Emergency Dispatch Services.

CR-5 Authorizing an Increase in the Contract Amount for Rainone Coughlin Minchello, LLC.

CR-6 Encouraging the Legislature to Enact the Grass Carp Pilot Program.

CR-7 Ratifying and Confirming the Execution of a Lease Agreement with Congressman Andrew N. Kim.

CR-8 Authorizing Professional Services Agreement for Lake Topanemus – Abbington Engineering, LLC.

CR-9 Authorizing Professional Services Agreement for Musgrave Park – Abbington

Engineering, LLC.

CR-10 Declaring an Emergency and Authorizing the Contract for Emergency Repairs to the Sewer Main on Jackson Street.

CR-11 Appointment to the Board of Recreation Commissioners:

a. Jenny Conger (term expires 12/31/2027).

CR-12 Personnel Appointments/Actions:

- a. Appointment of SirNile White to Water Treatment Plant Supervisor for the Borough of Freehold, effective January 4, 2023.
- b. Appointment of Thomas Decker as a member of the Freehold Fire Department Junior Firefighter Program, effective February 13, 2023.
- c. Promotion of Mary Cruz as a Senior Clerk/Typist of the Water and Tax Department for the Borough of Freehold, effective February 13, 2023.
- d. Appointment of Lizzett Henriquez as a Clerk/Typist of the Water and Tax Department for the Borough of Freehold, effective January 30, 2023.
- e. Appointment of Rebecca Ponder as a Clerk/Typist of the Code Enforcement Department for the Borough of Freehold, effective February 8, 2023.
- f. Retirement of Michael Baker as the Water Treatment Plant Supervisor for the Borough of Freehold, effective March 1, 2023.
- g. Appointment of Penny Myers as a Substitute Crossing Guard of the Freehold Borough Police Department, effective March 1, 2023.

CR-13 Applications:

- a. Taxi Owner License (4), Elite First Taxi.
- b. Taxi Owner Licenses (3), M & M Taxi.
- c. Taxi Driver, Asarel Morales, Freehold.
- d. Massage Establishment/Therapist License, Shu Qi, Healing Hands Massage Therapy, 20 Jackson Street.
- e. Massage Establishment/Therapist License, Jilong Zhoa, Royal 7 Spa, 18 Throckmorton Street.
- f. Massage Therapist License, Catherine Pei, Royal 7 Spa, 18 Throckmorton Street.
- g. Massage Therapist License, Lan Li, Royal 7 Spa, 18 Throckmorton Street.
- h. Precious Metal License, Buy N Sell, 14 West Main Street.
- i. Precious Metal License, Joyeria Latina MP, LLC, 57 Throckmorton Street.
- j. Amusement License, Coin Drop Game Machine. R & R Deli, 25 Broad Street, Unit 1.
- k. Amusement License, Claw Game Machine, R & R Deli, 25 Broad Street, Unit 1.
- l. Raffle License #07-23 LJ5 22 Foundation, Inc., Merchandise Raffle, 5/12/2023, 110 West Main Street.
- m. Raffle License #08-23, Wemrock Brook PTA., 50/50 Raffle, 3/9/23, 618 Park Avenue.

- n. Raffle License #09-23, Rotary District 7505 Foundation, 50/50 Raffle, 9/19/2023, 18 East Main Street.
- o. Raffle License #10-23, BPOE Lodge 1454 Freehold Lodge, Merchandise Raffle, 10/7/23, 73 East Main Street.
- p. Raffle License #11-23, BPOE Lodge 1454 Freehold Lodge, Merchandise Raffle, 5/29/23, 73 East Main Street.

END OF CONSENT AGENDA

- 19. Approval of Bills.
- 20. Item for Discussion:
 - a. Off Site Parking Requirements.
- 21. Public Comments.
- 22. Council Comments.
- 23. Adjournment.


TRACI L. DI BENEDETTO, RMC

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH**

ORDINANCE #2023/1

AN ORDINANCE TO AMEND AND SUPPLEMENT CHAPTER 3 “REVENUE AND FINANCE” OF THE CODE OF THE BOROUGH OF FREEHOLD PERTAINING TO TRANSFER AND USER TAXES ON THE SALE/TRANSFER OF CANNABIS

WHEREAS, the Borough of Freehold (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the “New Jersey Cannabis Regulatory, Enforcement Assistance, and Marketplace Modernization Act” (the “Act”) legalizes the recreational use of cannabis by adults 21 years of age or older, and establishes a comprehensive regulatory and licensing scheme for commercial recreational (adult use) cannabis operations, use and possession; and

WHEREAS, due to the issuance of certain regulations by the New Jersey Cannabis Regulatory Commission, the Borough seeks to update its ordinance as to the collection of transfer and/or user taxes on the sale/transfer of cannabis or cannabis items by a cannabis establishment that is located in the municipality.

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AS FOLLOWS:

Section 1

Title 3 “Revenue and Finance” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline; deletions are struck through.

[Chapter 3.20 Cannabis Business Sales Tax – Deleted in toto and replaced as follows:]

Chapter 3.20 Recreational Cannabis Transfer and User Tax

3.20.010 Tax imposed; transfer tax and user tax.

a. As authorized by N.J.S.A. 40:48I-1, there is hereby a transfer tax imposed on: (1) receipts from the sale of cannabis by a cannabis cultivator to another cannabis cultivator; (2) receipts from the sale of cannabis items from one cannabis establishment to another cannabis establishment; (3) receipts from the retail sale of cannabis items by a cannabis retail to retail consumers who are twenty-one (21) years of age or older; or (4) by any combination thereof.

b. This transfer tax shall be imposed at the following rates:

1. 2% of the receipts from each sale by a cannabis cultivator;
2. 2% of the receipts from each sale by a cannabis manufacturer;
3. 1% of the receipts from each sale by a cannabis wholesaler;
4. 2% of the receipts from each sale by a cannabis distributor

4. 2% of the receipts from each sale by a cannabis retailer

c. There shall also be imposed a user tax, at the equivalent transfer tax rates, on any concurrent license holder operating more than one cannabis establishment, as permitted by Section 33 of P.L.2021, c.16 (C.24:6I-46). The user tax shall be imposed on the value of each transfer or use of cannabis or cannabis items not otherwise subject to the transfer tax imposed pursuant to paragraphs a and b of this Section, from the license holder's establishment that is located in the Borough of Freehold to any of the other license holder's establishments, whether located in the Borough of Freehold or another municipality.

d. All taxes imposed by this section shall be in addition to any other tax imposed by law. Any transaction for which the transfer tax or user tax is imposed, or could be imposed, pursuant to this section, other than those which generate receipts from the retail sales by cannabis retailers, shall be exempt from the tax imposed under the "Sales and Use Tax Act", P.L. 1966, c. 30 (C.54:32B-1 et seq.).

3.20.020 Collection of transfer tax and user tax.

a. The transfer tax or user tax shall be collected or paid, and remitted to the Borough of Freehold by the cannabis establishment from the cannabis establishment purchasing or receiving the cannabis or cannabis items, or from the consumer at the point of sale, on behalf of the Borough of Freehold by the cannabis retailer selling the cannabis item to that consumer.

b. The transfer tax or user tax shall be stated, charged, and shown separately on any sales slip, invoice, receipt or other statement or memorandum of the price paid or payable, or equivalent value of the transfer, for the cannabis or cannabis item.

c. Every cannabis establishment required to collect a transfer or user tax imposed by this section shall be personally liable for the transfer tax or user tax imposed, collected or required to be collected under this section.

d. Any cannabis establishment shall have the same right with respect to collecting the transfer tax or user tax from another cannabis establishment or the cannabis consumer as if the transfer tax or user tax was a part of the sale and payable at the same time, or with respect to non-payment of the transfer or user tax by the cannabis establishment or consumer, as if the transfer tax or user tax was part of the purchase price of the cannabis or cannabis item, or equivalent value of the transfer of the cannabis or cannabis item, and payable at the same time; provided however, that the Business Administrator shall be joined as a party in any action or proceeding brought to collect the transfer tax or user tax.

e. No cannabis establishment required to collect a transfer tax or user tax imposed by this section shall advertise or hold out to any person or to the public in general, in any manner, directly or indirectly, that the transfer tax or user tax will not be separately charged and stated to another cannabis establishment or the consumer, or that the transfer tax or user tax will be refunded to the cannabis establishment or the consumer.

3.20.030 Remittance of transfer and user tax.

a. Each cannabis establishment collecting transfer and/or user taxes pursuant to this chapter shall remit the collected taxes to the Chief Financial Officer of the municipality on a quarterly basis along with a report certified as true and accurate by the cannabis establishment's Chief Financial Officer, Comptroller, or other similarly situated person showing the gross revenues for the cannabis establishment for each month of the quarter. No tax shall be considered remitted unless and until said report is supplied. Cannabis retailers shall also file a copy of their ST-50C form that they filed with the State. No tax shall be considered remitted unless and until the cannabis retailers file a copy of the ST-50C form.

Remittance shall be payable for the prior three month's activities and due at the same time as quarterly dates for the collection of property taxes. The revenues due on February 1 of each year shall include all transfer taxes or user taxes collected for the prior year months of October, November and December. The revenues due on May 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of January, February and March. The revenues due on August 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of April, May and June. The revenues due on November 1 of each year shall include all transfer taxes and user taxes collected for the immediate prior months of July, August and September.

There shall be a ten (10) day grace period for the payment of said transfer tax and/or user tax which will coincide with the ten (10) day grace period typically permitted for property tax payments. There shall be no extension of the cannabis transfer tax/ user tax grace period without a resolution of the governing body authorizing a specific extension.

b. Each cannabis establishment shall file on an annual basis no later than February 1 of each year a financial report from an independent accountant certifying as to the annual revenue for the preceding year.

c. Each cannabis establishment shall file with the Borough on a monthly basis a copy of its METRC seed to sale inventory management system report.

d. The Chief Financial Officer of the Borough may order an audit of any taxpayer under this chapter for purpose of ascertaining the correctness or completeness of any return of payment. The Chief Financial Officer is hereby authorized to examine the books, papers and records of any taxpayer to verify the accuracy of any declaration or return, or if no declaration or return was filed, to ascertain the tax due. Every taxpayer is hereby directed and required to give to the chief financial officer, or to any agent designated by him/her, the means, facilities and opportunity for such examinations and investigations, as are hereby authorized.

3.20.040 – Penalties for nonpayment.

a. In the event that the transfer tax or user tax imposed by this section is not paid as and when due by a cannabis establishment, the unpaid balance, and any interest accruing thereon, shall be a lien on the parcel of real property comprising the cannabis establishment's premises in the same manner as all other unpaid municipal taxes, fees or other charges. The lien shall be superior and paramount to the interest in the parcel of any owner, lessee, tenant, mortgagee, or

other person, except the lien of municipal taxes, and shall be on a parity with and deemed equal to the municipal lien on the parcel for unpaid property taxes due and owing in the same year.

b. The Borough shall file in the Office of the Tax Collector, a statement showing the amount and due date of the unpaid balance and identifying the lot and block number of the parcel of real property that comprises the delinquent cannabis establishment's premises.

c. The Borough of Freehold shall enforce the payment of delinquent taxes or transfer fees imposed by this section in the same manner as provided for municipal real property taxes.

d. In the event that the transfer tax or user tax imposed by this section is not remitted by the cannabis establishment within 30 days of when it is due, that cannabis establishment's municipal license to operate shall be suspended until that tax is remitted. This suspension shall be in addition to any monetary penalties that are imposed by this section.

e. In the event that the transfer tax or user tax imposed by this section is not remitted by the cannabis establishment within 90 days of when it is due, that cannabis establishment's municipal license to operate shall be revoked and forfeited. This revocation shall be in addition to any monetary penalties that are imposed by this section.

3.20.050 Violations

a. For violation of any provision of this section, the penalty upon conviction shall be the maximum fine permitted under New Jersey State law for the violation of a municipal ordinance in accordance with N.J.S.A. 40:49-5, or imprisonment for a period not exceeding the maximum time permitted under New Jersey State law for the violation of a municipal ordinance, in accordance with N.J.S.A. 40:49-5, or both.

b. Separate violation for each day. Each day that a violation of this section is allowed to exist shall constitute a separate violation or offense and shall be subject to the penalty as prescribed herein.

Section 2

All ordinances, or parts of ordinances, in conflict with the provisions of this Ordinance, to the extent of such conflict, are repealed.

Section 3

If any section, paragraph, subdivision, clause of provision of this ordinance shall be adjudged invalid, such adjudication shall apply only to that section, paragraph, subdivision, clause or provision so adjudged, and the remainder of this ordinance shall be deemed to be valid and effective

Section 4

This ordinance shall take effect immediately after final passage, approval and publication as required by law.

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH**

ORDINANCE #2023/2

**AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 6 “ANIMALS” OF THE
CODE OF THE BOROUGH OF FREEHOLD**

WHEREAS, the Borough of Freehold (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough Council seeks to update certain sections of the Borough Code regarding the licensing of certain domestic animals.

NOW, THEREFORE, be it ordained by the Mayor and Council for the Borough of Freehold, County of Monmouth as follows:

Section 1

Title 6 “Animals” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline. [Unmodified sections were omitted for the sake of brevity].

6.04 General Provisions

6.04.020 Licensing provisions.

* * *

[E. Fees. deleted in toto and replaced as follows]:

E. Expiration of License. Each license and tag shall be renewed annually, provided, however, that a dog owner shall have the option of obtaining a three-year license. A one-year license shall require proof of rabies vaccination with an expiration date of November 1st or later of the current licensing year. A three-year license shall require proof of rabies vaccination extending over the three-year term of the license, with an expiration date of November 1st or later of the third year of the licensing term.

[F. Expiration Date. Deleted in toto and replaced as follows]:

F. Fees. Any person applying for a license is required to pay a fee in accordance with the following schedule:

1. 1-Year License:

<u>Dog License Fee</u>	<u>\$10.00</u>
<u>State Registration Fee</u>	<u>\$1.00</u>
<u>Pilot Clinic Fee</u>	<u>\$0.20</u>

<u>Animal Population Control Fee for Non-Sterilized Dogs</u>	<u>\$3.00</u>
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2. 3-Year License:

<u>Dog License Fee</u>	<u>\$30.00</u>
<u>State Registration Fee</u>	<u>\$3.00</u>
<u>Pilot Clinic Fee</u>	<u>\$0.60</u>
<u>Animal Population Control Fee for Non-Sterilized Dogs</u>	<u>\$9.00</u>

3. Any dog not having a valid, current license after the license renewal date shall, in addition to the license fees set forth herein, pay an additional fee of \$5.00 for the first late month or part of the month and an additional \$1.00 for each month or partial month thereafter.

* * *

6.12 Cats

6.12.020 Licensing provisions

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C. Application for License--When Made. The license year shall run from January to December 31. Applications for licenses for all cats which are required to be licensed by the provisions this section shall be made no later than March 1 of each calendar year. Each license shall be renewed annually, provided, however, that a cat owner shall have the option of obtaining a three-year license. ~~Applications for licenses for cats which are required to be licensed by the provision of subsection A of this section which are filed on or after March 1 shall be subject to a late fee as set forth below. In all other cases, the application for a license shall be made within ten (10) days of the day upon which the cat in question first becomes subject to the provisions of this section.~~

* * *

E. Fees. The person applying for a license shall pay a fee of ten dollars (\$10.00) for each cat for a one-year license and a fee of thirty dollars (\$30.00) for each cat for a 3-year license. The same fee shall be charged for the annual renewal of each license. Each person registering a cat of reproductive age which has not had its reproductive capacity permanently altered through sterilization shall be required to pay an additional fee as established by the state legislature. In the event the state legislature establishes a fee for registration tags for cats, the same shall be charged accordingly.

F. Exceptions. The provisions of this section shall not apply to any cat licensed under any kennel, pet shop, shelter or pound license issued by the borough or to any cats that are part of a community cat colony registered pursuant to Chapter 6.16.

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH**

ORDINANCE #2023/3

**AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 5 “BUSINESS LICENSES
AND REGULATIONS” OF THE CODE OF THE BOROUGH OF FREEHOLD**

WHEREAS, the Borough of Freehold (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, on August 5, 2022, Governor Murphy signed into law Senate Bill 1368, which mandates that business owners, rental unit owners, and certain multi-family homeowners maintain liability insurance for negligent acts and omissions in amounts set forth in N.J.S.A. 40A:10A-1; and

WHEREAS, Senate Bill 1368 additionally requires such business, rental unit and certain multi-family home owners to annually register a Certificate of Insurance with the municipality in which the business, rental unit, or multi-family home is located, in accordance with N.J.S.A. 40A:10A-2a, effective November 3, 2022; and

WHEREAS, N.J.S.A. 40A:10A-2b authorizes municipalities to, by ordinance, establish a reasonable administrative fee for administration of the registration program, and to enforce penalties pursuant to N.J.S.A. 2A:58-10 et seq. for failure to comply with the registration requirements; and

WHEREAS, the Borough has reviewed the legislation and determined that the Borough Code should be amended to establish a registration program and establish fees and penalties associated with same.

NOW, THEREFORE BE IT ORDAINED, by the Mayor and Borough Council of the Borough of Freehold, County of Monmouth, State of New Jersey, as follows:

Section 1

Title 5 “Business Licenses and Regulations” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline.

5.10 Business Insurance Registration

5.10.010 Insurance Coverage Required.

A. The owner of a business or the owner of a rental unit or units, other than a multifamily home as set forth in 5.10.010(B) below, shall be required to maintain liability insurance for all negligent acts and omissions in an amount of no less than \$500,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

B. The owner of a multifamily home which is four or fewer units, one of which is owner-occupied, shall maintain liability insurance for negligent acts and omissions in an amount of no less than \$300,000 for combined property damage and bodily injury to or death of one or more persons in any one accident or occurrence.

5.10.020 Annual Registration Requirement.

A. Any owner of a business or rental unit(s) required to maintain insurance as set forth in this Chapter is required to register the certificate of such insurance coverage with the Borough Clerk as follows:

1. Within 30 days of the date this Ordinance takes effect.
2. Within 30 days of the date of establishment of said business or rental unit(s) within the Borough of Freehold.
3. On or before January 15 or each year following enactment of this Ordinance.

B. A new certificate will be required annually for each calendar year. All certificates shall be renewed no later than January 15 of each year. It shall be the responsibility of any owner conducting, operating or engaging in any business covered by this requirement to apply for a certificate at the Office of the Borough Clerk.

5.10.030 Municipal Insurance Registration Form; Required Information; Issuance of Certificate

A. Any business owner, rental unit owner, or owner of a multifamily home that is four or fewer units, one of which is owner occupied, located within the Borough of Freehold shall file a completed municipal insurance registration form and certificate of insurance with the Borough Clerk and shall pay the required fee.

B. The Borough Clerk shall issue a municipal insurance registration certificate to any owner who files a completed municipal insurance registration form with certificate of insurance demonstrating the required coverage and pays the required fee.

C. Upon receipt of the requirements of 5.10.040(C), the municipal insurance registration certificate shall be issued along with a copy of the completed municipal insurance registration form with an acknowledgment by the Borough Clerk that it has been properly filed.

5.10.040 Licensing Two or More Businesses or Locations.

A. In the event that two (2) or more businesses occupy the same location, the owner shall be required to complete a separate municipal insurance registration form and obtain a separate certificate for each such business.

B. In the event that the same owner conducts businesses at two (2) or more locations, a separate business registration form and certificate shall be required for each location.

5.10.050 Changes in Businesses or Locations or Owners.

Every owner having a municipal insurance registration certificate for a business or rental unit or multifamily home of four or few units, one of which is owner occupied, that ceases to operate, changes the principal activity in which it is engaged, changes its location and/or locations in the municipality, moves out of the municipality or changes owners and/or managers, must submit written notice to the Borough Clerk within thirty (30) days of such change. In the event of cessation of business or moving out of the municipality, the person having a certificate for a business must provide the name, address and home telephone number of the person or principal officer of the business to the Borough Clerk within thirty (30) days of such event.

5.10.060 Compliance with Applicable Laws and Ordinances.

Issuance of a municipal insurance registration certificate by the Borough Clerk does not evidence compliance with other applicable rules, regulations, ordinances and statutes of the municipality, county and State of New Jersey, or other regulatory agencies having jurisdiction over the activities of the certificate holder.

5.10.070 Registration Fee.

The annual fee for registration of the certificate of insurance pursuant to this Chapter is \$50.00, which is payable at the time the certificate of insurance is to be registered with the Borough Clerk.

5.10.080 Violations

If the owner of a business or rental unit(s) subject to the registration requirements of this Chapter is found to be in violation of these provisions, a fine of not less than \$500 but no more than \$5,000 may be assessed.

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH**

ORDINANCE #2023/4

**ORDINANCE OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH,
NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED "200 PARK
AVENUE REDEVELOPMENT PLAN"**

WHEREAS, the Borough of Freehold, a public body corporate and politic of the State of New Jersey (the "**Borough**"), is authorized pursuant to the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1, et seq.* (the "**Redevelopment Law**") to determine whether certain parcels of land within the Borough constitute either an area in need of redevelopment, or an area in need of rehabilitation, as further described in the Redevelopment Law; and

WHEREAS, the Mayor and Council of the Borough (the "**Council**") referred a proposed resolution declaring the Entire Borough as an area in need of rehabilitation to the Planning Board of the Borough (the "**Planning Board**") in accordance with the provisions of *N.J.S.A. 40A:12A-14*, and directed the Planning Board to study the Entire Borough, review the proposed resolution, and submit any and all recommendations to the Council; and

WHEREAS, the Planning Board reviewed the proposed resolution on December 8, 2021; and

WHEREAS, the Planning Board's review of the proposed resolution included submissions from the Borough Engineer supporting a determination that the Entire Borough could be declared an area in need of rehabilitation pursuant to the Redevelopment Law; and

WHEREAS, following the Planning Board's review of the proposed resolution, the Planning Board recommended to the Council that the Entire Borough be deemed and declared an area in need of rehabilitation; and

WHEREAS, by Resolution No. 216-21 (the "**Resolution**"), adopted on December 20, 2021 and as supported by the Planning Board's recommendation, the Council determined and declared the Entire Borough to be an area in need of rehabilitation, in accordance with the provisions of the Redevelopment Law; and

WHEREAS, in accordance with the Resolution and the Redevelopment Law, Pennoni Associates (the "**Planner**") drafted a redevelopment plan entitled "200 Park Avenue Redevelopment Plan" (the "**Redevelopment Plan**") for the property commonly identified as Block 117, Lot 21 (the "**Property**") on the official tax maps of the Borough; and

WHEREAS, by Resolution No. 220-22, adopted December 5, 2022, and pursuant to the Redevelopment Law, specifically *N.J.S.A. 40A:12A-7(e)*, the Council referred the proposed Redevelopment Plan to the Planning Board for review and recommendation and instructed the

Planning Board to transmit its recommendations relating to the Redevelopment Plan to the Council prior to final adoption; and

WHEREAS, the Planning Board reviewed the proposed Redevelopment Plan on December 14, 2022; and

WHEREAS, by resolution of the Planning Board memorialized on January 11, 2023, the Planning Board found that the Redevelopment Plan was substantially consistent with the municipal master plan, and made recommendations to the Redevelopment Plan; and

WHEREAS, the Planning Board's recommendations have been incorporated into the Redevelopment Plan; and

WHEREAS, upon receipt and review of the Planning Board's recommendations relating to the Redevelopment Plan, and in consultation with the Planner and redevelopment counsel, the Council believes that adoption of the Redevelopment Plan is in the best interests of the Borough; and

WHEREAS, the Council has determined to adopt the Redevelopment Plan to ensure the success of redevelopment within the Property in conformity with the Borough's redevelopment objectives.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Contingent upon the receipt of the Planning Board's recommendations within the time period set forth in the Redevelopment Law, the Redevelopment Plan, as filed in the Office of the Borough Clerk and attached hereto as **Exhibit A**, is hereby approved and adopted pursuant to the terms of the Redevelopment Law.

Section 3. The Development and Zoning Ordinances of the Borough are hereby amended and supplemented to incorporate the Redevelopment Plan.

Section 4. This Ordinance shall be part of the Borough of Freehold Land Use Code as though codified and set forth fully therein.

Section 5. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the Office of the Borough Clerk during regular business hours.

Section 6. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 7. This Ordinance shall take effect as provided by law.

EXHIBIT A

200 PARK AVENUE REDEVELOPMENT PLAN

Attached hereto.



200 PARK AVENUE REDEVELOPMENT AREA

Freehold Borough, New Jersey

DRAFT FOR ADOPTION BY THE PLANNING & ZONING BOARD



LAST REVISED January 17, 2023

ACKNOWLEDGMENTS

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ii FREEHOLD REDEVELOPMENT PLAN



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IV FREEHOLD REDEVELOPMENT PLAN



1.0 INTRODUCTION

The entirety of Borough of Freehold in Monmouth County, New Jersey, was declared an Area in Need of Rehabilitation through Resolution No. 216-21 adopted December 20, 2021.

This redevelopment plan ("Plan") has been prepared for Block 117, Lot 21 (the "Plan Area" or "Park and Main Affordable Housing (AH) District"). This Plan is being prepared under the Borough-wide Rehabilitation designation. No specific redevelopment area has been declared for this parcel.

1.1 SITE DESCRIPTION

The Plan Area site is at the corner of Park Avenue and West Main Street. There is one one-story building on the property that is presently a church, the Living Springs Fellowship. The building is about 8,000 sq ft. Outside of the building, along the roadways, there is an L-shaped parking lot with approximately 50-60 parking spots. There is one drive-way entrance to the parking lot along Park Avenue. The site is surrounded by single-family homes, landscaping, and mature trees. A buffered sidewalk runs along West Main Street and Park Avenue. There is a bus stop outside of the church along Park Avenue.

Figure 1 below identifies the location and surrounding environs of the investigation parcels, and Figure 2 identifies the addresses and owners of the investigation parcels.

Figure 1. Location of Plan Area

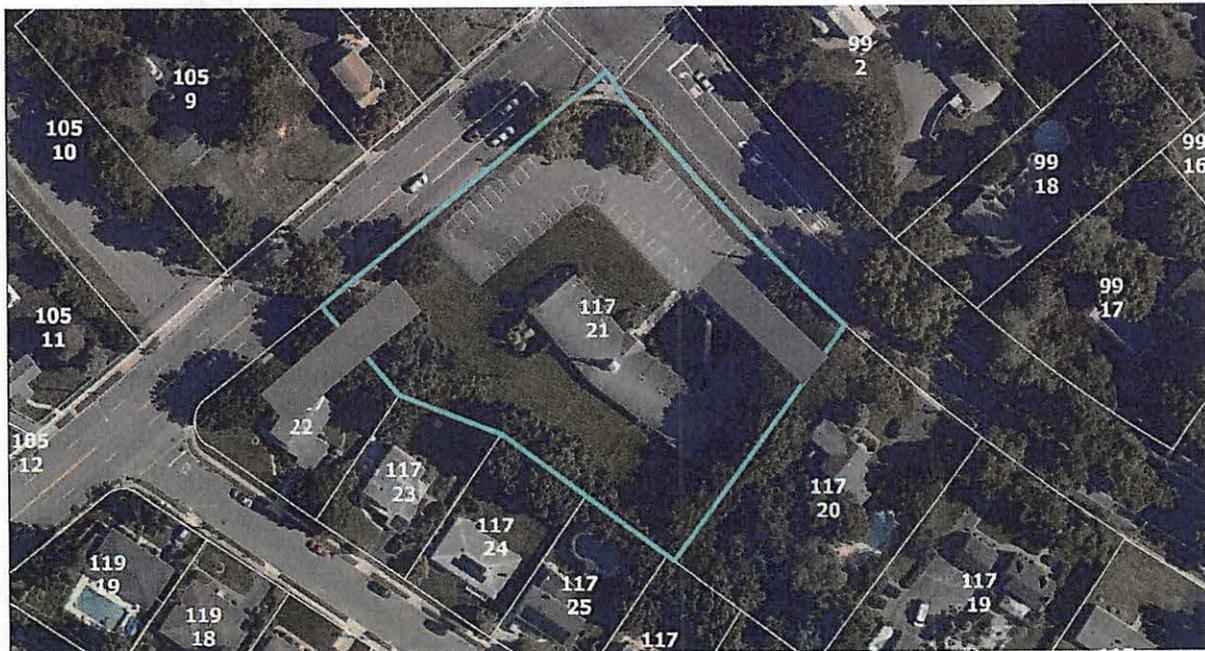


Figure 2. Ownership information

Block	Lot	Owner Name	Address	City & State
117	21	CT95-CT07 200 PARK LLC, ETAL	200 Park Ave	Freehold Borough, NJ

Source: NJ Division of Taxation - MOD-IV

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1.2 OBJECTIVES OF THE PLAN

This Plan is being conducted to effectuate the redevelopment of the Plan Area in a manner that will aid the Borough in fulfilling its affordable housing requirements pursuant to the settlement of a builders' remedy lawsuit. Except where otherwise expressly provided, this Plan serves to supersede all existing zoning and design guidelines for the Property.

The following objectives highlight the purpose of this Plan:

1. To encourage municipal action to guide the appropriate use or development of all lands in this State, in a manner which will promote the public health, safety, morals, and general welfare;
2. To further the redevelopment of the area with distinctive multi-family buildings that benefit from the proximity to public transportation, health care providers, municipal services, shopping and driving opportunities.
3. Establish site and building design standards that foster a visually pleasing streetscape and inviting, high-quality construction within the Plan Area.

The purpose of the Park and Main Affordable Housing (AH) District is to provide development that contributes to the Borough of Freehold's municipal affordable housing obligation and to implement and incorporate the court approved Settlement Agreement, captioned CT95-CT07 200 Park LLC and DT95-DT07 200 Park LLC v. Borough of Freehold, et al., Docket No. MON-L-3624-19, which was approved by the Superior Court of New Jersey at a Fairness Hearing on April 8, 2022.

2.0

PLAN VISION

The Plan vision for the Plan Area is to utilize the site for multi-family residential development that fits within the character of the existing residential development of the area. The proposed building should be similar in footprint to the existing structure but will better relate to the streetscape by bringing the building into the forefront of the property and providing parking both under and behind the building. The remainder of the site will be landscaped, particularly around the edges to mitigate the potential impact to adjacent property owners and improve the streetscape, while preserving as many mature trees as possible, particularly street trees. Figure 3 shows general rendering/elevations/examples of the anticipated residential building type.

3.0 SITE DEVELOPMENT PLAN

3.1 PERMITTED USES/DEVELOPMENT PROGRAM

A. Permitted Principal Uses

Property in the Plan Area may be developed for multifamily residential use at a maximum gross density of 37 units per acre, provided that no more than 52 dwelling units are permitted in the Plan Area, including the set-aside of 9 affordable units required by Section C.

B. Affordable units

1. 18% of the total number of residential units shall be rental units affordable to low- and moderate-income households and said units shall be deed restricted pursuant to the requirements of N.J.A.C. 5:97-1 et seq. ("COAH regulations") and of N.J.A.C. 5:80-26.1 et seq. ("UHAC"). A minimum of 50% of the affordable units shall be low-income units. Of the affordable rental units, 13% shall be affordable to households earning 30% or less of median income. These units shall be provided as part of the low-income housing requirement and not in addition to it.
2. The development shall comply with the requirements of N.J.A.C. 5:97-3.14 regarding accessible and adaptable affordable units.
3. The development shall comply with the affordable housing ordinance.

C. Principal building(s)

No more than one principal building containing a ground level parking area and three stories of residential units above parking shall be permitted ("residential building").

D. Permitted Accessory Buildings, Structures and Uses

The following accessory buildings, structures and uses are permitted in the Plan Area:

1. Off-street parking in accordance with § 18.73.010 A. 1. Parking shall be constructed at a ratio of one and one-half spaces per dwelling unit.
2. Permitted signage shall include: two building mounted identification signs (one along West Main Street and one along Park Avenue, each having no more than 100 square feet in area; two (2) two-sided ground mounted monument signs at the intersection of Park Avenue and West Main Street with each side have a maximum area of 50 square feet; and one ground mounted directional sign at the site access along Park Avenue with an area of no more than 10 square feet. The monument sign at the intersection of West Main Street and Park Avenue shall have a height of no greater than 8'. The structural base of the monument sign shall not be included in calculating the sign area. All signage may be illuminated from the exterior and will be downward lit.
3. Structures for garbage collection and recycling collection, including, but not limited to, dumpsters.

Figure 3. Character Image (General Appearance and Massing)



Figure 4. Character Image (General Appearance and Massing)



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4. Utility structures serving the development, including, but not limited to, a sanitary sewer pump station, cable television and telephone boxes, manholes, fire hydrants, electrical transformers, and other utilities that are customary to a residential development of this type.
5. Brick paver patios, outdoor seating areas, and related outdoor furniture.
6. Any other building, structure, or use, which is customary, incidental and subordinate to the multifamily residential use located on the same lot.

3.2 AREA, BULK AND OFF-STREET PARKING STANDARDS

The following zoning standards shall apply to development in the Park and Main AH District:

1. Minimum tract area: 1.4 acres.
2. Minimum principal building setbacks:
 - a. From Park Avenue right of way: 15 feet.
 - b. From West Main Street right of way: 23 feet. This setback shall be to the right of way and may incorporate a proposed 7' county ROW easement within the setback. In the event that Monmouth County requires a 7' right of way (ROW) dedication in lieu of a 7' ROW easement, then the foregoing setback shall be to what the ROW would have been if an easement had been granted and not a dedication.
 - c. Side yard: 35 feet.
 - d. Rear yard: 85 feet.
3. Minimum setbacks for accessory uses or structures and building appurtenances:
 - a. 10' from any property line for all accessory uses or structures except for patios, decks, driveways, gates, directional signs and outdoor seating areas, retaining walls, sidewalks, trash enclosures, transformer pads, electric vehicle charging equipment, transformer and related electrical equipment serving the electric vehicle charging stations, underground stormwater and sanitary sewer improvements, above-ground stormwater management facilities, which shall have a zero foot (0') set back.
 - b. Placement of accessory structures shall not interfere with sight triangles at site access points.
 - c. Balconies, bay windows, roof overhangs, chimneys and similar appurtenances may extend not more than two feet into a required setback.
4. Maximum building height
 - a. In accordance with § 18.04.040, building height shall mean the vertical distance measured from the mean elevation of the proposed finish grade at

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the front of the building to the highest point of the roof line for flat roofs, to the deck line of mansard roofs, and to the mean height between eaves and ridge for gable, hip and gambrel roofs.

- b. Architectural and mechanical features such as bulkheads, roof mounted mechanical equipment, stair towers, parapets and screens shall not be included in the roof line measurement of maximum building height for flat roofs. Such rooftop appurtenances shall be limited to a height no greater than 15% of the maximum building height as calculated herein and shall be screened from view below.
 - c. As so calculated above, maximum building height shall not exceed the following:
 - i. Residential building: 60 feet/4 stories.
 - ii. Accessory structures: 16 feet.
5. Maximum number of dwelling units: 52.
 6. Maximum lot coverage pursuant to the definition contained in §18.04.040: 75%.
 7. Minimum lot width: 200 feet.
 8. Off-street parking: Off-street parking in accordance with § 18.73.010 A.1. of the Borough's zoning provisions.
 - a. Parking shall be constructed at a ratio of one and one-half spaces per dwelling unit.
 - b. Accessible parking spaces shall be provided in accordance with the New Jersey State Uniform Construction Code Barrier Free Subcode (N.J.A.C. 5:23-7.10). The minimum parking setback to a property line or to right-of-way shall be 7 feet. Parking shall be provided on the grade level of the building and within a surface parking area adjacent to the building. All required parking shall be provided on the same lot as the building.
 - c. The minimum width of the primary access drive from Park Avenue shall be 24 feet. Standard parking stalls shall be 9' x 18'. Spaces that are 8'x16' can be added for compact cars if designated by signage.
 - d. Make Ready parking spaces shall be provided pursuant to N.J.S.A. 40:55D-66.20, which spaces may be located within the ground level parking of the building as wall-mounted equipment.
 9. Minimum apartment size: Market rate and affordable apartments shall have a floor area of at least 650 square feet for a one-bedroom configuration, 825 square feet for a two-bedroom configuration and 950 square feet for a three-bedroom configuration.

10. Apartment configuration: Market rate apartments shall consist of 31 one-bedroom apartments and 12 two-bedroom apartments. Affordable apartments shall consist of one (1) one-bedroom apartment, six (6) two-bedroom apartments and two (2) three-bedroom apartments. A total of 52 apartments may be constructed.
11. Temporary construction trailers: A temporary construction trailer shall be permitted beginning from the time of commencement of site work for the development and ending thirty days after issuance of a certification of occupancy for the residential building. The dimensions of any temporary construction trailer shall not exceed a width of 10 feet, a length of 42 feet and a height of 10 feet. Temporary construction trailers may be placed in areas that are approved for disturbance during construction.
12. Fencing and buffers/landscaping: Fencing shall be installed in a manner consistent with §18.76.030-A, B, C, D and O and §18-76.020-G of the Borough's zoning provisions. Buffers and landscaping shall be installed in a manner consistent with §16-24.030-A.15 and A.17 of the Borough's zoning provisions. Street trees and other mature street trees on site shall be preserved to the greatest extent possible.

3.3 DESIGN STANDARDS

The following design standards shall apply to development in the Park and Main AH District:

1. Architectural treatment.
 - a. The facade of the residential building shall have a contextual architectural treatment which shall consist of any combination of brick, finished masonry, stone, HardiePlank®, wood and/or vinyl.
 - b. Any dumpster or other solid waste or recyclable disposal area shall be fully enclosed and screened by masonry or brick materials matching the building façade material and color. The dumpster or other solid waste or recyclable disposal area shall also be fully screened by landscaping.
 - c. Any ground-mounted mechanical equipment and any rooftop mechanical equipment shall be screened.
 - d. The type and location of site and building lighting shall preclude direct glare onto adjoining property, streets, or skyward.

4.0 GENERAL ADMINISTRATION

Ensuring proper coordination between the Borough and a developer will require adherence to certain provisions.

4.1 APPLICABILITY

The preceding regulations shall apply to the Plan Area and shall supersede regulations within the Zoning Ordinance of the Borough of Freehold, except where the regulations herein

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are silent, in which case the regulations within the Zoning Ordinance shall govern.

4.2 ZONING MAP AMENDMENT

The Zoning Map of the Borough of Freehold should be amended to include the Plan Area (Block 117, Lot 21) as identified, discussed, and outlined in this document.

The regulations within this Plan shall supersede regulations within the Freehold Borough Zoning Ordinance, except where regulations herein are silent.

4.3 STRUCTURE AND POWER OF THE BOROUGH AS "REDEVELOPMENT ENTITY"

The Freehold Borough Council shall act as the "Redevelopment Entity" pursuant to N.J.S.A. 40A:12A-4.c for purposes of implementing this Plan and carrying out redevelopment projects, consistent with N.J.S.A. 40A:12A-8.

4.4. DEVELOPMENT REVIEW, VARIANCES, WAIVERS, AND PERMISSIONS

Development and subdivision within the Plan Area shall be controlled by the Borough's laws governing Land Use Procedures, Subdivisions and Development, and Zoning, as well as the State of New Jersey's laws governing development and redevelopment. Approvals, waivers and variances will be governed by the requirements of the Municipal Land Use Law and the Borough's usual procedure.

Developers shall be required to comply with all applicable application submission requirements, design standards, and development regulations established in the Plan for the Plan Area, as well as those established by the Borough, Monmouth County, and the State, except where variances and waivers are properly approved, and except as set forth in Section 4.4 herein.

Renovations that do not physically expand the use, do not expand the intensity of use, or add additional parking shall only require review by the Borough. The Freehold Borough Planning Board (the "Planning Board") shall review and consider all other plans and specifications for development with respect to conformance with this Plan.

It is the intention of this Section that the Planning Board may grant variances, waivers or deviations from the strict application of the regulations contained within this Plan, for "bulk standards" or design criteria, in accordance with the provisions of N.J.S.A.

40:55D-60 and -70c, but that the Planning Board may not grant variances for use and other standards governed by N.J.S.A. 40:55D-70d. Any relief from standards otherwise governed by N.J.S.A. 40:55D-70d shall require that this Plan be amended.

Developers of the site) is required to obtain all necessary permissions, including for access, from NJDOT and Monmouth County as the project is sited on a state highway and a county road.

.5 AMENDING THE PLAN

The Plan may be amended from time to time upon compliance with the requirements of the LRHL. No amendment of the Plan shall be approved without the review and recommendation of the Planning Board.

1.6 OFF-SITE IMPROVEMENTS

As defined by the Municipal Land Use Law, N.J.S.A. 40:55D-1, et seq., the developer undertaking the development of a redevelopment area) may be responsible for their pro-rata share of any and all improvements required by the construction of the redevelopment project, as determined pursuant to N.J.S.A. 40:55D-42, such as installation or upgrade of infrastructure necessitated by the construction of the project whether on-site or off-site.

1.8 RELOCATION

No property will be acquired as part of the implementation of this Plan Accordingly, it will not be necessary for the Borough to comply with the New Jersey Relocation Assistance Law, P.L 1967, c.79 *N.J.S.A. 52:31B-1 et seq.), the Relocation Assistance Act, P.L. 1971, c 362 (N.J.S.A. 20:4-1 et seq), and associated regulations (N.J.A.C. 5:L11-1 et seq.) adopted by the New Jersey Department of Community Affairs (the "DCA").

1.9 VALIDITY OF PLAN

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

1.10 ACQUISITION

The Plan Area has been designated as a rehabilitation area, meaning that the LRHL does not authorize property acquisition by eminent domain. Therefore, no eminent domain is anticipated or enabled by this Plan. To the extent that property acquisition will be required, all property must be acquired by the developer through private negotiations

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with the property owner(s).

4.11

AFFORDABLE HOUSING

All new development within the Plan Area shall adhere to the affordable housing requirements of the State of New Jersey that are in place at the time the development receives municipal site plan approvals, must be consistent with the Borough's Housing Element and Fair Share Plan. and, except as otherwise provided in this Plan or the Settlement Agreement, any municipal ordinances that relate to the provision of affordable housing are applicable within the Rehabilitation Area. In the event of a discrepancy between such ordinances and this Plan and/or the Settlement Agreement, the Settlement Agreement and this Plan shall control.

5.0 RELATIONSHIP TO OTHER PLANS

5.1 LOCAL GOALS AND OBJECTIVES

This Plan is consistent with the Freehold Master Plan's goals and objectives, including:

1. Preserve the present character of the housing stock.
2. Provide for residential expansion and rehabilitation within the framework of existing land use patterns

5.2 RELATIONSHIP TO COUNTY PLANS

As the County seat, the Borough is an important part of the County's land use, transportation, economic development, and open space planning. As such, this Plan is consistent with many of the County's planning goals and objectives. The Plan aligns with the following goals and objectives of the 2016 Monmouth County Master Plan:

1. **Goal #3:** "Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play, and stay." The principles and objectives of this goal lay out the County's vision for vibrant and sustainable communities, housing, economic development, and redevelopment, and transit investments. New development should also be balanced with efforts to preserve the character of the community, especially in historic centers, through preservation, rehabilitation, and adaptive reuse strategies.

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5.3 RELATIONSHIP TO STATE DEVELOPMENT AND REDEVELOPMENT PLAN

The Plan is consistent with the policies in the New Jersey State Development and Redevelopment Plan. The Plan Area is within a Metropolitan Planning Area, classified as Planning Area 1 (PA 1) on the State Plan Policy Map.

The Plan is consistent with the following policy goals for Metropolitan Planning Areas:

1. **Land Use:** "Promote redevelopment and development in Cores and neighborhoods of Centers and in Nodes that have been identified through cooperative regional planning efforts. Promote diversification of land uses, including housing where appropriate, in single use developments and enhance their linkages to the rest of the community. Ensure efficient and beneficial utilization of scarce land resources throughout the Planning Area to strengthen its existing diversified and compact nature." The Plan promotes mixed-use redevelopment in a downtown area with regional transportation access. The proposed density will ensure efficient utilization of the available land, consistent with the compact development patterns that already exist in the downtown.
2. **Redevelopment:** "Encourage redevelopment at intensities sufficient to support transit, a broad range of uses and efficient use of infrastructure. Promote design that enhances public safety, encourages pedestrian activity and reduces dependency on the automobile." The Plan intends to create higher-density, mixed- use development to encourage transit use and walking. Design guidelines and public realm standards reinforce these principles by promoting human-scaled design, wide sidewalks, and pedestrian amenities.

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RESOLUTION TO STATE OF NEW YORK

RECEIVED BY: [Signature]

The Board of Education of the Freehold Borough, New Jersey, do hereby certify that the following is a true and correct copy of the resolution of the Board of Education of the Freehold Borough, New Jersey, adopted on the [Date] day of [Month], [Year].

Attest: [Signature]
[Title]

DRAFTED FOR FREEHOLD BOROUGH BY:



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ORDINANCE #2023/5

AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 10 "VEHICLES AND TRAFFIC" OF THE CODE OF THE BOROUGH OF FREEHOLD

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

Section 1

Title 10 "Vehicles and Traffic" of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline.

10.42 Electric Bicycles and Scooters

10.42.010 Definitions.

As used in this chapter, the following terms shall have the meanings indicated:

"Electric bicycle" means a two or three-wheeled vehicle with fully operable pedals and an electric motor of less than 750 watts, that meets the requirements of one of the following classifications:

- a. "class 1 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that provides assistance only when the rider is pedaling, and that ceases to provide assistance when the bicycle reaches the speed of twenty (20) miles per hour;
or
- b. "class 2 low-speed electric bicycle" which means a low-speed electric bicycle equipped with a motor that may be used exclusively to propel the bicycle, and that is not capable of providing assistance when the bicycle reaches the speed of twenty (20) miles per hour.

"Electric scooter" means a scooter with a floorboard that can be stood upon by the operator, with handlebars, and an electric motor that is capable of propelling the device with or without human propulsion at a maximum speed of nineteen (19) miles per hour.

"Owner" means any company, entity or individual that has ownership of an electric bicycle or electric scooter.

"User" means any person who is operating an electric scooter.

10.42.020 Application of Motor Vehicle Laws

Every person riding an electric bicycle or electric scooter within the Borough of Freehold Park shall be granted all the rights and shall be subject to all the duties applicable to the driver of a vehicle by the laws of this state including the provisions of Chapter 4 of Title 39 of the New Jersey Revised Statutes applicable to bicycles as defined in N.J.S. 39:4-10 and the traffic provisions of this Code applicable to the driver of a vehicle, except as to special regulations in this Section and except as to those provisions of laws and ordinances which by their nature are inapplicable to

such persons. In particular, any person operating a low-speed electric bicycle or a low-speed electric scooter shall obey the instructions of official traffic control signals, signs and other control devices applicable to vehicles, unless otherwise directed by a police officer.

10.42.030 Rules and Regulations

The following rules and regulations shall pertain to electric bicycles and electric scooters and their operation within the Borough:

- A. Helmet Requirements. Electric bicycle operators and electric scooter operators under the age of seventeen (17) must wear a helmet per N.J.S. 39:40-10.1.
- B. Manner of Riding. No electric bicycle or electric scooter shall be used to carry more persons at one time than the number for which it is designed and equipped.
- C. Speed Restrictions. No person shall operate an electric bicycle or electric scooter at a speed greater than is reasonable and prudent under the condition then and there existing provided it does not exceed nineteen (19) miles per hour.
- D. Riding on Sidewalks.
 - 1. No person shall ride an electric bicycle or electric scooter upon a sidewalk.
 - 2. Any person traveling on the sidewalk with an electric bicycle or electric scooter shall dismount before entering the sidewalk throughway and walk the electric bicycle or electric scooter along the sidewalk.
 - 3. No person shall start or stop an electric bicycle or electric scooter trip on the sidewalk.
- E. Carrying Articles. No person operating an electric bicycle or electric scooter shall carry any package, bundle, or article, which prevents the user from keeping both hands upon the handlebars.
- F. Lamps and Equipment on Electric Scooters. Every electric bicycle or electric scooter, when in use at nighttime, shall be equipped with a lamp on the front which shall emit a white light visible from a distance of at least five hundred feet to the front, and with a lamp on the rear which shall emit a red light visible from a distance of at least five hundred feet to the rear. In addition to the red lamp, a red reflector may be mounted on the rear, of a type approved by the state motor vehicle commission, which shall be visible from all distances from fifty feet to three hundred feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle.
- G. Electric Bicycle and Electric Scooter Parking/Placement.
 - 1. Electric bicycles may be attached or secured to a bicycle rack. No person shall attach or secure an electric bicycle to any fixed object not typically used for bicycle parking.

2. Electric scooters shall be parked in designated electric scooter parking areas if they are available and advertised as such by either signage, pavement markings or racks. No person shall attach or secure an electric scooter to any fixed object not typically used for bicycle parking.
3. No person or owner shall leave an electric bicycle or electric scooter lying on or standing upon the sidewalk or any portion of the Borough's right-of-way as to hinder or impede pedestrian access.

H. Abandonment of Electric Bicycles and Electric Scooters.

1. An electric bicycle or electric scooter may be deemed abandoned by the Borough if:
 - a. It has been parked for a period of forty-eight (48) or more consecutive hours except in designated bicycle racks and approved marked areas; or
 - b. It appears visually to be in a state of prolonged disuse such that it has deflated tires, damaged or missing equipment making it inoperable, accumulated debris associated with it; or
 - c. It is parked, placed or left on a roadway or in any public right-of-way in violation of this chapter.
2. It shall be unlawful for any person, user or owner to abandon any electric bicycle or electric scooter within the Borough.
3. In the event that an electric bicycle or electric scooter is deemed to be abandoned as defined herein, the Borough's Department of Public Works, the Police Department or the Department of Code Enforcement shall have the authority to seize and impound same pursuant to this Section and that it will be removed.

I. Electric Bicycle and Electric Scooter Charging. No electric bicycle or electric scooter battery shall be recharged in the public right-of-way without prior written authorization from the Borough.

J. Electric Bicycle or Electric Scooter Disposal. All electric bicycles and electric scooters shall be disposed of in a manner in accordance with state and federal regulations as they related to hazardous materials disposal.

K. Keeping to the right; exceptions; single-file: Every person operating an electric bicycle or electric scooter upon a roadway shall ride as near to the right side of the roadway as practicable, exercising due care when passing a standing vehicle or one proceeding in the same direction; provided, however, that any person may move to the left under any of the following situations:

- a. to make a left turn from a left-turn lane or pocket;

- b. to avoid debris, drains or other hazardous conditions that make it impracticable to ride at the right side of the roadway;
- c. to pass a slower moving vehicle;
- d. to occupy any available lane when traveling at the same speed as other traffic;
- e. to travel no more than two abreast when traffic is not impeded

10.42.040 Violations and penalties

- A. Except as detailed below, in the event that any user or owner violates the terms of this Section, the violator shall be subject to a fine in the Municipal Court of the Borough of Freehold in an amount of one hundred dollars (\$100.00) for a non-moving violation. No court appearance shall be required for this violation.
- B. If the offense involves a moving violation under Title 39, then the violation shall be subject to appropriate penalties as determined by the Municipal Court Magistrate.

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

ORDINANCE #2023/6

AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 5 “BUSINESS LICENSES AND REGULATIONS” OF THE CODE OF THE BOROUGH OF FREEHOLD

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

Section 1

Title 5 “Business Licenses and Regulations” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline.

5.92 Licensing, Registration and Inspection Regulations for Rental Property and Operators

5.92.020 Registration

B. Licensed Registered Property Application. The borough shall make available at the code office the licensed registered property application. Application to register the rental facility shall be made in writing within thirty (30) days after the issuance of the certificate of occupancy, on an annual basis, and/or upon any change in occupancy and shall be signed by the owner on the form provided. The annual application forms shall be submitted prior to the due date, as set forth in this chapter. The application shall require the following information:

* * *

7. A refuse management plan indicating the procedures and management of the waste generated by the tenants and including how the owners are complying with the requirements of 8.24.020(E).

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

ORDINANCE #2023/7

AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 10 “VEHICLES AND TRAFFIC” OF THE CODE OF THE BOROUGH OF FREEHOLD

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

Section 1

Title 10 “Vehicles and Traffic” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline.

10.40 Bicycles, Skateboards and Roller Skates

10.40.065 Attachment of Bicycles to any Structures Other Than Bicycle Racks Prohibited

It shall be prohibited for anyone to attach any type of tether, chain or in any way affix any pedicycle, including but not limited to bicycles, electric bicycles, and tricycles, from any public structure other than a bicycle rack. No person shall, in the matter described above, attach any pedicycle to any street sign, fire hydrant, tree or any other structure. All pedicycles, including but not limited to bicycles, electric bicycles, and tricycles, may only be attached, chained, tethered or in any way affixed to regulation bicycle racks. The Borough Police Officers shall be authorized to either: (1) take any offending pedicycle, including but not limited to any bicycle, electric bicycles, or tricycle, into custody. In doing so, the Borough Police Officers or such other representatives as are necessary are hereby authorized to break or cut into any chain or other implement affixing the pedicycle to any of the above listed public or private structures; and (2) the above-noted public officials are also hereby authorized to rechain the offending pedicycle to the structure leaving instructions to report to the Borough Police Department to receive a summons for violating this subsection; or (3) issue a summons to the offending person, pursuant to law.

Any pedicycle taken into police custody may be reclaimed by the owner by paying an impound fee of \$25.00 per day. Any pedicycle that is not reclaimed within 10 days shall become the property of the Borough of Freehold and may be disposed of according to law. Any pedicycle that is rechaind by a public employee to any of the above-noted structures that is not reclaimed by the owner or user thereof by reporting within 24 hours to the Borough of Freehold Police Department pursuant to this subsection shall be taken into custody of the Borough of Freehold Police Department and if not reclaimed within 10 days it shall become the property of the Borough of Freehold and disposed of according to law.

Any person violating this subsection shall be subject to penalty as provided in the public ordinances of the Borough of Freehold.

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

ORDINANCE #2023/8

AN ORDINANCE AMENDING TITLE 8 “HEALTH AND SAFETY” OF THE CODE OF THE BOROUGH OF FREEHOLD ESTABLISHING THE LEAD PAINT INSPECTION PROGRAM

WHEREAS, the Borough of Freehold (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, in July of 2021, Governor Murphy signed into law P.L. 2021, c. 182, which legislation amended the Lead Hazard Assistance Act, N.J.S.A. 52:27D-437.1, et seq., as same pertains to lead-paint hazards in residential properties; and

WHEREAS, the aforesaid legislation requires municipalities to either perform inspections of certain single family, two-family and multiple rental dwellings for lead-based hazards, or to permit the dwelling owner or landlord to directly hire a certified lead evaluation contractor; and

WHEREAS, Title 8 of the Borough’s Code currently contains ordinances which provide oversight and control of the residential rental units in the Borough; and

WHEREAS, the Borough Council is desirous of amending and supplementing these ordinances so as to enact a program requiring inspections on certain rental units to alleviate lead-based paint hazards in certain rentals.

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

Section 1

Title 8 “Health and Safety” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline.

8.42 Lead Abatement Program

8.42.010 Purpose. The purpose of this Section is to prevent and protect children from lead-based hazards during their occupancy of residential rental properties and to create and preserve safe and healthy rental housing in the Borough.

8.42.020 Scope. This section shall apply to any Dwelling Unit as defined by this section and which was built before 1978. Dwelling Units shall be exempt from these requirements if exempted pursuant to N.J.S.A. 52:27D-437.16 et seq.

8.42.030 Definitions.

- A. **“Commissioner” means the Commissioner of the Department of Community Affairs.**

- B. “Dwelling” means a building containing a room or rooms, or suite, apartment, unit, or space, that is rented and occupied or intended to be rented and occupied for sleeping and dwelling purposes by one or more persons.
- C. “Dwelling Unit” means a unit within a building that is rented and occupied or intended to be rented and occupied for sleeping and dwelling purposes by one or more persons.
- D. “Lead inspector or risk assessor” means an individual certified by DOH to perform lead inspection and risk assessment work pursuant to N.J.A.C. 8:62. This includes the ability to perform dust wipe sampling.
- E. “Lead-based paint hazard” means any condition that causes exposure to lead from lead-contaminated dust or lead-contaminated paint that is deteriorated or present in surfaces, that would result in adverse human health effects.
- F. “Lead-based paint” means paint or other surface coating material that contains lead in excess of 1.0 milligrams per centimeter squared or in excess of 0.5% by weight, or such other level as may be established by federal law.
- G. “Lead abatement” means a set of measures designed to permanently eliminate lead-based paint hazards in accordance with standards established by the Commissioner in N.J.A.C. 5:17.
- H. “Lead safe” means that a dwelling has no outstanding lead-based paint hazards, but the dwelling is not necessarily lead free.
- I. “Lead-safe certification” means the certification issued pursuant to the regulations promulgated pursuant to P.L.2021, c.182, which confirms that a periodic inspection, as defined below, was performed, and no lead-based paint hazards were found. This certification is valid for two years from the date of issuance.
- J. “Owner” means a person, association, corporation, partnership, and/or other legal entity having a legal or equitable title in real property.
- K. “Tenant turnover” means the time at which all existing occupants vacate a dwelling unit, and all new tenants move into the dwelling unit or the time at which a new tenant enters a vacant dwelling unit.

8.42.40 Lead-Safe Housing Assessment and Reporting

- A. Responsibility. The Owner of a Dwelling Unit shall, along with all other requirements of this Chapter, ensure that an initial inspection is completed upon their property as established in this section. No Owner shall rent, offer to rent, or allow occupancy of a Dwelling Unit without complying with the terms of this Chapter.

- B. Inspections. All Dwelling Units must be inspected for lead-based paint within two years of the effective date of the Lead Hazard Assistance Act, N.J.S.A. 52:27D-437.16 et seq. (July 2, 2022), or upon tenant turnover, whichever is earlier. All inspections and certifications shall be completed by a certified Lead inspector or risk assessor. Thereafter, all such units shall be inspected for lead-based paint hazards the earlier of every three years or upon tenant turnover, except that an inspection upon tenant turnover shall not be required if the owner has a valid lead-safe certification pursuant to this section.
- C. At the time of any Application for Certificate of Occupancy, or in accordance with the requirements of N.J.S.A. 52:27D-437.16, every owner shall present to the Housing Inspector, Code Enforcement Official or the Borough Manager's other designated agents, a Lead-safe certification prepared by a Lead inspector or risk assessor. Should the Owner fail to provide such a certification, the Borough shall have said inspection performed with the Borough's cost for same to be assessed against the Owner's property as a municipal lien.

8.42.050 Lead-Hazard Remediation

Upon the finding of a Lead-Based Hazard following any inspection including those conducted pursuant to this Section, the Owner shall remediate the lead-paint hazard in accordance with State Law. Upon the remediation of the lead-based paint hazard, the lead evaluation contractor shall conduct an additional inspection of the unit to certify that the hazard no longer exists

8.42.60 Enforcement and Administration.

- A. Unless otherwise specified, the Division of Housing, Code Enforcement and Clean Communities shall have the authority to administer and enforce this Section.
- B. The Owner of a Rental Housing Unit that fails to obtain an initial lead-hazard assessment and/or comply with this Section within the timeframes set forth within shall first receive a Notice of Non-Compliance. If the dwelling owner has not cured the violation within 30 days, the owner shall be subject to a penalty not to exceed \$1,000 per week until the required inspection has been conducted or remediation efforts have been initiated. Remediation efforts are considered initiated when the owner has hired a lead abatement contractor or other qualified party to perform lead-hazard control methods.
- C. Penalty. Any violation of this Section shall be classified as a civil offense and shall be enforced by the Borough municipal court.

8.42.070 Fees. There shall be a fee of twenty-five (\$25) dollars collected by the Borough to be used to offset the Borough's administrative costs. In addition, the State fee of \$20 per unit inspected shall be charged, which is to be forwarded to the State to be deposited into the State Lead Hazard Control Assistance Fund.

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

ORDINANCE #2023/9

AN ORDINANCE TO AMEND AND SUPPLEMENT TITLE 18 “ZONING” OF THE CODE OF THE BOROUGH OF FREEHOLD

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

Section 1

Title 18 “Zoning” of the Code of the Borough of Freehold shall be amended as follows; additions to the current ordinance are noted in underline.

18.73.010 Minimum required off-street parking spaces

E. A parking requirement for a use may be satisfied through the provision of dedicated parking at an off-site location. The off-site location shall be located within ~~one-quarter mile (one thousand three hundred twenty (1,320))~~ a 700-foot radius of the property whose parking requirement is being satisfied. The parking arrangement shall be formalized through a legal instrument such as a deed, lease, or easement deemed acceptable by the borough ~~zoning officer~~ attorney. Any off-street parking supplied in this manner shall run with the land (not be invalidated by change in ownership), and any subsequent change in use that requires more parking shall require subsequent action to satisfy any additional parking requirements.

18.73.020 Parking deficiency

Any developer who may require a parking space variance from the requirements of Section 18.73.010 shall, as a condition of that variance, make a contribution to the municipal parking capital improvement fund in the amount of one thousand five hundred dollars (\$1,500.00) for each parking space the project is deficient, ~~for a maximum contribution of five thousand dollars (\$5,000.00).~~

Section 2

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

Section 3

Any Ordinance or portions thereof which are inconsistent with the provisions of this Ordinance are hereby repealed and superseded.

Section 4

This Ordinance shall take effect upon final passage and publication in accordance with Law.

ORDINANCE #2023/10

AN ORDINANCE AMENDING THE FIXING AND DETERMINING SALARIES OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, AND REPEALING ANY AND ALL OTHER ORDINANCES HERETOFORE ADOPTED WHICH ARE INCONSISTENT HEREWITH

BE IT ORDAINED, by the Mayor and Council of the Borough of Freehold, in the County of Monmouth, State of New Jersey, as follows:

Section 1

Effective January 1, 2022, and through December 31, 2026, the compensation set forth for the fulltime described offices, positions and employees of the Borough of Freehold in the attached Schedule of this Ordinance shall be and are hereby fixed and determined as delineated. All salaries are annual for full-time employees unless otherwise stated. Those employees working less than full-time shall have their pay calculated pro rata based upon hours actually worked.

Section 2

Employees who are members of the collective bargaining units represented by the Police Benevolent Association, Local No. 159 and the Communications Workers of America, Local No. 1032 shall be compensated at the wage rates and ranges as established by their respective Labor Agreements with the Borough. The Collective Bargaining Agreements among the representative labor groups and the Borough shall take precedent over any inconsistency that may exist between the labor unions and the Borough as a result of the enactment of this Ordinance.

Section 3

The employees mentioned in Section 1 and Section 2 of this Ordinance shall also be entitled to all benefits included in the various labor contracts granted by the Mayor and Council to comparable Borough employees.

Section 4

Effective January 1, 2022, and through December 31, 2026, the rate of pay set forth in the attached Schedule for the part-time positions, offices and employees of the Borough of Freehold shall be and are hereby fixed and determined as delineated.

Section 5

If any part of this Ordinance shall be deemed invalid such part shall be deemed severable and the invalidity thereof shall not affect the remaining part of this Ordinance.

	2022		2023		2024		2025		2026	
POLICE	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM	MINIMUM	MAXIMUM
Police Chief	\$ 152,231	\$ 180,336	\$ 156,417	\$ 185,296	\$ 160,719	\$ 190,391	\$ 164,737	\$ 195,151	\$ 168,855	\$ 200,030
Special Police Officer	\$ 42,919	\$ 51,503	\$ 44,099	\$ 52,919	\$ 45,312	\$ 54,374	\$ 46,445	\$ 55,733	\$ 47,606	\$ 57,127
Parking Enforcement Officer	\$ 42,554	\$ 49,916	\$ 43,724	\$ 51,288	\$ 44,927	\$ 52,699	\$ 46,050	\$ 54,016	\$ 47,201	\$ 55,367
Police Matron	\$ -	\$ 1,000	\$ -	\$ 1,000	\$ -	\$ 1,000	\$ -	\$ 1,000	\$ -	\$ 1,000
Bilingual Stipend	\$ -	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500
OEM Coordinator	\$ 3,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ 3,000	\$ 5,000	\$ 3,000	\$ 5,000
Deputy OEM Coordinator	\$ 2,500	\$ 3,500	\$ 2,500	\$ 3,500	\$ 2,500	\$ 3,500	\$ 2,500	\$ 3,500	\$ 2,500	\$ 3,500
PART-TIME POLICE										
Special Police - Class I	\$ 16.98	\$ 21.15	\$ 17.45	\$ 21.73	\$ 17.93	\$ 22.33	\$ 18.37	\$ 22.89	\$ 18.83	\$ 23.46
Special Police - Class II	\$ 21.94	\$ 26.05	\$ 22.54	\$ 26.77	\$ 23.16	\$ 27.51	\$ 23.74	\$ 28.19	\$ 24.33	\$ 28.90
Special Police - Class II (School)	\$ 26.53	\$ 31.84	\$ 27.26	\$ 32.71	\$ 28.01	\$ 33.61	\$ 28.71	\$ 34.45	\$ 29.43	\$ 35.31
School Traffic Guards	\$ 15.04	\$ 15.76	\$ 15.45	\$ 16.19	\$ 15.88	\$ 16.64	\$ 16.27	\$ 17.05	\$ 16.68	\$ 17.48
EXECUTIVE										
Mayor	\$ -	\$ 10,076	\$ -	\$ 10,076	\$ -	\$ 10,076	\$ -	\$ 10,076	\$ -	\$ 10,076
Councilman	\$ -	\$ 8,347	\$ -	\$ 8,347	\$ -	\$ 8,347	\$ -	\$ 8,347	\$ -	\$ 8,347
CODE ENFORCEMENT										
Uniform Construction Code Official/ Zoning Official/Building Official	\$ 81,836	\$ 113,461	\$ 84,086	\$ 116,581	\$ 86,398	\$ 119,787	\$ 88,558	\$ 122,782	\$ 90,772	\$ 125,851
Plumbing Subcode Official	\$ 32.47	\$ 43.86	\$ 33.37	\$ 45.07	\$ 34.28	\$ 46.31	\$ 35	\$ 47	\$ 36.02	\$ 48.65
Electric Subcode Official	\$ 32.47	\$ 43.86	\$ 33.37	\$ 45.07	\$ 34.28	\$ 46.31	\$ 35	\$ 47	\$ 36.02	\$ 48.65
Fire Subcode Official	\$ 7,729	\$ 12,061	\$ 7,941	\$ 12,392	\$ 8,159	\$ 12,733	\$ 8,363	\$ 13,051	\$ 8,573	\$ 13,378
Fire Official	\$ -	\$ 11,488	\$ -	\$ 11,804	\$ -	\$ 12,128	\$ -	\$ 12,432	\$ -	\$ 12,742
Fire Inspector	\$ 23.44	\$ 26.89	\$ 24.08	\$ 27.63	\$ 24.74	\$ 28.39	\$ 25.36	\$ 29.10	\$ 26.00	\$ 29.83
Code Officer	\$ 17.29	\$ 21.15	\$ 17.77	\$ 21.73	\$ 18.26	\$ 22.33	\$ 18.72	\$ 22.89	\$ 19.18	\$ 23.46
Senior Fire Prevention Specialist	\$ 51,810	\$ 57,982	\$ 51,810	\$ 57,982	\$ 51,810	\$ 57,982	\$ 51,810	\$ 57,982	\$ 51,810	\$ 57,982
Technical Assistant Land Use			\$ 60,000	\$ 76,000	\$ 61,650	\$ 78,090	\$ 63,191	\$ 80,042	\$ 64,771	\$ 82,043
PUBLIC WORKS										
Assistant Supv. Of Roads	\$ 61,114	\$ 77,922	\$ 62,794	\$ 80,065	\$ 64,521	\$ 82,267	\$ 66,134	\$ 84,324	\$ 67,788	\$ 86,432
Assistant Supv. Of Public Works	\$ 67,224	\$ 85,715	\$ 69,073	\$ 88,072	\$ 70,972	\$ 90,494	\$ 72,747	\$ 92,756	\$ 74,565	\$ 95,075
Senior Water Plant Operator	\$ 61,114	\$ 77,921	\$ 62,794	\$ 80,064	\$ 64,521	\$ 82,266	\$ 66,134	\$ 84,323	\$ 67,788	\$ 86,431
Supervisor of Roads	\$ 74,262	\$ 96,617	\$ 76,304	\$ 99,273	\$ 78,403	\$ 102,003	\$ 80,363	\$ 104,554	\$ 82,372	\$ 107,167
Water Treatment Plant Superintendent	\$ 88,670	\$ 99,488	\$ 90,444	\$ 120,000	\$ 92,931	\$ 123,300	\$ 95,254	\$ 126,383	\$ 97,636	\$ 129,542
Sewer Superintendent	\$ 86,112	\$ 103,855	\$ 88,480	\$ 106,711	\$ 90,914	\$ 109,645	\$ 93,186	\$ 112,386	\$ 95,516	\$ 115,196
Sewer Superintendent/Supervisor of Roads	\$ 74,262	\$ 129,323	\$ 76,304	\$ 132,879	\$ 78,403	\$ 136,534	\$ 80,363	\$ 139,947	\$ 82,372	\$ 143,446
Safety Officer	\$ -	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500	\$ -	\$ 2,500
Part Time Water Plant Operator	\$ 25.98	\$ 30.31	\$ 26.69	\$ 31.14	\$ 27.43	\$ 32.00	\$ 28.11	\$ 32.80	\$ 28.82	\$ 33.62
Interlocal-Certified Public Works Mgr.	\$ 4,416	\$ 6,845	\$ 4,538	\$ 7,034	\$ 4,663	\$ 7,227	\$ 4,779	\$ 7,408	\$ 4,898.60	\$ 7,592.83
Interlocal-Freehold Twp Plan/Review	\$ 28,056	\$ 32,285	\$ 28,827	\$ 33,173	\$ 29,620	\$ 34,085	\$ 30,361	\$ 34,937	\$ 31,120	\$ 35,811
FIRE DEPARTMENT										
Chief	\$ -	\$ 2,938	\$ -	\$ 2,938	\$ -	\$ 2,938	\$ -	\$ 2,938	\$ -	\$ 2,938
1st Assistant Chief	\$ -	\$ 1,100	\$ -	\$ 1,100	\$ -	\$ 1,100	\$ -	\$ 1,100	\$ -	\$ 1,100
2nd Assistant Chief	\$ -	\$ 880	\$ -	\$ 880	\$ -	\$ 880	\$ -	\$ 880	\$ -	\$ 880
3rd Assistant Chief	\$ -	\$ 660	\$ -	\$ 660	\$ -	\$ 660	\$ -	\$ 660	\$ -	\$ 660
Chief's Aide	\$ -	\$ 1,494	\$ -	\$ 1,494	\$ -	\$ 1,494	\$ -	\$ 1,494	\$ -	\$ 1,494
MUNICIPAL COURT										
Municipal Judge	\$ 44,163	\$ 60,438	\$ 45,378	\$ 62,100	\$ 46,626	\$ 63,808	\$ 47,791	\$ 65,403	\$ 48,986	\$ 67,038
Prosecutor	\$ 27,061	\$ 41,426	\$ 27,805	\$ 42,566	\$ 28,570	\$ 43,736	\$ 29,284	\$ 44,829	\$ 30,016	\$ 45,950
Assistant Prosecutor	\$ 5,520	\$ 9,518	\$ 5,672	\$ 9,779	\$ 5,828	\$ 10,048	\$ 5,974	\$ 10,300	\$ 6,123	\$ 10,557

**BOROUGH OF FREEHOLD
COUNTY OF MONMOUTH**

ORDINANCE #2023/11

**ORDINANCE OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH,
NEW JERSEY ADOPTING THE REDEVELOPMENT PLAN ENTITLED
“DOWNTOWN FREEHOLD: HOMETOWN REDEVELOPMENT PHASE 1 BLOCK 35
REDEVELOPMENT PLAN”**

WHEREAS, the Borough of Freehold, a public body corporate and politic of the State of New Jersey (the **“Borough”**) is authorized pursuant to the Local Redevelopment and Housing Law; *N.J.S.A. 40A:12A-1 et seq.* (the **“Redevelopment Law”**), to determine whether certain parcels of land within the Borough constitute an area in need of redevelopment, as further described therein; and

WHEREAS, pursuant to the Redevelopment Law, the Mayor and Council of the Borough (the **“Council”**) by Resolutions No. 136-21 and No. 162-21, adopted on July 19, 2021 and September 7, 2021, authorized and directed the Planning Board of the Borough (the **“Planning Board”**) to investigate certain properties within the Borough and to recommend to the Council whether all or a portion of such properties should be designated as an area in need of redevelopment with the power of eminent domain, in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-6*; and

WHEREAS, in accordance with the Redevelopment Law, the Planning Board caused CME Associates (the **“Planner”**) to conduct a preliminary investigation of several properties (the **“Study Area”**); and

WHEREAS, the Planner prepared a map of the Study Area and an investigation report entitled **“Preliminary Investigation to Determine if the Following Lots can be Designated as a Condemnation Area in Need of Redevelopment”** dated October 8, 2021 (the **“Study”**); and

WHEREAS, the Study concluded that the Study Area qualifies as a Condemnation Redevelopment Area pursuant to the Redevelopment Law, for the reasons set forth in the Study; and

WHEREAS, pursuant to the Redevelopment Law, on October 27, 2021, November 10, 2021, and December 8, 2021, the Planning Board held duly noticed public hearings concerning the Study (the **“Public Hearings”**) at which the Planner testified to the Planning Board that to prepare the Study, the Planner performed an analysis of the Study Area’s existing land uses, site layout, and physical characteristics; and

WHEREAS, the Public Hearings also afforded members of the general public to present their own evidence and/or to cross-examine the Planner, and to address questions to the Planning Board and its representatives, concerning the potential designation of the Study Area as an area in need of redevelopment; and

WHEREAS, on January 12, 2022, the Planning Board approved a resolution in the form introduced to it at the Public Hearings, accepting and adopting the recommendations contained in the Study, with the exception of certain properties included in the Study Area; and

WHEREAS, based on the recommendation of the Planning Board and in accordance with the criteria set forth in the Redevelopment Law, by Resolution No. 31-22 adopted on February 7, 2022, the Council designated Block 34, Lots 31 and 37, and Block 35, Lots 15, 16, 17, 18, 19, 23, 24, 26, 26.01, 26.02, 27, 28, 29, 30, 31, and 32, as a Condemnation Area in need of Redevelopment (the “**Redevelopment Area**”); and

WHEREAS, pursuant to the Redevelopment Law, by Resolution No. 42-22 adopted on February 7, 2022, the Council caused to be prepared a redevelopment plan for the following properties within the Redevelopment Area: Block 35, Lots 15, 16, 17, 18, 19, 26.02, 28, 29, 30, 31, and 32 (the “**Redevelopment Plan Property**”) entitled the “Downtown Freehold: Hometown Redevelopment Phase 1 Block 35 Redevelopment Plan” (the “**Redevelopment Plan**”); and

WHEREAS, by Resolution No 51-23, adopted on January 17, 2023, the Council referred the Redevelopment Plan to the Planning Board for its review and comment; and

WHEREAS, on January 25, 2023, the Planning Board reviewed the Redevelopment Plan and determined that it was substantially consistent with the Borough’s Master Plan; and

WHEREAS, after extensive discussions and testimony at its meeting on January 25, 2023, the Planning Board memorialized a Resolution dated February 8, 2023, which found that the Redevelopment Plan was “substantially consistent with the municipal master plan” and provided comments and recommendations relating to the Redevelopment Plan, attached hereto as **Exhibit A**; and

WHEREAS, the Mayor and Council finds the Planning Board’s input to be relevant and meaningful and for these purposes desires to review and respond to the Board Recommendations and to consider whether to approve, disapprove, or change any recommendation; and

WHEREAS, pursuant to *N.J.S.A. 40A:12A-7(e)*, the Council approves certain recommendations of the Planning Board and disapproves certain other recommendations of the Planning Board for the reasons set forth in **Exhibit B** attached hereto; and

WHEREAS, after reviewing the Board Recommendations and consulting with Borough professionals, the Council has determined to adopt the Redevelopment Plan, as revised following review of the Board Recommendations, attached hereto as **Exhibit C**, and finds the Redevelopment Plan to be either substantially consistent with the Master Plan or designed to effectuate the Master Plan.

NOW, THEREFORE, BE IT ORDAINED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. The Planning Board of the Borough has reviewed the Redevelopment Plan and provided its recommendations pursuant to the provisions of *N.J.S.A. 40A:12A-7(e)*.

Section 3. The Redevelopment Plan, as filed in the Office of the Borough Clerk and attached hereto as Exhibit C, is hereby approved and adopted pursuant to the terms of the Redevelopment Law. The Redevelopment Plan includes certain of the Board Recommendations, and Exhibit B identifies those Board Recommendations that the Borough disapproves of and are not included in the Redevelopment Plan.

Section 4. The zoning map and zoning ordinance of the Borough are hereby amended to incorporate the provisions of the Redevelopment Plan.

Section 5. If any part of this Ordinance shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Ordinance.

Section 6. A copy of this Ordinance and the Redevelopment Plan shall be available for public inspection at the office of the Borough Clerk during regular business hours.

Section 7. This Ordinance shall take effect as provided by law.

Introduced: _____, 2023

Adopted: _____, 2023

EXHIBIT A
PLANNING BOARD RECOMMENDATIONS

Attached hereto.

RESOLUTION

THE PLANNING BOARD OF THE BOROUGH OF FREEHOLD
(JOINT LAND USE BOARD)
REVIEW OF REDEVELOPMENT PLAN
FOR PROPERTY DESIGNATED AS BLOCK 35
(DOWNTOWN FREEHOLD: HOMETOWN REDEVELOPMENT PHASE I
BLOCK 35 REDEVELOPMENT PLAN)

Recommendation: January 25, 2023
Memorialized: February 8, 2023

WHEREAS, pursuant to the Municipal Land Use Law, N.J.S.A. 40:55D-26, and the Local Redevelopment and Housing Law, N.J.S.A. 40:55D-12A:7e any proposed redevelopment plan must be referred to the Planning Board for a review as to consistency with the municipal Master Plan; and

WHEREAS, the municipal Council of the Borough of Freehold adopted Resolution No. 51-23 on January 17, 2023 which directed the Board to review a proposed redevelopment plan, entitled "Downtown Freehold: Hometown Redevelopment Phase I Block 35 Redevelopment Plan" prepared by Andrew W. Janiw, P.P., A.I.C.P. of Beacon Planning and Consulting Services, LLC (the "Redevelopment Plan") to determine if it is consistent with the municipal master plan in accordance with the Local Redevelopment and Housing Law and Municipal Land Use Law; and

WHEREAS, a public hearing was conducted on January 25, 2023, after the Board determined that it had jurisdiction.

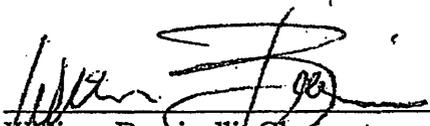
NOW, THEREFORE, the Borough of Freehold Planning Board (Joint Land Use Board) makes the following findings of fact and conclusions of law with regard to this matter:

1. The proposed Redevelopment Plan was generated by the Borough Council.
2. The proposed Redevelopment Plan is substantially consistent with the municipal master plan.
3. The Board recommends requiring a parking study as part of any Redevelopment Agreement.
4. The Redevelopment Plan should require RSIS compliance.

5. The Board recommends examining the traffic impact of removing the "unofficial" cut through alley adjacent to the former Borough Hall between West Main Street and Broad Street. The Board recommends providing a traffic cut through connecting West Main Street and Broad Street in order to address the long distance between Throckmorton Street and Manalapan Avenue.
6. The Board recommends examining the impact this Redevelopment Plan may have on Borough infrastructure and connection fees.
7. The Board recommends prioritizing relocating residents and commercial tenants that may be displaced by this Redevelopment Plan.
8. The Board recommends clarifying the design standards for rehabilitated properties on page 32.
9. The Board recommends revising the list of prohibited materials on page 35 to include vinyl.
10. The Board recommends requiring any proposals by developers be presented to the Historic Preservation Commission.
11. The Board recommends specifying permitted rooftop amenities, such as swimming pools, elevator towers, visibility of people on the rooftop, etc.
12. The Board has no other comments or recommendations it deems appropriate.

NOW, THEREFORE, BE IT RESOLVED, by the Planning Board of the Borough of Freehold on this 8th day of February, 2023, that pursuant to N.J.S.A. 40:55D-26 and N.J.S.A. 40A-12A:7e, the Planning Board hereby determines proposed Redevelopment Plan is substantially consistent with the municipal Master Plan.

BE IT FURTHER RESOLVED that the Board is hereby authorized and directed to cause a notice of this decision to be published in the official newspaper at the Board's expense. The Board Secretary is hereby authorized to send a certified copy of this Resolution to the Borough Clerk, Engineer, Attorney and Tax Assessor, and shall make same available to all other interested parties.


William Barricelli, Chairman
Freehold Planning Board

ROLL CALL

YES: Barricelli, Ceppi, Wildermuth, Councilwoman Rogers, Jackson and Mayor Kane

NO:

ABSENT: McCabe, Crombie, Van Vorst and Keelan

ABSTAINED: Argote-Freyre

DISQUALIFIED:

DATED: February 8, 2023

I HEREBY CERTIFY that the foregoing is a true copy of a Resolution which was approved by the Borough of Freehold Combined Planning Board at its meeting held on February 8, 2023.

Dominica Napolitano
Dominica Napolitano, Secretary
Freehold Planning Board

State of New Jersey:

County of Monmouth: ss:

Be it remembered on this 10 day of February, 2023, before me, a Notary Public of the State of New Jersey personally appeared before DOMINICA NAPOLITANO, who being duly sworn by me, according to law on this oath stated:

1. She is the secretary of the Planning Board of the Borough of Freehold;
2. The within Resolution represents the action taken by the Freehold Borough Planning Board at its meeting of January 25, 2023.

Harriet L. Cannon

HARRIET L. CANNON
NOTARY PUBLIC OF NEW JERSEY
Commission # 2450058
Notary Commission Expires 06/30/2028

EXHIBIT B
BOROUGH COUNCIL RESPONSE TO
BOARD RECOMMENDATIONS

1. Parking Study. The Council does not accept the Planning Board's recommendation regarding the Parking Study. Any Parking Study will be conducted as part of the Site Plan Application, if required by the Planning Board, rather than being integrated into the Redevelopment Plan.

2. RSIS Compliance. The Council does not accept the Planning Board's recommendation regarding RSIS Compliance. The Redevelopment Plan establishes its own parking requirements:

"j. Off-street parking for multifamily dwelling units shall be provided in accordance with the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21, as amended). Off-street parking for the commercial uses shall be provided in accordance with §18.73.010 of the Borough's Zoning Ordinance. In the case of a development proposal in which there are efficiencies derived by shared parking for uses which have complementary peak demands, the applicant shall submit parking generation data, based upon standard methodology *such as that published by the Urban Land Institute) sufficient for the redevelopment entity to determine the appropriate reduction. The final parking configuration shall be set forth in the Redevelopment Agreement." – Redevelopment Plan, Section 3.4, 1., j.

3. Removing "unofficial" cut through alley adjacent to the former Borough Hall between West Main Street and Brough Street and providing traffic cut through connecting West Main Street and Broad Street. The Council does not accept the Planning Board's recommendation regarding removal of the "unofficial" cut through and providing a traffic cut through in the redevelopment project. The need for same, if appropriate, will be addressed by the mayor and Council as part of the Redevelopment Agreement.

4. Redevelopment Plan's impact on Borough infrastructure and connection fees. The Council does not accept the Planning Board's recommendation regarding the impact on Borough infrastructure and connection fees. The Council rejects this recommendation because this will be a part of the Site Plan Application and review process. The Redeveloper will also address such issues as a component of its application for all appropriate permits.

5. Prioritizing relocating residents and commercial tenants that may be displaced by the Redevelopment Plan. The Redevelopment Plan already addresses relocation in Section 4.2. No changes are required.

6. Clarification of the design standards for rehabilitated properties on Page 32 of the Redevelopment Plan. The Council does not accept the Planning Board's recommendation regarding clarification of design standards for rehabilitated properties. However, to the extent that it is determined that buildings be rehabilitated, the design standards will be modified in the Redevelopment Agreement.

7. Revision of list of Prohibited Materials on Page 35 of the Redevelopment Plan to include vinyl. The Council accepts the Planning Board's recommendation regarding vinyl being added to the list of Prohibited Materials. The Redevelopment Plan has been revised accordingly.

8. Requiring any proposals by developers be presented to the Historic Preservation Commission. No change is required to address this comment by the Planning Board. The Borough will involve the Historic Preservation Commission per its standard process.

9. Specifying permitted rooftop amenities. The Council does not accept the Planning Board's recommendation regarding specification of rooftop amenities. By design, the Redevelopment Plan does not specify where amenities should be located preferring to leave that decision to the ultimate redeveloper.

EXHIBIT C
DOWNTOWN FREEHOLD: HOMETOWN REDEVELOPMENT PHASE 1 BLOCK 35
REDEVELOPMENT PLAN

Attached hereto.

BEACON

BEACON PLANNING AND CONSULTING SERVICES, LLC
315 STATE HIGHWAY 34, SUITE 129
COLTS NECK, NEW JERSEY 07722
TEL: 732.845.8103/FAX: 732.845.8104

DOWNTOWN FREEHOLD: HOMETOWN REDEVELOPMENT PHASE 1 BLOCK 35 REDEVELOPMENT PLAN FREEHOLD BOROUGH, NEW JERSEY

Beacon File: A22087
January 2023



The original copy of this report was signed and sealed in accordance with N.J.S.A. 45: 14A-12.


Andrew W. Janiw, P.P., AICP
Professional Planner #5775


Barbara Ehlen, PP, AICP
Professional Planner # 6294

Beacon Planning and Consulting Services, LLC
Colts Towne Plaza, Suite 129, 315 State Highway 34, Colts Neck, New Jersey 07722
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Kevin A. Kane, Mayor
Margaret Rogers, Council President
Sharon Shutzer
George Schnurr
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Michael DiBenedetto
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James Keelan, Alternate Number II
Kevin Kane, Mayor, Class I
Margaret Rogers, Council Member, Class III

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CONSULTANT PLANNER

Beacon Planning and Consulting Services, LLC

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FIGURES

Figure 1: Location Map

Figure 2: Block 35 Redevelopment Area Map

Figure 3: Existing Zoning

Figure 4: Proposed Zoning

Figure 5: Tax Map

APPENDIX	TITLE
1	Borough of Freehold Resolution No. 31-22, adopted 02/07/2022
2	Borough of Freehold Resolution No. R 42-22, adopted 02/07/2022

1.0 INTRODUCTION

1.1 Background

The Block 35 Redevelopment Area (as defined herein) subject to this Freehold Downtown: Block 35 Redevelopment Plan (this "Redevelopment Plan" or this "Plan") is located in the center portion of the Borough with frontages along Broad Street to the northwest and W. Main Street to the southeast, and is a portion of a larger area referred to as "Borough Hall and Surrounding Commercial Area" determined to be an "area in need of redevelopment" with condemnation by the Borough Council via Resolution 31-22 adopted February 07, 2022, pursuant to the requirements of New Jersey's Local Redevelopment and Housing Law (LRHL). Resolution 42-22 adopted February 07, 2022 authorized the preparation of redevelopment plan(s) for the designated properties, including Block 35, Lots 15, 16, 17, 18, 19, 26.02, 28, 29, 30, 31, and 32.

The resulting plan, which is this document, identifies the land uses that are suitable for the property designated as Block 35, Lots 15, 16, 17, 18, 19, 26.02, 28, 29, 30, 31, and 32 on the official tax map of the Borough of Freehold (the "Block 35 Redevelopment Area"). It also sets forth area and bulk requirements to guide the redevelopment of these properties in a manner which promotes the health, safety, and welfare of the Freehold community. The Redevelopment Plan will encourage the redevelopment of this property located within this portion of the community. The Plan establishes a comprehensive, integrated approach to development that will result in an attractive and complementary use of the property within the Block 35 Redevelopment Area. The Plan is designed to complement and implement the specific goals, objectives and policy statements set forth in the Borough Master Plan.

1.2 Statutory Basis for the Redevelopment Plan

The Local Redevelopment and Housing Law (LRHL) sets forth the following criteria that must be addressed in a redevelopment plan:

- A. No redevelopment project shall be undertaken or carried out except in accordance with a redevelopment plan adopted by ordinance of the municipal governing body, upon its finding that the specifically delineated project area is located in an area in need of redevelopment or in an area in need of rehabilitation, or in both, according to criteria set forth in section 5 or section 14 of P.L.1992, c.79 (C.40A:12A-5 or 40A:12A-14), as appropriate.

The redevelopment plan shall include an outline for the planning, development, redevelopment, or rehabilitation of the project area sufficient to indicate:

1. Its relationship to definite 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 which is proposed to be acquired in accordance with the redevelopment plan.
5. Any significant relationship of the redevelopment plan to (a) the master plans of contiguous municipalities, (b) the master plan of the county in which the municipality is located, and (c) the State Development and Redevelopment Plan adopted pursuant to the "State Planning Act," P.L.1985, c.398 (C.52:18A-196 et al.).
6. 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), 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.
7. 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.1985, 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.1985, 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 its progress in implementing the plan for provision of comparable, affordable replacement housing required pursuant to this section.

8. Proposed locations for public electric vehicle charging infrastructure within the project area in a manner that appropriately connects with an essential public charging network.
- B. 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.
 - C. The redevelopment plan shall describe its relationship to pertinent municipal development regulations as defined in the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.). The redevelopment plan shall 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 ordinance adopting the redevelopment plan shall contain an explicit amendment to the zoning district map included in the zoning ordinance. The zoning district map as amended shall indicate the redevelopment area to which the redevelopment plan applies. Notwithstanding the provisions of the "Municipal Land Use Law," P.L.1975, c.291 (C.40:55D-1 et seq.) or of other law, no notice beyond that required for adoption of ordinances by the municipality shall be required for the hearing on or adoption of the redevelopment plan or subsequent amendments thereof.
 - D. All provisions of the redevelopment plan shall be either substantially consistent with the municipal master plan or designed to effectuate the master plan; but the municipal governing body may adopt a redevelopment plan which is inconsistent with or not designed to effectuate the master plan by

affirmative vote of a majority of its full authorized membership with the reasons for so acting set forth in the redevelopment plan.

- E. Prior to the adoption of a redevelopment plan, or revision or amendment thereto, the planning board shall transmit to the governing body, within 45 days after referral, a report containing its recommendation concerning the redevelopment plan. This report shall include an identification of any provisions in the proposed redevelopment plan which are inconsistent with the master plan and recommendations concerning these inconsistencies and any other matters as the board deems appropriate. The governing body, when considering the adoption of a redevelopment plan or revision or amendment thereof, shall review the report of the planning board and may approve or disapprove or change any recommendation by a vote of a majority of its full authorized membership and shall record in its minutes the reasons for not following the recommendations. Failure of the planning board to transmit its report within the required 45 days shall relieve the governing body from the requirements of this subsection with regard to the pertinent proposed redevelopment plan or revision or amendment thereof. Nothing in this subsection shall diminish the applicability of the provisions of subsection d. of this section with respect to any redevelopment plan or revision or amendment thereof.
- F. The governing body of a municipality may direct the planning board to prepare a redevelopment plan or an amendment or revision to a redevelopment plan for a designated redevelopment area. After completing the redevelopment plan, the planning board shall transmit the proposed plan to the governing body for its adoption. The governing body, when considering the proposed plan, may amend or revise any portion of the proposed redevelopment plan by an affirmative vote of the majority of its full authorized membership and shall record in its minutes the reasons for each amendment or revision. When a redevelopment plan or amendment to a redevelopment plan is referred to the governing body by the planning board under this subsection, the governing body shall be relieved of the referral requirements of subsection e. of this section.

1.3 Area Description

The Freehold Downtown: Block 35 District (the "District") is located within the central portion of the borough and part of an area designated as an "area in need of redevelopment" with condemnation. Figures located in the back of this Plan depict the geometry of the parcel. Figure 1 shows the location of the District within the Borough with the subject parcels outlined while Figure 2

outlines the Block 35 Redevelopment Area addressed by this Redevelopment Plan which is located within the District. As described above, the Block 35 Redevelopment Area subject to this Redevelopment Plan consists of a property identified by the Borough Tax Assessor as Block 35, Lots 15, 16, 17, 18, 19, 26.02, 28, 29, 30, 31, and 32, which is located between and maintain frontages along Broad Street and West Main Street.

Downtown Freehold: Block 35						
Block	Lot	~Area (Sq.Ft.)	~Acreage *	Zone	Ownership	Property Address
35	15	43,164	0.9909	B-1	15 Hardy Street Corp.	32 Broad St.
35	16	17,402	0.3995	B-2	Hamilton Kuser Associates, LLC	30 Broad St.
35	17	9,479	0.2176	B-2	Bank of America Corp. Real Estate AS	28 Broad St.
35	18	10,846	0.249	B-2	Boro of Freehold	Broad St.
35	19	22,246	0.5107	B-2	Boro of Freehold	Broad St.
35	26.02	9,400	0.2158	A	Boro of Freehold	Broad St.
35	28	21,301	0.489	B-2	Boro of Freehold	51 W. Main St.
35	29	22,499	0.5165	B-2	Bank of America Corp. Real Estate AS	53 W. Main St.
35	30	22,499	0.5165	B-2	American Realty Enterprises, LLC	55 W. Main St.
35	31	24,002	0.551	B-2	Mainstream 57, LLC	57 W. Main St.
35	32	35,702	0.8196	B-2	Blitz 61 West Main Street, LLC	61 W. Main St.
Total:		238,539	5.48			

*Approximate acreage obtained from Freehold Borough tax records and tax maps. Lots have not been surveyed and lot areas are subject to change as additional information is obtained.

The District is comprised of ~5.26 acres or ~229,139 sq.ft. The underlying B-1 district permits professional offices, as well as banks, funeral homes, photography studios, music/dance/art studios and public institutions of higher education while the B-2 underlying zone permits retail sales and service establishments, automobile parking areas, shopping centers, hotels, and public institutions of higher learning. The District is made of an intermingling of uses, including a one-story office building, an auto repair facility, the former Borough Hall, a Bank of America drive through, professional offices, and a mixed-use building. However, the predominate feature of the area are the large areas of surface parking that break up the continuity of this portion of the downtown.

The Block 35 Redevelopment Area is located proximate and is a part of the Borough's downtown neighborhood. To the northwest of the property is a shopping center and residential apartments and to the northwest is a rail right-of-way followed by restaurants and a car detailing center. To the southeast and southwest are professional offices within former residential homes, as well as a mixed-use building and houses of worship.

As a result of a number of factors, including the existing condition and configuration of improvements as well as the large areas of surface parking, a stagnant and declining condition has emerged in this area of the Borough. The Borough is pursuing a revitalization of this area, which is underutilized commercial in character including additional blocks and lots within the

downtown area. The redevelopment of the Block 35 Redevelopment Area is one of the first efforts within this area to address cited conditions.

1.4 Utility and Infrastructure

Municipal water, sanitary sewer, storm water provisions, natural gas, electricity, and voice and data transmission facilities either serve or are available to serve the parcels within the District.

- **Water:** Freehold Borough provides water services to the subject property.
- **Sanitary Sewerage:** Freehold Borough provides sanitary sewer services to the subject property.
- **Electricity:** Electrical power is provided to the District by Jersey Central Power & Light (JCPL).
- **Natural Gas.** Gas lines that service the District are provided by New Jersey Natural Gas.
- **Voice and Data Transmission:** Telecommunication services are reportedly available to the District.

1.5 Environmental Conditions

Any and all redevelopment/rehabilitation efforts must consider the status of environmentally sensitive areas within the District. Potential environmental liabilities present within the District must be identified and all planning and redevelopment/rehabilitation pursued pursuant to all applicable laws, statutes, and pertinent rules.

1.6 Urban Enterprise Zone Status

The Block 35 Redevelopment Area is not located within an Urban Enterprise Zone (UEZ).

2.0 DESCRIPTION OF SITE AND FINDING OF NEED FOR REDEVELOPMENT

The findings of the Planning Board's preliminary investigation are summarized in a report entitled "Borough Hall and Surrounding Commercial Area In Need of Redevelopment Study, Borough of Freehold," dated October 7, 2021 and prepared by Peter Van Den Kooy, PP, AICP (CME Associates). The properties within the Block 35 Redevelopment Area qualified under Criteria A, B, and D, as well as per stipulations within the state statutes permitting the inclusion of lands which are necessary to effectuate a redevelopment area. The following statutory criteria were cited together with a description of the condition evident as justification for inclusion of the subject property or properties for redevelopment:

Criterion A: The generality of buildings are substandard, unsafe, unsanitary, dilapidated, or obsolescent, or possess any of such characteristics, or are so lacking in light, air, or space, as to be conducive to unwholesome living or working conditions.

Criterion B: The discontinuance of the use of a building or buildings previously used for commercial, retail, shopping malls or plazas, office parks, manufacturing, or industrial purposes; the abandonment of such building or buildings; significant vacancies of such building or buildings for at least two consecutive years; or the same being allowed to fall into so great a state of disrepair as to be untenable.

Criterion D: Areas with buildings or improvements which, by reason of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, are detrimental to the safety, health, morals, or welfare of the community.

The preliminary investigation and subsequent Planning Board recommendation represented the first step of an extensive planning process. In turn, the governing body elected to proceed with the recommendation of the Planning Board, pursuant to Borough Resolution No. 31-22 adopted February 7, 2022 wherein the properties were designated an area in need of redevelopment with condemnation. The Council directed the preparation of redevelopment plan(s) via Resolution No. 42-22 adopted February 7, 2022. The statute governing this process allows a redevelopment plan to encompass the redevelopment and/or rehabilitation of some or all of the properties within the designated area. The CME Assessment and subsequent designation highlighted the fact that the properties within the study area are not utilized in a manner that allows the achievement of their full development potential, and thus does not enable them to contribute to the public health, safety, and general welfare of the community.

3.0 BLOCK 35 REDEVELOPMENT AREA REGULATIONS

3.1 Approach

The planning approach outlined in this Redevelopment Plan is to create an enhanced opportunity for reutilization of existing improvements as well as the development of new improvements to promote the vitality of the Borough's downtown area by broadening both the type of retail/service establishments permitted as well as the variety of housing within the Borough, and to provide an opportunity for affordable housing in a manner that advances the Master Plan's goals and objectives.

Of note, the redevelopment district is situated adjacent to the proposed My Hometown: The Bruce Springsteen Story center. The proposal consists of a multimedia center with rotating exhibits about the life and times of Bruce Springsteen and his early days in Freehold Borough, and how his story relates to the American Story.

3.2 Plan Interpretation

A replacement zoning district to accommodate the intended permitted land uses will be established and be known as the "Freehold Downtown: Block 35 District." Since this is a replacement zone, the Freehold Downtown: Block 35 District may be used in accordance with the current, underlying zoning designation for the Block 35 Redevelopment Area (see Figure 3) until such time as it is to be redeveloped. Final adoption of this Redevelopment Plan by the Borough Council shall be considered an amendment to the Borough of Freehold Zoning Code and Zoning Map. Unless otherwise defined herein, terms used in this plan shall have the same meaning ascribed to them in the Borough's Zoning Code.

The continued use of the Downtown Freehold: Block 35 District is permitted until the lots are to be developed, redeveloped, or substantially rehabilitated, at which time the provisions of this Redevelopment Plan shall be applied. In the case where a particular land use or site standard is not specifically addressed in this Redevelopment Plan, compliance with the Borough of Freehold's Zoning Code and/or other applicable Borough codes or ordinances shall be required.

The flexibility of land uses within the Block 35 Redevelopment Area is essential to allow for the best design possible in order to:

- 1) Broaden opportunities to reutilize existing, historic improvements;
- 2) Provide for a variety of residential housing within the community;
- 3) Create an opportunity to address the Borough's affordable housing obligation;

- 4) Expand commercial/retail opportunities in a way that complements the existing downtown;
- 5) Create market-driven opportunities to ensure the success of the efforts.

The local land development regulatory process will be administered by the Freehold Borough Planning Board in order to ensure that the goals and objectives of the Redevelopment Plan are met.

3.3 Purpose and Intent

It is the intent of this Redevelopment Plan to achieve the following goals and objectives for the Borough of Freehold as noted within the July 2018 Downtown Freehold Vision Plan:

- A. The downtown will have high-quality modern urban housing that provides immediate access to the area amenities and the bus station;
- B. The downtown will have at least one major high-quality public space that serves the everyday need of users while being able to accommodate larger special events;
- C. Downtown will be an age-, income-, and culturally-inclusive environment that provides affordable business and living opportunities for the borough's large and growing Hispanic population as well as its aging residents. Residents and stakeholders will actively engage in the exchange of ideas and cultures that invite and encourage participation in community processes;
- D. Development project will meet the economic, environmental and social needs of current residents without compromising the ability of future generations to meet their own needs.

The Freehold Vision Plan also notes the importance of new residents/workers as customers for downtown retailers, which will 'inject vitality' into the area.

3.4 Permitted Uses

The Redevelopment Plan seeks to create a mixed-use development that will accommodate a variety of commercial uses that complement the existing downtown area while also providing for a density of housing that both supports local businesses as well as promotes use of the available public transportation. Additionally, the development shall provide affordable housing within the Borough.

Table 1 below lists the permitted uses for this area. Any use not specifically permitted shall be prohibited.

Table 1
Permitted Principal Uses

1. The sale of retail goods such as but not necessarily limited to the following types: meat and poultry stores, drug stores, variety stores, drygood stores, baked good stores, packaged liquor stores and taverns, flower stores, confectionery stores, household supply stores, stationery supplies stores, haberdashery, and apparel stores;
 2. The provision of service establishments such as but not limited to the following types: barber or beauty shops, clothes cleaning and laundry pick-up establishments, shoe repair shops, the office of a member of a recognized profession such as physicians, attorneys, dentists, ministers, chiropractors, architects, engineers, accountants, insurance agents, real estate brokers, stock brokers and other generally recognized professional service personnel and organizations, banks, photography studios, music, dance and art studios;
 3. Restaurants, luncheonettes, and eateries, including fast casual dine-in facilities, but prohibiting drive-thru and take-out only establishments. Walk-up windows shall only be permitted in restaurants situated along a public courtyard and must face the public courtyard. Seasonal outdoor dining shall be permitted in the courtyard.
 4. Grocery stores, not to exceed 10,000 sq.ft.;
 5. Multifamily dwellings;
 6. Mixed-use structures consisting of permitted uses
-

A. **Required accessory uses.** Required accessory uses include public open space, configured as either a public central courtyard located at the ground level in the core of the structure along Main Street or along Main Street between the new structure and the existing fire house. The public courtyard shall be attractively designed and landscaped, should include architectural components of the new structure and consider surrounding structures, and shall contain a minimum area of 7,500 feet.

- a. Center Courtyard Public Open Space
- b. Main Street Public Courtyard

Below please find photos of exemplary courtyards:



- B. Permitted accessory uses. Permitted accessory uses may include fences and walls, signage, dog washing stations, fitness centers, virtual fitness centers, gazebos, sports courts, a swimming pool, and uses that are commonly ancillary to principal permitted uses. Sheds and similar accessory structures are not permitted.

The following accessory uses shall be permitted within a multi-family dwelling structure for the use of its residents: package storage including refrigerated

foot storage for tenant delivers, mail room, computer rooms, music rooms, libraries, golf simulators, bowling lanes, game rooms, community rooms, theaters, hobby rooms, recreation rooms, personal storage lockers, and other similar accessory uses which are for the common benefit of all residents of the multi-family dwelling; and a leasing office, building manager or superintendent's office, including space for the storage of maintenance equipment may be provided within a principal multi-family building for the purpose of serving such building; one apartment may be designated for a resident superintendent.

1. Specific Use Standards

- a. A 15% set aside for affordable housing shall be provided and unit mix be as set forth in the Redevelopment Agreement (defined below).
- b. A secure package receiving and storage system shall be provided for the residential units.
- c. Bicycle storage shall be provided. The number of bicycle storage spaces shall be set forth in the Redevelopment Agreement. Storage shall be provided within a secure room with racking conducive to securing bicycles with owner provided locks. The bicycle storage room shall also provide a work bench for bicycle repairs. The bicycle storage space shall anticipate the storage of e-mobility vehicles and potential risks associated with same, such as batteries overheating and causing fires/damages when re-charging. In order to prevent this risk from occurring within residential units, the bicycle storage area shall provide UL tested and approved charging stations and the area itself shall be constructed so as to minimize the potential impacts affecting the remainder of the structure, i.e. the space shall be sprinklered, of fire-resistant construction and shall include smoke detectors. Lease documentation and/or condominium documentation shall explicitly prohibit charging batteries anywhere in the structure other than locations specifically designed for this purpose.
- d. Trash and recycling shall be collected and stored within a designated area of the building.
- e. Each apartment shall provide laundry facilities for the resident within the apartment. There shall be no common laundry facility.
- f. Controlled and secure access for the residential use shall be provided.
- g. Dwelling units shall contain a complete kitchen, toilet, and bathing facilities. Market rate units shall contain no more than two bedrooms.

Market rate units are only permitted in one- and two- bedroom configurations.

- h. The fifth and sixth floors of the building, if proposed, must setback a minimum of 20 ft. from the perimeter of the fourth floor.
- i. Retail uses shall be oriented toward Main Street and Main Street oriented courtyards.
- j. Off-street parking for multifamily dwelling units shall be provided in accordance with the New Jersey Residential Site Improvement Standards (N.J.A.C. 5:21, as amended). Off-street parking for the commercial uses shall be provided in accordance with §18.73.010 of the Borough's Zoning Ordinance. In the case of a development proposal in which there are efficiencies derived by shared parking for uses which have complementary peak demands, the applicant shall submit parking generation data, based upon standard methodology (such as that published by the Urban Land Institute) sufficient for the redevelopment entity to determine the appropriate reduction. The final parking configuration shall be set forth in the Redevelopment Agreement.
- k. Off-street parking facilities, to the greatest extent possible, shall be designed so as to provide parking sufficient for use by both residents and the general public visiting the area.
- l. A designated area for pick-up and drop-off by such ride share services as Uber or Lyft, shall be provided in an enclosed waiting area along Broad Street. The parking/drop-off point must be clearly visible from the enclosed waiting area. This area must be provided along Broad Street and may consist of curb-site parking stalls. Parking shall not be permitted in this area.
- m. The building shall include on each floor, all separate from individual dwelling units and access hallways and as specifically reviewed and approved by the Planning Board, one or more trash chutes in enclosed areas and/or one or more other enclosed areas for temporary storage of waste and recyclable materials prior to being conveyed to the outside garbage and recycling storage and pick-up structure(s) by property janitorial and/or maintenance workers. Minimum unit sizes for all units shall be set forth in the Redevelopment Agreement.
- n. Public Open Space along Main Street. Retail spaces along Main Street may vary in setback by up to 10 feet from the property line in order to create interest and outdoor space complimenting the commercial uses.

- o. Historic Center.** A successful developer shall be cognizant of the historic character of the community and key historic elements within the designated redevelopment area. The designated developer shall respect the historical character of our streetscape, and integrate any new structures into that streetscape and shall consider:

 - a. Wrap-around construction;**
 - b. Integration and adaptive reuse;**
 - c. Relocation of existing historic structures on site**
 - d. Relocation of existing historic structures to another site**
 - e. Italianate architectural elements.**

- p. Developer will consult with the Freehold Historic Preservation Advisory Commission on such subjects as:**

 - a. Preservation of structures considered to be historic in nature;**
 - b. Building facades, architectural styles, materials and finishes;**
 - c. Integration with the historic character of the surrounding community.**

- q. To the greatest extent possible, building facades shall be designed to appear as separate structures. Façade treatments shall be designed with a variety of district characteristics incorporating the stylistic theme.**

2. Exemplary Photos of Styles and Themes

a. Façade Treatments

- i. Individual exterior stairs provide the illusion of brownstone development.**



- ii. Step backs at upper floors reduce visual impacts of the building's height.



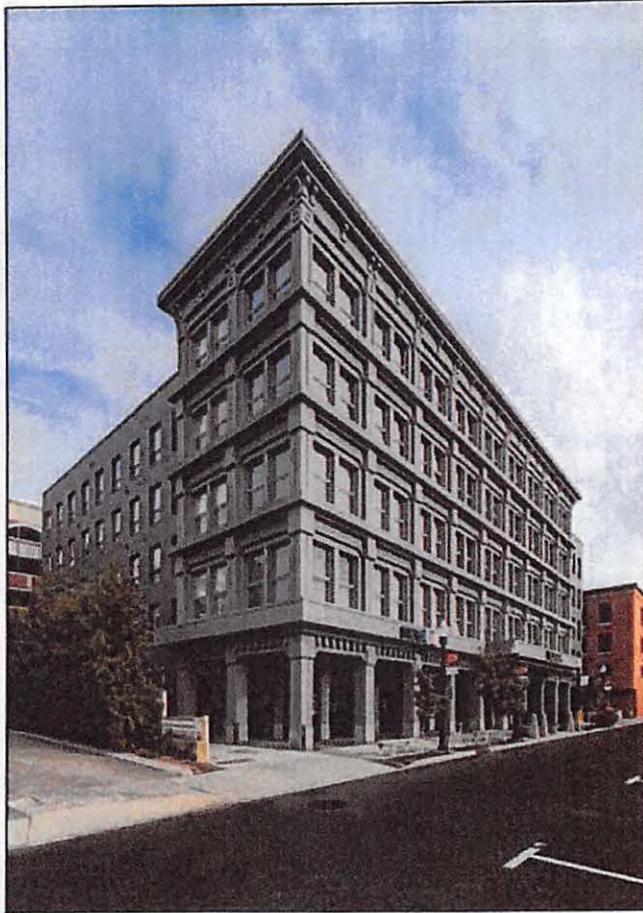


- iii. Façade treatments break up the continuity of the structure and create the illusion of multiple buildings.



iv. Decorative rooflines add character to structures.





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b. Stylistic Examples

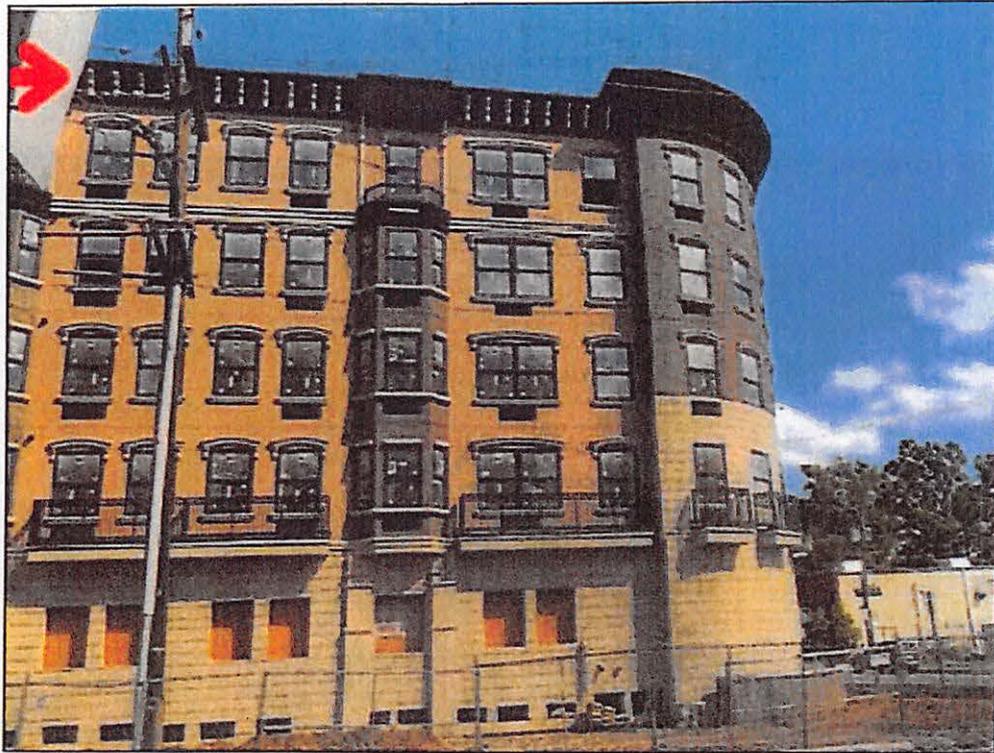
i. Samples of Italianate





ii. Samples of Romantic Architectural Styles





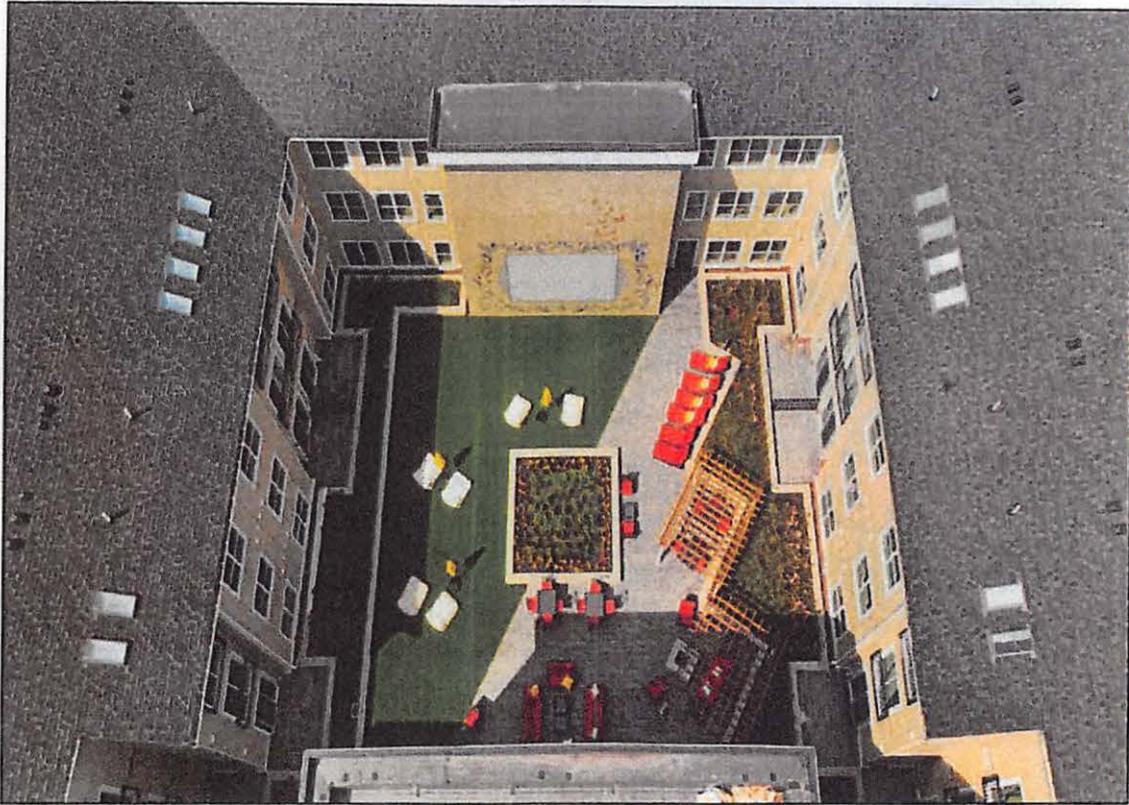


c. Examples of Tenant Courtyard Treatments

- i. Note walkways and landscaping utilized to soften the appearance of the structure.



ii. Seating areas provided to encourage outdoor meetups.





3. Bulk Standards

Table 2

Downtown Freehold: Block 35 Bulk Regulations

Zoning Standard	Redevelopment District Requirement
Minimum Lot Area (Acres.)	5
Minimum Front Yard Setback to Building (Feet)	
Main Street	10
Broad Street	10
Minimum Side Yard Setback to Building (Feet)	5
Minimum Combined Side Yard Setback to Building (Feet)	10
Minimum Rear Yard Setback to Building (Feet)*	N/A
Minimum Side Yard Setback to Driveways and Circulation Aisles (Feet)	20
Maximum Impervious Coverage (%)	90
Maximum Building Height (Stories)(Feet)**	6-Stories/ 70' to top of parapet or midpoint of sloped roof
Minimum Width of Two-Way Circulation Aisles (Feet)	24

*The Block 35 Redevelopment Area represents a through lot; therefore, for purposes of this plan, it will be defined as having two frontages (Main Street and Broad Street) and two side yards.

**Refer to §18.04.040 of the Lane Use Ordinance of the Borough for 'Building, Height of'.

3.5 Supplemental Regulations

A. General Regulations

1. In the event of any conflicts between the regulations set forth herein and any other Borough of Freehold development ordinances, the District regulations shall apply.

B. Distribution of Uses

1. Delineation on plan required. The applicant shall identify the square footage devoted to principal and accessory uses within the District. The amount of open space and landscaped open space shall be calculated.
2. In all instances, adequate screening and buffering shall be provided between conflicting land uses.

C. Landscaped Open Space Requirements

1. A minimum of twenty percent of a site's land area shall be devoted to landscaped/naturally vegetative open space. Up to 50% of this obligation may be met with 'green' treatments on elevated courtyards.
2. Open space shall be suitably landscaped and planted so as to provide an attractive year-round visual amenity.
3. The site shall be suitably landscaped. Plans and specifications for planting, top soiling, lawn making and other landscape work shall be prepared by a competent landscape architect and be a part of the plans submitted for approval. All planting shall be in place and in a satisfactory condition at the time of issuance of a certificate of occupancy or an adequate bond shall be posted therefor.
4. Street trees shall be planted at intervals depending on the type: large trees, 50-70 feet; medium trees, 40-50 feet; small and ornamental trees, 30-40 feet.

D. Signs

All signs shall be architecturally compatible with the styles, materials, colors and details of the building and other signs used on the subject property. Signs shall be consistent with the provisions of Chapter 15.16 Signs, specifically general regulations and regulations associated with the B-2 District.

One building mounted community identification sign shall be permitted. The sign shall be architecturally compatible with the style of the structure, shall not exceed 100 square feet in area and 5 feet in height. The sign shall not be internally illuminated, and the message shall be limited to the name of the community.

Additional signage for wayfinding and identification of loading areas shall also be permitted pursuant to Planning Board approval and not to exceed 6 sq.ft. each.

Signage shall be provided in accordance with the aforementioned Borough Code sections except for façade identification sign, which shall be governed by section 3.5D of this plan.

E. Stormwater Management

Stormwater management facilities located in and serving development pursuant to the District shall satisfy all applicable requirements established by local and regional jurisdictions and the New Jersey Department of Environmental Protection.

F. Street, Curbs and Sidewalks

Proposed right-of-way improvements shall meet the requirements set forth in the Borough's Land Code at Title 10 (Vehicles and Traffic) and Title 12 (Streets, sidewalks and Public Places); and Title 15 (buildings and Construction) and shall be consistent with the streetscape design and standards being implemented elsewhere in the Borough.

G. Deviation Requests

The Planning Board may grant deviations from the bulk standards provided in this redevelopment plan where, by reason of exceptional narrowness, shallowness or shape of a specific piece of property, or by reason of exceptional topographic conditions, preexisting structures or physical conditions uniquely affecting a specific piece of property, the strict application of any area, yard, bulk or design standard or regulation adopted pursuant to the redevelopment plan, would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardship upon, the development of such property. The Planning Board may also grant such relief in an application relating to a specific piece of property where the purposes of this redevelopment plan would be advanced by a deviation from the strict application of the bulk standards of this Plan, and the benefits of the deviation would substantially outweigh any detriments. No relief may be granted under the terms of this section unless such deviation or relief can be granted without substantial detriment to the public good and will not substantially impair the intent and purpose of this Plan. No deviations may be granted that would result in permitting a use that is not permitted in the District. An application requesting a deviation from the requirements of this redevelopment plan shall provide notice of such application in accordance with the requirements of N.J.S.A. 40:55D-12a, b.

Deviations from the uses permitted in the District shall be permitted only by means of an amendment to this redevelopment plan by the Borough Council.

3.6 Design Standards

Fundamental to the redevelopment of the District is the creation of a mixed-use district that is cognizant of and responds to the needs of the local community and aids in addressing the Borough's affordable housing needs. Visual and functional transition elements are essential. Off-street parking, clearly defined access from Broad Street and/or Main Street, an architectural style that is compatible with neighboring structures, quality building materials, and an enticing streetscape are all key requirements of the Redevelopment Plan.

To the extent practical, these standards should be considered for any building that will be rehabilitated; however, architectural design standards shall not be mandatory for any building seeking rehabilitation.

Purpose

- To set forth guidelines and standards that promote the creation of functional and attractive development that shall promote and give due consideration to the health, safety, general welfare, morals, order, efficiency, economy, maintenance of property values and character of the Borough of Freehold.
- To ensure that any development shall comply with the stated goals and objectives of this redevelopment plan.
- To provide guidelines and standards that shall be used by an applicant in preparing a redevelopment proposal, and the designated redevelopment entity in reviewing same.
- To minimize adverse impacts of flooding, drainage, erosion, vehicular traffic, pedestrian movement, parking, vibration, lighting and glare, noise, odor, solid waste disposal, litter, ventilation, vibration, crime and vandalism, and inappropriate design and development.
- To ensure that any new development gives due consideration to the physical, visual and spatial characteristics of the existing and proposed streetscape, neighborhood and district in which it is located and the Borough generally, while providing sufficient opportunity for creativity in design.

Site Standards

- *Vehicular access.* It is the intent of this Plan to provide sufficient driveways and curb cuts onto the existing public rights-of-way to provide adequate

circulation while limiting potential impacts to neighboring uses. Vehicle access from Main Street shall not be permitted. A maximum of 2 curb cuts along Broad Street may be permitted. Parking within the District shall be provided completely on site. Off-street parking shall be prohibited within 10 feet of any public right-of-way or street. Emergency circulation shall be provided to the satisfaction of the Fire Official. Loading areas shall be located to the side and rear of buildings when possible. If the configuration of the property prohibits the placement of loading areas to the rear or side, proper screening shall be provided in order to minimize the impact on the traveling public.

- ***Educational and residential activity.*** Land uses permitted by this redevelopment plan may draw both pedestrian and motor vehicle activity, and this redevelopment plan is dependent on both to varying degrees according to the type of proposed uses. Sufficient parking for the District is important to the long-term success of the Plan. Emphasis should also be placed on providing parking in sufficient quantity and in reasonable proximity to building access points.
- ***Building location.*** Buildings shall be located to front towards and relate to public streets, both functionally and visually. All buildings shall be located to allow for adequate fire and emergency access. Refuse collection facilities located outside of the structure are prohibited.
- ***Pedestrian Circulation.*** Barrier-free, uninterrupted walkway systems shall be provided in each District in order to allow pedestrian access to the buildings from the onsite parking facilities and site amenities to the building's main entrances. Walkways shall be separated from motor vehicle circulation to the greatest extent possible.
- ***Site Lighting.*** The style, size, color and type of light source of lampposts shall be in accordance with generally accepted Borough standards or its functional and aesthetic equivalent. Lighting levels from such fixtures shall be in accordance with Borough standards.
- ***Sidewalk type and streetscape details.*** Sidewalks and all other streetscape improvements along adjacent public streets, if deemed necessary, shall be completed in accordance with the Borough's design standards.

Architectural Design Standards

- ***Massing.*** Building wall features, including architectural features, color and texture changes, projections and recesses, shall be provided along any building wall measuring greater than 75 feet in length in order to provide architectural interest and variety to the massing of a building and relieve the negative visual effect of a single, long wall. More detailed architectural and

landscaping requirements shall be incorporated within the Redevelopment Agreement of the Block 35 Redevelopment Area's surroundings.

- ***Continuity of treatment.*** All sides of a building shall be architecturally designed so as to be compatible with regard to style, materials, colors and details.
- ***Roof.*** The type, shape, pitch, texture and color of a roof shall be considered as an integral part of the design of a building and shall be architecturally compatible with the style, materials, colors and details of such building.
- ***Windows.*** Fenestration shall be architecturally compatible with the style, materials, colors and details of a building.
- ***Entrances.*** All entrances to a building shall be defined and articulated by utilizing such elements as lintels, pediments, pilasters, columns, canopies, porticoes, porches, overhangs, railings, balustrades and other such elements, where appropriate. Any such element utilized shall be architecturally compatible with the style, materials, colors and details of such building.
- ***Physical plant.*** All air-conditioning units, HVAC systems, exhaust pipes or stacks, and elevator housing shall be shielded from view for a minimum distance of 500 feet from the site. Such shielding shall be accomplished by utilizing the walls or roof of the building or a penthouse-type screening device that shall be designed to be architecturally compatible with the style, materials, colors and details of such building. Any HVAC or device penetrations (such as PTAC sleeves and grills) or vents located along any street-oriented façade shall be shielded from view with decorative metal grills. The design of the grills shall be presented to the Planning Board for approval at the time the redevelopment application is presented for review.
- ***Materials, colors, and details.*** All materials, colors and details used on the exterior of a building shall be architecturally compatible with the style of such building. A building designed of an architectural style that normally includes certain integral materials, colors and/or details shall have such incorporated into the design of such building.

Materials and systems should be selected with best efforts towards energy efficiency and the promotion of sustainability. Roof materials that reduce 'heat island' effects should be considered. The utilization of high SEER and energy efficient heating components should be incorporated. Insulated glass should be utilized and formaldehyde free insulation should be considered. Where practical, materials derived from recycled raw goods are encouraged. Low energy LED lighting and the utilization of sensors to control lighting are desirable. Utilization of low VOC paints is encouraged.

Where practical, the introduction of renewable energy components, i.e. solar or wind, should be incorporated.

- **Lighting.** Light fixtures attached to the exterior of a building shall be designed to be architecturally compatible with the style, materials, colors and details of such building and other lighting fixtures used within the Districts. Consideration shall also be given to the type of light source utilized and the light quality such sources produce. The type of light source used on buildings, signs, parking areas, pedestrian walkways and other areas of a site shall be the same or compatible. The use of low-pressure sodium or mercury vapor lighting either attached to buildings or to light the exterior of buildings is prohibited. Energy efficient LED lighting shall be used to the greatest extent possible.
- **Awnings and canopies.** The ground level of a building in the Redevelopment District may have awnings or canopies at entry doors (other than overhead doors intended to accommodate tailgate loading, where appropriate) to complement the architectural style of a building. The design of awnings shall be architecturally compatible with the style, materials, colors and details of such a building.
- **Materials.** Exterior building materials shall consist of the following:
 - Walls shall consist of textured masonry, pre-cast concrete, brick, insulated metal panels, finished cementitious materials, or glass.
 - The Redeveloper shall present samples and all proposed materials and finishes (inclusive of colors) to the Planning Board at the time of initial application.
- **Prohibited materials.** The use of bare aluminum or other bare metal materials or panels, brick face, thin-brick, EIFS or exposed non-decorative concrete block as exterior building materials is prohibited. The use of unusual shapes, colors, and other characteristics that create a jarring disharmony shall be avoided.

Landscaping Design Guidelines

- **Landscaping.** The entire development shall be landscaped in accordance with a landscape plan conceived as a complete pattern and style throughout the total site.
 - Preservation and enhancement, to the greatest extent possible, of existing natural features on the site, including vegetation and land forms;

- Assistance in adapting a site to its proposed development;
 - Mitigation and control of environmental and community impacts from a development;
 - Creation of an attractive appearance for the development, as viewed from both within the District itself and the surrounding area;
 - Definition of yard areas and other open space;
 - Energy conservation and micro-climatic control.
- ***Other site design elements.*** The site plan shall incorporate landscaping with other functional and ornamental site design elements, where appropriate, such as the following:
 - Ground paving materials;
 - Paths and walkways;
 - Fences, walls and other screens;
 - Street and site furniture.
- ***General standards.*** The following general standards shall be used to prepare and review landscaping for any development plan.
 - All deciduous trees planted shall have a caliper of not less than 2.5 inches measured at a height of 4.5 feet above ground level. All evergreen trees planted shall have a height of 6.0 to 8.0 feet.
 - Any tree or other planting installed in accordance with the plans which dies shall be replaced, within the current or next planting season, in kind and at the same size as it had reached at the time of death; except that if it died more than three years after planting its replacement need not be larger than the size it had reached three years after planting. The same replacement requirements shall apply to any tree or other planting installed in accordance with the plans if subsequently removed because of damage or disease.
 - During site preparation or construction, no fuel storage, and no refueling, maintenance, repair or washdown of construction vehicles or equipment, shall occur within 50 feet of any tree to be preserved.

- No mulch shall be placed, or allowed to accumulate, within six inches of the trunk of any tree or shrub planted within the Districts in compliance with this resolution. Mulch shall not be applied, or allowed to accumulate, elsewhere within the drip line of the tree or shrub to a depth in excess of four inches.
- *Specific standards.* The following standards shall be used to prepare and review landscaping within the District:
 - The interior area of all parcels shall be landscaped to enhance the site's aesthetic appearance, provide visual relief from the monotonous appearance of extensive building and parking areas, and to provide shading. In parking lots, such landscaped areas shall be provided in protected planting islands or peninsulas located within the perimeter of the parking lot and shall be placed so as not to obstruct the vision of motorists.
 - The redeveloper shall provide to the redevelopment entity an acceptable landscaping plan in accordance with this Redevelopment Plan.
 - Benches, trash receptacles, kiosks, and other street or site furniture shall be located on-tract, and shall be positioned and sized in accordance with the functional need of such. Selection of such furniture shall take into consideration issues of durability, maintenance and vandalism. Benches shall be configured with seat dividers or in a non-linear configuration in order to dissuade an individual from lying across the bench. All such furniture shall be architecturally compatible with the style, materials, colors and details of buildings on the site.

Exceptions

The design standards contained herein shall be used as the Borough's presumptive minimum requirements for development in the District. However, these guidelines and standards are not intended to restrict creativity, and a potential redeveloper may request that the guidelines and standards be modified or waived. The Planning Board may grant a redeveloper reasonable waivers or modifications from these design guidelines provided the redeveloper demonstrates the following:

- The proposed design waiver or modification will not substantially impair the intent of this redevelopment plan;
- The proposed design waiver or modification is consistent with the Borough's normally acceptable engineering, planning and/or architectural practices;

- The proposed design waiver or modification will not have an adverse impact on the physical, visual or spatial characteristics of the overall development plan for the parcel or tract to be developed;
- The proposed design waiver or modification generally enhances the overall development plan for the tract;
- The proposed design waiver or modification will not have an adverse impact on the physical, visual or spatial characteristics of the existing streetscape and neighborhood in the District;
- The proposed design waiver or modification generally enhances the streetscape of the District and the surrounding neighborhood;
- The proposed design waiver or modification will not reduce the useful life or increase the cost of maintenance of the improvement to be modified or otherwise have an adverse impact on the long-term function of the development;
- The proposed design waiver or modification will not materially detract from the real property value of the development or adjacent or nearby properties; and
- The proposed design waiver or modification will not present a substantial detriment to the health, safety and welfare of the neighborhood, community or citizens of the Borough of Freehold.

Deviations from the uses permitted in the District shall be permitted only by means of an amendment to this redevelopment plan by the Borough Council.

4.0 ACQUISITION AND RELOCATION

4.1 Properties to be Acquired

Properties may need to be acquired in order to implement the purposes of this redevelopment plan. Some, but not all, properties within the Downtown Freehold: Block 35 Redevelopment District that are not owned by the Borough of Freehold may be acquired to enable this redevelopment plan. Properties may be acquired for the following purposes:

- Redevelopment or rehabilitation of existing lots;
- Assembly of development parcels; and
- Alteration of lot lines.

This Redevelopment Plan authorizes the Borough to exercise its power of eminent domain within the Downtown Freehold: Block 35 Redevelopment District to acquire any and all property within the Block 35 Redevelopment Area or to eliminate any restrictive covenants, easements or similar property interests that may obstruct or undermine the implementation of the Plan.

Only the properties identified in Table 2 below may be acquired to enable this redevelopment plan:

Table 3

Downtown Freehold: Block 35			
Block	Lot	Ownership	Property Address
35	15	15 Hardy Street Corp.	32 Broad St.
35	16	Hamilton Kuser Associates, LLC	30 Broad St.
35	17	Bank of America Corp. Real Estate AS	28 Broad St.
35	29	Bank of America Corp. Real Estate AS	53 W. Main St.
35	30	American Realty Enterprises, LLC	55 W. Main St.
35	31	Mainstream 57, LLC	57 W. Main St.
35	32	Blitz 61 West Main Street, LLC	61 W. Main St.

4.2 Relocation

Relocation, temporary or permanent, of businesses/residents displaced as a result of the implementation of this Redevelopment Plan shall be carried out by the Borough, or such entity designated by the Borough (Relocation Entity) in accordance with the provisions of the State of New Jersey Relocation Assistance Law of 1967 (N.J.S.A. 52:31B-1 et seq.) and the Relocation Assistance Act of 1971 (N.J.S.A. 20:4-1 et seq.), the rules promulgated there under, and a State-approved Workable Relocation Assistance Plan (WRAP) for

the Block 35 Redevelopment Area. Said WRAP shall be available for public inspection at the offices of the Relocation Entity.

A WRAP, as defined by the NJ Department of Community Affairs (DCA), demonstrates that the municipality knows the number of people, businesses, or farm operations impacted by the relocation plan and that there is are enough comparable replacement housing units or business sites in the area for the people to find new homes, apartments, or business locations. NJ Department of Community Affairs approval of the WRAP is required before relocation activities may commence.

It is estimated that adequate opportunities for the relocation of businesses and public facilities currently located within the Downtown Freehold: Block 35 District are available in the immediate region during the relocation period. Implementation of the Redevelopment Plan will not result in the relocation of any residences within the Block 35 Redevelopment Area. The Relocation Entity will seek to identify potential new locations for businesses that may be displaced as a result on the implementation of this Redevelopment Plan.

5.0 RELATIONSHIP TO OTHER PLANS

The LRHL requires a Redevelopment Plan to include a statement regarding any significant relationship that the redevelopment plan may have to contiguous municipalities, the County Master Plan, and the State Development and Redevelopment Plan. A review of the documents reveals that the proposed redevelopment plan is generally consistent with these various documents. The District is located within the center of the Borough and, therefore, not located adjacent to any adjoining municipality, but the overall goals and objectives are generally consistent with the land use planning philosophies espoused in the master plans of contiguous communities.

5.1 Freehold Master Plan

It is the intent of this Redevelopment Plan to achieve the following goals and objectives for the Borough of Freehold as noted within the July 2018 Downtown Freehold Vision Plan:

- E. The downtown will have high-quality modern urban housing that provides immediate access to the area amenities and the bus station;**
- F. The downtown will have at least one major high-quality public space that serves the everyday need of users while being able to accommodate larger special events;**
- G. Downtown will be an age-, income-, and culturally-inclusive environment that provides affordable business and living opportunities for the borough's large and growing Hispanic population as well as its aging residents. Residents and stakeholders will actively engage in the exchange of ideas and cultures that invite and encourage participation in community processes;**
- H. Development project will meet the economic, environmental and social needs of current residents without compromising the ability of future generations to meet their own needs.**

The Vision Plan also notes the importance of new residents/workers as customers for downtown retailers, which will 'inject vitality' into the area.

Redevelopment of the study area advances the goals and objectives of both the Borough Master Plan and the State Development and Redevelopment Plan.

5.2 Sewer and Water Service

The District is located within public water and sewer service areas.

5.3 Transportation and Public Transportation

The District is served by a NJ Transit bus hub. Access to the regional highway network is readily available as Routes 9 and 33 provides access to the larger roadways/highways, such as the Garden State parkway and Interstate 195.

5.4 Relation to Master Plans of Adjacent Municipalities

The Borough of Freehold is encircled by the Township of Freehold on all sides. The Redevelopment District is located toward the center of the Borough and will; therefore, not impact Freehold Township.

5.5 Relation to Monmouth County Plan

The Monmouth County 2016 Master Plan Reexamination. Goal #3 of the plan states: "Promote beneficial development and redevelopment that continues to support Monmouth County as a highly desirable place to live, work, play and stay." Objectives provided in support of the goal include: Encourage a range of housing options including types, sizes, styles and accommodations to meet the needs associated with various lifestyles, life-stages, abilities, and occupations of residents while supporting economic sustainability with the region; and Promote vibrancy, attractiveness, and a diverse array of uses, occupations, services, and amenities for downtowns and business districts. The Downtown Freehold: Block 35 Redevelopment District furthers the goals and objectives of the Monmouth County Plan by providing an expanded range of housing and commercial opportunities available to the community.

5.6 Relation to State Development and Redevelopment Plan

This Redevelopment Plan is designed to affirm the overall redevelopment concepts set forth in the State Development and Redevelopment Plan. Specifically, the State Development and Redevelopment Plan encourages development in older cities and in suburbs that have the necessary infrastructure to accommodate it, as well as in locations along existing transportation corridors. The Downtown Freehold: Block 35 District is located in a "Metropolitan Planning Area." That classification has the following characteristics: predominantly developed with little vacant land; aging infrastructure; recognize that redevelopment will be the predominant form of growth; and understands that certain municipal services and systems need to be regionalized. This Redevelopment Plan affirmatively addresses the State Plan's goal of promoting public and private investment/reinvestment in the Metropolitan Planning Areas.

6.0 AFFORDABLE HOUSING

6.1 Inventory and Replacement of Affordable Housing

Multi-family developments proposed within the District must provide a 15% set aside for affordable housing. The redeveloper is responsible for complying with the Borough's Affordable Housing regulations and applicable provisions of the Borough's Fair Share Housing Agreement.

7.0 ELECTRIC VEHICLE RECHARGE STATIONS

Each District within the proposed redevelopment shall provide electric vehicle recharge stations as mandated by State regulations.

8.0 IMPLEMENTATION OF THE REDEVELOPMENT PLAN

This section summarizes the implementation process for a successful redevelopment plan.

8.1 Redevelopment Entity

The Borough Council shall serve as the Redevelopment Entity hereunder.

8.2 Phasing

The District shall be developed in a single phase.

8.3 Appointment of a Redeveloper

The designation of a Redeveloper by the Redevelopment Entity shall be subject to the execution of an appropriate redevelopment agreement ("Redevelopment Agreement") and financial agreement, if applicable. By designating the Block 35 Redevelopment Area as an area in need of redevelopment, a redevelopment project within the Block 35 Redevelopment Area may be eligible for a tax exemption pursuant to the Long Term Tax Exemption Law, N.J.S.A. 40A:20-1 et seq., subject to approval by Borough Council and execution of a financial agreement between the redeveloper and the Borough. Estimates of total development cost and time schedule for project start and completion shall be finalized by the designated redeveloper(s) at the time of execution of such Redevelopment Agreement. Development plans shall also be submitted for approval to the Borough Planning Board, as required by the Borough's Land Development Ordinance. If a different redeveloper is designated for each District within the Block 35 Redevelopment Area, then the term "Redeveloper" as used herein shall apply to the Redeveloper designated to its respective District, and the requirements herein imposed on such Redeveloper shall relate to the respective District for which the Redeveloper was so designated.

8.4 Development Review

No application for development or redevelopment of a District may be approved by the Planning Board until such time as the applicant has applied for and received a designation as redeveloper from the Redevelopment Entity and has executed a Redevelopment Agreement with the Redevelopment Entity providing for the proposed application. Preliminary and Final Site Plans, with details sufficient to comply with the Municipal Land Use Law and the Borough's Land Use Ordinance, will be submitted for Planning Board review and approval for each development parcel, pursuant to N.J.S.A 40:55D-1 et seq.

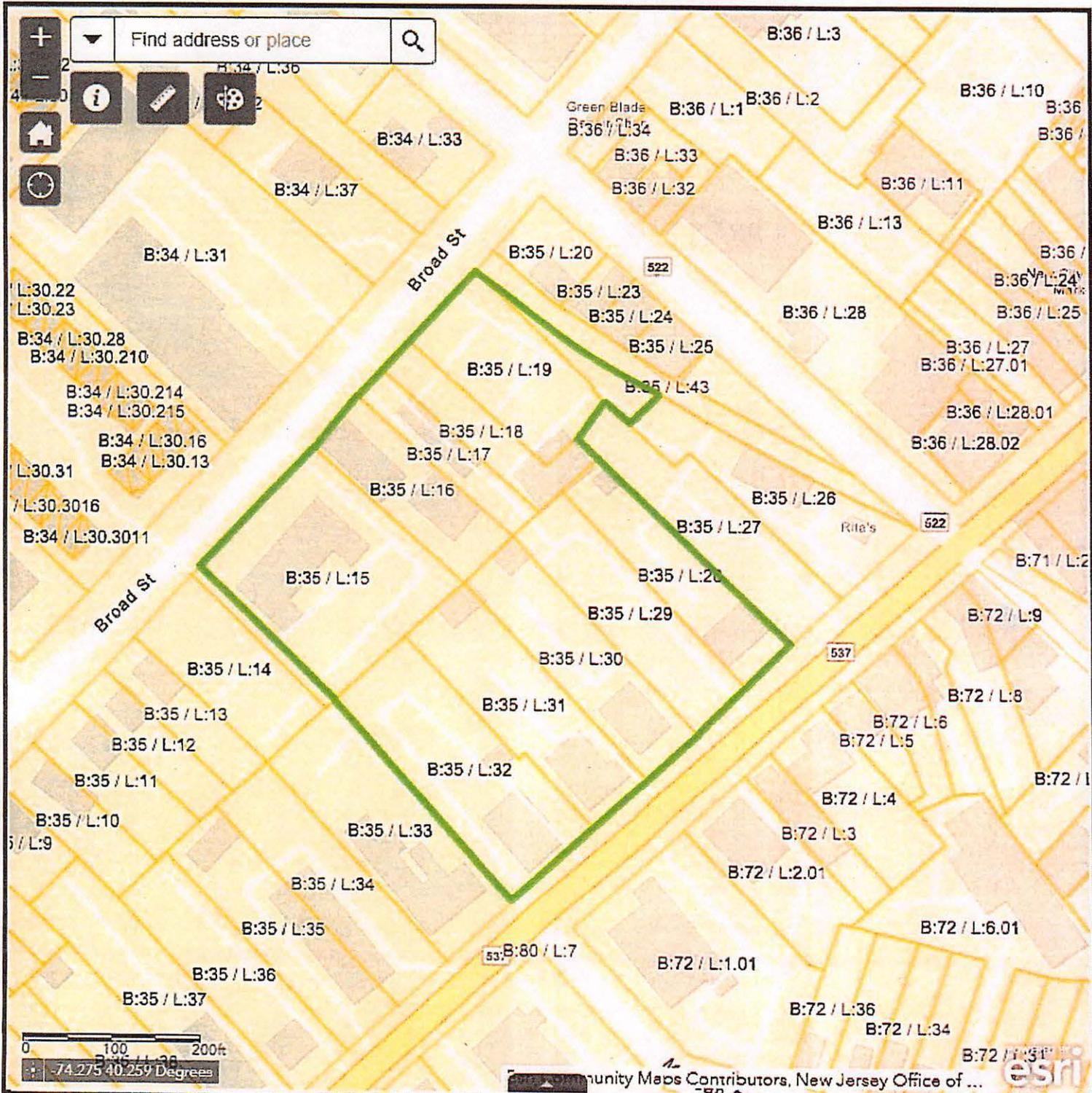
The Planning Board may require the redeveloper to provide a bond or bonds of sufficient size and duration to guarantee the completion of the various project phases in each District in compliance with the requirements of the Municipal Land Use Law and planning approvals.

The objectives, standards and requirements contained in this Redevelopment Plan, shall regulate development within the Redevelopment District and take precedent over the Land Development Ordinance of the Borough of Freehold. For standards not specifically addressed within this Redevelopment Plan, the Land Development Ordinance shall apply. The regulations for the zone or zones permitting the most similar types of use or uses shall be applied. These requirements may be varied by the Planning Board pursuant to N.J.S.A. 40:55D-1 et seq.

8.5 Amending the Redevelopment Plan

This Redevelopment Plan may be amended from time to time in compliance with the requirements of law.

FIGURES 1 - 5

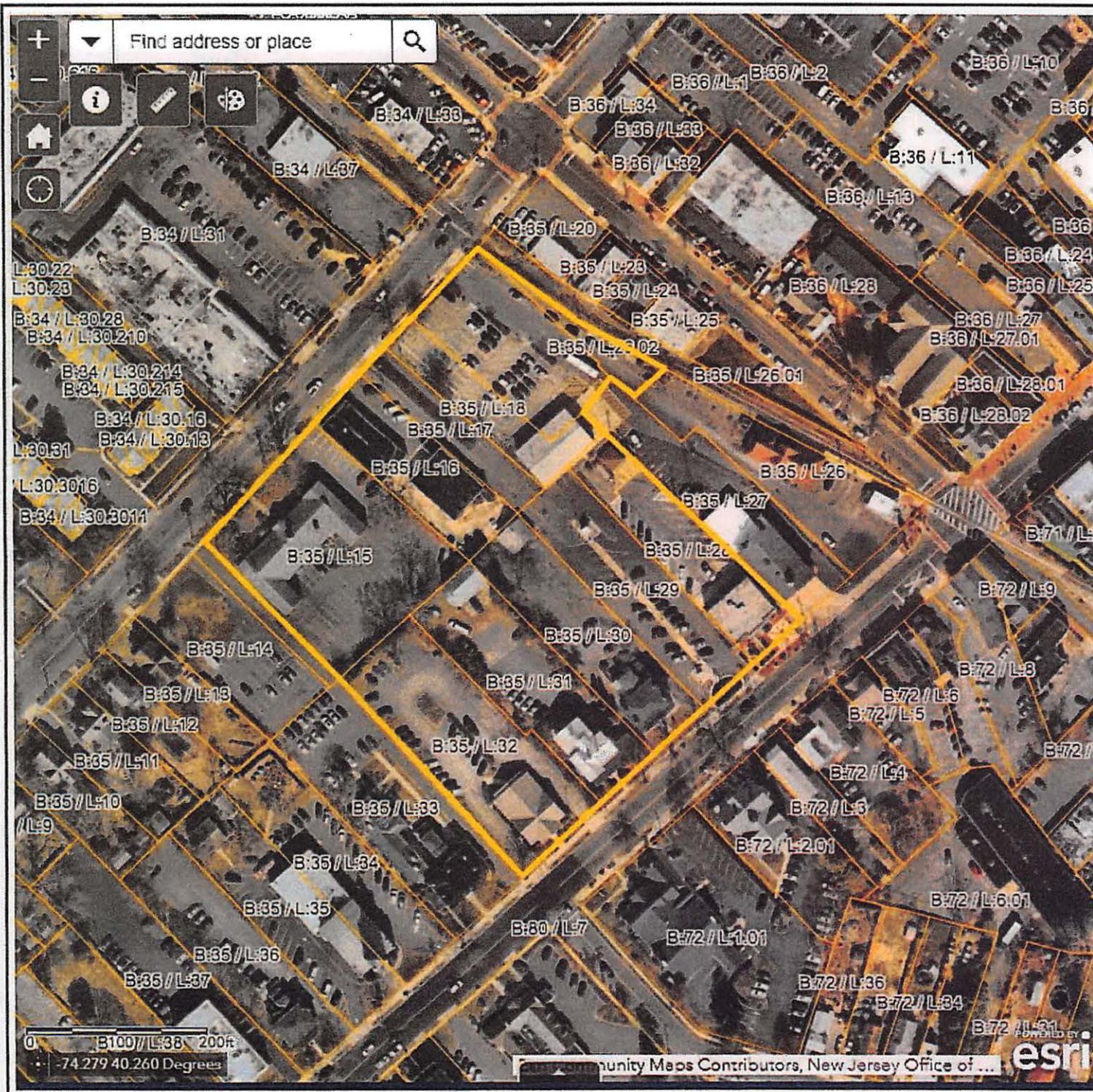


Downtown Freehold:
Block 35
Redevelopment Plan

Freehold Borough
New Jersey

Figure 1:
Location Map

Monmouth County Nearmap Aerial Imagery -
Spring 2020 (aerial display)



**Downtown Freehold:
Block 35
Redevelopment Plan**

Freehold Borough
New Jersey

Figure 2:

Redevelopment
Area Map

Monmouth County Nearmap Aerial Imagery -
Spring 2020 (public display)

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SHEET 46

LINCOLN PL.

SHEET 38

MCLEAN ST.

SHEET 30

NEW JERSEY ADMINISTRATION OF PUBLIC UTILITIES
 APPROVED AS A TAX MAP PREPARED BY THE
 BOARD OF FREEHOLD TOWNSHIP
 JUNE 27, 2014

[Signature]
 JAMES P. KOVACS, P.E. & S.E. NO. 12719 AND DATED MARCH 2013

DATE: APR 27 2014 1062

TAX MAP
 BOROUGH OF FREEHOLD
 MONMOUTH COUNTY, NEW JERSEY
 SCALE: 1" = 50' JUNE 2014
 VINCENT CREEVEY, P.L.S.
 NJ License No. 36716

AE ABBINGTON ENGINEERING, LLC
 112 BAYVIEW BLVD.
 FREEHOLD, NJ 07728

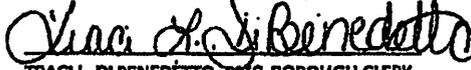
THIS MAP HAS BEEN REDRAWN USING COMPUTER AIDED
 DRAFTER/DESIGNER (CAD) BASED ON THE MAP PREPARED BY
 JAMES P. KOVACS, P.E. & S.E. NO. 12719 AND DATED MARCH 2013

APPENDIX 1

Borough of Freehold Resolution No. 31-22, adopted 02/07/2022

OFFERED BY:	<u>Reich</u>				SECONDED BY:	<u>Jordan</u>			
	AYE	NAY	ABSENT	ABSTAIN		AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO	X				ROGERS	X			
JORDAN	X				SCHNURR	X			
REICH	X				SHUTZER	X			

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 7, 2022.


 TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No. 31-22
 Agenda.No: 3/2022

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF FREEHOLD DESIGNATING THE PROPERTIES KNOWN AS BLOCK 34, LOTS 31 and 37, BLOCK 35, LOTS 15, 16, 17, 18, 19, 23, 24, 26, 26.01, 26.02, 27, 28, 29, 30, 31, and 32 ON THE TAX MAP OF THE BOROUGH OF FREEHOLD, STATE OF NEW JERSEY, AS AN AREA IN NEED OF REDEVELOPMENT WITH THE POWER OF CONDEMNATION, PURSUANT TO THE LOCAL REDEVELOPMENT AND HOUSING LAW, N.J.S.A. 40A:12A-1, et seq.

WHEREAS, the Borough of Freehold, a public body corporate and politic of the State of New Jersey (the "Borough"), is authorized pursuant to the Local Redevelopment and Housing Law, N.J.S.A. 40A:12A-1, et seq. (the "Redevelopment Law") to determine whether certain parcels of land within the Borough constitute an area in need of redevelopment, as further described therein; and

WHEREAS, by Resolutions No. 136-21 and No. 162-21, adopted on July 19, 2021 and September 7, 2021, the Municipal Council (the "Council") of the Borough authorized and directed the Planning Board of the Borough of Freehold (the "Planning Board") to investigate certain properties within the Borough and to recommend to the Council whether all or a portion of such properties should be designated as an area in need of redevelopment with the power of eminent domain ("Condemnation Redevelopment Area") in accordance with the Redevelopment Law, N.J.S.A. 40A:12A-6; and

WHEREAS, in areas designated as Condemnation Redevelopment Areas, the Borough may use all of those powers provided under the Redevelopment Law for use in a redevelopment area, including the power of eminent domain; and

WHEREAS, in accordance with the Redevelopment Law, the Planning Board caused CME Associates (the "Planner") to conduct a preliminary investigation of the following properties (hereinafter referred to collectively as the "Study Area"):

BLOCK	LOT	ADDRESS
34	31	25-31 Broad St.
34	33	62 Throckmorton St.
34	34	80 Throckmorton St.
34	35	78 Throckmorton St.
34	37	21 Broad St.
35	14	46 Broad St.
35	15	32 Broad St.
35	16	30 Broad St.
35	17	28 Broad St.
35	18	Broad St.
35	19	Broad St.
35	20	60 Throckmorton St.
35	23	58 Throckmorton St.
35	24	52 Throckmorton St.
35	25	46-50 Throckmorton St.
35	26	47 West Main St.
35	26.01	Throckmorton St.
35	26.02	Throckmorton St.
35	27	49 West Main St.
35	28	51 West Main St.
35	29	53 West Main St.
35	30	55 West Main St.
35	31	57 West Main St.
35	32	61 West Main St.
36	32	57 Throckmorton St.
36	33	59 Throckmorton St.
36	34	61 Throckmorton St.
37	19	17 Broad St.

WHEREAS, the Planner prepared a map of the Study Area and an investigation report entitled “Preliminary Investigation to determine if the following lots can be designated as a Condemnation Area in Need of Redevelopment.” dated October 8, 2021 (the “Study”); and

WHEREAS, the Study concluded that the entire Study Area qualifies as a Condemnation Redevelopment Area pursuant to the Redevelopment Law, for the reasons set forth in the Study; and

WHEREAS, the Redevelopment Law requires that the Planning Board conduct a public hearing prior to making its recommendation as to whether the Study Area should be designated as a Condemnation Redevelopment Area, at which hearing the Planning Board shall hear all persons who are interested in, or would be affected by, a determination that the Study Area is a Condemnation Redevelopment Area; and

WHEREAS, on October 27, 2021, November 10, 2021 and December 8, 2021, pursuant to the Redevelopment Law, the Planning Board held duly noticed public hearings concerning the Study (the "Public Hearings"), at which the Planner testified to the Planning Board that to prepare the Study, he performed an analysis of the Study Area's existing land uses, site layout, and physical characteristics, which are included in the Study. In doing so, the Planning Consultant testified that he reviewed the Borough's tax records, aerial photographs, Master Plan and other planning documents, existing zoning ordinance and maps, zoning, police activity logs, and conducted physical inspections of each property within the Study Area to assess the status of the existing properties, improvements, surrounding context, configuration, physical conditions and evidence of occupancy or lack thereof; and

WHEREAS, at the Public Hearings, members of the general public were given an opportunity to present their own evidence, cross-examine the Planner, and address questions to the Planning Board and its representatives concerning the potential designation of the Study Area as a Condemnation Redevelopment Area, as fully set forth on the record; and

WHEREAS, at the Public Hearings, the Planning Board considered the Study, heard the comments of the Planner, took the public comments into account, and deliberated on the matter using the criteria set forth in the Redevelopment Law; and

WHEREAS, on January 12, 2022, the Planning Board approved a resolution (the "Planning Board Resolution"), in the form introduced to it at the Public Hearings, accepting and adopting the recommendations contained in the Study, with the exception of the following properties: Block 34, Lots 33, 34 and 35; Block 35, Lots 14, 20, 25 and 32; Block 36, Lots 32, 33, and 34; and Block 37, Lot 19 (the "Revised Study Area") and recommending that the Revised Study Area be declared a Condemnation Redevelopment Area for the reasons set forth therein; and

WHEREAS, on January 12, 2022, the Planning Board memorialized the Planning Board Resolution, accepting and adopting the recommendations contained in the Study as it related to the Revised Study Area, and recommending that the Revised Study Area be declared a Condemnation Redevelopment Area for the reasons set forth therein; and

WHEREAS, after careful consideration of the Study, the Planning Board Resolution, and all of the relevant facts and circumstances concerning this matter,

NOW, THEREFORE, BE IT RESOLVED BY THE BOROUGH COUNCIL OF THE BOROUGH OF FREEHOLD, as follows:

Section 1. The aforementioned recitals are incorporated herein as though fully set forth at length.

Section 2. Based on substantial evidence and the recommendation of the Planning Board, the Council hereby designates the Revised Study Area as a Condemnation Redevelopment Area to be known as the "Throckmorton Street Redevelopment Area".

Section 3. Notwithstanding the recommendation of the Planning Board, the Council finds that Block 35, Lot 32 also qualifies as a Condemnation Redevelopment Area pursuant to the Redevelopment Law, for the reasons set forth in the Study and specifically that the lot satisfies criterion "d" pursuant to Section 5 of the Redevelopment Law for various reasons specific to the lot, including, but not limited to, that because of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, the buildings or improvements are detrimental to the safety, health, morals, or welfare of the community. This includes that the existing asphalt drive/parking lot is deteriorated, the amount of paved area and impervious coverage is excessive, dumpsters are overflowing with garbage, concrete curbs and wheel stops are deteriorating, and the front entrance concrete patio is weather-beaten. The Council further finds that inclusion of Block 35, Lot 32 is necessary, regardless of whether its condition is detrimental to the public health, safety or welfare, for the effective redevelopment of the area in which it is a part, as set forth in N.J.S.A. 40A:12A-3, for various reasons, including, but not limited to, that such lot abuts other lots that satisfy criteria pursuant to Section 5 of the Redevelopment Law and that it would be an impediment to the redevelopment of the abutting lots and the commercial corridor as a whole if same were not included in the Condemnation Redevelopment Area. Accordingly, the Council hereby designates Block 35, lot 32 as part of the Throckmorton Street Redevelopment Area along with the Revised Study Area.

Section 4. The City Council hereby directs the Borough Clerk to transmit a certified copy of this Resolution forthwith to the Commissioner of the Department of Community Affairs for review pursuant to Section 6(b)(5) of the Redevelopment Law.

Section 5. The Council hereby directs the Borough Clerk to serve, within ten (10) days hereof, a copy of this Resolution upon (i) all record owners of property located within the Study Area, as reflected on the tax assessor's records, and (ii) each person who filed a written objection prior to the Public Hearing, service to be in the manner provided by Section 6 of the Redevelopment Law.

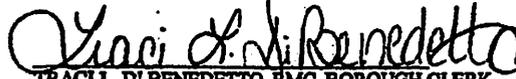
Section 6. This Resolution shall take effect immediately.

APPENDIX 2

Borough of Freehold Resolution No. R 42-22, adopted 02/07/2022

	OFFERED BY: Rogers				SECONDED BY Shutzer			
	AYE	NAY	ABSENT	ABSTAIN	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO	X				ROGERS	X		
JORDAN	X				SCHNURR	X		
REICH	X				SHUTZER	X		

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 7, 2022.


 TRACI L. DI BENEDETTO, BMC, BOROUGH CLERK

Resolution No. 42-22
 Agenda No: 3/2022

RESOLUTION OF THE COUNCIL OF THE BOROUGH OF FREEHOLD AUTHORIZING THE PREPARATION OF REDEVELOPMENT PLAN(S) FOR PROPERTIES IDENTIFIED AS BLOCK 34, LOTS 31 and 37, BLOCK 35, LOTS 15, 16, 17, 18, 19, 23, 24, 26, 26.01, 26.02, 27, 28, 29, 30, 31, and 32 ON THE TAX MAP OF THE BOROUGH OF FREEHOLD, STATE OF NEW JERSEY

WHEREAS, the Local Redevelopment and Housing Law, *N.J.S.A. 40A:12A-1 et seq.* (the "Redevelopment Law"), authorizes municipalities to determine whether certain parcels of land in the Borough of Freehold (the "Borough") constitute areas in need of redevelopment; and

WHEREAS, pursuant to the Redevelopment Law, by Resolutions No. 136-21 and No. 162-21, adopted on July 19, 2021 and September 7, 2021, the Municipal Council of the Borough of Freehold (the "Council") authorized and directed the Planning Board of the Borough of Freehold (the "Planning Board") to conduct an investigation of the following properties within the Borough (collectively, the "Study Area"), and to determine whether all or a portion of such area meets the criteria set forth in the Redevelopment Law, *N.J.S.A. 40A:12A-5*, to be designated as an area in need of redevelopment with the power of eminent domain ("Condemnation Redevelopment Area") in accordance with the Redevelopment Law, *N.J.S.A. 40A:12A-6*:

BLOCK	LOT	ADDRESS
34	31	25-31 Broad St.
34	33	62 Throckmorton St.
34	34	80 Throckmorton St.
34	35	78 Throckmorton St.
34	37	21 Broad St.
35	14	46 Broad St.
35	15	32 Broad St.
35	16	30 Broad St.
35	17	28 Broad St.
35	18	Broad St.

35	19	Broad St.
35	20	60 Throckmorton St.
35	23	58 Throckmorton St.
35	24	52 Throckmorton St.
35	25	46-50 Throckmorton St.
35	26	47 West Main St.
35	26.01	Throckmorton St.
35	26.02	Throckmorton St.
35	27	49 West Main St.
35	28	51 West Main St.
35	29	53 West Main St.
35	30	55 West Main St.
35	31	57 West Main St.
35	32	61 West Main St.
36	32	57 Throckmorton St.
36	33	59 Throckmorton St.
36	34	61 Throckmorton St.
37	19	17 Broad St.

WHEREAS, pursuant to the Redevelopment Law, on October 27, 2021, November 10, 2021, and December 8, 2021, the Planning Board conducted public hearings and, after conclusion of the public hearings, voted to accept the recommendations contained in the report prepared by CME Associates, entitled, “Preliminary Investigation to determine if the following lots can be designated as a Condemnation Area in Need of Redevelopment”, dated October 8, 2021, with the exception of the following properties: Block 34, Lots 33, 34 and 35; Block 35, Lots 14, 20, 25 and 32; Block 36, Lots 32, 33, and 34; and Block 37, Lot 19 (the “Revised Study Area”), and recommended that the Revised Study Area be declared a Condemnation Redevelopment Area, in accordance with the Redevelopment Law; and

WHEREAS, the Council agreed with the recommendation of the Planning Board in part and, pursuant to the Redevelopment Law, on February 7, 2022 by Resolution the Council designated the Revised Study Area as a Condemnation Redevelopment Area; and

WHEREAS, notwithstanding the recommendation of the Planning Board, the Council found that Block 35, Lot 32 also qualifies as a Condemnation Redevelopment Area pursuant to the Redevelopment Law, for the reasons set forth in the Study and specifically that the lot satisfies criterion “d” pursuant to Section 5 of the Redevelopment Law for various reasons specific to the lot, including, but not limited to, that because of dilapidation, obsolescence, overcrowding, faulty arrangement or design, lack of ventilation, light and sanitary facilities, excessive land coverage, deleterious land use or obsolete layout, or any combination of these or other factors, the buildings

or improvements are detrimental to the safety, health, morals, or welfare of the community. This includes that the existing asphalt drive/parking lot is deteriorated, the amount of paved area and impervious coverage is excessive, dumpsters are overflowing with garbage, concrete curbs and wheel stops are deteriorating, and the front entrance concrete patio is weather-beaten. The Council further found that inclusion of Block 35, Lot 32 is necessary, regardless of whether its condition is detrimental to the public health, safety or welfare, for the effective redevelopment of the area in which it is a part, as set forth in N.J.S.A. 40A:12A-3, for various reasons, including, but not limited to, that such lot abuts other lots that satisfy criteria pursuant to Section 5 of the Redevelopment Law and that it would be an impediment to the redevelopment of the abutting lots and the commercial corridor as a whole if same were not included in the Condemnation Redevelopment Area. The Council therefore designated Block 35, lot 32 as part of the Condemnation Redevelopment Area along with the Revised Study Area and identified the area as the "Throckmorton Street Redevelopment Area"; and

WHEREAS, to carry out its powers under the Redevelopment Law, the Borough has a need for professional planning consultant services in connection with the redevelopment of the Throckmorton Street Redevelopment Area; and

WHEREAS, Beacon Planning and Consulting Service, LLC (the "Planner") possesses the experience and qualifications to perform professional planning consultant services; and

WHEREAS, by Resolution adopted February 7, 2022, pursuant to a request for proposals for professional planning consultant services issued in accordance with the Local Public Contracts Law, *N.J.S.A. 40A:11-1 et seq.*, the Borough awarded a professional services contract to the Planner to provide professional planning consultant services to the Borough for the year 2022; and

WHEREAS, the Borough desires to authorize the Planner to prepare one (1) or more redevelopment plans for the Study Area; and

WHEREAS, funds shall be available for this purpose pursuant to funding agreement(s) with the Borough applicable to the Throckmorton Street Redevelopment Area and/or pursuant to the existing contract for professional services by and between the Planner and the Borough,

NOW, THEREFORE, BE IT RESOLVED BY THE MUNICIPAL COUNCIL OF THE BOROUGH OF FREEHOLD, NEW JERSEY AS FOLLOWS:

Section 1. The foregoing recitals are incorporated herein as if set forth in full.

Section 2. The Council hereby authorizes the Planner to prepare one (1) or more redevelopment plans for the Throckmorton Street Redevelopment Area. The Planner shall prepare the redevelopment plan(s) when and as directed by the Borough.

Section 3. A copy of this resolution, the Planner's contract, and applicable funding agreement(s) shall be available for public inspection at the offices of the Borough.

Section 4. This Resolution shall take effect immediately.

Borough of Freehold

PROCLAMATION

OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY DECLARING FEBRUARY 2023 AS BLACK HISTORY MONTH IN THE BOROUGH OF FREEHOLD

WHEREAS, the Mayor and Council of the Borough of Freehold honor the heritage of African Americans and acknowledge their many contributions to our Nation, our State, and our Borough; and

WHEREAS, the origin of **Black History Month** began in 1915, half a century after the Thirteenth Amendment abolished slavery in the United States, and grew out of "Negro History Week," the creation of noted historian Carter G. Woodson and other prominent African Americans; and

WHEREAS, with the Civil Rights Movement and a growing awareness of black identity, **Black History Month** or National African American History Month evolved to an annual celebration of achievements by black Americans and a time for recognizing the central role of African Americans in U.S. history; and

WHEREAS, the Association for the Study of African American Life and History (ASALH), the founders of **Black History Month**, announced that the 2023 theme of **Black History Month** is Black Resistance, exploring how African Americans have resisted historic and ongoing oppression in all forms, since the nation's earliest days; and

WHEREAS, **Black History Month** is a time to recognize and honor the many people, events, and significant contributions of Black people to our community, nation, and world despite living under difficult and unjust circumstances; and

WHEREAS, remaining hopeful and confident about the path ahead, and a time to acknowledge the courageous fight for the rights, liberties, and freedoms for all Americans, the Borough of Freehold observes and honors **Black History Month** and encourages educators, students, and families to learn about the heritage and achievements of African Americans through appropriate programs.

NOW, THEREFORE, I, KEVIN A. KANE, MAYOR OF THE BOROUGH OF FREEHOLD join with the citizens of the Borough to observe and honor **Black History Month** and recognize the tremendous contributions made by African Americans.



KEVIN A. KANE, MAYOR
BOROUGH OF FREEHOLD
FEBRUARY 13, 2023

Borough of Freehold

RESOLUTION

OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING REVERAND JONATHAN ELSENSOHN

Whereas, **REV. JONATHAN ELSENSOHN** has served as Pastor for the First Baptist Church in Freehold Borough since 2017; and

Whereas, **REV. JONATHAN ELSENSOHN** previously was the Associate Pastor and Director of Christian Education for Pilgrim Congregational Church in Leominster, MA; and

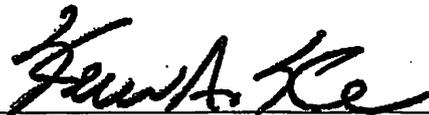
Whereas, **REV. JONATHAN ELSENSOHN** trained as a hospital chaplain, serving at hospitals in Providence, RI and Memphis, TN prior to entering parish ministry; and

Whereas, **REV. JONATHAN ELSENSOHN**, became active in the Freehold Borough Community, serving on the Human Relations Committee from 2021-2022 and holding several offices in the Greater Freehold Clergy Association; and

Whereas, **REV. JONATHAN ELSENSOHN**, a published author, accepted an offer to become the pastor of the First Congregational Church of Wellfleet in Massachusetts and will relocate with his wife Jennifer, step-son Nathaniel and pets.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Freehold honor **REV. JONATHAN ELSENSOHN** on his spiritual leadership and community contributions.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Freehold extend their congratulations and best wishes to **REV. JONATHAN ELSENSOHN** for continued success and happiness in his future endeavors.



KEVIN A. KANE, MAYOR

February 5, 2023

Borough of Freehold

RESOLUTION

OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING JENNIFER SCHLAMEUSS ELSENSOHN

Whereas, **JENNIFER SCHLAMEUSS ELSENSOHN** is a Pastoral Associate of the Co-Cathedral of St. Robert Bellarmine in Freehold Township since 2015; and

Whereas, **JENNIFER SCHLAMEUSS ELSENSOHN** has been employed in professional pastoral ministry in the Diocese of Trenton for twenty-five years; and

Whereas, **JENNIFER SCHLAMEUSS ELSENSOHN** is a writer who authored "Comic Con Christianity" published through Paulist Press in 2018 and has published several Catholic and ecumenical periodicals and is a freelance writer for The Monitor, News Site for the Roman Catholic Diocese of Trenton; and

Whereas, **JENNIFER SCHLAMEUSS ELSENSOHN** has served on many commissions and boards as well as presented at catechetical events, conferences and workshops for the Diocese of Trenton; and

Whereas, **JENNIFER SCHLAMEUSS ELSENSOHN** has served as the Secretary of the Greater Freehold Clergy Association for four years and has been a valuable asset to the Freehold community serving on the Freehold Borough COVID Response Team, Food Safety Net, the Human Relations Committee and a board member of the EHAP (Emergency Housing and Advocacy Program); and

Whereas, **JENNIFER SCHLAMEUSS ELSENSOHN** will be relocating to Massachusetts with her beloved husband, Rev. Jonathan Elsensohn, her son, Nathaniel, and their cat and dog.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and Council of the Borough of Freehold honor **JENNIFER SCHLAMEUSS ELSENSOHN** for her faithful and dedicated service to the Freehold Borough community.

BE IT FURTHER RESOLVED that the Mayor and Council of the Borough of Freehold extend their congratulations and best wishes to **JENNIFER SCHLAMEUSS ELSENSOHN** for continued success and happiness in her life's pursuits.



KEVIN A. KANE, MAYOR

January 28, 2023

OFFERED BY:	AYE	NAY	ABSENT	ABSTAIN	SECONDED BY:	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO					ROGERS				
JORDAN					SCHNURR				
REICH					SHUTZER				

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.
Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE EXECUTION OF THE NOTICE IN LIEU OF DEED NOTICE

WHEREAS, the Borough of Freehold, County of Monmouth (the "Borough") is a public body corporate and politic of the State of New Jersey

WHEREAS, the Borough is the owner of certain real property designated as the sidewalks of South Street, which is a right of way; and

WHEREAS, Hazardous substances discharged at the Site have been identified at the Property and wherein the Department of Environmental Protection has mandated a cleanup; and

WHEREAS, BP Products North America Inc. is the "Responsible Party" and has remediated contaminated soil at the Property, such that soil contamination remains at certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property; and

WHEREAS, certain monitoring continues at the Property, which requires certain regulatory requirements to be imposed; and

WHEREAS, the Borough has received a Notice in Lieu of Deed Notice in accordance with N.J.A.C. 7:26C for the Borough's signature, a copy of which is attached hereto as Exhibit A.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. That all Borough officials including, but not limited to the Mayor, the Borough Administrator and the Municipal Clerk, are hereby authorized and directed to take such ministerial actions as are necessary to effectuate the provisions of this resolution.

3. That a certified copy of this Resolution shall be forwarded to the appropriate parties.

Written Agreement Concerning Notice in Lieu of Deed Notice Example

This agreement (hereinafter "Agreement") is made as of this ___ day of _____, 2022 by and between John Frankenthal ("PRCR"), having a principal place of business at 150 West Warrenville Road, MC 600 1015F, Naperville, IL 60563 and the Borough of Freehold having its principal place of business at 30 Mechanic Street Freehold, NJ 07728. PRCR and Borough of Freehold may collectively be referred to as "the Parties." This Agreement shall serve as an agreement between the Parties regarding the Notice in Lieu of Deed Notice described herein.

BACKGROUND

PRCR is the person responsible for conducting the remediation of the hazardous substances discharged at the real property located at 78 South Street, Freehold, Monmouth County ("Site"), which the New Jersey Department of Environmental Protection ("DEP") has designated as Site Remediation Program Interest No. PI Number # 590510.

The Borough of Freehold is the owner of certain real property designated as South Street and its sidewalks, Freehold, Monmouth County] ("Property") as shown in Attachment A. The Property is a right of way and public roadway.

Hazardous substances discharged at the Site have been identified at the Property.

PRCR's Licensed Site Remediation Professional, Richard Simun, license number # 590510 has approved a remedial action for the Site that will result in soil contamination remaining on the Property in concentrations that do not allow for the unrestricted use of the Property and which requires the use of institutional controls.

NOW THEREFORE, in an effort to better clarify the roles and responsibilities of the Parties and the restrictions on the Property, the Parties hereby agree as follows:

PRCR's Obligations

1. PRCR has prepared the attached Notice in Lieu of Deed Notice in accordance with N.J.A.C. 7:26C-7.2(b)2 and may also provide other related documents, as appropriate, for execution by the Borough of Freehold.
2. PRCR will provide copies of the executed Notice in Lieu of Deed Notice to the entities designated in N.J.A.C. 7:26C-7.2(b)2 and 3.
3. BP will be conducting biennial inspections to ensure no excavation greater than 12 feet bgs and provide remedial action protectiveness certifications to the NJDEP.
4. PRCR will prepare and submit a Soil Remedial Action Protectiveness/Biennial Certification Form.

Owner's Acknowledgments and Obligations

5. Owner acknowledges that it will comply with the restrictions on use of the Property detailed in the Notice in Lieu of Deed Notice and/or Soil RAP, specifically that certain activities (e.g., repaving a road, replacing a sidewalk, excavating the road) on the Public Lands may be restricted or require NJDEP/LSRP notification/approval prior to the Owner conducting such activities.
6. Owner acknowledges that execution of this Agreement will serve as Owner's signature on the Notice in Lieu of Deed Notice and any subsequent Soil RAP Applications related to the Notice in Lieu of Deed Notice for this Property.

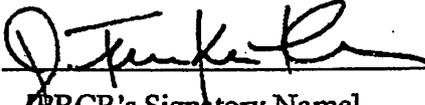
General Provisions

7. This Agreement shall be interpreted in accordance with the laws of the State of New Jersey.
8. This Agreement may be executed in counterparts, which shall bear the Parties' signatures. Each counterpart shall constitute one and the same instrument, shall be binding on the Parties, and shall for each and every intent, reason and purpose be considered an original thereof. This Agreement may be executed by facsimile or by portable document format (.pdf) signature, such that execution of this Agreement by facsimile or by portable document format (.pdf) signature shall be deemed effective for all purposes as though this Agreement was executed as a "blue ink" original.
9. Each undersigned representative of PRCR and Owner certifies that he or she is authorized to enter into this Agreement, and to execute and legally bind each party to this Agreement.
10. This Agreement may only be modified by the mutual agreement of the Parties. Further, any modification to this Agreement shall be in writing and executed by the Parties.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their proper officers on the dates set forth below.

PRCR: John Frankenthal

Date: 11/1/22

By: 
[PRCR's Signatory Name]
[Title] Liability Manager

PROPERTY OWNER: [PROPERTY OWNER'S NAME]

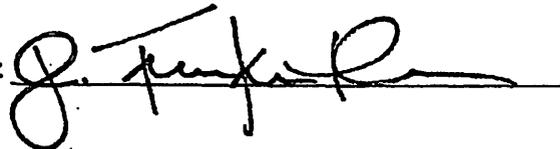
Date: _____

By: _____
[Property Owner's Signatory Name]
[Title]

Return Address:
Parsons
1011 US-22W, Suite 201
Bridgewater, NJ 08807

NOTICE IN LIEU OF DEED NOTICE

THIS DOCUMENT SHALL BE DISTRIBUTED TO THE ENTITIES IDENTIFIED IN ACCORDANCE WITH N.J.A.C. 7:26C-7.2(b)2.

Prepared by: 
[Signature]

John Frankenthal
[Print name below signature]

Recorded by: _____
[Signature, Officer of County Recording Office]

[Print name below signature]

This Notice in Lieu of Deed Notice is made as of the ____ day of ____, ____, by the State of New Jersey, 1035 Parkway Avenue Trenton, NJ 08625 (together with his/her/its/their successors and assigns, collectively "Owner").

1. **THE PROPERTY.** The State of New Jersey is the owner in fee simple of certain real property designated as Highway 79. This Notice in Lieu is for the portion of Highway 79 east of the property at 78 South Street, Freehold NJ 07728 on the tax map of the Borough of Freehold, Monmouth County (the "Property"). The New Jersey Department of Environmental Protection Program Interest Number (Preferred ID) for the contaminated site which includes this property is 000969; and the property is more particularly described in Exhibit A, which is attached hereto and made a part hereof.

2. REMEDIATION.

i. Richard Simun (LSRP, License #590510) has approved this Notice in Lieu Deed Notice as an institutional control for the Property, which is part of the remediation of the Property.

ii. N.J.A.C. 7:26C-7 requires the Owner, among other persons, to obtain a soil remedial action permit for the soil remedial action at the Property. That permit will contain the monitoring, maintenance and biennial certification requirements that apply to the Property.

3. SOIL CONTAMINATION. John Frankethal (Project Manager for BP Products North America Inc., the "Responsible Party") has remediated contaminated soil at the Property, such that soil contamination remains at certain areas of the Property that contains contaminants in concentrations that do not allow for the unrestricted use of the Property. Such soil contamination is described, including the type, concentration and specific location of such contamination, and the existing engineering controls on the site are described, in Exhibit B, which is attached hereto and made a part hereof. As a result, there is a statutory requirement for this Notice in Lieu Deed Notice and engineering controls in accordance with N.J.S.A. 58:10B-13.

4. CONSIDERATION. In accordance with the remedial action for the site which included the Property, and in consideration of the terms and conditions of that remedial action, and other good and valuable consideration, Owner has agreed to subject the Property to certain statutory and regulatory requirements that impose restrictions upon the use of the Property, to restrict certain uses of the Property, and to provide notice to subsequent owners, lessors, lessees and operators of the Property of the restrictions and the monitoring, maintenance, and biennial certification requirements outlined in this Notice in Lieu Deed Notice and required by law, as set forth herein.

5A. RESTRICTED AREAS. Due to the presence of contamination remaining at concentrations that do not allow for unrestricted use, the Owner has agreed, as part of the remedial action for the Property, to restrict the use of certain parts of the Property (the "Restricted Areas"); a narrative description of these restrictions is provided in Exhibit C, which is attached hereto and made a part hereof. The Owner has also agreed to maintain a list of these restrictions on site for inspection by governmental officials.

5B. RESTRICTED LAND USES. The following statutory land use restrictions apply to the Restricted Areas:

i. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(10), prohibits the conversion of a contaminated site, remediated to non-residential soil remediation standards that require the maintenance of engineering or institutional controls, to a child care facility, or public, private, or charter school without the Department's prior written approval, unless a presumptive remedy is implemented; and

ii. The Brownfield and Contaminated Site Remediation Act, N.J.S.A. 58:10B-12.g(12), prohibits the conversion of a landfill, with gas venting systems and or leachate collection systems, to a single family residence or a child care facility.

5C. ENGINEERING CONTROLS. Due to the presence and concentration of these contaminants, the Owner has also agreed, as part of the remedial action for the Property, to the

placement of certain engineering controls on the Property; a narrative description of these engineering controls is provided in Exhibit C.

6A. CHANGE IN OWNERSHIP AND REZONING.

i. The Owner and the subsequent owners, lessors, and lessees, shall cause all leases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring all holders thereof to take the Property subject to the restrictions contained herein and to comply with all, and not to violate any of the conditions of this Notice in Lieu of Deed Notice. Nothing contained in this Paragraph shall be construed as limiting any obligation of any person to provide any notice required by any law, regulation, or order of any governmental authority.

ii. The Owner and the subsequent owners shall provide written notice to the Department of Environmental Protection on a form provided by the Department and available at www.nj.gov/srp/forms within 30 calendar days after the effective date of any conveyance, grant, gift, or other transfer, in whole or in part, of the Owner's or subsequent owner's interest in the Restricted Area.

iii. The Owner and the subsequent owners shall provide written notice to the Department, on a form available from the Department at www.nj.gov/srp/forms, within thirty (30) calendar days after the owner's petition for or filing of any document initiating a rezoning of the Property to residential.

6B. SUCCESSORS AND ASSIGNS. This Notice in Lieu of Deed Notice shall be binding upon Owner and upon Owner's successors and assigns, and subsequent owners, lessors, lessees and operators while each is an owner, lessor, lessee, or operator of the Property.

7A. ALTERATIONS, IMPROVEMENTS, AND DISTURBANCES.

i. The Owner, specifically the New Jersey Department of Transportation, and all subsequent owners, lessors, and lessees shall notify any person, including, without limitation, tenants, employees of tenants, and contractors, intending to conduct invasive work or excavate within the Restricted Areas, of the nature and location of contamination in the Restricted Areas, and, of the precautions necessary to minimize potential human exposure to contaminants.

ii. Except as provided in Paragraph 7B, below, no person shall make, or allow to be made, any alteration, improvement, or disturbance in, to, or about the Property which disturbs any engineering control at the Property without first retaining a licensed site remediation professional. Nothing herein shall constitute a waiver of the obligation of any person to comply with all applicable laws and regulations including, without limitation, the applicable rules of the Occupational Safety and Health Administration.

iii. A soil remedial action permit modification is required for any permanent alteration, improvement, or disturbance and the owner, lessor, lessee or operator shall submit the

following within 30 days after the occurrence of the permanent alteration, improvement, or disturbance:

(A) A Remedial Action Workplan or Linear Construction Project notification and Final Report Form, whichever is applicable;

(B) A Remedial Action Report and Termination of Notice in Lieu of Deed Notice Form; and

(C) A revised recorded Notice in Lieu of Deed Notice with revised Exhibits, and Remedial Action Permit Modification or Remedial Action Permit Termination form and Remedial Action Report.

iv. No owner, lessor, lessee or operator shall be required to obtain a Remedial Action Permit Modification for any temporary alteration, improvement, or disturbance, provided that the site is restored to the condition described in the Exhibits to this Notice in Lieu of Deed Notice, and the owner, lessee, or operator complies with the following:

(A) Restores any disturbance of an engineering control to pre-disturbance conditions within 60 calendar days after the initiation of the alteration, improvement or disturbance;

(B) Ensures that all applicable worker health and safety laws and regulations are followed during the alteration, improvement, or disturbance, and during the restoration;

(C) Ensures that human exposure to contamination in excess of the remediation standards does not occur; and

(D) Describes, in the next biennial certification the nature of the temporary alteration, improvement, or disturbance, the dates and duration of the temporary alteration, improvement, or disturbance, the name of key individuals and their affiliations conducting the temporary alteration, improvement, or disturbance, the notice the Owner gave to those persons prior to the disturbance.

7B. EMERGENCIES. In the event of an emergency which presents, or may present, an unacceptable risk to the public health and safety, or to the environment, or an immediate environmental concern, see N.J.S.A. 58:10C-2, any person may temporarily breach an engineering control provided that that person complies with each of the following:

i. Immediately notifies the Department of Environmental Protection of the emergency, by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337;

ii. Hires a Licensed Site Remediation Professional (unless the Restricted Areas includes an unregulated heating oil tank) to respond to the emergency;

iii. Limits both the actual disturbance and the time needed for the disturbance to the minimum reasonably necessary to adequately respond to the emergency;

iv. Implements all measures necessary to limit actual or potential, present or future risk of exposure to humans or the environment to the contamination;

v. Notifies the Department of Environmental Protection when the emergency or immediate environmental concern has ended by calling the DEP Hotline at 1-877-WARNDEP or 1-877-927-6337; and

vi. Restores the engineering control to the pre-emergency conditions as soon as possible; and

vii. Submits to the Department of Environmental Protection within 60 calendar days after completion of the restoration of the engineering control, a report including: (a) the nature and likely cause of the emergency; (b) the measures that have been taken to mitigate the effects of the emergency on human health and the environment; (c) the measures completed or implemented to restore the engineering control; and (d) any changes to the engineering control or site operation and maintenance plan to prevent reoccurrence of such conditions in the future.

8. TERMINATION OF NOTICE IN LIEU OF DEED NOTICE.

i. This Notice in Lieu of Deed Notice may be terminated only upon recording a Department-approved Termination of a Notice in Lieu of Deed Notice, available at N.J.A.C. 7:26C Appendix C, with the office of Christine Giordano Hanlon, Esq. of Monmouth County, New Jersey, expressly terminating this Notice in Lieu of Deed Notice.

ii. Within 30 calendar days after recording a Department-approved Termination of Notice in Lieu of Deed Notice, the owner of the property should apply to the Department for termination of the soil remedial action permit pursuant to N.J.A.C. 7:26C-7.

9. ACCESS. The Owner, and the subsequent owners, lessors, lessees, and operators agree to allow the Department, its agents and representatives access to the Property to inspect and evaluate the continued protectiveness of the remedial action that includes this Notice in Lieu of Deed Notice and to conduct additional remediation to ensure the protection of the public health and safety and of the environment if the subsequent owners, lessors, lessees, and operators, during their ownership, tenancy, or operation, and the Owner fail to conduct such remediation pursuant to this Notice in Lieu of Deed Notice as required by law. The Owner, and the subsequent owners, lessors, and lessees, shall also cause all leases, subleases, grants, and other written transfers of an interest in the Restricted Areas to contain a provision expressly requiring that all holders thereof provide such access to the Department.

10. ENFORCEMENT OF VIOLATIONS.

i. This Notice in Lieu of Deed Notice itself is not intended to create any interest in real estate in favor of the Department of Environmental Protection, nor to create a lien against the Property, but merely is intended to provide notice of certain conditions and restrictions on the

Property and to reflect the regulatory and statutory obligations imposed as a conditional remedial action for this site.

ii. The restrictions provided herein may be enforceable solely by the Department against any person who violates this Notice in Lieu of Deed Notice. To enforce violations of this Notice in Lieu of Deed Notice, the Department may initiate one or more enforcement actions pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C, and require additional remediation and assess damages pursuant to N.J.S.A. 58:10-23.11, and N.J.S.A. 58:10C.

11. SEVERABILITY. If any court of competent jurisdiction determines that any provision of this Notice in Lieu of Deed Notice requires modification, such provision shall be deemed to have been modified automatically to conform to such requirements. If a court of competent jurisdiction determines that any provision of this Notice in Lieu of Deed Notice is invalid or unenforceable and the provision is of such a nature that it cannot be modified, the provision shall be deemed deleted from this instrument as though the provision had never been included herein. In either case, the remaining provisions of this Notice in Lieu of Deed Notice shall remain in full force and effect.

12A. EXHIBIT A. Exhibit A includes the following maps of the Property and the vicinity:

i. Exhibit A-1: Vicinity Map - A map that identifies by name the roads, and other important geographical features in the vicinity of the Property (for example, USGS Quad map, Hagstrom County Maps);

ii. Exhibit A-2: Metes and Bounds Description - A tax map of lots and blocks as well as metes and bounds description of the Property; including reference to tax lot and block numbers for the Property;

iii. Exhibit A-3: Property Map - A scaled map of the Property, scaled at one inch to 200 feet or less, and if more than one map is submitted, the maps shall be presented as overlays, keyed to a base map; and the Property Map shall include diagrams of major surface topographical features such as buildings, roads, and parking lots.

12B. EXHIBIT B. Exhibit B includes the following descriptions of the Restricted Areas:

i. Exhibit B-1: Restricted Area Map -- A separate map for each restricted area that includes:

(A) As-built diagrams of each engineering control, including caps, fences, slurry walls, (and, if any) ground water monitoring wells, extent of the ground water classification exception area, pumping and treatment systems that may be required as part of a ground water engineering control in addition to the Notice in Lieu of Deed Notice;

(B) As-built diagrams of any buildings, roads, parking lots and other structures that function as engineering controls; and

(C) Designation of all soil and all upland sediment sample locations within the restricted areas that exceed any soil standard that are keyed into one of the tables described in the following paragraph.

ii. Exhibit B-2: Restricted Area Data Table - A separate table for each restricted area that includes either (A) or (B) through (F):

(A) Only for historic fill extending over the entire site or a portion of the site and for which analytical data are limited or do not exist, a narrative that states that historic fill is present at the site, a description of the fill material (e.g., ash, cinders, brick, dredge material), and a statement that such material may include, but is not limited to, contaminants such as PAHs and metals;

(B) Sample location designation from Restricted Area map (Exhibit B-1);

(C) Sample elevation based upon mean sea level;

(D) Name and chemical abstract service registry number of each contaminant with a concentration that exceeds the unrestricted use standard;

(E) The restricted and unrestricted use standards for each contaminant in the table; and

(F) The remaining concentration of each contaminant at each sample location at each elevation.

12C. EXHIBIT C. Exhibit C includes narrative descriptions of the institutional controls and engineering controls as follows:

i. Exhibit C-1: Notice in Lieu of Deed Notice as Institutional Control: Exhibit C-1 includes a narrative description of the restriction and obligations of this Notice in Lieu of Deed Notice that are in addition to those described above, as follows:

(A) Description and estimated size (square feet) of the Restricted Areas as described above;

(B) Description of the restrictions on the Property by operation of this Notice in Lieu of Deed Notice; and

(C) The objective of the restrictions.

13. SIGNATURES. IN WITNESS WHEREOF, Owner has executed this Notice in Lieu of Deed Notice as of the date first written above.

ATTEST: Diane Gutierrez-Scaccetti

_____ By _____

[Print name and Title]

[Signature]

STATE OF New Jersey

COUNTY OF Monmouth

I certify that on _____, 20__, Diane Gutierrez-Scaccetti personally came before me, and this person acknowledged under oath, to my satisfaction, that:

- (a) this person is the commissioner of the New Jersey Department of Transportation, the corporation named in this document;
- (b) this person is the attesting witness to the signing of this document by the proper corporate officer who is the president/vice president of the corporation;
- (c) this document was signed and delivered by the corporation as its voluntary act and was duly authorized;
- (d) this person knows the proper seal of the corporation which was affixed to this document; and
- (e) this person signed this proof to attest to the truth of these facts.

[Signature]

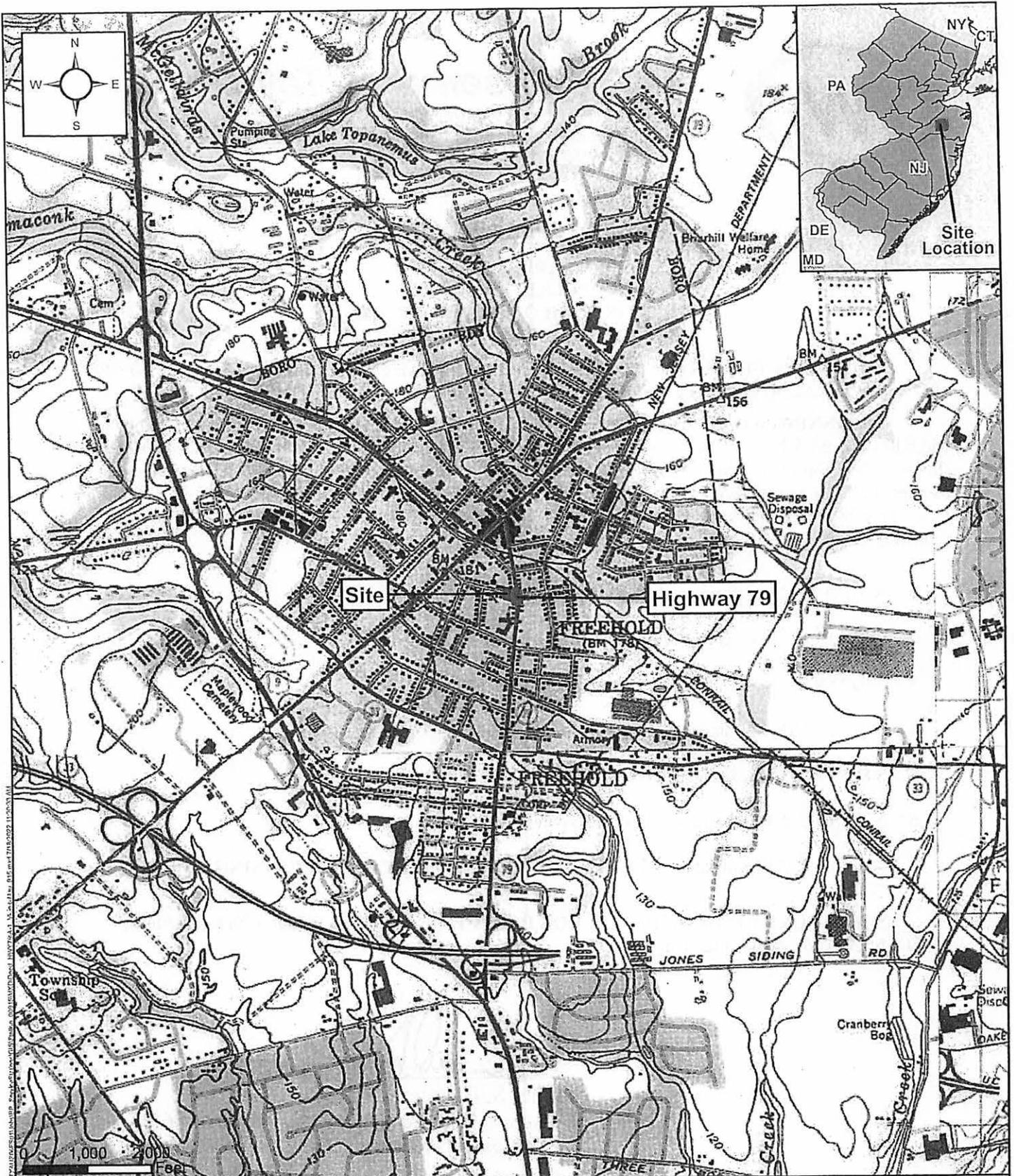
[Print name and title of attesting witness]

Signed and sworn before me on _____, 20__

_____, Notary Public

[Print name and title]

EXHIBIT A.



 Site Location
 Highway 79

Exhibit A-1
Vicinity Map

Former Service Station #915
 78 South Street
 Freehold, New Jersey
 Block: 82, Lot: 16
 PI #: 000969

PARSONS

200 Cottontail Lane
Somerset, NJ 08873

Drawn By:
PDS

Revision Date:
7/18/2022

A-1_VicinityMap_915.mxd



Taylor Wiseman & Taylor

ENGINEERS | SURVEYORS | SCIENTISTS

124 Gaither Drive, Suite 150, Mt. Laurel, NJ 08054

856-235-7200 phone 856-722-9250 fax

www.taylorwiseman.com

#07221

DESCRIPTION OF PROPERTY

AREA #2

P/O N.J.S.H. Rte. No. 79

BOROUGH OF FREEHOLD

MONMOUTH COUNTY, NEW JERSEY

ALL THAT CERTAIN tract or parcel of land situate and lying in the Borough of Freehold, County of Monmouth, State of New Jersey being more particularly bounded and described as follows:

BEGINNING AT A POINT situated in the right-of-way of U.S. Highway Route No. 79 (various width ROW) said point having the coordinates N:518507.89, E:555313.74 based on N.J.S.P.C.S. NAD83, as shown on "Exhibit Plan, Block 82, Lot 16, #78 N.J.S.H. Rte. 79 (A.K.A. South Street), Borough of Freehold, Monmouth County, New Jersey," prepared by Taylor Wiseman & Taylor, Dwg. No 2022-07221-Exhibit, Dated June 28, 2022, and from said beginning point running; thence through said right-of-way along the following courses and distances;

1. N 80° 25' 16" E a distance of 31.40' to a point; thence,
2. S 07° 31' 58" E a distance of 45.75' to a point; thence,
3. S 07° 56' 07" E a distance of 32.20' to a point; thence,
4. S 07° 28' 16" E a distance of 11.91' to a point; thence,
5. S 87° 55' 29" W a distance of 33.16' to a point; thence,
6. N 01° 04' 32" E a distance of 11.03' to a point; thence,
7. N 07° 42' 32" W a distance of 74.68' to the **POINT AND PLACE OF BEGINNING.**

SAID ABOVE DESCRIBED TRACT OR PARCEL OF LAND, containing with said bounds, 2,759 S.F., or 0.063 Acres of land, more or less.

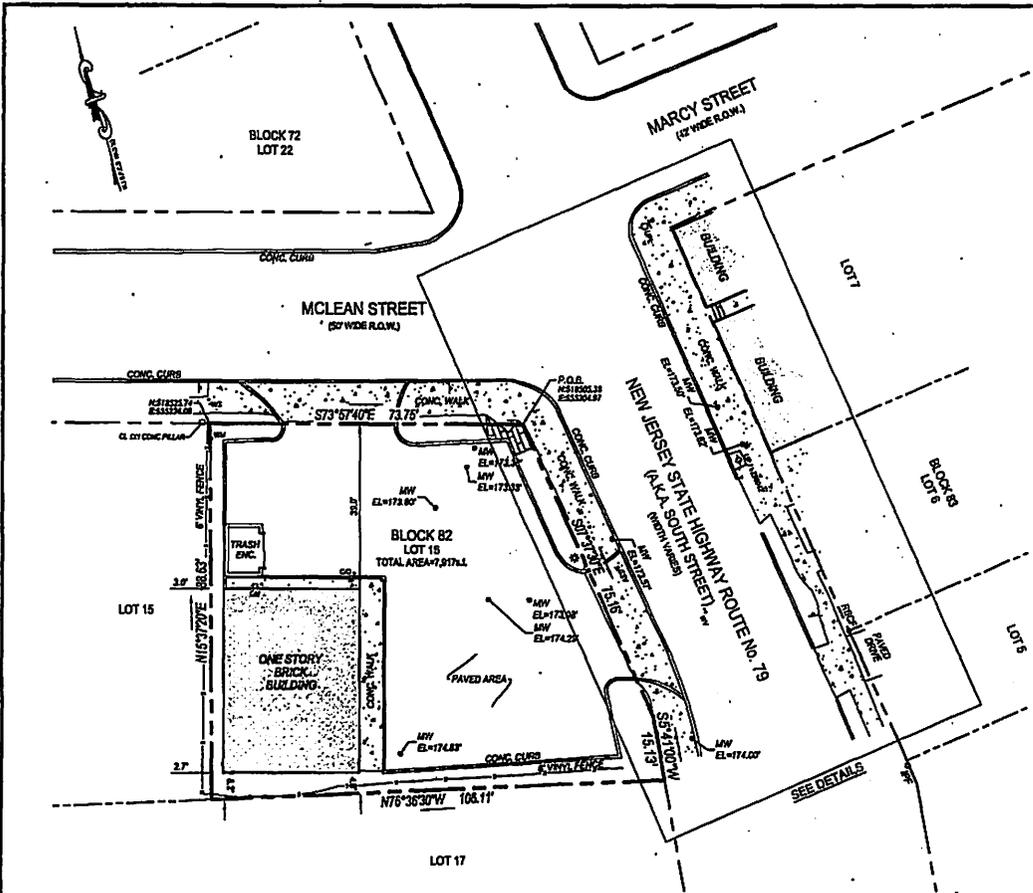
Samuel S. Previtera, P.L.S.

NJ Professional Land Surveyor No. 24GS03897600

NJ Certificate of Authorization No. 24GA28032900

July 07, 2022

L:\Work\07200\07221_78 South Street Freehold_Parsons\Survey\Description\07221_Desc of Area 2.docx



LEGEND

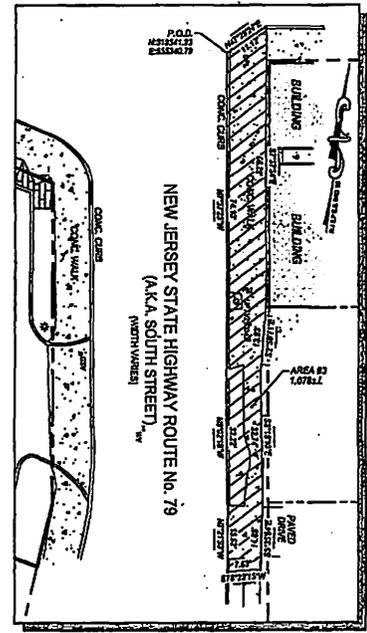
These standard abbreviations, acronyms, symbols & line types will be found in the drawing.

---	BOUNDARY LINE - SUBJECT PROPERTY
---	ADJACENT PROPERTY LINES
---	EXISTING RIGHT-OF-WAY LINE
---	CENTERLINE
---	1" W/LET
---	BUILDING
---	CLEAN OUT
---	CONC. WALK
---	CONCRETE
---	CONCRETE AREA
---	CONCRETE MONUMENT FOUND
---	EDGE OF PAVEMENT
---	1" W/LET
---	MH
---	MW
---	RFB
---	SN
---	TR (CONFEROUS) & TRUNK DIAMETER
---	UTILITY POLE / POLE IDENTIFICATION NUMBER
---	WV

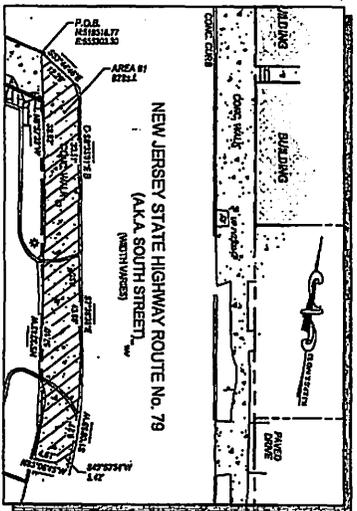
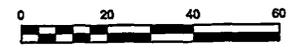


LOCATION MAP
AS TAKEN FROM THE USGS QUADRANGLE
MAP SERIES: FREEHOLD
SCALE: 1" = 2000'

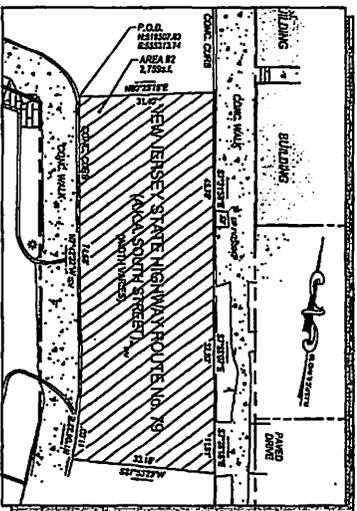
- SURVEY NOTES:**
- THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT AND IS SUBJECT TO ANY EASEMENT, RESTRICTION AND/OR COVENANTS THAT A CURRENT REPORT OF TITLE, OR COMPLETE SEARCH OF THE PUBLIC RECORD, MAY DISCLOSE.
 - THIS SURVEY WAS PREPARED IN ACCORDANCE WITH THE FOLLOWING SOURCES OF INFORMATION:
A - DEEDS OF RECORD D.B. 8187, PG. 8204
 - BLOCK AND LOT NUMBERS REFER TO THE OFFICIAL TAX MAPS OF THE BOROUGH OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY, PLATE #36.
 - PLANIMETRIC & TOPOGRAPHIC FEATURES SHOWN ARE TAKEN FROM AN ACTUAL FIELD SURVEY PERFORMED BY TAYLOR, WISEMAN & TAYLOR IN JUNE, 2022.
 - THIS SURVEY IS NOT INTENDED TO GUARANTEE OWNERSHIP.
 - SURVEY BASED ON N.J.S.P.C.S. NAD '83 (2011).
VERTICAL DATUM: NAVD 1988
 - IT IS BEYOND THE SCOPE OF THIS SURVEY TO DETERMINE THE EXISTENCE OR NON-EXISTENCE OF ANY REGULATED ENVIRONMENTAL CONDITION ON OR NEAR THE SUBJECT PARCELS. UNDERGROUND EXPLORATIONS WERE NOT CONDUCTED OR UTILIZED DURING THE PREPARATION OF THIS SURVEY. CONCERNED PARTIES SHOULD PURSUE ANY ENVIRONMENTAL MATTERS SEPARATE AND APART FROM THIS SURVEY.
 - IT SHOULD NOT BE ASSUMED THAT ANY COPY OF THIS PLAN WITHOUT A RAISED IMPRESSION OF THE SURVEYOR'S EXPOSED SEAL OR AN ORIGINAL COLORED IMPRESSION OF THE SURVEYOR'S STAMP SEAL IS A TRUE COPY OF THE ORIGINAL PLAN AS ISSUED BY THE SURVEYOR.
 - IT IS BEYOND THE SCOPE OF THIS SURVEY TO DETERMINE THE LOCATION AND / OR EXISTENCE OF UNDERGROUND UTILITIES. THE STATE OF NEW JERSEY REQUIRES NOTIFICATION PRIOR TO ANY EXCAVATION BY UTILIZING THE NEW JERSEY ONE-CALL SYSTEM (1-800-372-1000).



DETAIL - AREA #3



DETAIL - AREA #1



DETAIL - AREA #2

DATE BY:	DRAWN:	CHECKED:
DATE REVISION:	DATE:	DATE:
THIS PLAN WAS PREPARED UNDER MY IMMEDIATE SUPERVISION		
<i>Samuel S. Previtera</i>		
SAMUEL S. PREVITERA		
NJ LICENSED LAND SURVEYOR		
NO. - 24053331700		

EXHIBIT PLAN

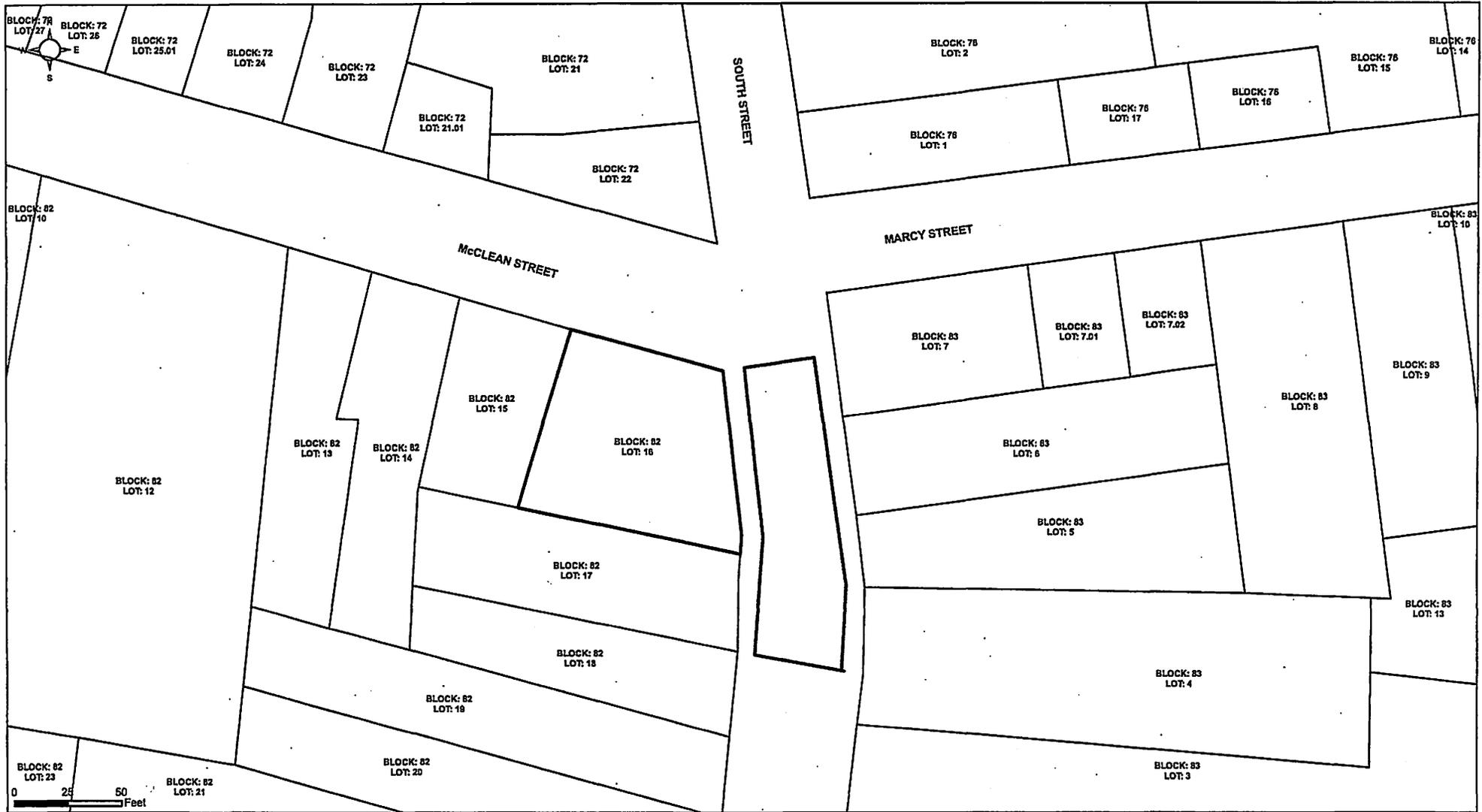
BLOCK 82, LOT 16
#78 N.J.S.H. Rte. 79 (A.K.A. SOUTH STREET)
BOROUGH OF FREEHOLD
MONMOUTH COUNTY, NEW JERSEY

Taylor Wiseman & Taylor
ENGINEERS / SURVEYORS / SCIENTISTS
124 GATHER DRIVE, SUITE 15A, MOUNT LAUREL, NJ 08054
TELEPHONE: (856) 235-7200 FAX: (856) 722-0250
www.taylorwiseman.com
NJ CERTIFICATE OF AUTHORIZATION NO. 24GA2802900

SCALE: 1" = 20' DATE: 06/28/2022 DRAWING NO.: 2022-07221-EXHIBIT SHEET: 1 OF 1

DRAWN: J.A. OR, 2022, 10:22 AM. COPYRIGHT © 2022 TAYLOR, WISEMAN & TAYLOR

SHEET SIZE: 18" X 24"



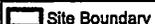
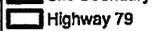
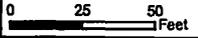
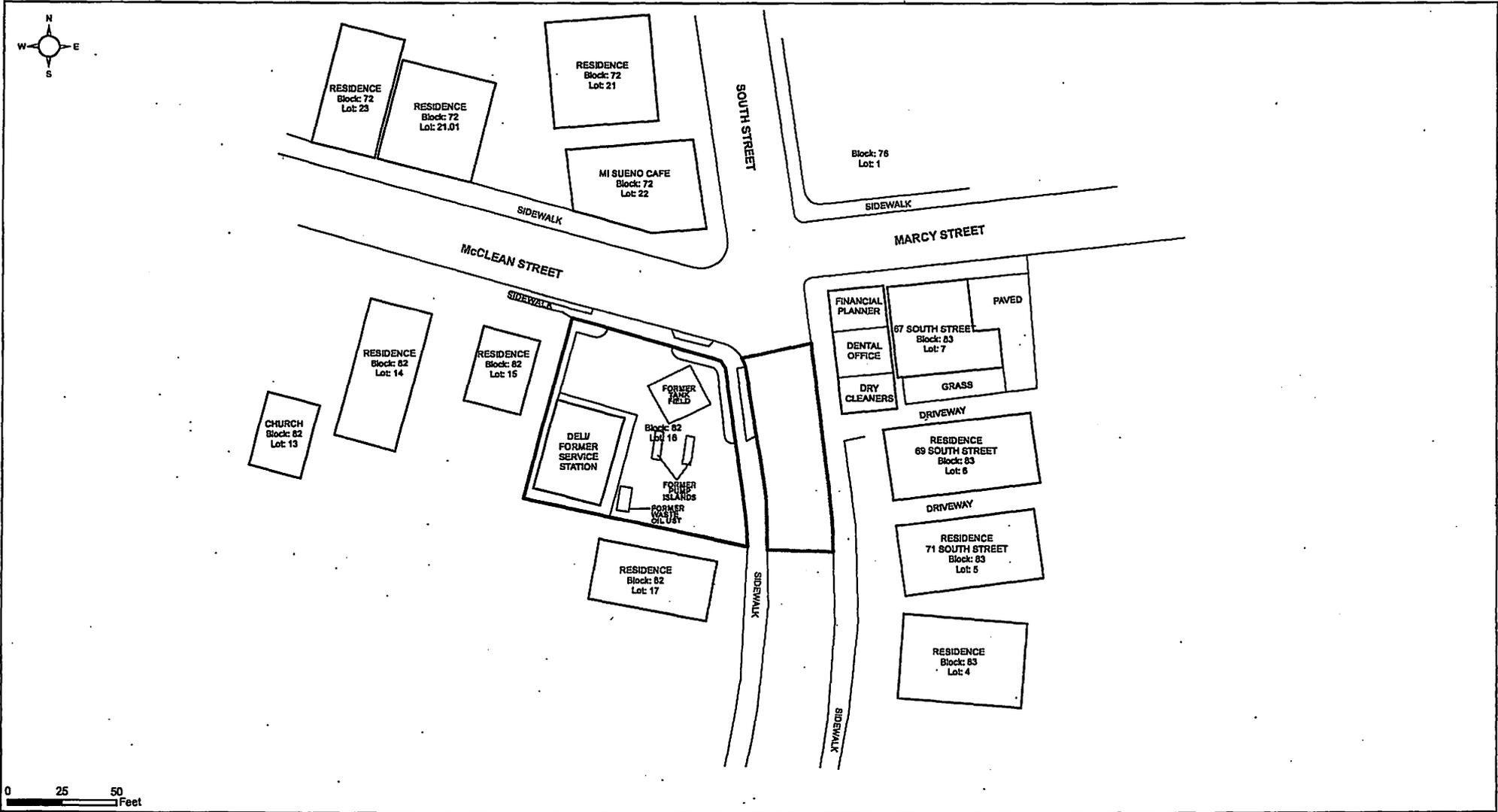
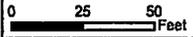
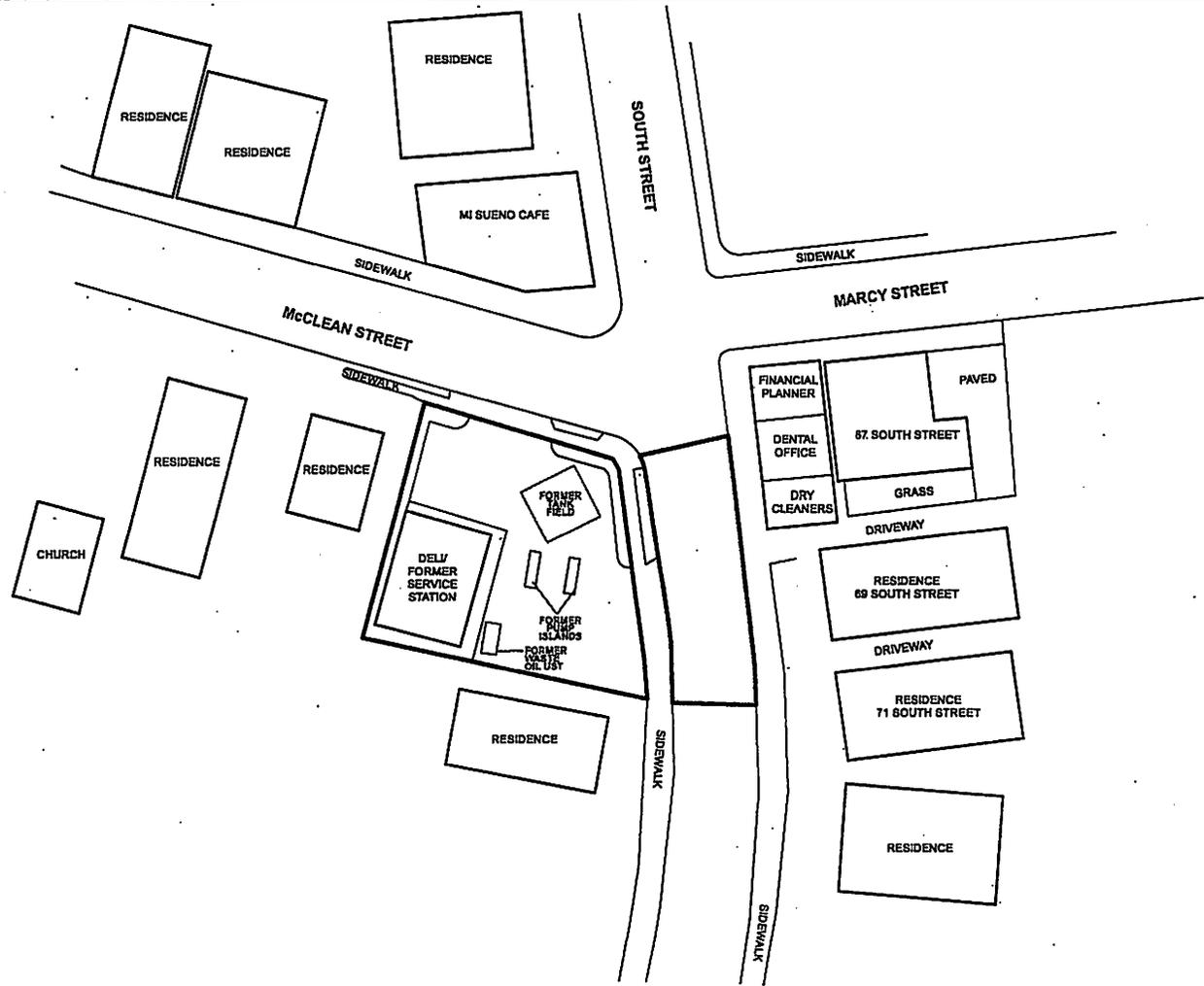
-  Site Boundary
-  Highway 79

Exhibit A-2 Tax Map		
Former Service Station #915 78 South Street Monmouth County, Freehold, New Jersey Block: 82, Lot: 16 PI #: 000969		
PARSONS		200 Costantini Lane Somerset, NJ 08873
Drawn By: PDS	Revision Date: 9/29/2022	A-2_TaxMap_915.mxd



Site Boundary
 In Lieu Deed Boundary

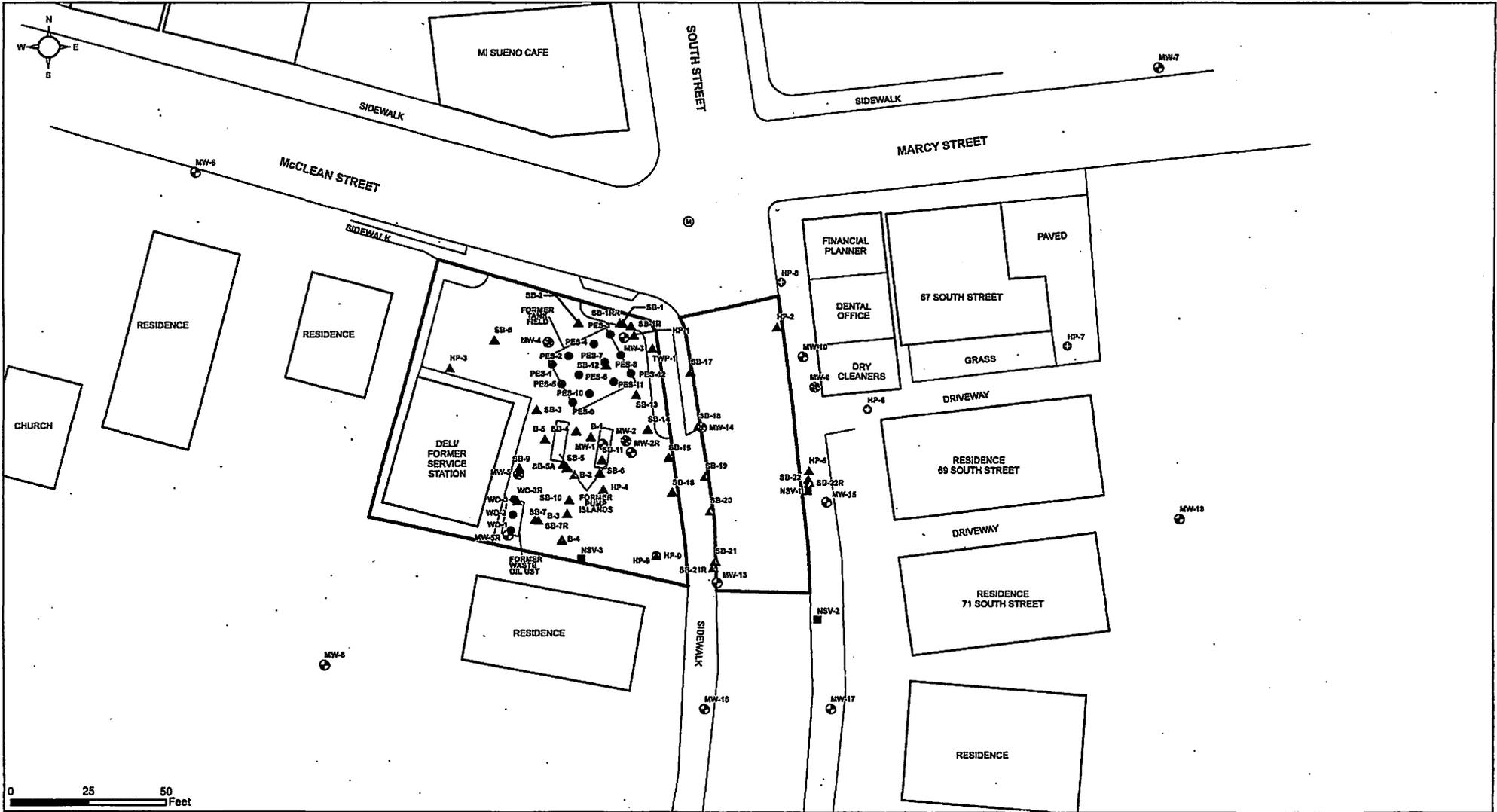
Exhibit A-2 Tax Map		
Former Service Station #915 78 South Street Monmouth County, Freehold, New Jersey Block: 82, Lot: 18 PI #: 000989		
PARSONS		200 Cottontail Lane Somerset, NJ 08873
Drawn By: PDS	Revision Date: 7/18/2022	A-2_TaxMap_915.mxd



- Site Boundary
- In Lieu Deed Boundary

Exhibit A-3 Property Map	
Former Service Station #915 78 South Street Monmouth County, Freehold, New Jersey Block: 82, Lot: 16 PI #: 000969	
PARSONS	
Drawn By: PCS	Revision Date: 7/19/2023
200 Cottrell Lane Somerset, NJ 08873 A-3_PropertyMap_915.rvt	

EXHIBIT B



- Monitoring Well Location
- ⊙ Abandoned Monitoring Well Location
- Temporary Well
- PE Soil Sample
- ▲ Soil Boring
- Vapor Intrusion Sample
- ⊕ Manhole
- ▭ Site Boundary
- ▭ Highway 79

Samples in **BLACK** Not Sampled for Ethylbenzene
 Samples in **GREEN** are Non-Detect or Below NJDEP Impact to Groundwater Soil Cleanup Criteria or Below NJDEP Soil Remediation Standard
 Samples in **ORANGE** are Above the NJDEP Residential Soil Remediation Standard
 Samples in **RED** are Above the NJDEP Non-residential Soil Remediation Standard
 Samples in **BLUE** are above the SRS and will be addressed under Deed Notice

Exhibit B-1A Restricted Area Map		
Former Service Station #915 78 South Street Monmouth County, Freehold, New Jersey Block: 82, Lot: 16 PI #: 000969		
PARSONS		200 Cottonball Lane Somerset, NJ 08873
Drawn By: PDS	Revision Date: 03/2022	9-10_RestrictedArea_#13.mxd

EXHIBIT B-2

Description of Restricted Area

Approximately 138,147 cubic feet of ethylbenzene impacted soil is being restricted for the property located at 78 South Street in Freehold New Jersey, which is designated as Block 82, Lot 16 ("Property"). Thirteen (13) soil sample locations collected from the Property have concentration(s) which exceed the New Jersey Department of Environmental Protection (NJDEP) residential and nonresidential inhalation SRS for ethylbenzene. Seven (7) soil sample locations directly east of the Property across Highway 79 have concentrations which exceed the NJDEP residential and nonresidential inhalation SRS for ethylbenzene. A restriction is required for the adjacent Highway 79 area pursuant to N.J.A.C. 7:26C-7(b)2, the documents prepared pursuant to N.J.A.C. 7:26C-2(a) shall serve as a notice in lieu of a deed notice.

The NJDEP Remediation Standards N.J.A.C. 7:26D was amended on May 17, 2021. In accordance with the guidance, the new residential and nonresidential inhalation SRS for ethylbenzene requires an order of magnitude evaluation. Ethylbenzene is detected above the residential inhalation SRS in soil samples SB-5 (14-15 feet bgs), SB-11A (14.5-15 feet bgs), SB-14A (16-16.5 feet bgs), SB-14B (16-16.5 feet bgs), SB-15A (14.5-15 feet bgs), SB-16B (14.5-15 feet bgs), SB-18B (16.5-17 feet bgs), SB-19B (16.5-17 feet bgs), SB-20A (12.5-13 feet bgs), SB-21B (14.5-15 feet bgs), SB-22 (16-16.5 feet bgs), SB-21R (14.5-15 feet bgs), and SB-22R (16-16.5 feet bgs). In November 2021, soil borings SB-21R and SB-22R were advanced adjacent to SB-21 and SB-22 to confirm the historical exceedances at 14.5-15 feet bgs (SB-21) and 16-16.5 feet bgs (SB-22). Soil samples collected from both intervals contained exceedances for ethylbenzene (SB-21R – 21 mg/kg, SB-22R – 61 mg/kg). The calculated alternative remediation standard (ARS) for ethylbenzene, based on concentrations from 12 – 17 feet bgs, is 120 mg/kg.

Information regarding chemical concentrations with their relevant NJDEP soil standards and Chemical Abstracts Service Registry Number (CASRN) are provided in **Table B-2.1**.

Details regarding soil sample location identification, the sample total depth, and the remaining concentration of each contaminant for the soil sample locations that exceed the NJDEP soil remediation standards are provided in **Table B-2.2**.

The NJDEP requires the use of an institutional control and soil remedial action permit, pursuant to N.J.A.C. 7:26C-7, for an ARS based on a site-specific depth range of contamination that begins at a depth greater than zero feet below ground surface to ensure that the continued use of the ARS for soil remains valid. These institutional controls and permits are necessary to prevent excavation of the uncontaminated material above the contaminated soil, which would alter contaminant flux and thus the ARS. Therefore, a soil RAP will be submitted once the deed notice is recorded.

Table B-2.1
Soil Analytical Data
Former Service Station No. 915
78 South Street
Freehold, New Jersey

NJDEP Criteria	Ethylbenzene (mg/kg)
Inhalation Soil Remediation Standard	10
Inhalation Alternative Remediation Standard	120
Chemical Abstracts Service Registry Number (CASRN)	100-41-4

Table B-2.2
Soil Analytical Data
Former Service Station No. 915
78 South Street
Freehold, New Jersey

Soil Boring ID	Depth Interval (feet)	Date	Ethylbenzene
Inhalation SRS			10
ARS*			120
WO-1	NA	3/24/1992	-
WO-2	NA	3/24/1992	-
WO-3	NA	3/24/1992	ND
PES-1	13.5 - 14.0	3/24/1992	ND
PES-2	13.5 - 14.0	3/24/1992	ND
PES-3	13.5 - 14.0	3/24/1992	ND
PES-4	13.5 - 14.0	3/24/1992	ND
PES-5	13.5 - 14.0	3/24/1992	ND
PES-6	13.5 - 14.0	3/24/1992	ND
PES-7	13.5 - 14.0	3/24/1992	ND
PES-8	13.5 - 14.0	3/24/1992	ND
PES-9	13.5 - 14.0	3/24/1992	ND
PES-10	13.5 - 14.0	3/24/1992	0.021
PES-11	13.5 - 14.0	3/24/1992	0.61
PES-12	13.5 - 14.0	3/24/1992	ND
B-1	12.0 - 14.0	6/26/1995	1.9
B-2	NA	6/26/1995	-
B-3	NA	6/26/1995	-
B-4	12.0 - 14.0	6/26/1995	0.011
B-5	12.0 - 14.0	6/26/1995	-
HP-1	12.0 - 14.0	6/26/1995	-
HP-2	12.0 - 14.0	6/26/1995	-
MW-5	12.0 - 14.0	6/26/1995	-
MW-6	7.0 - 8.0	2/16/1996	-
MW-7	7.0 - 8.0	2/16/1996	-
HP-3	7.0 - 8.0	2/16/1996	-
HP-4	7.0 - 8.0	2/16/1996	2.2
SB-1	13.0 - 15.0	10/30/2002	ND
SB-2	13.5 - 15.5	10/30/2002	ND
SB-3	12.5 - 15.0	10/30/2002	ND
SB-4	14.0 - 15.0	10/30/2002	2.38
SB-5	14.0 - 15.0	10/30/2002	61.8
SB-6	10.0 - 12.0	10/30/2002	0.775
SB-7	15.0 - 17.0	10/30/2002	0.642
SB-8	14.0 - 15.0	10/30/2002	ND
5A(19.5-20)	19.5 - 20.0	11/9/2010	0.0014
9A(14.5-15)	14.5 - 15.0	11/9/2010	4.400
9B(19.5-20)	19.5 - 20.0	11/9/2010	0.0024
10A(14.5-15)	14.5 - 15.0	11/9/2010	7.6
10B(19.5-20)	19.5 - 20.0	11/9/2010	ND
11A(14.5-15)	14.5 - 15.0	11/9/2010	69.0
11B(19.5-20)	19.5 - 20.0	11/9/2010	0.013
SB-12A	14.0 - 14.5	11/15/2011	ND
SB-12B	17.5 - 18.0	11/15/2011	ND
SB-13A	13.5 - 14.0	11/15/2011	0.114
SB-13B	19.0 - 19.5	11/15/2011	ND
SB-14A	12.0 - 12.5	11/15/2011	66.7
SB-14B	16.0 - 16.5	11/15/2011	48.6
SB-14C	19.5 - 20.0	11/15/2011	0.0384
SB-15A	14.5 - 15.0	11/15/2011	86.2
SB-15B	19.5 - 20.0	11/15/2011	0.0412
SB-16A	7.5 - 8.0	11/15/2011	0.32
SB-16B	14.5 - 15.0	11/15/2011	96.2
SB-16C	19.5 - 20.0	11/15/2011	0.032
SB-17A	12.5 - 13.0	11/29/2012	ND
SB-17B	17.5 - 18.0	11/29/2012	1.55
SB-18A	13.5 - 14.0	11/29/2012	6.81
SB-18B	16.5 - 17.0	11/29/2012	33.7
SB-19A	11.5 - 12.0	11/29/2012	1.11
SB-19B	16.5 - 17.0	11/29/2012	46.9
SB-20A	12.5 - 13.0	11/29/2012	49.5
SB-20B	16.0 - 16.5	11/29/2012	6.16
SB-21A	12.0 - 12.5	11/30/2012	6.98
SB-21B	14.5 - 15.0	11/30/2012	90.4
SB-22	16.0 - 16.5	11/30/2012	28.90
SB-1R-A	14.5 - 15.0	11/29/2012	ND
SB-1R-B	16.5 - 17.0	11/29/2012	ND
SB-1RR	14.5 - 15.0	3/26/2021	-
SB-7R	15.5 - 16.0	3/26/2021	-
WO-3R	8.0 - 8.5	3/26/2021	-
SB-21R	14.5 - 15.0	11/8/2021	21
SB-22R	16.0 - 16.5	11/8/2021	61

Notes:

- SRS = Soil Remediation Standard
- ARS = Alternative Remediation standard based of 12' - 17' bgs
- ND = Not detected (laboratory reporting limit)
- NA = Not Applicable
- BOLD** = Results above SRS

EXHIBIT C

EXHIBIT C-1

Notice in Lieu of Deed Notice as Institutional Control

Current and subsequent owners, operators and lessees will be advised of the conditions and provided copies of the Notice in Lieu of Deed Notice.

Approximately 138,147 cubic feet of ethylbenzene impacted soil is being restricted for the Former BP Service Station #915 Site ("Site"), adjacent road Highway 79, and adjacent sidewalks located at the property address of 78 South Street in the Borough of Freehold New Jersey, which is designated as Block 82, Lot 16 ("Property"). By operation of this Notice in Lieu of Deed Notice as an institutional control, the Property will be restricted to non-residential use. The objective of this Notice in Lieu of Deed Notice is to reduce the likelihood of contact with the ethylbenzene impacted soil beneath the impermeable asphalt and concrete surface at this Property.

Monitoring of institutional controls will occur every two years. Monitoring is necessary to determine if:

- Any disturbances of the soil in the Restricted Area could have resulted in the unacceptable exposure to the impacted soil;
- Any land use changes occurred subsequent to the filing of this Notice in Lieu of Deed Notice or the most recent Biennial Certification Report, whichever is more recent;
- The current land use on the property remains consistent with the restrictions in this Notice in Lieu of Deed Notice;
- Any newly promulgated or modified requirements of applicable regulations or laws apply to the Property; and
- Any new standards, regulations, or laws apply to the Property that might necessitate additional sampling in order to evaluate the protectiveness of the remedial action which includes this Notice in Lieu of Deed Notice, and conduct the necessary sampling.

Biennial certification will be submitted to the New Jersey Department of Environmental Protection (NJDEP) every two years by the anniversary of the date stamped on the Notice in Lieu of Deed Notice that indicates when the Notice in Lieu of Deed Notice was recorded. A description of the following items will be included in the biennial certification:

- A monitoring report that describes the specific activities, pursuant to the general Notice in Lieu of Deed Notice description and monitoring descriptions above, conducted in support of the biennial certification of the protectiveness of the remedial action that includes this Notice in Lieu of Deed Notice;
- Land use at the site is consistent with the restrictions in this Notice in Lieu of Deed Notice; and
- The remedial action that includes this Notice in Lieu of Deed Notice continues to be protective of the public health and safety and of the environment.

	AYE	NAY	ABSENT	ABSTAIN	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO					ROGERS			
JORDAN					SCHNURR			
REICH					SHUTZER			

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.
Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF ANY AND ALL DOCUMENTS NECESSARY FOR PARTICIPATION IN THE LOW-INCOME HOUSEHOLD WATER ASSISTANCE PROGRAM (LIHWAP)

WHEREAS, the Borough of Freehold, County of Monmouth (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, access to safe and affordable drinking water and wastewater services is a fundamental element of health, safety, and well-being for households across America; and

WHEREAS, for many low-income households across America, water affordability needs have been significantly exacerbated by the COVID-19 public health crisis, and while water is required to follow the federal guidance from the Centers for Disease Control and Prevention (CDC) advising washing hands frequently in order to reduce the transmission of Covid-19, the pandemic has made it significantly more difficult for individuals and families to pay their home drinking water and wastewater bills; and

WHEREAS, the Low-Income Household Water Assistance Program (LIHWAP) provides critical nationwide emergency support; and

WHEREAS, LIHWAP, a federally funded, State of New Jersey facilitated, COVID-19 relief related assistance program has been made available to the Borough; and

WHEREAS, in order for eligible residents in the Borough to participate in this program, the Borough must enter into a Contract for Services with the Low Income Household Water Assistance Program (LIHWAP) through the New Jersey Department of Community Affairs.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to be and is hereby authorized to execute the Contract for Services with the Low Income Household Water Assistance Program (LJHWAP) NJ Department of Community Affairs, the Data Sharing Agreement Between the State of New Jersey Department of Community Affairs and the Borough of Freehold, and any other documents necessary for participation in the Low Income Household Water Assistance Program.

3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

4. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

5. This Resolution shall take effect as provided by applicable law.

OFFERED BY:	AYE	NAY	ABSENT	ABSTAIN	SECONDED BY:	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO					ROGERS				
JORDAN					SCHNURR				
REICH					SHUTZER				

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.

Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING THE EXECUTION OF SHARED SERVICES AGREEMENT WITH THE COUNTY OF MONMOUTH AND THE MONMOUTH COUNTY SHERIFF’S OFFICE FOR THE PROVISION OF EMERGENCY DISPATCH SERVICES

WHEREAS, the Borough of Freehold, County of Monmouth (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the County of Monmouth, a body politic of the State of New Jersey (the “County”) and the Monmouth County Sheriff’s Office (the “Sheriff’s Office”) provides emergency dispatch services by serving as the public safety answering point and relaying, transferring or directing emergency dispatch to the Borough and the Borough’s emergency responders; and

WHEREAS, the emergency dispatch services are governed by a shared services agreement between the Borough, the County and the Sheriff’s Office; and

WHEREAS, the Borough seeks to enter into a renewal of the shared services agreement for a term of three (3) years as of January 1, 2023 through December 31, 2025 (the “Shared Services Agreement”); and

WHEREAS, the fee for the emergency dispatch services paid from the Borough to the County for 2023 shall be \$206,313.00 for the full year of the Share Services Agreement and shall be subject to a 2.0% increase for the second year of the Shared Services Agreement with another 2.0% increase for the third year of the Shared Services Agreement; and

WHEREAS, it is in the best interests of the Borough to approve and to authorize the Borough Administrator, the Mayor, and other reasonably necessary personnel to enter into a Shared Services Agreement with the County and the Sheriff’s Office; and

WHEREAS, the Chief Financial Officer has certified that, contingent upon Council approval and inclusion of said item in the Temporary Budget and the adopted 2023 Budget, that sufficient funds for said contract will be made available in the following account(s): 3-01-7-764-568.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. The Mayor of the Borough, the Borough Administrator and other reasonably necessary personnel are hereby authorized and directed to enter into the Shared Services Agreement with the County of Monmouth and the Monmouth County Sheriff's Office consistent with the dictates of that certain proposed Shared Services Agreement, for the provision of emergency dispatch services, substantially in the form on file with the Borough Clerk, subject to such additions, deletions, modifications or amendments deemed necessary by the Mayor of the Borough in his discretion in consultation with legal counsel, which additions, deletions, modifications or amendments do not alter the substantive rights and obligations of the parties thereto, and to take all other necessary and appropriate action to effectuate the Agreement.

3. If any part of this Resolution shall be deemed invalid, such parts shall be severed and the invalidity thereby shall not affect the remaining parts of this Resolution.

4. A copy of this Resolution shall be available for public inspection at the offices of the Borough Clerk.

5. This Resolution shall take effect as provided by applicable law.

**SHARED SERVICE AGREEMENT
FOR THE PROVISION OF EMERGENCY DISPATCH SERVICES
BY THE COUNTY OF MONMOUTH, THROUGH
THE MONMOUTH COUNTY
SHERIFF'S OFFICE, COMMUNICATIONS DIVISION**

THIS SHARED SERVICE AGREEMENT (the "Agreement") is made this ___ day of _____, 20___ by and between the COUNTY OF MONMOUTH, a body politic of the state of New Jersey, having its principal offices located at the Hall of Records, 1 E. Main Street, Freehold, New Jersey 07728 and the MONMOUTH COUNTY SHERIFF'S OFFICE with its principal offices located at 2500 Kozloski Road, Freehold, New Jersey 07728 (hereinafter jointly referred to as the "County"), and BOROUGH OF FREEHOLD, in the County of Monmouth, a municipal corporation of the State of New Jersey, (referred to as the "Municipality").

IT IS AGREED:

1. **Services.**

- The County, under the auspices of the Monmouth County Sheriff's Office, Communications Division, will serve as the Public Safety Answering Point (PSAP) for the Municipality, in accordance with the participation plan previously submitted by the Municipality. The County will provide all calls to the Municipality by call relay, transfer, or direct emergency dispatch, in accordance with the Municipality's participation plan. The system will meet the technical requirements and operational standards set forth in *N.J.A.C. 17:24-1, et seq.* The County will provide direct emergency dispatch services for Police, Fire and Emergency Medical Services (EMS) for the Municipality.
- The County will provide computer related services to support any call taking and dispatching functions for the Municipality as may be required. Public safety software and related features/capabilities may include, but are not limited to, mobile client, field reporting, Computer Aided Dispatch (CAD) and records management.
- The Municipality will maintain and support all local hardware, routers and air cards.

- The County will maintain and support all core infrastructure equipment and systems located at the Communications Division, which includes all routers and servers.
 - If the Municipality decides to procure and utilize an Automatic License Plate Recognition (ALPR) system, then the County will physically store and maintain a server environment to host a regional ALPR system, subject to the following provisions:
 - i. The Municipality shall procure and maintain all local equipment to operate an ALPR system, including all recurring costs associated with setting up the local ALPR system. This equipment shall include, but not be limited to client computers, local servers, cameras, network infrastructure to connect to the regional ALPR network.
 - ii. The County shall have the Municipality's ALPR data available 24/7 or for the maximum uptime, given routine server service and unplanned outages.
 - iii. The regional server environment shall be redundant, to minimize downtime and to ensure the highest level of system availability.
 - iv. Both parties shall employ the same data security practices when utilizing the local ALPR system as is required when accessing and utilizing the National Crime Information Center (NCIC) system.
2. **Term.** The County shall provide said services for a three (3) year period commencing January 1, 2023, or as soon thereafter as the services begin, through December 31, 2025.
3. **Compensation.** The full 2023 fee to be paid by the Municipality shall be \$206,313.00. The annual fee for the 2nd and 3rd years of the Agreement shall be subject to a 2.0% increase for each year. Upon receipt of a proper invoice from the County, the Municipality shall pay the annual fee on or about April 1st of each year.

Municipality contact person who handles billing:

Name: _____

Title: _____

Phone & Email: _____

4. **Authorization.** This Agreement is permitted under the New Jersey Uniform Shared Services and Consolidation Act pursuant to *N.J.S.A. 40A:65-1, et seq.*

5. **Indemnification.** The County shall defend, indemnify and save harmless the Municipality, its officers, agents and employees from and against all suits, costs (including attorney fees and costs), claims, expenses, liabilities, and judgments of every kind to which the Municipality may be subjected by reason of any actions or inactions by the County or its officers, agents or employees.

The Municipality shall defend, indemnify and save harmless the County, its officers, agents and employees from and against all suits, costs (including attorney fees and costs), claims, expenses, liabilities, and judgments of every kind to which the County may be subjected by reason of any actions or inactions by the Municipality or its officers, agents or employees.

6. **Termination.** Either party may terminate this Agreement with a minimum of ninety (90) days written notice, with or without cause. The County explicitly reserves the right to terminate this Agreement upon immediate written notice for the following reasons:

- (a) The Municipality has failed to make timely payment for services rendered, in response to the County's invoice.

(b) The Municipality has failed to comply with the State and County system guidelines, provided that the Municipality has been notified of the failure(s) and not cured the failure(s) within a reasonable time following such notice.

7. **Filing of Agreement.** The Clerk of the County's Board of County Commissioners shall file a fully executed copy of this Agreement with the Division of Local Government Services, New Jersey Department of Community Affairs.
8. **Authority to Execute.** Each party to this Agreement represents to the other party that its governing body has duly adopted a resolution or ordinance authorizing the execution of this Agreement.
9. **Choice of Law.** This Agreement shall be governed by and interpreted in accordance with the laws of the State of New Jersey.
10. **Counterparts.** This Agreement may be fully executed in any number of counterparts, each of which shall be deemed to be an original and all of which taken together shall constitute one agreement binding upon all parties, notwithstanding that all parties have not signed the same counterpart. Such executions may be transmitted to the parties electronically or by facsimile, and such electronic or facsimile execution shall have the same force and effect as an original signature.
11. **Notices.** Any notices that are provided pursuant to this Agreement shall be in writing (including facsimile and electronic transmissions) and mailed or transmitted or delivered as follows:

To the County:

County of Monmouth
Address: 1 East Main Street, Freehold NJ 07728
Attn: Elizabeth Perez, Shared Services Coordinator
Email: Elizabeth.perez@co.monmouth.nj.us
Fax:

To the Municipality:

Or to such other address or individual as any party may from time to time notify the other.

SIGNATURE PAGE TO FOLLOW

IN WITNESS WHEREOF, the parties have caused this Agreement to be signed, attested and sealed by their respective and duly authorized officials.

COUNTY OF MONMOUTH

[MUNICIPALITY]

By: Thomas Arnone
Title: Commissioner Director

By: _____
Title: _____

Date: _____

Date: _____

ATTEST:

ATTEST

Clerk of the Board

Municipal Clerk

MONMOUTH COUNTY SHERIFF'S OFFICE

By: Shaun Golden
Title: Sheriff

Date: _____

WITNESS/ATTEST:

OFFERED BY:	SECONDED BY:								
	AYE	NAY	ABSENT	ABSTAIN	AYE	NAY	ABSENT	ABSTAIN	
DI BENEDETTO					ROGERS				
JORDAN					SCHNURR				
REICH					SHUTZER				

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.

Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING AN INCREASE IN THE CONTRACT AMOUNT FOR RAINONE COUGHLIN MINCHELLO, LLC

WHEREAS, the Borough of Freehold, County of Monmouth (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, on October 5, 2020, Resolution No. 140-20 was introduced and adopted by the Borough Council authorizing a professional services agreement with Rainone Coughlin Minchello, LLC to act as litigation counsel in an affordable housing action in an amount not to exceed \$45,000; and

WHEREAS, due to the nature of the litigation and the time necessary for same, on August 2, 2021, Resolution No. 151-21 was introduced and adopted by the Borough Council authorizing an increase in the contractual amount not to be exceeded from \$45,000 to \$80,000; and

WHEREAS, as a result of additional claims being filed, on May 16, 2022, Resolution No. 120-22 was introduced and adopted by the Borough Council authorizing an increase in the contractual amount not to be exceeded from \$80,000 to \$105,000; and

WHEREAS, as a result of the time necessary to represent the Borough, an increase in the contractual amount not to be exceeded from \$105,000 to \$112,500 is necessary; and

WHEREAS, the Borough Administrator has reviewed the request and recommends the contract change be authorized; and

WHEREAS, the Chief Financial Officer has certified that, contingent upon Council approval and inclusion of said item in the Temporary Budget and the adopted 2023 Budget, that sufficient funds for said contract will be made available in the following account(s): 3-01-1-115-510; and

WHEREAS, the Local Public Contracts Law requires that a resolution authorizing the awarding of a contract for professional services “without competitive bidding” must be passed by

the governing body and shall be advertised and be available for inspection by members of the public; and

WHEREAS, this contract increase is awarded without competitive bidding as a "Professional Service" in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the service to be provided are legal services requiring considerable training and specialized study.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough authorizes the increase in the amount not to exceed from \$105,000 to \$112,500 due to the additional claims brought so as to properly defend the Borough in affordable housing litigation;
3. The Borough Clerk shall forward a certified copy of this resolution to the Director of the Division of Local Government Services, the Borough Finance Officer, the Borough Administrator and Louis N. Rainone, Esq. and shall publish same according to law.

OFFERED BY:	SECONDED BY:
AYE NAY ABSENT ABSTAIN	AYE NAY ABSENT ABSTAIN
DI BENEDETTO	ROGERS
JORDAN	SCHNURR
REICH	SHUTZER

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.

Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY ENCOURAGING THE LEGISLATURE TO ENACT THE GRASS CARP PILOT COMMISSION

WHEREAS, the Borough of Freehold, County of Monmouth (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the grass carp (*Ctenopharyngodon idella*) is one of the largest members of the minnow family, commonly reaching weights in excess of 25 pounds; and

WHEREAS, native to the rivers of eastern China and Russia, grass carp have been introduced into over 50 countries worldwide due to its uncanny ability to control a wide variety of aquatic plant species; and

WHEREAS, legislation has been introduced to have the Department of Environmental Protection establish a pilot program concerning the use of triploid grass carp in freshwater lakes as an alternative to the use of herbicide to control aquatic plants; and

WHEREAS, Lake Topanemus has been a long-time favorite spot for those who like to fish, jog, bike, boat, picnic, walk, and birdwatch and aquatic plant control is important for maintaining its natural beauty.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Freehold Borough Governing Body fully supports the passage of bill establishing the triploid grass carp pilot program.

BE IT FURTHER RESOLOVED that the Clerk shall forward a certified copy of this Resolution to Governor Phil Murphy and the members of the Eleventh Legislative District Delegation.

OFFERED BY:	AYE	NAY	ABSENT	ABSTAIN	SECONDED BY:	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO					ROGERS				
JORDAN					SCHNURR				
REICH					SHUTZER				

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.

Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY RATIFYING AND CONFIRMING THE EXECUTION OF A LEASE AGREEMENT WITH CONGRESSMAN ANDREW N. KIM

WHEREAS, the Borough of Freehold, County of Monmouth (the "Borough") is a public body corporate and politic of the State of New Jersey; and

WHEREAS, Congressman Andrew N. Kim requested to lease office space from the Borough in the municipal building for his home district; and

WHEREAS, Congressman Kim presented a district office lease for review and approval of the Borough; and

WHEREAS, due to certain time constraints by the U.S. House of Representatives, it was necessary for the Mayor to execute the lease agreement and return it to Congressman Kim.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and the Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.
2. The Borough Council accepts the action of the Mayor and hereby ratifies and approves the actions taken as to the execution of the lease agreement with Congressman Kim.
3. The Mayor, Borough Administrator, and/or Borough Clerk is further authorized to sign any documents necessary as to the lease agreement without further authorization by the governing body;

District Office Lease – Instructions

NO LEASE OR ATTACHMENT CAN BE SIGNED BEFORE THEY HAVE BEEN APPROVED BY THE OFFICE OF ADMINISTRATIVE COUNSEL.

The term for a District Office Lease for the 118th Congress may not commence prior to January 3, 2023.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 118th Congress, leases should end on January 2, 2025, rather than December 31, 2024.

- The Member/Member-Elect is required to personally sign the documents.
- Prior to either party signing a Lease, the Member/Member-Elect must submit the proposed Lease, accompanied by the District Office Lease Attachment for the 118th Congress (“Attachment”), to the Office of Administrative Counsel (“Administrative Counsel”) via e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357) for review and approval.
- After the Lease or Amendment, accompanied by the Attachment are executed by both parties, a copy must be submitted to Administrative Counsel via e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357) for final approval.
- If approved, Administrative Counsel will notify the Office of Finance that monthly rental payments can begin. If changes are necessary, Administrative Counsel will contact the office of the Member/Member-Elect.
- The parties agree that any charges for default, early termination, or cancellation of the Lease or Amendment which result from actions taken by or on behalf of the Lessee shall be the Lessee’s sole responsibility and are not reimbursable from the Member’s Representational Allowance.

Instructions for completing the District Office Lease (“Lease”):

- Preamble — Insert:
 - Landlord’s name; Landlord’s address; and Member/Member-Elect’s name
- Section 1 — Insert:
 - Square footage of the leased office (if known)
 - Street address including city, state, and ZIP of the leased office
- Section 3 — Insert:
 - Date lease begins (must be on or after January 3, 2023)
 - Date lease ends (must be on or before January 2, 2025)
- Section 4 — Insert the amount of monthly rent. If there is no rent, insert “\$0.00”. If rent is not constant over the lease term, insert “See Section 11” and note any rent variations in Section 11.
- Section 5 — Insert the number of days’ notice required for either party to terminate the lease before the end of the term. If the lease may not terminate early, enter “N/A” in this blank.
- Section 11 — Insert any additional lease provisions.

Note: Sections 1-9, other than filling in the blanks, may not be altered or deleted.

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease

(Page 1 of 3 – 118th Congress)

Pursuant to 2 U.S.C.A. § 4313, and the Regulations of the Committee on House Administration (as modified from time to time by Committee Order) relating to office space in home districts, _____
Borough of Freehold, 30 Mechanic Street, Freehold, NJ 07728

(Landlord's name)

(Landlord's street address, city, state, ZIP code)

("Lessor"), and Andrew N. Kim, a Member/Member-Elect of the U.S. House of Representatives ("Lessee"), agree as follows:

1. **Location.** Lessor shall lease to Lessee 960 square feet of office space located at 30 Mechanic Street
(Office street address)
in the city, state and ZIP code of Freehold, NJ 07728.
(Office city, state and ZIP)
2. **Lease Amenities.** Lessee shall be entitled to receive and Lessor shall be required to provide the amenities selected in Section A of the District Office Lease Attachment ("Attachment") accompanying this Lease.
3. **Term.** Lessee shall have and hold the leased premises for the period beginning February 1, 2023 and ending January 2, 2025. The term of this District Office Lease ("Lease") may not exceed two (2) years and may not extend beyond January 2, 2025, which is the end of the constitutional term of the Congress to which the Member is elected.
4. **Rent.** The monthly rent shall be \$1200.00, and is payable in arrears on or before the last day of each calendar month. Rent payable under this Lease shall be prorated on a daily basis for any fraction of a month of occupancy.
5. **Early Termination.** This Lease may be terminated by either party giving 30 days' prior written notice to the other party. The commencement date of such termination notice shall be the date such notice is delivered or, if mailed, the date such notice is postmarked.
6. **Payments.** During the term of this Lease, rent payments under Section 4 of this Lease shall be remitted to the Lessor by the Chief Administrative Officer of the U.S. House of Representatives (the "CAO") on behalf of the Lessee.
7. **District Office Lease Attachment for 118th Congress.** The District Office Lease Attachment attached hereto is incorporated herein by reference, and this Lease shall have no force or effect unless and until accompanied by an executed District Office Lease Attachment for the 118th Congress.
8. **Counterparts.** This Lease may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
9. **Section Headings.** The section headings of this Lease are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

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District Office Lease

(Page 2 of 3 – 118th Congress)

10. **Modifications.** Any amendments, additions or modifications to this Lease inconsistent with Sections 1 through 9 above shall have no force or effect to the extent of such inconsistency.
11. **Other.** Additionally, the Lessor and the Lessee agree to the following:

[Signature page follows.]

U.S. House of Representatives

Washington, D.C. 20515

District Office Lease

(Page 3 of 3 – 118th Congress)

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease as of the later date written below by the Lessor or the Lessee.

Borough of Freehold

Print Name of Lessor/Landlord/Company

Print Name of Lessee

By: _____

Lessor Signature

Name: Kevin A. Kane

Title: Mayor

Lessee Signature

Date

Date

This District Office Lease must be accompanied with an executed District Office Lease Attachment.

District Office Lease Attachment- Instructions

The District Office Lease Attachment (“Attachment”) must accompany *every* Lease or Amendment submitted for a Member/Member-elect’s District Office.

THE OFFICE OF ADMINISTRATIVE COUNSEL MUST APPROVE ANY LEASE, AMENDMENT, OR ATTACHMENT PRIOR TO SIGNATURE.

The term of a District Office Lease or Amendment for the 118th Congress may not commence prior to January 3, 2023.

Members should endeavor to lease space through the last day of a congressional term rather than the last day of a calendar year. For the 118th Congress, leases should end on January 2, 2025, not December 31, 2024.

- The Member/Member-elect is required to personally sign the documents.
- The Lessor must complete the amenities checklist in Section A (“Lease Amenities”), including both the “required amenities” and “optional amenities” portions.
- Section B (“Additional Lease Terms”) of the Attachment SHALL NOT have any provisions deleted or changed.
- Prior to either party signing a Lease or an Amendment, the Member/Member-elect must submit the proposed Lease or Amendment, accompanied by the Attachment, to the Office of Administrative Counsel (“Administrative Counsel”) via e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357) for review and approval.
- If Administrative Counsel determines that the proposed terms and conditions of the Lease or Amendment comply with applicable law and House Rules and Regulations, Administrative Counsel will notify the Member/Member-elect to proceed with the execution of the Lease or Amendment.
- Once signed by both parties, the Lease or the Amendment, accompanied by the Attachment, must be submitted to Administrative Counsel via e-mail in PDF form (leases@mail.house.gov) or fax (202-226-0357) for final approval.
- Without a properly signed and submitted Attachment, the Lease or Amendment cannot be approved by Administrative Counsel and payments will not be made.
- If approved, Administrative Counsel will notify the Office of Finance that monthly rental payments can begin. If changes are necessary, Administrative Counsel will contact the office of the Member/Member-elect.
- The parties agree that any changes for default, early termination, or cancellation of the Lease or Amendment which result from actions taken by or on behalf of the Lessee shall be the Lessee’s sole responsibility and are not reimbursable from the Members’ Representational Allowance.
- Lessor shall provide a copy of any assignment, estoppel certificate, notice of a bankruptcy or foreclosure, or notice of a sale or transfer of the leased premises to Administrative Counsel via e-mail in PDF form (leases@mail.house.gov).

District Office Lease Attachment

(Page 1 of 5 – 118th Congress)

SECTION A (Lease Amenities)

Section A sets forth the amenities provided by the Lessor to be included in the Lease. Except as noted below, the amenities listed are not required for all district offices.

To be completed by the Lessor (required amenities):

* High-Speed Internet Available Within the Leased Space.

Please list any internet providers known to provide service to the property:

* Interior Wiring CAT 5e or Better within Leased Space.

To be completed by the Lessor (optional amenities):

- Amenities are separately listed elsewhere in the Lease.
(The below checklist can be left blank if the above box is checked.)

The Lease includes (please check and complete all that apply):

- Lockable Space for Networking Equipment.
- Telephone Service Available.
- Parking. _____ Assigned Parking Spaces
_____ Unassigned Parking Spaces
- General Off-Street Parking on an As-Available Basis
- Utilities. Includes: Power/Water/Heat
- Janitorial Services. Frequency: _____
- Trash Removal. Frequency: _____
- Carpet Cleaning. Frequency: _____
- Window Washing. Window Treatments.
- Tenant Alterations Included In Rental Rate.
- After Hours Building Access.
- Office Furnishings. Includes: _____
- Cable TV Accessible. If checked, Included in Rental Rate: Yes No
- Building Manager. Onsite On Call Contact Name: _____

Phone Number: _____ Email Address: _____

District Office Lease Attachment

(Page 2 of 5 – 118th Congress)

SECTION B **(Additional Lease Terms)**

1. **Incorporated District Office Lease Attachment.** Lessor (Landlord) and Lessee (Member/Member-elect of the U.S. House of Representatives) agree that this District Office Lease Attachment (“Attachment”) is incorporated into and made part of the Lease (“Lease”) and, if applicable, District Office Lease Amendment (“Amendment”) to which it is attached.
2. **Performance.** Lessor expressly acknowledges that neither the U.S. House of Representatives (the “House”) nor its Officers are liable for the performance of the Lease. Lessor further expressly acknowledges that payments made by the Chief Administrative Officer of the House (the “CAO”) to Lessor to satisfy Lessee’s rent obligations under the Lease – which payments are made solely on behalf of Lessee in support of his/her official and representational duties as a Member of the House – shall create no legal obligation or liability on the part of the CAO or the House whatsoever. Lessee shall be solely responsible for the performance of the Lease and Lessor expressly agrees to look solely to Lessee for such performance.
3. **Modifications.** Any amendment to the Lease must be in writing and signed by the Lessor and Lessee. Lessor and Lessee also understand and acknowledge that the Administrative Counsel for the CAO (“Administrative Counsel”) must review and give approval of any amendment to the Lease prior to its execution.
4. **Compliance with House Rules and Regulations.** Lessor and Lessee understand and acknowledge that the Lease shall not be valid, and the CAO will not authorize the disbursement of funds to the Lessor, until Administrative Counsel has reviewed the Lease to determine that it complies with the Rules of the House and the Regulations of the Committee on House Administration, and approved the Lease by signing the last page of this Attachment.
5. **Payments.** The Lease is a fixed term lease with monthly installments for which payment is due in arrears on or before the end of each calendar month. In the event of a payment dispute, Lessor agrees to contact the Office of Finance, U.S. House of Representatives, at 202-225-7474 to attempt to resolve the dispute before contacting Lessee.
6. **Void Provisions.** Any provision in the Lease purporting to require the payment of a security deposit shall have no force or effect. Furthermore, any provision in the Lease purporting to vary the dollar amount of the rent specified in the Lease by any cost of living clause, operating expense clause, pro rata expense clause, escalation clause, or any other adjustment or measure during the term of the Lease shall have no force or effect.
7. **Certain Charges.** The parties agree that any charge for default, early termination or cancellation of the Lease which results from actions taken by or on behalf of the Lessee shall be the sole responsibility of the Lessee and shall not be paid by the CAO on behalf of the Lessee.
8. **Death, Resignation or Removal.** In the event Lessee dies, resigns or is removed from office during the term of the Lease, the Clerk of the House may, at his or her sole option, either: (a) terminate the Lease by giving thirty (30) days’ prior written notice to Lessor; or (b) assume the obligation of the Lease and continue to occupy the premises for a period not to exceed sixty (60) days following the certification of the election of the Lessee’s successor. In the event the Clerk elects to terminate the Lease, the commencement date of such thirty (30) day termination notice

District Office Lease Attachment

(Page 3 of 5 – 118th Congress)

shall be the date such notice is delivered to the Lessor or, if mailed, the date on which such notice is postmarked.

9. **Term.** The term of the Lease may not exceed the constitutional term of the Congress to which the Lessee has been elected. The Lease may be signed by the Member-elect before taking office. Should the Member-elect not take office to serve as a Member of the 118th Congress, the Lease will be considered null and void.
10. **Early Termination.** If either Lessor or Lessee terminates the Lease under the terms of the Lease, the terminating party agrees to promptly file a copy of any termination notice with the Office of Finance, U.S. House of Representatives, Attn: Kellie Wilson, via e-mail at FCLeasePayments@mail.house.gov, and with the Administrative Counsel by e-mail at leases@mail.house.gov.
11. **Assignments.** Lessor shall provide thirty (30) days prior written notice to Lessee before assigning any of its rights, interests or obligations under the Lease, in whole or in part, by operation of law or otherwise. Lessor shall promptly file a copy of any such assignment notice with Administrative Counsel by e-mail at leases@mail.house.gov. Lessee and the House shall not be responsible for any misdirected payments resulting from Lessor's failure to file an assignment notice in accordance with this section.
12. **Sale or Transfer of Leased Premises.** Lessor shall provide thirty (30) days prior written notice to Lessee in the event (a) of any sale to a third party of any part of the leased premises, or (b) Lessor transfers or otherwise disposes of any of the leased premises, and provide documentation evidencing such sale or transfer in such notice. Lessor shall promptly file a copy of any such sale or transfer notice with Administrative Counsel by e-mail at leases@mail.house.gov.
13. **Bankruptcy and Foreclosure.** In the event (a) Lessor is placed in bankruptcy proceedings (whether voluntarily or involuntarily), (b) the leased premises is foreclosed upon, or (c) of any similar occurrence, Lessor agrees to promptly notify Lessee in writing. Lessor shall also promptly file a copy of any such notice via e-mail with the Office of Finance, U.S. House of Representatives, Attn: Kellie Wilson, via e-mail at FCLeasePayments@mail.house.gov, and with Administrative Counsel by e-mail at leases@mail.house.gov.
14. **Estoppel Certificates.** Lessee agrees to sign an estoppel certificate relating to the leased premises (usually used in instances when the Lessor is selling or refinancing the building) upon the request of the Lessor. Such an estoppel certificate shall require the review of Administrative Counsel, prior to Lessee signing the estoppel certificate. Lessor shall promptly provide a copy of any such estoppel certificate to Administrative Counsel by e-mail at leases@mail.house.gov.
15. **Maintenance of Common Areas.** Lessor agrees to maintain in good order, at its sole expense, all public and common areas of the building including, but not limited to, all sidewalks, parking areas, lobbies, elevators, escalators, entryways, exits, alleys and other like areas.
16. **Maintenance of Structural Components.** Lessor also agrees to maintain in good order, repair or replace as needed, at its sole expense, all structural and other components of the premises including, but not limited to, roofs, ceilings, walls (interior and exterior), floors, windows, doors, foundations, fixtures, and all mechanical, plumbing, electrical and air conditioning/heating

District Office Lease Attachment

(Page 4 of 5 – 118th Congress)

systems or equipment (including window air conditioning units provided by the Lessor) serving the premises.

17. **Lessor Liability for Failure to Maintain.** Lessor shall be liable for any damage, either to persons or property, sustained by Lessee or any of his or her employees or guests, caused by Lessor's failure to fulfill its obligations under Sections 15 and 16.
18. **Initial Alterations.** Lessor shall make any initial alterations to the leased premises, as requested by Lessee and subject to Lessor's consent, which shall not be unreasonably withheld. The cost of such initial alterations shall be included in the annual rental rate.
19. **Federal Tort Claims Act.** Lessor agrees that the Federal Tort Claims Act, 28 U.S.C. §§ 2671-80, satisfies any and all obligations on the part of the Lessee to purchase private liability insurance. Lessee shall not be required to provide any certificates of insurance to Lessor.
20. **Limitation of Liability.** Lessor agrees that neither Lessee nor the House nor any of the House's officers or employees will indemnify or hold harmless Lessor against any liability of Lessor to any third party that may arise during or as a result of the Lease or Lessee's tenancy.
21. **Compliance with Laws.** Lessor shall be solely responsible for complying with all applicable permitting and zoning ordinances or requirements, and with all local and state building codes, safety codes and handicap accessibility codes (including the Americans with Disabilities Act), both in the common areas of the building and the leased space of the Lessee.
22. **Electronic Funds Transfer.** Lessor agrees to accept monthly rent payments by Electronic Funds Transfer and agrees to provide the Office of Finance, U.S. House of Representatives, with all banking information necessary to facilitate such payments.
23. **Refunds.** Lessor shall promptly refund to the CAO, without formal demand, any payment made to the Lessor by the CAO for any period for which rent is not owed because the Lease has ended or been terminated.
24. **Conflict.** Should any provision of this Attachment be inconsistent with any provision of the attached Lease or attached Amendment, the provisions of this Attachment shall control, and those inconsistent provisions of the Lease or the Amendment shall have no force and effect to the extent of such inconsistency.
25. **Construction.** Unless the clear meaning requires otherwise, words of feminine, masculine or neuter gender include all other genders and, wherever appropriate, words in the singular include the plural and vice versa.
26. **Fair Market Value.** The Lease or Amendment is entered into at fair market value as the result of a bona fide, arms-length, marketplace transaction. The Lessor and Lessee certify that the parties are not relatives nor have had, or continue to have, a professional or legal relationship (except as a landlord and tenant).
27. **District Certification.** The Lessee certifies that the office space that is the subject of the Lease is located within the district the Lessee was elected to represent unless otherwise authorized by Regulations of the Committee on House Administration.

District Office Lease Attachment

(Page 5 of 5 – 118h Congress)

28. **Counterparts.** This Attachment may be executed in any number of counterparts and by facsimile copy, each of which shall be deemed to be an original but all of which together shall be deemed to be one and the same instrument.
29. **Section Headings.** The section headings of this Attachment are for convenience of reference only and shall not be deemed to limit or affect any of the provisions hereof.

IN WITNESS WHEREOF, the parties have duly executed this District Office Lease Attachment as of the later date written below by the Lessor or the Lessee.

Borough of Freehold
Print Name of Lessor/Landlord

Print Name of Lessee

By: _____
Lessor Signature
Name: Kevin A. Kane
Title: Mayor

Lessee Signature

Date

Date

From the Member's Office, who is the point of contact for questions?			
Name	Phone ()	E-mail	@mail.house.gov

This District Office Lease Attachment and the attached Lease or Amendment have been reviewed and are approved, pursuant to Regulations of the Committee on House Administration.

Signed _____ Date _____, 20____.
(Administrative Counsel)

U.S. House of Representatives
Substitute W-9 and ACH Vendor/Miscellaneous Payment Enrollment Form

Internal Revenue Code 6109, 31 U.S.C. 3322, 31 CFR 210 and the 1996 Debt Collection Improvement Act require all entities that do business with the United States Government to provide a Tax Identification Number (TIN) and Electronic Funds Transfer (EFT) information for payment. PL 93-579 protects your privacy and mandates that the information never be published or used for any other purpose than to pay you. *Please complete all sections below, sign and return via the email or fax number listed.*

RETURN FORM TO: VendorEFT@mail.house.gov **FAX NUMBER:** (202) 225-6914

SECTION I UNITED STATES HOUSE OF REPRESENTATIVES INFORMATION			
ADDRESS US HOUSE OF REPRESENTATIVES - ACCOUNTING, 3110 O'NEILL FEDERAL BUILDING, WASHINGTON, DC 20515			
AGENCY IDENTIFIER	53-6002523	AGENCY LOCATION CODE	4832
		TELEPHONE NUMBER	(202) 226-2277

SECTION II PAYEE/COMPANY INFORMATION			
NAME (AS SHOWN ON YOUR INCOME TAX RETURN) Borough of Freehold		CHECK APPROPRIATE BOX FOR FEDERAL TAX CLASSIFICATION (required)	
BUSINESS NAME/DISREGARDED ENTITY NAME or DBA, IF DIFFERENT THAN ABOVE		<input type="checkbox"/> Individual/Sole Proprietor <input type="checkbox"/> C Corporation <input type="checkbox"/> S Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/Estate <input type="checkbox"/> Limited Liability Company Enter tax classification (C=C corporation, S=S corporation, P= Partnership) Exempt payee <input checked="" type="checkbox"/>	
TYPE OF TAX IDENTIFICATION NUMBER <input checked="" type="checkbox"/> SOCIAL SECURITY NUMBER (or) EIN	ENTER TAX IDENTIFICATION NUMBER 216000633	<input checked="" type="checkbox"/> OTHER (Other entities. Enter your business name below as shown on required federal tax documents "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/ disregarded entity name" line.) Municipal Corporation	
ADDRESS/CITY/STATE/ZIP 30 Mechanic Street Freehold, NJ 07728		PURCHASE ORDER ADDRESS/CITY/STATE/ZIP	
CONTACT PERSON NAME Stephen Gallo		EMAIL	
EMAIL sgallo@freeholdboro.org		TELEPHONE NUMBER	
TELEPHONE NUMBER 732-462-4200	FAX NUMBER 732-409-1453	TELEPHONE NUMBER	FAX NUMBER
REMIT TO ADDRESS			

SECTION III FINANCIAL INSTITUTION INFORMATION			
BANK NAME (Branch City, State)			
ACH COORDINATOR NAME		TELEPHONE NUMBER	
NINE-DIGIT ROUTING TRANSIT NUMBER			
DEPOSITOR ACCOUNT TITLE			
DEPOSITOR ACCOUNT NUMBER		LOCKBOX NUMBER	
TYPE OF ACCOUNT <input type="checkbox"/> CHECKING <input type="checkbox"/> SAVINGS <input type="checkbox"/> LOCKBOX			

SECTION IV SOCIO-ECONOMIC INFORMATION			
Type of Business <input checked="" type="checkbox"/> Large Business-No Socio-Economic Designations <input type="checkbox"/> Minority <input type="checkbox"/> SmBusiness <input type="checkbox"/> Sm-Disadv/Minority <input type="checkbox"/> Sm-Disadv Only <input type="checkbox"/> SmMin Only			
Sm-Disadvantaged Business Prog <input type="checkbox"/> 8 (a) Firm <input type="checkbox"/> HUBZone Program <input type="checkbox"/> HUBZone Eligible <input type="checkbox"/> Emerging Small Business <input type="checkbox"/> Women-Owned Business			
Other Preference Programs <input type="checkbox"/> Buy Indian <input type="checkbox"/> Directed to JWOD Non-Profit <input type="checkbox"/> No Preference/Not Listed <input type="checkbox"/> Small Business Set-Aside <input type="checkbox"/> Very Small Business Set-Aside			
Veteran Owned Status <input type="checkbox"/> Non-Vet Owned SmBus <input type="checkbox"/> Other Vet Owned SmBus <input type="checkbox"/> Serv-Disabled Vet Other Bus <input type="checkbox"/> Serv-Disabled Vet Owned SB <input type="checkbox"/> Vet-Owned Other Bus			
Size of Business <input type="checkbox"/> (A) 50 or less <input checked="" type="checkbox"/> (B) 51-100 <input type="checkbox"/> (C) 101-250 <input type="checkbox"/> (D) 251-500 <input type="checkbox"/> (E) 501-750 <input type="checkbox"/> (F) 751-1,000 <input type="checkbox"/> (G) Over 1,000 <input type="checkbox"/> (M) 1 million or less <input type="checkbox"/> (N) 1.1-2 million <input type="checkbox"/> (P) 2.1-3.5 million <input type="checkbox"/> (R) 3.1-5 million <input type="checkbox"/> (S) 5.1-10 million <input type="checkbox"/> (T) 10.1-17 million <input type="checkbox"/> (Z) Over 17 million			

SECTION V CERTIFICATION OF DATA BY PAYEE/COMPANY			
NAME Kevin A. Kane		TITLE/POSITION Mayor	
SIGNATURE	DATE	TELEPHONE NUMBER	

**Instructions for Completing
U.S. House of Representatives
Substitute W-9 and ACH Vendor/Miscellaneous Payment Enrollment Form**

Section I - Agency Information – Includes the name and address, agency identifier, agency location code and telephone number for the House of Representatives.

Section II - Payee/Company Information – Print or type the name of the payee/company and address that will receive payment, social security or taxpayer ID number, contact person name, telephone number and email of the payee/company. Print or type the purchase order and remit to addresses if different from the payee/company address. Check the appropriate boxes for federal tax classification.

Section III - Financial Institution Information – Print or type the name and address of the payee/company's financial institution who will receive the ACH payment, ACH coordinator name and telephone number, nine-digit routing transit number, depositor (payee/company) account title and account number. Check the appropriate box for type of account. Payee/Company may include a voided check with this form.

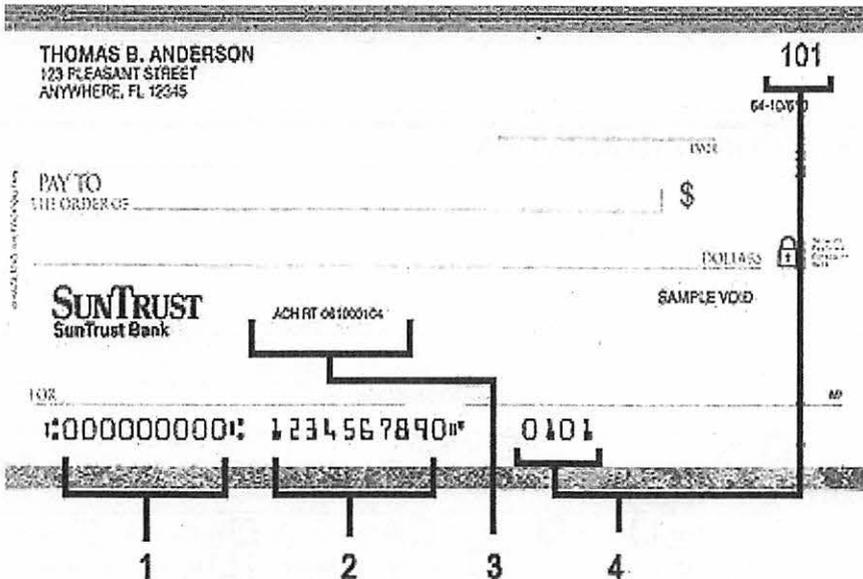
ACH Account Information Located on a Check or Deposit Ticket

FINANCIAL INSTITUTION NAME name of the financial institution to which the payments are to be directed

ROUTING TRANSIT NUMBER (RTN) financial institution's 9 digit routing transit number;
found on the bottom of a check or deposit ticket or from your Financial Institution

ACCOUNT TITLE employee's or vendor's name on the account

ACCOUNT NUMBER account number at the financial institution



1. Routing Transit Number (RTN) – nine digits located between two symbols. This number identifies the bank holding your account and check processing center.
2. Account number – this is your complete account number. Your account number can be up to 17 digits. Please include leading zeros.
3. ACH Routing Transit Number – Automated Clearing House routing number, use this number for your Routing Transit Number (RTN) if you bank with **SunTrust Bank**.
4. Check number – This information is not necessary - do not provide

Section IV - Socio-Economic Information – Check the boxes for each category, if applicable: type of business, small disadvantaged business program, HUBZone program, emerging small business, women-owned business, other preference programs, Veteran owned status and size of business. Detailed information related to Small Business programs can be found at <http://www.sba.gov/>.

Section V - Certification of Data By Payee/Company – Print or type the name, title/position and phone number of the Authorized official. The Authorized official must sign and date the form.

U.S. House of Representatives
Washington, D.C. 20515

Addendum to Lease

Early Entry

Following the execution of the Lease and prior to the commencement of the lease term, Lessor/Landlord shall allow the Office of the Chief Administrative Officer for the U.S. House of Representatives ("CAO") and/or the Office of the House Sergeant at Arms ("SAA") to have reasonable access to and to enter the leased space and surrounding public and common areas on behalf of the Lessee/Tenant for the purpose of assessing, constructing, and installing all cabling, wiring, equipment, apparatus, facilities and other networking, telecommunications, security materials, security devices, and security systems to be used at the leased space ("Early Entry"). Such Early Entry shall be permitted beginning February 9, 2023, and shall continue through the commencement date of the Lease, and shall include access and entry by contractors and subcontractors performing work on behalf of the CAO or the SAA. Early Entry by the CAO or the SAA shall be subject to the provisions of the Lease, with the exception that Lessee/Tenant's obligation to pay rent as set forth in the Lease and any other charges required in the Lease shall not commence until the beginning of the lease term established in the Lease. At all times during the Early Entry period, neither the CAO nor the SAA shall unreasonably interfere with any activities of Lessor/Landlord in or around the leased space or the surrounding public and common areas. In the event Early Entry by the CAO or SAA interferes with Lessor/Landlord's activities or otherwise disrupts Lessor/Landlord's operations or the operations of other tenants, Lessor/Landlord may terminate any or all Early Entry rights of the CAO or the SAA immediately upon written notice. The CAO and/or the SAA shall be liable for any damage(s) resulting from Early Entry consistent with the Federal Tort Claims Act, 28 U.S.C. §§ 2671-2680.

Lessor Signature

*Chief Administrative Officer,
United States House of Representatives*

Kevin A. Kane

Print Name of Lessor

Print Name of CAO

Title: Mayor

Date

Date

OFFERED BY:	AYE	NAY	ABSENT	ABSTAIN	SECONDED BY:	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO					ROGERS				
JORDAN					SCHNURR				
REICH					SHUTZER				

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.

Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING PROFESSIONAL SERVICES AGREEMENT FOR LAKE TOPANEMUS – ABBINGTON ENGINEERING, LLC

WHEREAS, the Borough of Freehold, County of Monmouth (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough of Freehold requires the services of engineers to provide assistance related to work to be performed at Lake Topanemus; and

WHEREAS, Abbington Engineering, LLC has submitted a proposal pursuant to the Request for Proposals advertised by the Borough and is capable of and willing to perform such services; and

WHEREAS, the Freehold Borough Governing Body is awarding this contract under a “fair and open process” that has included public solicitation of qualifications; and

WHEREAS, Abbington Engineering, LLC has submitted a proposal to provide the necessary services for a sum not to exceed \$3,225.00; and

WHEREAS, the Chief Financial Officer has certified that, contingent upon Council approval and inclusion of said item in the Temporary Budget and the adopted 2023 Budget, that sufficient funds for said contract will be made available in the following account(s): 3-01-1-150-299; and

WHEREAS, this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the service to be provided are engineering services requiring considerable training and specialized study; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. Abbington Engineering is awarded the contract for professional services to provide engineering services for Lake Topanemus in an amount not to exceed \$3,225.00.

3. The appropriate Borough officials, including the Mayor and Borough Administrator are hereby authorized to execute all documents to effectuate this authorization.

4. The Borough Clerk forward a certified copy of this resolution to the Borough Finance Officer, the Borough Administrator and Abbington Engineering.



Abbingtion Engineering LLC

922 NJ-33 Suite 3
Freehold, NJ 07728
732-431-1440

www.abbingtionengineering.com

Estimate

Date	Estimate #
1/27/2023	707

Name / Address
Borough of Freehold 30 Mechanic Street Freehold, NJ 07728

Project Name				
PSA Work Boro Parks				
Description	Qty	Units	Rate	Total
PER BOROUGH'S PARK PRICING, WHEN AND IF NEEDED				
Preliminary Site Assessment (PSA)	1	LS	1,950.00	1,950.00
Environmental Records Search	1	LS	375.00	375.00
Title Report Search	1	LS	900.00	900.00
<i>Work Top</i>				
We appreciate your request for an estimate for the above referenced project. Upon review and verbal acceptance from you we will execute a formal agreement to incorporate our terms and conditions.			Total	\$3,225.00

OFFERED BY:	AYE	NAY	ABSENT	ABSTAIN	SECONDED BY:	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO					ROGERS				
JORDAN					SCHNURR				
REICH					SHUTZER				

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.

Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AUTHORIZING PROFESSIONAL SERVICES AGREEMENT FOR MUSGRAVE PARK – ABBINGTON ENGINEERING, LLC

WHEREAS, the Borough of Freehold, County of Monmouth (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the Borough of Freehold requires the services of engineers to provide assistance related to the work to be performed at Musgrave Park; and

WHEREAS, Abbington Engineering, LLC has submitted a proposal pursuant to the Request for Proposals advertised by the Borough and is capable of and willing to perform such services; and

WHEREAS, the Freehold Borough Governing Body is awarding this contract under a “fair and open process” that has included public solicitation of qualifications; and

WHEREAS, Abbington Engineering, LLC has submitted a proposal to provide the necessary services for a sum not to exceed \$5,775.00; and

WHEREAS, the Chief Financial Officer has certified that, contingent upon Council approval and inclusion of said item in the Temporary Budget and the adopted 2023 Budget, that sufficient funds for said contract will be made available in the following account(s): 3-01-1-150-299; and

WHEREAS, this contract is awarded without competitive bidding as a “Professional Service” in accordance with N.J.S.A. 40A:11-5(1)(a)(i) of the Local Public Contracts Law because the service to be provided are engineering services requiring considerable training and specialized study; and

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the Borough of Freehold as follows:

1. The aforementioned recitals are incorporated herein as though fully set forth at length.

2. Abbington Engineering is awarded the contract for professional services to provide engineering services for Musgrave Park in an amount not to exceed \$5,775.00.

3. The appropriate Borough officials, including the Mayor and Borough Administrator are hereby authorized to execute all documents to effectuate this authorization.

4. The Borough Clerk forward a certified copy of this resolution to the Borough Finance Officer, the Borough Administrator and Abbington Engineering.



Abbington Engineering LLC

922 NJ-33 Suite 3
Freehold, NJ 07728
732-431-1440

www.abbingtonengineering.com

Estimate

Date	Estimate #
1/30/2023	708

Name / Address
Borough of Freehold 30 Mechanic Street Freehold, NJ 07728

Project Name				
Musgrave Park				
Description	Qty	Units	Rate	Total
MUSGRAVE PARK CONCEPT SCOPE				
Green Acres Environmental Impact Assessment Report	1	LS	1,850.00	1,850.00
Natural Heritage Report	1	LS	125.00	125.00
Concept Plan Overlaid Utilizing State Aerials and GIS Mapping	1	LS	3,800.00	3,800.00
We appreciate your request for an estimate for the above referenced project. Upon review and verbal acceptance from you we will execute a formal agreement to incorporate our terms and conditions.			Total	\$5,775.00

AYE NAY ABSENT ABSTAIN

AYE NAY ABSENT ABSTAIN

DI BENEDETTO	ROGERS
JORDAN	SCHNURR
REICH	SHUTZER

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.
Agenda No:

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY DECLARING AN EMERGENCY AND AUTHORIZING THE CONTRACT FOR EMERGENCY REPAIRS TO THE SEWER MAIN ON JACKSON STREET

WHEREAS, the Borough of Freehold, County of Monmouth (the "Borough") is a public body; and

WHEREAS, the Governing Body ("Governing Body") of the Borough received a declaration from Abbingtion Engineering, the Borough engineer, that an emergency situation exists regarding a collapse of the sewer main on Jackson Street; and

WHEREAS, the Governing Body, as a result of the Abbingtion Engineering declaration, further finds and declares that this poses an imminent threat to the public health, safety and welfare of an emergent nature that warrants immediate remedial action; and

WHEREAS, the Governing Body further finds and declares that N.J.S.A. 40A:11-6 authorizes a municipality to negotiate and/or award a contract without public advertisement when an emergency affecting the public health, safety or welfare requires the immediate performance of services; and

WHEREAS, the Governing Body further finds and declares that the Borough Administrator, acting in the reasonable belief that an emergency affected the public health, safety and welfare required immediate remedial action without public advertisement for services; and

WHEREAS, the Borough Administrator obtained three quotes to perform the repairs:

- Sewer Rat Trenchless Solutions LLC - \$58,500
- Precise Construction Inc. - \$103,500
- D'Erasmus Excavating - \$69,900

WHEREAS, the Borough Engineer has recommended that the Borough award the contract to D'Erasmus Excavating to perform the repair; and

WHEREAS, the Governing Body further finds and declares that the Borough Engineer has correctly recommended that the aforementioned sewer main repairs be remedied through the award to D'Erasmus Excavating; and

WHEREAS, the Chief Financial Officer has certified that, contingent upon Council approval that sufficient funds for said contract will be made available in the following account(s): W-06-7-716-107.

NOW, THEREFORE, BE IS RESOLVED by the Mayor and Council of the Borough of Freehold that it does hereby ratify the agreement with D'Erasmus Excavating, which shall provide the necessary emergency services outlined above in an amount not to exceed sum of \$69,900.

BE IT FURTHER RESOLVED that the Borough Clerk forward a certified copy of this resolution to the Director of the Division of Local Government Services, the Borough Finance Officer, the Borough Administrator and Abington Engineering and shall publish same according to law.

Offered by:

Seconded:

Aye Nay Absent Abstain

Aye Nay Absent Abstain

DiBenedetto
Jordan
Reich

Rogers
Schnurr
Shutzer

I HEREBY CERTIFY the following Resolution was adopted by the Mayor and Council of the Borough of Freehold at the Reorganization meeting held on January 1, 2023.

Traci L. DiBenedetto, RMC
Borough Clerk

Resolution No.

Agenda No. 3/2023

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY CONFIRMING APPOINTMENT TO THE BOARD OF RECREATION COMMISSIONERS

WHEREAS, the Borough of Freehold, County of Monmouth (the “Borough”) is a public body corporate and politic of the State of New Jersey; and

WHEREAS, the governing body considers that the recreation serves an important public function and should be fully staffed with volunteers; and

WHEREAS, the Mayor and Council of the Borough created the Board of Recreation Commissioners in order to assist with the oversight of the Borough’s playgrounds and parks; and

WHEREAS, pursuant to Section 2.64.010, the commission is to consist of seven members and two alternates appointed by the mayor.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that the following individual is hereby confirmed as a member of the Board of Recreation Commissioners:

Jenny Conger (for a term ending 12/31/2027)

BE IT FURTHER RESOLVED that the Clerk forward a certified copy of this resolution to the individual listed above of the appointment to this committee.

Offered by:

Seconded by:

Aye Nay Absent Abstain
DiBenedetto
Reich
Jordan

Aye Nay Absent Abstain
Shutzer
Schnurr
Rogers

I hereby certify the following to be a true and exact copy of a Resolution adopted by the Mayor and Council of the Borough of Freehold at the regular meeting held on February 13, 2023.

Traci L. DiBenedetto, R.M.C.

Resolution No.
Agenda No.

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS / ACTIONS

Whereas, Freehold Borough operating departments require various types of personnel resources in order to effectively perform municipal services for its residents.

Now, therefore, be it resolved by the Mayor and Council of the Borough of Freehold, in the County of Monmouth, in the State of New Jersey, that consent be given for the following personnel actions:

- a. Appointment of SirNile White to Water Treatment Plant Supervisor for the Borough of Freehold, effective January 4, 2023.
- b. Appointment of Thomas Decker as a member of the Freehold Fire Department Junior Firefighter Program, effective February 13, 2023.
- c. Promotion of Mary Cruz as a Senior Clerk/Typist of the Water and Tax Department for the Borough of Freehold, effective February 13, 2023.
- d. Appointment of Lizzett Henriquez as a Clerk/Typist of the Water and Tax Department for the Borough of Freehold, effective January 30, 2023.
- e. Appointment of Rebecca Ponder as a Clerk/Typist of the Code Enforcement Department for the Borough of Freehold, effective February 8, 2023.
- f. Retirement of Michael Baker as the Water Treatment Plant Supervisor for the Borough of Freehold, effective March 1, 2023.

- g. Appointment of Penny Myers as a Substitute Crossing Guard of the Freehold Borough Police Department, effective March 1, 2023.

Be it further resolved that the Borough Administrator is hereby authorized to implement these actions.

OFFERED BY:	AYE	NAY	ABSENT	ABSTAIN	SECONDED BY:	AYE	NAY	ABSENT	ABSTAIN
DI BENEDETTO					ROGERS				
JORDAN					SCHNURR				
REICH					SHUTZER				

I, TRACI L. DI BENEDETTO, CLERK OF THE BOROUGH OF FREEHOLD, DO HEREBY CERTIFY THE FOLLOWING RESOLUTION WAS ADOPTED BY THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AT A MEETING HELD ON: FEBRUARY 13, 2023.

TRACI L. DI BENEDETTO, RMC, BOROUGH CLERK

Resolution No.
Agenda No:

RESOLUTION APPROVING THE FOLLOWING APPLICATIONS:

- a. Taxi Owner License (4), Elite First Taxi.
- b. Taxi Owner Licenses (3), M & M Taxi.
- c. Taxi Driver, Asarel Morales, Freehold.
- d. Massage Establishment/Therapist License, Shu Qi, Healing Hands Massage Therapy, 20 Jackson Street.
- e. Massage Establishment/Therapist License, Jilong Zhao, Royal 7 Spa, 18 Throckmorton Street.
- f. Massage Therapist License, Catherine Pei, Royal 7 Spa, 18 Throckmorton Street.
- g. Massage Therapist License, Lan Li, Royal 7 Spa, 18 Throckmorton Street.
- h. Precious Metal License, Buy N Sell, 14 West Main Street.
- i. Precious Metal License, Joyeria Latina MP, LLC, 57 Throckmorton Street.
- j. Amusement License, Coin Drop Game Machine. R & R Deli, 25 Broad Street, Unit 1.
- k. Amusement License, Claw Game Machine, R & R Deli, 25 Broad Street, Unit 1.
- l. Raffle License #07-23 LJ5 22 Foundation, Inc., Merchandise Raffle, 5/12/2023, 110 West Main Street.
- m. Raffle License #08-23, Wemrock Brook PTA., 50/50 Raffle, 3/9/23, 618 Park Avenue.
- n. Raffle License #09-23, Rotary District 7505 Foundation, 50/50 Raffle, 9/19/2023, 18 East Main Street.
- o. Raffle License #10-23, BPOE Lodge 1454 Freehold Lodge, Merchandise Raffle, 10/7/23, 73 East Main Street.
- p. Raffle License #11-23, BPOE Lodge 1454 Freehold Lodge, Merchandise Raffle, 5/29/23, 73 East Main Street.

BOROUGH OF FREEHOLD - SCHEDULE OF BILLS FOR APPROVAL

February 13, 2023

CURRENT FUND

Freehold Borough Payroll	Pay #1 - pd 1/13/2023	\$ 258,583.34
EnergySolve, LLC	Utilities - pd 1/27/2023	28,524.93
Freehold Borough Payroll	Pay #2 - pd 1/30/2023	325,335.57
EnergySolve, LLC	Utilities - pd 2/8/2023	1,181.38
FP MAILING	Postage-Borough Hall - pd 2/8/2023	2,000.00
Freehold Regional High School	Feb/23 Regional Tax Levy due 2/23	375,984.00
Freehold Borough Board of Education	Feb/23 Local School Tax Levy-due 2/23	924,757.66
NJ State Health Benefits	Feb/23 Health Benefits-due 2/15/23	165,940.82
Treasurer, County of Monmouth	County Tax/Open Space/A-O-due 2/15/23	743,831.83
		<u>\$ 2,826,139.53</u>

WATER-SEWER OPERATING FUND

Freehold Borough Payroll	Pay #1 - pd 1/13/2023	\$ 54,042.23
EnergySolve, LLC	Utilities - pd 1/27/2023	18,187.69
Freehold Borough Payroll	Pay #2 - pd 1/30/2023	63,589.77
EnergySolve, LLC	Utilities - pd 2/8/2023	212.13
FP MAILING	Postage - pd 2/8/2023	1,000.00
NJ State Health Benefits	Feb/23 Health Benefits-due 2/15/23	33,480.31
		<u>\$ 170,512.13</u>

TRUST OTHER ACCOUNT

Freehold Borough Payroll	Pay #2 - pd 1/30/2023	\$ 3,520.00
		<u>\$ 3,520.00</u>

PAYROLL ACCOUNT

Freehold Borough Payroll	Pay #1 - pd 1/13/2023	\$ 12,092.22
Freehold Borough Payroll	Pay #2 - pd 1/30/2023	10,208.59
		<u>\$ 22,300.81</u>

P.O. Type: All
 Range: First to Last
 Format: Detail without Line Item Notes
 Vendors: All
 Rcvd Batch Id Range: First to Last

Open: N Paid: N Void: N
 Rcvd: Y Held: Y Aprv: N
 Bid: Y State: Y Other: Y Exempt: Y

Include Non-Budgeted: Y

Vendor #	Name	PO #	PO Date	Description	Amount	Contract	PO Type	Charge Account	Acct Type Description	Stat/Chk	First Enc	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
00033	711 RT 33 LLC														
	22-01605	12/05/22	DECEMBER	CAR WASHES											
	1	DECEMBER	CAR WASHES-POLICE	86.50	2-01-3	-315-421			B VEHICLE MAINTENANCE & REPAIR	R	12/05/22	02/10/23		12/31/2022	N
	2	DECEMBER	CAR WASHES-CODE	12.00	2-01-1	-155-196			B CODE ENFORCE. - AUTO EXPENSE	R	12/05/22	02/10/23		12/31/2022	N
	3	DECEMBER	CAR WASHES-FIRE	127.00	2-01-2	-200-421			B FIRE DEPT - UPKEEP APPARATUS	R	12/05/22	02/10/23		12/31/2022	N
	4	DECEMBER	CAR WASHES-STG/RDS	6.00	2-01-3	-315-421			B VEHICLE MAINTENANCE & REPAIR	R	12/05/22	02/10/23		12/31/2022	N
				231.50											
			Vendor Total:	231.50											
00094	AT&T														
	23-00063	01/25/23	DEC	LONG DISTANCE											
	1	DEC	LONG DISTANCE	50.07	2-01-4	-440-440			B TELEPHONE SERVICE	R	01/25/23	02/10/23		0305225394001	N
	23-00126	02/08/23	JANUARY	LONG DISTANCE											
	1	JANUARY	LONG DISTANCE	51.59	3-01-4	-440-440			B TELEPHONE SERVICE	R	02/08/23	02/10/23		0305225394001	N
			Vendor Total:	101.66											
00105	ABBINGTON ENGINEERING, LLC														
	23-00009	01/18/23	Planning Board & FCCRPA												
	1	Planning Board & FCCRPA		145.00	L-12-2	-221-020			B KRISTIN MARTINS-PBUV-2021-010	R	01/18/23	02/10/23		109	N
	2	Planning Board & FCCRPA		697.50	L-12-2	-222-026			B RDE-2022-003 DAST REALTY	R	01/18/23	02/10/23		111	N
	3	Planning Board & FCCRPA		913.75	L-12-2	-222-027			B DAST REALTY - PBSP-2022-010	R	01/18/23	02/10/23		111	N
	4	Planning Board & FCCRPA		1,760.00	L-12-2	-222-024			B PARK PLAZA-SANITARY SEWER PLAN	R	01/18/23	02/10/23		112	N
	5	Planning Board & FCCRPA		770.00	L-12-2	-222-004			B REMA REALTY LLC-PBUV-2022-004	R	01/18/23	02/10/23		114	N
				4,286.25											
	23-00070	01/25/23	2022	SPECIAL PROJECTS-CCRP REV											
	1	2022	SPECIAL PROJECTS-CCRP REV	1,000.00	2-01-1	-150-299			B ENGINEERING - SPECIAL PROJECTS	R	01/25/23	02/10/23		2883	N

Vendor #	Name	PO #	PO Date	Description	Contract Amount	PO Type	Charge Account	Acct Type Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
00105	ABBINGTON ENGINEERING, LLC			Continued										
		23-00070	01/25/23	2022 SPECIAL PROJECTS-CCRP REV	Continued									
				2 2022 SPECIAL PROJECTS-CCRP REV	3,456.41		2-01-1 -150-331	B ENGINEERING - REGULAR SERVICES	R	01/25/23	02/10/23		2883	N
					4,456.41									
		23-00105	01/31/23	Planning Board										
				1 Planning Board	4,140.05		L-12-2 -222-025	B 146 FREEHOLD LLC - PBUV-2022-011	R	01/31/23	02/10/23		120	N
				Vendor Total:	12,882.71									
01115	ALERT-ALL CORPORATION													
		22-01379	10/26/22	Fire Prevention material										
				1 Fire Prevention material	750.00		2-01-2 -200-298	B FIRE DEPT - SUPPLIES	R	10/26/22	02/10/23		222110110	N
				Vendor Total:	750.00									
01165	ALTEC, INC													
		22-01018	07/29/22	Bucket Truck Yearly Inspection										
				1 Bucket Truck Yearly Inspection	1,133.46		2-01-3 -315-421	B VEHICLE MAINTENANCE & REPAIR	R	07/29/22	02/10/23		51058686	N
				Vendor Total:	1,133.46									
01199	AMAZON.COM SERVICES, INC.													
		23-00012	01/18/23	JANUARY SUPPLIES										
				1 BOOK LITTLE RODNEY THE LIBRARI	21.87		3-01-7 -750-168	B PUBLIC LIBRARY - NEW BOOKS	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				2 BALLOONS	17.58		T-15-9 -900-515	B COMMUNITY EVENTS - SPOOKTACULAR	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				4 BOOK- FROM SCRATCH	10.39		3-01-7 -750-168	B PUBLIC LIBRARY - NEW BOOKS	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				5 PLASTIC CUTLERY, NAPKINS, PLAT	72.56		T-15-9 -900-515	B COMMUNITY EVENTS - SPOOKTACULAR	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				7 PALLET JACK	518.24		2-01-3 -300-298	B ROAD REPAIR & MAINT - SUPPLIES	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				8 SIGNS- 4 WAY	25.90		2-01-3 -300-261	B ROAD REPAIR & MAINT - SIGNS, PAINTING	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				9 CHAIRS	591.42		2-01-7 -750-298	B PUBLIC LIBRARY - FURNITURE & SUPPLIES	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				10 CHAIRS	124.56		2-01-7 -750-171	B PUBLIC LIBRARY - BLDG MAINT/REPAIR	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				11 CHAIRS	67.18		2-01-7 -750-236	B PUBLIC LIBRARY --MISCELLANEOUS	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				12 CHAIRS	62.00		2-01-7 -750-752	B PUBLIC LIBRARY - IMPROVEMENTS	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				13 CHAIRS	18.52		2-01-7 -750-284	B PUBLIC LIBRARY - H.V.A.C.	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				14 FLASH DRIVES	28.99		3-01-2 -250-298	B OFFICE OF EMERGENCY MANAGEMENT-O/E	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
				15 CALENDAR	17.00		3-01-2 -240-151	B POLICE DEPT - OFFICE SUPPLIES	R	01/26/23	02/10/23		1GJ7DRDV71HN	N
				16 POSTER FRAMES	41.46		3-01-2 -240-151	B POLICE DEPT - OFFICE SUPPLIES	R	01/26/23	02/10/23		1GJ7DRDV71HN	N

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
01199	AMAZON.COM SERVICES, INC.				Continued							
	23-00012	01/18/23	JANUARY SUPPLIES		Continued							
			17 FLASH DRIVES, STAPLER, MOUSE,T	460.13	3-01-2 -240-151	B POLICE DEPT - OFFICE SUPPLIES	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
			18 OIL EXTRACTOR PUMP	69.99	2-01-3 -300-298	B ROAD REPAIR & MAINT - SUPPLIES	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
			19 RUBBER BANDS	5.16	2-01-2 -240-151	B POLICE DEPT - OFFICE SUPPLIES	R	01/18/23	02/10/23		1GJ7DRDV71HN	N
			20 RETURN PRY BARS	149.85	2-01-2 -240-151	B POLICE DEPT - OFFICE SUPPLIES	R	01/18/23	02/10/23		1HXFGR7D41NT	N
				<u>2,003.10</u>								
	Vendor Total:			2,003.10								
01819	ASBURY PARK PRESS #1171											
	23-00083	01/27/23	annual subscription									
			1 annual subscription	600.12	3-01-7 -750-166	B PUBLIC LIBRARY - SUBSCRIPTIONS	R	01/27/23	02/10/23		AP1357704	N
	Vendor Total:			600.12								
01925	ATLANTIC PLUMBING SUPPLY CORP											
	22-01107	08/16/22	Water Connections Parts									
			1 Water Connections Parts	571.36	2-09-8 -815-298	B WATER SERVICE -MISC. SUPPLIES	R	08/16/22	02/10/23		S3725992.001	N
	Vendor Total:			571.36								
02114	AVIDXCHANGE, INC.											
	23-00150	02/08/23	2023 BLANKET-UTILITY BILLING			B						
			3 01/2023 UTILITY BILLING	186.00	3-01-1 -135-349	B FINANCE - UTILITY FEES	R	02/08/23	02/10/23		40766872	N
			4 01/2023 UTILITY BILLING	186.00	3-09-8 -811-348	B W/S - ACCOUNTING,UTILITY FEES	R	02/08/23	02/10/23		40766872	N
				<u>372.00</u>								
	Vendor Total:			372.00								
02608	B & B DIVERSIFIED SERVICES LLC											
	23-00099	01/27/23	JANUARY JANITORIAL SERVICES									
			1 JANUARY JANITORIAL SERVICES	497.38	3-01-1 -190-407	B PUBLIC B&G - BORO HALL	R	01/27/23	02/10/23		54JAN23	N
			2 JANUARY JANITORIAL SERVICES	922.38	3-01-1 -190-405	B PUBLIC B&G - POLICE STATION	R	01/27/23	02/10/23		54JAN23	N
			3 JANUARY JANITORIAL SERVICES	126.55	3-01-1 -190-413	B PUBLIC B&G - DPW	R	01/27/23	02/10/23		54JAN23	N

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07328	CUTTER DRILL & MACHINE INC.													
	22-01108	08/16/22	Compression Fittings,etc											
	1		Compression Fittings,etc	521.98	2-09-8	-815-298	B WATER SERVICE -MISC. SUPPLIES	R		08/16/22	02/10/23		45956	N
	22-01685	12/19/22	Electric PumpMeter Pits											
	1		Electric PumpMeter Pits	490.00	2-09-8	-815-246	B WATER SERVICE - MISC EQUIPMENT	R		12/19/22	02/10/23		45957	N
	Vendor Total:			1,011.98										
08213	DE LISA DEMOLITION, INC.													
	23-00016	01/18/23	JANUARY TRASH REMOVAL											
	1		JANUARY TRASH REMOVAL	41,500.00	3-01-3	-331-151	B REFUSE- COLLECTION	R		01/18/23	02/10/23		250963	N
	2		DECEMBER RECYCLING	6,536.88	2-01-3	-332-458	B SOLID WASTE - DISPOSAL	R		01/18/23	02/10/23		253132	N
	3		JANUARY TIPPING FEES 1/3-1/13	17,672.30	3-01-3	-332-458	B SOLID WASTE - DISPOSAL	R		01/18/23	02/10/23		253264	N
	4		JANUARY TIPPING FEES 1/16-1/31	20,143.69	3-01-3	-332-458	B SOLID WASTE - DISPOSAL	R		01/18/23	02/10/23		254779	N
	5		DUMPSTER	842.20	3-01-3	-332-458	B SOLID WASTE - DISPOSAL	R		01/18/23	02/10/23		254644	N
				<u>86,695.07</u>										
	Vendor Total:			86,695.07										
10450	EARLE ASPHALT COMPANY													
	22-01733	12/23/22	PAYMENT #1 FORD AVE		22-00003	C								
	1		PAYMENT #1 FORD AVE	173,158.00	C-04-7	-761-104	B 2021/8 - CDBG FORD AVENUE	R		10/03/22	02/10/23		PAY #1	N
	2		PAYMENT #1 FORD AVE	39,616.30	C-04-7	-761-102	B 2021/8 - IMPROVEMENTS TO VARIOUS ROADS	R		10/03/22	02/10/23		PAY #1	N
				<u>212,774.30</u>										
	Vendor Total:			212,774.30										
11540	ELECTRO MAINTENANCE INC													
	22-01692	12/19/22	Lift Station Level Control's											
	1		Lift Station Level Control's	2,944.00	2-09-8	-821-171	B SEWER SERVICE - MAINNTENANCE & REPAIR	R		12/19/22	02/10/23		13324	N
	Vendor Total:			2,944.00										

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12270	ESPECIALLY FOR YOU FLORIST INC 22-01767 12/31/22 Flowers - Reorg Meeting							
	1 Flowers - Reorg Meeting		19.00 2-01-1 -102-506	B MAYOR/COUNCIL - OTHER EXPENSES	R	12/31/22 02/10/23	031517	N
	Vendor Total:		19.00					
13010	FACTS ON FILE 22-01491 11/09/22 video streaming subscription							
	1 video streaming subscription		917.83 2-01-7 -750-166	B PUBLIC LIBRARY - SUBSCRIPTIONS	R	11/09/22 02/10/23	435714	N
			881.27 2-01-7 -750-236	B PUBLIC LIBRARY --MISCELLANEOUS				
			1,799.10					
	Vendor Total:		1,799.10					
13012	FALKINBURGS TREE EXPERT CO LLC 22-01699 12/20/22 2022 TREE WORK							
	2 2022 TREE WORK	B	7,500.00 2-01-3 -320-414	B SHADE TREE COMM.TREE MTN/PLNTG	R	12/20/22 02/10/23	12272022	N
	3 2022 TREE WORK		4,900.00 2-01-3 -320-414	B SHADE TREE COMM.TREE MTN/PLNTG	R	12/20/22 02/10/23	01272023	N
	4 2022 TREE WORK		1,625.00 2-01-3 -320-414	B SHADE TREE COMM.TREE MTN/PLNTG	R	12/20/22 02/10/23	02012023	N
			14,025.00					
	Vendor Total:		15,500.00					
23-00036	01/25/23 REMOVE TREE 7 MURRAY 1 REMOVE TREE 7 MURRAY							
	1 REMOVE TREE 7 MURRAY		1,475.00 3-01-3 -320-414	B SHADE TREE COMM.TREE MTN/PLNTG	R	01/25/23 02/10/23	02012023	N
	Vendor Total:		15,500.00					
14129	FIorentino MECHANICAL 22-01697 12/19/22 Repair hear control and wiring							
	1 Repair hear control and wiring		1,758.25 2-01-1 -190-374	B PUBLIC B&G - CONTRACTED SERVICES	R	12/19/22 02/10/23	3011579	N
	Vendor Total:		1,758.25					
14793	TOWNSHIP OF FREEHOLD 22-01679 12/19/22 NOVEMBER AUTO REPAIRS							
	1 REPAIR CAR R7 INV. 10136		190.27 2-01-7 -760-566	B INTRLOCAL-VEHICLE MNT-STS/RDS	R	12/19/22 02/10/23	22-01107	N
	2 REPAIR CAR 581 INV. 10142		111.15 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	12/19/22 02/10/23	22-01107	N
	3 REPAIR CAR L5 INV. 10144		5,189.05 2-01-7 -760-566	B INTRLOCAL-VEHICLE MNT-STS/RDS	R	12/19/22 02/10/23	22-01107	N
	4 REPAIR CAR W7 INV. 10145		316.52 2-09-8 -800-421	B W/S ADMIN.- VEHICLÉ MTN/REPAIR	R	12/19/22 02/10/23	22-01107	N

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Item Description	Amount Charge Account Acct Type Description	Enc Date Date	Date Invoice	Excl		
14793 TOWNSHIP OF FREEHOLD	Continued					
22-01679 12/19/22 NOVEMBER AUTO REPAIRS	Continued					
5 REPAIR CAR W1 INV. 10146	238.57 2-09-8 -800-421	B W/S ADMIN.- VEHICLE MTN/REPAIR	R	12/19/22 02/10/23	22-01107	N
6 REPAIR CAR 571 INV. 10151	292.82 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	12/19/22 02/10/23	22-01107	N
7 REPAIR CAR 581 INV. 10163	152.44 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	12/19/22 02/10/23	22-01107	N
8 REPAIR CAR 572 INV. 10166	1,258.12 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	12/19/22 02/10/23	22-01107	N
9 REPAIR CAR 501 INV. 10168	291.04 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	12/19/22 02/10/23	22-01107	N
10 REPAIR CAR W7 INV. 10172	107.02 2-09-8 -800-421	B W/S ADMIN.- VEHICLE MTN/REPAIR	R	12/19/22 02/10/23	22-01107	N
11 REPAIR CAR 571 INV. 10174	358.57 2-09-8 -800-421	B W/S ADMIN.- VEHICLE MTN/REPAIR	R	12/19/22 02/10/23	22-01107	N
12 REPAIR CAR 502 INV. 10180	600.48 2-09-8 -800-421	B W/S ADMIN.- VEHICLE MTN/REPAIR	R	12/19/22 02/10/23	22-01107	N
	<u>9,106.05</u>					
23-00030 01/18/23 DECEMBER AUTO REPAIRS						
1 REPAIR CAR 571 INV 10218	1,038.97 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	01/18/23 02/10/23	23-00021	N
2 REPAIR CAR 505 INV 102225	494.84 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	01/18/23 02/10/23	23-00021	N
3 REPAIR CAR 582 INV 10232	87.63 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	01/18/23 02/10/23	23-00021	N
4 REPAIR CAR 505 INV 10246	40.79 2-01-7 -760-567	B INTRLOCAL-VEHICLE MNT-POLICE	R	01/18/23 02/10/23	23-00021	N
5 REPAIR CAR R8 INV 10200	2,359.32 2-01-7 -760-566	B INTRLOCAL-VEHICLE MNT-STG/RDS	R	01/18/23 02/10/23	23-00021	N
6 REPAIR CAR R7 INV 10224	399.30 2-01-7 -760-566	B INTRLOCAL-VEHICLE MNT-STG/RDS	R	01/18/23 02/10/23	23-00021	N
7 REPAIR CAR R3 INV 10236	468.51 2-01-7 -760-566	B INTRLOCAL-VEHICLE MNT-STG/RDS	R	01/18/23 02/10/23	23-00021	N
8 REPAIR CAR R3 INV 10241	320.82 2-01-7 -760-566	B INTRLOCAL-VEHICLE MNT-STG/RDS	R	01/18/23 02/10/23	23-00021	N
9 REPAIR CAR R3 INV 10251	551.58 2-01-7 -760-566	B INTRLOCAL-VEHICLE MNT-STG/RDS	R	01/18/23 02/10/23	23-00021	N
10 REPAIR FIRE 1 INV 10258	102.63 2-01-2 -200-421	B FIRE DEPT - UPKEEP APPARATUS	R	01/18/23 02/10/23	23-00021	N
11 REPAIR W1 INV 10222	136.70 2-09-8 -800-421	B W/S ADMIN.- VEHICLE MTN/REPAIR	R	01/18/23 02/10/23	23-00021	N
	<u>6,001.09</u>					
23-00031 01/18/23 DECEMBER 22 IT SERVICES						
1 DECEMBER 22 IT SERVICES	1,004.49 2-01-7 -761-562	B INTERLOCAL-INFO TECHNOLOGY MAINT-FR.TWP.	R	01/18/23 02/10/23		N
2 DECEMBER 22 IT SERVICES	940.92 2-01-1 -135-306	B FINANCE, COMPUTER MAINTENANCE	R	01/18/23 02/10/23	23-00002	N
	<u>1,945.41</u>					
Vendor Total:	17,052.55					
14797 FREEHOLD VFW #4374						
22-01738 12/23/22 HALL RENTAL SPOOKTACULAR DANCE						
1 HALL RENTAL SPOOKTACULAR DANCE	375.00 T-15-9 -900-515	B COMMUNITY EVENTS - SPOOKTACULAR	R	12/23/22 02/10/23		N
Vendor Total:	375.00					

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14923 FRONT END SHOP, INC.	22-01724 12/23/22 W-6 Front End Wheel Alignment								
	1 W-6 Front End Wheel Alignment		129.95	2-01-3 -315-421		B VEHICLE MAINTENANCE & REPAIR	R	12/23/22 02/10/23	51836 N
	Vendor Total:		129.95						
15677 GARDEN STATE MUNICIPAL JIF	23-00123 02/08/23 25% INSURANCE INSTALL (1 OF 3)								
	1 25% INSURANCE INSTALLMENT		50,876.10	3-01-6 -603-724		B GENERAL INSURANCE	R	02/08/23 02/10/23	N
	2 25% INSURANCE INSTALLMENT		47,263.74	3-01-6 -604-725		B WORKERS COMP INSURANCE	R	02/08/23 02/10/23	N
	3 25% INSURANCE INSTALLMENT		8,140.47	3-01-7 -750-724		B PUBLIC LIBRARY - INDIRECT COST INSURANCE	R	02/08/23 02/10/23	N
	4 25% INSURANCE INSTALLMENT		70,853.53	3-09-8 -800-724		B W/S ADMIN. - INSURANCE/BOND	R	02/08/23 02/10/23	N
			177,133.84						
	Vendor Total:		177,133.84						
16748 GLOBAL INDUSTRIAL	22-01701 12/22/22 38 LOCKERS								
	1 38 LOCKERS		19,847.00	2-01-7 -776-619		B PURCHASE OF POLICE EQUIPMENT	R	12/22/22 02/10/23	120054178 N
	Vendor Total:		19,847.00						
17313 GREENBERG, BARBARA	22-01776 12/31/22 2022 MEDICARE REIMBURSEMENT								
	1 2022 MEDICARE REIMBURSEMENT		2,041.20	2-01-6 -605-736		B RETIREE MEDICARE REIMBURSEMENTS	R	12/31/22 02/10/23	N
	Vendor Total:		2,041.20						
17322 GreatAmerica Financial Servcs.	23-00080 01/25/23 Q1/MAIL MACHINE LEASE-BH/COURT								
	1 Q1/23 MAIL MACHINE LEASE-BH		1,023.00	3-01-1 -110-151		B CENTRAL FUNCTIONS	R	01/25/23 02/10/23	N
	2 Q1/23 MAIL MACHINE LEASE-COURT		429.00	3-01-6 -655-158		B MUNICIPAL COURT - POSTAGE, ENVELOPES	R	01/25/23 02/10/23	N
			1,452.00						
	Vendor Total:		1,452.00						

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18621	HEALEY, PATRICK	22-01732	12/23/22	2022 EYEGLOSS REIMBURSEMENT										
		1	2022	EYEGLOSS REIMBURSEMENT	136.78	2-01-6 -605-735		B EMPLOYEE GROUP INSURANCE-MISC.EXPENSES	R	12/23/22	02/10/23			N
		Vendor Total:			136.78									
18650	J R HENDERSON LABS INC	22-01615	12/05/22	DECEMBER WATER TESTING										
		1	DECEMBER	WATER TESTING	1,741.00	2-09-8 -831-478		B WATER PLANT - TESTS,LAB FEES	R	12/05/22	02/10/23		60659	N
		Vendor Total:			1,741.00									
19670	HOME DEPOT HDCS	23-00023	01/18/23	JANUARY SUPPLIES										
		3	TRASH BAGS, LIGHT BULBS, CLEAN	133.89	3-01-1 -190-412		B PUBLIC B&G-COURT STREET SCHOOL	R	01/18/23	02/10/23		3613415	N	
		4	DOOR KNOB	19.97	3-01-1 -190-406		B PUBLIC B&G - FIRE HOUSE	R	01/18/23	02/10/23		3623346	N	
		5	PAINT, ROLLERS	42.72	3-01-4 -451-278		B PARK MAINTENANCE	R	01/18/23	02/10/23		8614095	N	
		6	WOOD BISCUITS, GLUE	29.77	3-01-1 -190-407		B PUBLIC B&G - BORO HALL	R	01/18/23	02/10/23		6013179	N	
		7	DRILL BITS	76.44	3-01-3 -300-298		B ROAD REPAIR & MAINT - SUPPLIES	R	01/18/23	02/10/23		1523604	N	
				302.79										
		Vendor Total:			302.79									
19675	HORIZON BLUE CROSS/BLUE SHIELD	23-00060	01/25/23	FEBRUARY/2023 DENTAL INS										
		1	FEBRUARY/2023	CURR DENTAL INS	4,334.33	3-01-6 -605-733		B EMPLOYEE GROUP INSURANCE-DENTAL	R	01/25/23	02/10/23		AC# 091340377	N
		2	FEBRUARY/2023	LIBR DENTAL INS	57.27	3-01-7 -750-731		B PUBLIC LIBRARY - HEALTH INSURANCE	R	01/25/23	02/10/23		AC #091340377	N
		3	FEBRUARY/2023	WS DENTAL INS	553.71	3-09-8 -800-733		B W/S ADMIN - EMPLOYEE GROUP INS - DENTAL	R	01/25/23	02/10/23		AC #091340377	N
		4	FEBRUARY/2023	COBRA DENTAL INS	38.05	3-01-6 -605-733		B EMPLOYEE GROUP INSURANCE-DENTAL	R	01/25/23	02/10/23		AC #298640863	N
				4,983.36										
		Vendor Total:			4,983.36									
23414	JACK DOHENY COMPANIES, INC.	22-01321	10/11/22	Jet-truck hose/Nozzles/Skids										
		1	Jet-truck hose/Nozzles/Skids	3,139.30	2-09-8 -815-246		B WATER SERVICE - MISC EQUIPMENT	R	10/11/22	02/10/23		177206	N	

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31850 MGL FORMS-SYSTEMS, LLC								
	22-01684 12/19/22 ENVELOPES, REG, WINDOW, REV FL							
	1 ENVELOPES, REG, WINDOW, REV FL	2-01-1 -110-151	767.33	B CENTRAL FUNCTIONS	R	12/19/22 02/10/23	194425	N
	2 ENVELOPES, REG, WINDOW, REV FL	2-09-8 -811-154	953.67	B W/S ACCTNG. -- PRINTING	R	12/19/22 02/10/23	194425	N
	3 ENVELOPES, REGULAR, WINDOW REV	2-01-1 -135-154	380.00	B FINANCE - SUPPLIES	R	12/19/22 02/10/23	194425	N
	4 ENVELOPES, REGULAR, WINDOW REV	2-01-1 -125-151	380.00	B TAX COLLECTOR - SUPPLIES,NOTICES	R	12/19/22 02/10/23	194425	N
			2,481.00					
	22-01729 12/23/22 10000 WATER BILLS							
	1 10000 WATER BILLS	2-09-8 -811-154	1,518.00	B W/S ACCTNG. -- PRINTING	R	12/23/22 02/10/23	194464	N
	22-01764 12/31/22 2022 1099 FORMS							
	1 2022 1099 FORMS	2-01-1 -135-154	178.75	B FINANCE - SUPPLIES	R	12/31/22 02/10/23	194419	N
	Vendor Total:		4,177.75					
32068 MIRACLE CHEMICAL CO INC								
	22-01616 12/05/22 DECEMBER CHLORINE							
	1 DECEMBER CHLORINE 12/7	2-09-8 -831-241	468.18	B WATER PLANT - CHEMICALS	R	12/05/22 02/10/23	52872	N
	2 DECEMBER CHLORINE 12/14	2-09-8 -831-241	383.75	B WATER PLANT - CHEMICALS	R	12/05/22 02/10/23	52920	N
	3 DECEMBER CHLORINE 12/21	2-09-8 -831-241	345.38	B WATER PLANT - CHEMICALS	R	12/05/22 02/10/23	52978	N
	4 DECEMBER CHLORINE 12/29	2-09-8 -831-241	460.50	B WATER PLANT - CHEMICALS	R	12/05/22 02/10/23	53020	N
			1,657.81					
	Vendor Total:		1,657.81					
32201 MONMOUTH APARTMENTS LLC								
	22-01563 11/27/22 2021 TRASH REIMBURSEMENTS							
	1 2021 TRASH REIMBURSEMENTS	2-01-7 -749-111	7,500.00	B LANDFILL/REIMB.MULTI FAMILY	R	11/27/22 02/10/23		N
	Vendor Total:		7,500.00					
32206 MONMOUTH COLLISION								
	22-01681 12/19/22 Full wrap							
	1 Full wrap	2-01-2 -240-552	3,480.00	B POLICE DEPT - VEHICLES/OUTFITTING/EQUIP.	R	12/19/22 02/10/23	1601	N
	Vendor Total:		3,480.00					

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46217	RUG MILL FAMILIES, LLC C/O	22-01560	11/27/22	2021 TRASH REIMBURSEMENT										
		1		2021 TRASH REIMBURSEMENT	23,214.75	2-01-7 -749-111		B LANDFILL/REIMB.MULTI FAMILY	R	11/27/22	02/10/23			N
	Vendor Total:				23,214.75									
46803	SAFE LIFE SECURITY CORP.	22-01773	12/31/22	SERVICE CALLS -KINGSLEY & E S										
		1		SERVICE CALLS -KINGSLEY	65.00	2-09-8 -821-388		B SEWER SERVICE - ALARMS	R	12/31/22	02/10/23		149355	N
		2		SERVICE CALLS- E STREET	65.00	2-09-8 -821-388		B SEWER SERVICE - ALARMS	R	12/31/22	02/10/23		149354	N
					130.00									
	Vendor Total:				130.00									
47537	SHI INTERNATIONAL CORP	22-00814	06/17/22	WEBSITE SETUP AND MANAGEMENT										
		1		WEBSITE SETUP AND MANAGEMENT	3,495.00	2-01-1 -115-510		B BUS.ADMIN--CONSULTANT SVCES.	R	06/17/22	02/10/23		B15701061	N
		2		WEBSITE SETUP AND MANAGEMENT	15,000.00	G-02-22-900-003		B GRANT FUND-AMERICAN RESCUE PLAN ACT-O/E	R	06/17/22	02/10/23		Q#21900652	N
					18,495.00									
	Vendor Total:				18,495.00									
48324	SPECTROTTEL OF NEW JERSEY LLC	23-00053	01/25/23	JANUARY TELEPHONE & INTERNET										
		1		JANUARY TELEPHONE & INTERNET	1,160.47	3-01-4 -440-440		B TELEPHONE SERVICE	R	01/25/23	02/10/23		11324615	N
		2		JANUARY TELEPHONE & INTERNET	868.36	3-01-4 -440-440		B TELEPHONE SERVICE	R	01/25/23	02/10/23		11324615	N
		3		JANUARY TELEPHONE & INTERNET	434.18	3-01-6 -655-362		B MUNICIPAL COURT - TELEPHONE	R	01/25/23	02/10/23		11324615	N
		4		JANUARY TELEPHONE & INTERNET	362.82	3-01-4 -440-440		B TELEPHONE SERVICE	R	01/25/23	02/10/23		11324615	N
		5		JANUARY TELEPHONE & INTERNET	194.46	3-01-4 -440-440		B TELEPHONE SERVICE	R	01/25/23	02/10/23		11324615	N
		6		JANUARY TELEPHONE & INTERNET	378.21	3-01-7 -750-362		B PUBLIC LIBRARY - TELEPHONE	R	01/25/23	02/10/23		11324615	N
		7		JANUARY TELEPHONE & INTERNET	203.03	3-09-8 -831-362		B WATER PLANT - TELEPHONE	R	01/25/23	02/10/23		11324615	N
					3,601.53									
	Vendor Total:				3,601.53									
48719	STATE OF NJ TOXICOLOGY	22-01760	12/30/22	Applicant drug screening										
		1		Applicant drug screening	45.00	2-01-2 -240-226		B POLICE DEPT - EQUIPMENT M & R	R	12/30/22	02/10/23		22L005177	N

Vendor #	Name	PO #	PO Date	Description	Contract	PO Type	Stat/Chk	First	Rcvd	Chk/Void	1099	
Item	Description	Amount	Charge	Account	Acct	Type	Description	Enc	Date	Date	Invoice	Excl
49584	TAYLOR FENCE CO. INC.											
22-01725	12/23/22 FENCING PARTS & SPLIT RAIL											
1	SPLIT RAILS & POSTS	992.14	2-01-4	-451-278	B	PARK MAINTENANCE	R	12/23/22	02/10/23		23-000498	N
2	CHAIN LINK PARTS	152.92	2-01-4	-451-278	B	PARK MAINTENANCE	R	12/23/22	02/10/23		23-000497	N
		1,145.06										
	Vendor Total:	1,145.06										
49602	TCTANJ											
23-00102	01/27/23 2023 MEMBERSHIP DUES											
1	2023 MEMBERSHIP DUES	100.00	3-01-1	-125-508	B	TAX COLLECTOR - DUES, TRAINING	R	01/27/23	02/10/23			N
	Vendor Total:	100.00										
50261	TOMAR INDUSTRIES INC											
22-01618	12/05/22 DECEMBER JANITORIAL SUPPLIES											
2	CLEANER, BLEACH, PINE CLEANER	343.09	2-01-1	-190-298	B	PUBLIC B&G - CUSTODIAL SUPPLIES	R	12/05/22	02/10/23		159683	N
	Vendor Total:	343.09										
54653	VECTOR SOLUTIONS											
22-01746	12/30/22 Guardian tracking											
1	Guardian tracking	1,850.28	2-01-2	-240-325	B	POLICE DEPT - SERVICE CONTRACTS	R	12/30/22	02/10/23		63167	N
	Vendor Total:	1,850.28										
55056	VERIZON											
23-00125	02/08/23 JANUARY TELEPHONE											
1	JANUARY TELEPHONE	410.88	3-01-4	-440-440	B	TELEPHONE SERVICE	R	02/08/23	02/10/23			N
2	JANUARY TELEPHONE	332.08	3-09-8	-831-362	B	WATER PLANT - TELEPHONE	R	02/08/23	02/10/23			N
3	JANUARY TELEPHONE	111.66	3-01-6	-655-362	B	MUNICIPAL COURT - TELEPHONE	R	02/08/23	02/10/23			N
		854.62										
	Vendor Total:	854.62										
55057	VERIZON ONLINE											
23-00058	01/25/23 JANUARY INTERNET DPW											
1	JANUARY INTERNET DPW	99.00	3-01-4	-440-440	B	TELEPHONE SERVICE	R	01/25/23	02/10/23		656215110000156	N

Vendor #	Name	PO #	PO Date	Description	Contract Amount	PO Type	Charge Account	Acct Type	Description	Stat/Chk	First Enc Date	Rcvd Date	chk/void Date	Invoice	1099 Excl
55057	VERIZON ONLINE								Continued						
		23-00168	02/09/23	INTERNET SERVICEDPW & COURT ST											
				1 INTERNET SERVICEDPW & COURT ST	99.00		3-01-4 -440-440		B TELEPHONE SERVICE	R	02/09/23	02/10/23		656215110000156	N
				2 INTERNET SERVICEDPW & COURT ST	124.53		3-01-4 -440-440		B TELEPHONE SERVICE	R	02/09/23	02/10/23		457116219000173	N
					223.53										
	Vendor Total:				322.53										
55060	VERIZON WIRELESS														
		23-00086	01/27/23	WTP CELL SERVICE 12/14-1/13/23											
				1 WTP CELL SERVICE 12/14-1/13/23	184.88		3-09-8 -831-362		B WATER PLANT - TELEPHONE	R	01/27/23	02/10/23		9925298189	N
		23-00096	01/27/23	CELL PHONES & IPADS 12/18-1/17											
				1 CELL PHONES & IPADS 12/18-1/17	737.84		3-01-2 -240-385		B POLICE DEPT - VERIZON WIRELESS/DIRECT CN	R	01/27/23	02/10/23		9925583631	N
				2 CELL PHONES & IPADS 12/18-1/17	164.80		3-01-2 -240-385		B POLICE DEPT - VERIZON WIRELESS/DIRECT CN	R	01/27/23	02/10/23		9925583630	N
				3 CELL PHONES & IPADS 12/18-1/17	95.67		3-09-8 -821-362		B SEWER SERVICE - TELEPHONE	R	01/27/23	02/10/23		9925583630	N
				4 CELL PHONES & IPADS 12/18-1/17	10.12		3-01-6 -655-362		B MUNICIPAL COURT - TELEPHONE	R	01/27/23	02/10/23		9925583630	N
				5 CELL PHONES & IPADS 12/18-1/17	50.60		2-01-2 -260-224		B UNIFORM CONSTRUCITON - COMPUTER MAINT.	R	01/27/23	02/10/23		9925583630	N
				6 CELL PHONES & IPADS 12/18-1/17	611.31		2-01-4 -440-440		B TELEPHONE SERVICE	R	01/27/23	02/10/23		9925583630	N
					1,670.34										
	Vendor Total:				1,855.22										
55064	VERIZON CONNECT NWF INC.														
		23-00067	01/25/23	FINAL VEHICLE GPS INVOICE											
				1 FINAL VEHICLE GPS INVOICE	87.72		2-01-3 -315-421		B VEHICLE MAINTENANCE & REPAIR	R	01/25/23	02/10/23		2954774	N
				2 FINAL VEHICLE GPS INVOICE	58.48		2-09-8 -800-421		B W/S ADMIN. - VEHICLE MTN/REPAIR	R	01/25/23	02/10/23		2954774	N
				3 FINAL VEHICLE GPS INVOICE	0.45		2-09-8 -800-421		B W/S ADMIN. - VEHICLE MTN/REPAIR	R	01/25/23	02/10/23		2954774	N
					146.65										
	Vendor Total:				146.65										
57220	BILL WAGNER & SON INC														
		22-01607	12/05/22	DECEMBER SUPPLIES											
				1 BRASS PLUGS	3.48		2-09-8 -815-298		B WATER SERVICE -MISC. SUPPLIES	R	12/05/22	02/10/23		198168	N

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FREEHOLD BOROUGH
Bill List By Vendor Id

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Vendor #	Name	PO #	PO Date	Description	Contract Amount	PO Type	Charge Account	Acct Type	Description	Stat/Chk	First Enc Date	Rcvd Date	Chk/Void Date	Invoice	1099 Excl
57933	WHITEMARSH CORPORATION	22-01708	12/22/22	REPLACEMENT GAS HOSE FOR PUMP											
		1		REPLACEMENT GAS HOSE FOR PUMP	445.50	2-01-1	-190-414		B PUBLIC B&G - FUEL PUMP	R	12/22/22	02/10/23		125859	N
				Vendor Total:	445.50										
58352	WM TIBBETT CONSTRUCTION LLC	22-01597	12/01/22	CONSTRUCT NEW LIBRARY ENTRANCE											
		1		CONSTRUCT NEW LIBRARY ENTRANCE	1,925.00	2-01-7	-750-171		B PUBLIC LIBRARY - BLDG MAINT/REPAIR	R	12/01/22	02/10/23		2209	N
				Vendor Total:	1,925.00										
Total Purchase Orders: 124 Total P.O. Line Items: 252 Total List Amount: 828,499.53 Total Void Amount: 0.00															

Totals by Year-Fund							
Fund Description	Fund	Budget Rcvd	Budget Held	Budget Total	Revenue Total	G/L Total	Total
CURRENT FUND	2-01	238,443.23	0.00	238,443.23	0.00	0.00	238,443.23
W/S OPERATING	2-09	<u>25,116.31</u>	<u>0.00</u>	<u>25,116.31</u>	<u>0.00</u>	<u>0.00</u>	<u>25,116.31</u>
Year Total:		263,559.54	0.00	263,559.54	0.00	0.00	263,559.54
CURRENT FUND	3-01	208,904.32	0.00	208,904.32	0.00	0.00	208,904.32
W/S OPERATING	3-09	<u>73,463.90</u>	<u>0.00</u>	<u>73,463.90</u>	<u>0.00</u>	<u>0.00</u>	<u>73,463.90</u>
Year Total:		282,368.22	0.00	282,368.22	0.00	0.00	282,368.22
ANIMAL CONTROL TRUST	A-20	45.60	0.00	45.60	0.00	0.00	45.60
CAPITAL ACCOUNT	C-04	213,498.20	0.00	213,498.20	0.00	0.00	213,498.20
GRANT FUND	G-02	18,556.83	0.00	18,556.83	0.00	0.00	18,556.83
LAND USE TRUST	L-12	9,274.30	0.00	9,274.30	0.00	0.00	9,274.30
TRUST FUND	T-15	1,843.24	0.00	1,843.24	0.00	0.00	1,843.24
TAX TITLE LIEN PREMIUM TRUST	T-17	13,300.00	0.00	13,300.00	0.00	0.00	13,300.00
TAX TITLE LIEN TRUST	T-18	<u>26,053.60</u>	<u>0.00</u>	<u>26,053.60</u>	<u>0.00</u>	<u>0.00</u>	<u>26,053.60</u>
Year Total:		41,196.84	0.00	41,196.84	0.00	0.00	41,196.84
Total of All Funds:		<u>828,499.53</u>	<u>0.00</u>	<u>828,499.53</u>	<u>0.00</u>	<u>0.00</u>	<u>828,499.53</u>

P.O. Type: All
Range: First to Last
Format: Detail without Line Item Notes
Vendors: All
Rcvd Batch Id Range: First to Last

Include Non-Budgeted: Y

Open: N Paid: N Void: N
Rcvd: Y Held: Y Aprv: N
Bid: Y State: Y Other: Y Exempt: Y

Vendor # Name	PO # PO Date Description	Contract PO Type	Amount Charge Account	Acct Type Description	Stat/Chk	First Rcvd	Chk/Void	1099
	Item Description					Enc Date Date	Date Invoice	Excl
00033	711 RT 33 LLC							
	22-01605 12/05/22 DECEMBER CAR WASHES							
	1 DECEMBER CAR WASHES-POLICE		86.50	2-01-3 -315-421	B VEHICLE MAINTENANCE & REPAIR	R 12/05/22 02/10/23	12/31/2022	N
	2 DECEMBER CAR WASHES-CODE		12.00	2-01-1 -155-196	B CODE ENFORCE. - AUTO EXPENSE	R 12/05/22 02/10/23	12/31/2022	N
	3 DECEMBER CAR WASHES-FIRE		127.00	2-01-2 -200-421	B FIRE DEPT - UPKEEP APPARATUS	R 12/05/22 02/10/23	12/31/2022	N
	4 DECEMBER CAR WASHES-STG/RDS		6.00	2-01-3 -315-421	B VEHICLE MAINTENANCE & REPAIR	R 12/05/22 02/10/23	12/31/2022	N
			231.50					
	Vendor Total:		231.50					
00094	AT&T							
	23-00063 01/25/23 DEC LONG DISTANCE							
	1 DEC LONG DISTANCE		50.07	2-01-4 -440-440	B TELEPHONE SERVICE	R 01/25/23 02/10/23	0305225394001	N
	23-00126 02/08/23 JANUARY LONG DISTANCE							
	1 JANUARY LONG DISTANCE		51.59	3-01-4 -440-440	B TELEPHONE SERVICE	R 02/08/23 02/10/23	0305225394001	N
	Vendor Total:		101.66					
00105	ABBINGTON ENGINEERING, LLC							
	23-00009 01/18/23 Planning Board & FCCRPA							
	1 Planning Board & FCCRPA		145.00	L-12-2 -221-020	B KRISTIN MARTINS-PBUV-2021-010	R 01/18/23 02/10/23	109	N
	2 Planning Board & FCCRPA		697.50	L-12-2 -222-026	B RDE-2022-003 DAST REALTY	R 01/18/23 02/10/23	111	N
	3 Planning Board & FCCRPA		913.75	L-12-2 -222-027	B DAST REALTY - PBSP-2022-010	R 01/18/23 02/10/23	111	N
	4 Planning Board & FCCRPA		1,760.00	L-12-2 -222-024	B PARK PLAZA-SANITARY SEWER PLAN	R 01/18/23 02/10/23	112	N
	5 Planning Board & FCCRPA		770.00	L-12-2 -222-004	B REMA REALTY LLC-PBUV-2022-004	R 01/18/23 02/10/23	114	N
			4,286.25					
	23-00070 01/25/23 2022 SPECIAL PROJECTS-CCRP REV							
	1 2022 SPECIAL PROJECTS-CCRP REV		1,000.00	2-01-1 -150-299	B ENGINEERING - SPECIAL PROJECTS	R 01/25/23 02/10/23	2883	N