

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, April 4, 2011 at 7:30 p.m. in the Municipal Building.

In the absence of Mayor Wilson, Council President Schnurr stated that the notice of the time, date and location of the meeting had been provided pursuant to the provisions of Chapter 231 of the Laws of 1975 (Open Public Meetings Act).

Council President Schnurr opened the meeting with the Salute to the Flag, followed by a moment of silence.

#### ROLL CALL

ABSENT	MAYOR MICHAEL WILSON
PRESENT	COUNCILMAN MICHAEL DIBENEDETTO
PRESENT	COUNCILMAN KEVIN KANE
PRESENT	COUNCILMAN JOHN NEWMAN
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER
PRESENT	COUNCILMAN JAYE SIMS

Council President Schnurr read Item No. 4A on the Agenda as follows:

Councilwoman Shutzer offered a motion to accept the minutes from the Supplement to Workshop Meeting March 21, 2011 and was seconded by Councilman Sims.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 4B on the Agenda as follows:

#### **“Freehold Regional High School District Presentation.”**

Sean Boyce, FRHSD Board Secretary, explained the upcoming school budget for the 2011-2012 school year. He highlighted the FRHSD budget aspects that were adopted by the school board and this budget will be submitted to the voters on April 27, 2011. The FRHSD website explains each district’s academic and financial information. Mr. Boyce stated the objective of the school district is to provide the right balance in terms of the quality of the education that is desired by the community and the price of the education. In developing the budget with attention to quality we’ve been able to keep intact our programs and services that are currently in place. He stated that Freehold Boro High School under the leadership of Principal Jewell will be implementing a program next year called “AVID” (Achievement Via Individual Determination) and this program is a comprehensive school-wide approach that lays the cultural foundation in the school for the success of its students.

Mr. Boyce encouraged everyone to review the FRHSD website and urged everyone to vote at the school election on Wednesday, April 27, 2011.

Councilman Sims asked Mr. Boyce to explain about the “pay to play” for athletes.

Mr. Boyce stated initially when preparing the budget proposal the FRHSD was fully ready to institute the ‘pay to play’ for all athletes. Many school districts who have seen significant cuts in revenue last year are implementing this and because we anticipated something similar this year the budget committee was proposing the “pay to play”. But since that did not happen we were able to defer participation fees this year. He stated this will be one of the first things that will be considered if the budget is defeated.

Mr. Bellina asked how much will these fees generate.

Mr. Boyce stated \$1,700,000 which is based on a fee of \$250 to access sports, whether it is 1, 2 or 3 seasons and \$100 for activities, such as band or clubs. The FRHSD total budget for 12,000 students at 6 high schools is \$170,000,000. This school district is the largest regional district in New Jersey.

Council President Schnurr read Item No. 5 on the Agenda as follows:

**“Second Reading and Public Hearing: Ordinance #2011/1 to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A.40A:4-45.14).”**

Mr. Bellina explained there are two types of appropriations. The first is the levy cap and the other is the appropriation cap bank. This ordinance is not raising the budget it is allowing us to bank money in the event there is an emergency throughout the course of the year.

Council President Schnurr opened the meeting to the public.

Tom Baldwin, 3 Vought Avenue, asked how much this will cost the Borough and asked about the 2% cap.

Mr. Bellina stated the 2% cap that Mr. Baldwin is referring to is the levy cap and the budget that we adopted two weeks ago falls well within the statutory amount set that we can raise it by. So this will not cost the Borough residents any more money.

Yolanda Curry, Bond Street, questioned how the rebate goes towards property taxes.

Mr. Bellina stated the rebate is a direct payment from the State and it is a personal preference on how you receive your rebate.

Mr. Baldwin stated he just received his tax statement and it is \$400 less than his February statement and he asked if this statement included his rebate.

Mr. Bellina stated without seeing the tax statement he cannot answer that.

Councilwoman Shutzer offered the following Resolution and moved its adoption, seconded by Councilman DiBenedetto:

**RESOLUTION TO CLOSE PUBLIC PORTION.**

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Councilman Kane offered the following Resolution and moved its adoption, seconded by Councilman Newman:

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that an Ordinance entitled "ORDINANCE #2011/1 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A.40A:4-45.14)," be, and same is hereby adopted on second reading.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 6 on the Agenda as follows:

**"Introduction of and Authorization to Publish Bond Ordinance #2011/2 Providing for Various Road and Sidewalk Improvements in and by the Borough of Freehold, in the County of Monmouth, New Jersey, Appropriating \$1,000,000 Therefor, Including a Grant in the Amount of \$200,000 Expected to be Received from the State of New Jersey Department of Transportation and Authorizing the Issuance of \$760,000 Bonds or Notes of the Borough to Finance Part of the Cost Thereof."**

Councilman DiBenedetto offered the following Resolution and moved its adoption, seconded by Councilman Kane:

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that a Bond Ordinance entitled "BOND ORDINANCE #2011/2 PROVIDING FOR VARIOUS ROAD AND SIDEWALK IMPROVEMENTS IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY, APPROPRIATING \$1,000,000 THEREFOR, INCLUDING A GRANT IN THE AMOUNT OF \$200,000 EXPECTED TO BE RECEIVED FROM THE STATE OF NEW JERSEY DEPARTMENT OF TRANSPORTATION AND AUTHORIZING THE ISSUANCE OF \$760,000 BONDS OR NOTES OF THE BOROUGH TO FINANCE PART OF THE COST THEREOF" be, and same is hereby approved on first reading; and

BE IT FURTHER RESOLVED that the Clerk be and she is hereby authorized to publish said Bond Ordinance in the Asbury Park Press and that same shall be further considered for final passage after public hearing at a meeting held on April 18, 2011 and that during the week of said meeting copies of the Bond Ordinance shall be made available at the Clerk's office to members of the general public who shall request same.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr stated this is for road work on Hull Avenue and Bowne Avenue and it will also be used for design work on West George Street and Stillwell Avenue.

Councilman DiBenedetto stated there are some other roads and sidewalks that may be repaired depending on the bids received.

Councilman Newman asked if the \$200,000 included the amount received by the NJDOT for Hull Avenue.

Mr. Bellina stated yes.

Council President Schnurr read Item No. 7 on the Agenda as follows:

**“Resolution Authorizing Freehold Borough Officials to Execute Federal Aid Agreement No. 2011-DT-BLA-303.”**

Councilman Sims offered the following Resolution and moved its adoption, seconded by Councilman DiBenedetto:

**RESOLUTION AUTHORIZING FREEHOLD BOROUGH OFFICIALS TO EXECUTE FEDERAL AID AGREEMENT NO. 2011-DT-BLA-303.**

Council President Schnurr stated if this is the funding for the Safe Routes to School Program.

Mr. Bellina stated this is for funding to do the engineering design work.

Councilman Sims stated this is to install traffic beacons close to the proximity of our schools.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 8 on the Agenda as follows:

**“Resolution Authorizing Tax Appeal Settlement Re: Block 51, Lot 6; 68 East Main Street.”**

Councilman Kane offered the following Resolution and moved its adoption, seconded by Councilman Newman:

**RESOLUTION AWARDED TAX APPEAL SETTLEMENT RE: BLOCK 51, LOT 6; 68 EAST MAIN STREET.**

Councilman Newman stated the way the resolution is written there is a \$200,000 difference in the tax assessment for 2009 and 2010. He then asked how the Borough is going to reimburse money.

Ms. Higgins stated it will be taken as a tax credit.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 9 on the Agenda as follows:

**“Resolution Awarding a Contract for an Employee Assistance Program (EAP).”**

Councilwoman Shutzer offered the following Resolution and moved its adoption, seconded by Councilman Sims:

**RESOLUTION AWARDING A CONTRACT FOR AN EMPLOYEE ASSISTANCE PROGRAM (EAP).**

Mr. Bellina stated the Borough has been providing an employee assistance program for all employees including the volunteer firemen and first aid.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No.10 on the Agenda as follows:

**“Resolution Awarding a Contract for the Purchase of One (1) Dump Truck with Snow Plow, Pre-Wet System and Spreader.”**

Councilman DiBenedetto offered the following Resolution and moved its adoption, seconded by Councilman Kane:

**RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF ONE (1) DUMP TRUCK WITH SNOW PLOW, PRE-WET SYSTEM AND SPREADER.**

Councilman DiBenedetto stated this will replace a 1999 truck. This new truck will be equipped with everything needed for snow removal.

Councilman Newman stated this resolution includes the cost of the snow plow, pre-wet system and spreader. He asked if it was possible to salvage this equipment from our existing operations instead of purchasing them new.

Mr. Bellina stated the salt from the spreaders corrode the equipment and we are lucky if we get 7-8 years out of them.

Councilman DiBenedetto stated he is liaison to the Streets and Roads Department and he has reviewed each piece of equipment and in the past we have salvaged many pieces of equipment.

Councilman Newman questioned if the snow plow, pre-wet system and spreader could have been bid on individually because while the truck was the lowest bid, the snow plow and spreader was not.

Mr. Bellina stated the bids were incorporated in the price of the truck because the truck motor and hydraulic system intertwines them all. It is best to buy them all together even though they can be bought individually because if later on there is a problem it makes it easier if one company is responsible for the entire truck in the event there is a problem.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 11 on the Agenda as follows:

**“Resolution Establishing “No Parking Bus Stop Zones” in the Borough of Freehold.”**

Councilwoman Shutzer offered the following Resolution and moved its adoption, seconded by Councilman DiBenedetto:

**RESOLUTION ESTABLISHING “NO PARKING BUS STOP ZONES” IN THE BOROUGH OF FREEHOLD.**

Mr. Bellina stated NJDOT felt it would be better for riders of the bus and bus drivers to move these and they worked with our police department and established two locations that will be good for everybody.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 12 on the Agenda as follows:

**“Resolution Approving Application for Library State Aid.”**

Councilman Newman offered the following Resolution and moved its adoption, seconded by Councilman DiBenedetto:

**RESOLUTION APPROVING APPLICATION FOR LIBRARY STATE AID.**

Mr. Bellina stated each year the Borough makes application to the State for library aid and it usually amounts to about \$7,000 - \$8,000.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 13 on the Agenda as follows:

**“Resolution Appointing a Member to the Freehold Borough Historic Preservation Advisory Commission:**

- a. Lynda Keller – Term expiring December 31, 2011.”**

Councilman Newman stated Ms. Keller has attended a few meetings and she is very interested in being a member of the commission.

Councilman Newman offered the following Resolution and moved its adoption, seconded by Councilwoman Shutzer:

**RESOLUTION APPOINTING A MEMBER TO THE FREEHOLD BOROUGH HISTORIC PRESERVATION ADVISORY COMMISSION:**

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 14 on the Agenda as follows:

**“Resolution Appointing Individuals to the Citizen Participation Group (Community Development Block Grant):**

- a. Jeffrey Friedman**  
**b. Marlene Rogala**  
**c. Jean Holtz**  
**d. Ronald DeMarco**  
**e. Kevin Kane”**

Councilman Sims offered the following Resolution and moved its adoption, seconded by Councilman DiBenedetto:

**RESOLUTION APPOINTING INDIVIDUALS TO THE CITIZEN PARTICIPATION GROUP (COMMUNITY DEVELOPMENT BLOCK GRANT).**

Councilman Newman stated he was unfamiliar with this group.

Mr. Bellina stated one of the requirements prior to the submission of the grant application is to assign a community development participation group and this group of residents discusses how the money will be spent.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 15 on the Agenda as follows:

**“Resolution Approving the Mayor’s Nomination to the Freehold Borough Recreation Advisory Committee:**

- a. Susan Greitz – Term expiring December 31, 2011.**

- (Fills vacancy created with the resignation of Peanut Holloway.)
- b. **Eileen Korz – Term expiring December 31, 2014.**  
(Fills vacancy created with the resignation of Maria Chaffer.)”

Councilman DiBenedetto offered the following Resolution and moved its adoption, seconded by Councilwoman Shutzer:

**RESOLUTION APPROVING THE MAYOR’S NOMINATION TO THE  
FREEHOLD BOROUGH RECREATION ADVISORY COMMITTEE.**

Councilman DiBenedetto stated that he was very sorry to see Maria Chaffer and Peanut Holloway go and he thanked Susan Greitz and Eileen Korz for stepping up and volunteering their time. He also told the residents that the committee meets on the third Tuesday of every month at 7:30 PM and these are open meetings and everyone is welcome to attend.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr read Item No. 16 on the Agenda as follows:

**“Resolution Approving the Following Applications:**

- a. **Solicitation License, Knights of Columbus, canning on various streets in the Borough, April 30, 2011 from 9:00 AM – 4:00 PM.**
- b. **Freehold Beautiful, Selling flags at the Memorial Day Parade, May 30, 2011, 10:00 AM – 1:00 PM.**
- c. **Sidewalk Café License, Café 360, 34 East Main Street.**
- d. **Temporary Taxi Driver License, Donald R. Corby, Englishtown.**
- e. **Temporary Taxi Driver License, Andrew Horwitz, Freehold.**
- f. **Temporary Taxi Driver License, George Obeng, Freehold.**
- g. **Temporary Taxi Driver License, Robert S. Renaud, Sayreville.**
- h. **Permanent Taxi Driver License, Robert Stearn, Toms River.**
- i. **Permanent Taxi Driver License, Octavio Pantoja, Freehold.**
- j. **Permanent Taxi Driver License, Vincenta Pantoja, Freehold.**
- k. **Permanent Taxi Driver License, Jesus Gomez, Freehold.**
- l. **Permanent Taxi Driver License, Michael Kaye, Matawan.**
- m. **Permanent Taxi Driver License, Juan Ramirez Rojas, Jamesburg.**
- n. **Permanent Taxi Driver License, Angel DeJesus, Freehold.”**

Councilman Sims offered the following Resolution and moved its adoption, seconded by Councilwoman Shutzer:

**RESOLUTION APPROVING APPLICATIONS NO. 16A THROUGH 16N.**

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Mayor Wilson declared the motion adopted.

Mayor Wilson read Item No. 17 on the Agenda as follows:

**“Approval of Bills.”**

Councilman Kane offered the following Resolution and moved its adoption, seconded by Councilman Newman:

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$2,705,461.17 be paid as presented.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Mayor Wilson declared the motion adopted.

Council President Schnurr opened the meeting to the public.

Yolanda Curry, Bond Street, stated she has called about the feral cat population in Freehold. She stated she has two cats that keep coming on her property and she has not fed them but they just keep coming back. She was told by Samantha Daesener that animal control could not do anything until next month because there was no place to put these animals.

Councilman Schnurr responded that animal control can't trap cats during the colder months from November through March because of the cold.

Mr. Bellina stated he would contact animal control and follow-up on this.

Bob Taylor, Kiawah Avenue, stated he had to re-seed his front yard because of children walking home from school. He stated there have not been any patrols these last few days.

Councilwoman Shutzer stated she will mention this to the principal of the school.

Christine Gregory, West George Street, stated on the night of March 26, 2011 she went to the police station because her father went missing and Patrolman Iozzi had her fill out a report and told her he would contact CentraState Hospital and the Freehold Township Police Department. Her father was found at a local restaurant around 12:45 AM and Patrolman Iozzi brought him home. Ms. Gregory wanted to publicly thank Patrolman Iozzi and the police dispatcher for their professional and sympathetic service.

Leroy LeBarrie, 8 Hull Avenue stated that some communities use large brown paper bags for their leaf collection. The Borough lets the leaves blow and they don't stay in a nice neat pile.

Mr. Bellina responded that the farm where we dispose the leaves does not allow these bags. He stated that maybe during the fall schedule we will discuss this with some of the farms.

Tom Baldwin, 3 Vought Avenue, stated he was at the meeting when Mayor Wilson announced his retirement and he was very happy to hear this. He stated most people are aware he was very critical of Mayor Wilson's last term and most people know his reasons. He stated he had five people that he thinks would be very qualified to replace Mayor Wilson:

1. Councilwoman Shutzer, Councilman Sims and Councilman Schnurr.

2. Councilman Newman
3. Mr. Bellina if he was a resident of Freehold.

Mr. Baldwin also stated that the Borough should establish term limits for the new mayor.

Mr. LeBarrie commented on the policy of term limits and the resident's rights to vote a person out of office.

Councilwoman Shutzer offered the following Resolution and moved its adoption, seconded by Councilman Sims:

#### RESOLUTION TO CLOSE PUBLIC PORTION.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Council President Schnurr declared the motion adopted.

Council President Schnurr called upon the council for their comments.

Councilman Sims reminded everyone that the 60<sup>th</sup> Anniversary of the Freehold Little League will be Friday, April 8, 2011 at 7:00 PM. The annual parade will be on Saturday, April 9, 2011 at 10:00 AM.

Councilman Newman stated the Historic Preservation Commission met earlier this evening and he commended them for their hard work on South Street. Attached to the liquor store a new bail bonds shop will be opened and their original sign was lacking and the HPC was able to talk to the applicant who will put up a nicer sign that is in keeping with the new liquor store sign that was proposed last year.

Councilman Newman stated the FRHSD proposed budget increase is \$5.20 for the average tax payer in Freehold. The County has proposed a \$0.00 dollar increase and the Borough has an increase of 3.1 cent. He stated that certain budget line items are beyond our control, such as pensions, insurance costs and a slight increase in electricity.

Councilwoman Shutzer also pointed out the 60<sup>th</sup> Anniversary of the Freehold Little League will be this weekend and tickets can be purchased at the door, above the American Legion for \$10.00 on Friday night. This will include a reunion of all things related to the little league. The little league parade will be on Saturday morning and a large celebration at the field.

Councilwoman Shutzer stated on Saturday, April 9, 2011 St. Rose of Lima School will be celebrating their 135<sup>th</sup> Anniversary. St. Rose of Lima School is the longest running Catholic school in Monmouth County.

Councilwoman Shutzer reminded the residents that on June 27, 2011 the Freehold Community Alliance to Prevent Alcoholism and Drug Abuse will be hosting a golf outing.

Councilman Kane had no comments.

Councilman DiBenedetto stated the Recreation Commission is holding their annual East Egg Hunt on Saturday, April 23, 2011 at 10:00 AM at the Lincoln Street field. Councilman DiBenedetto expressed his deepest sympathies to the Deaver family on their loss.

Council President Schnurr stated he would like to add the Memorial Day Parade activities to the next Workshop Meeting. He stated the latest fundraiser will be at The Cabin on Tuesday, April 26, 2011 from 5:00 PM – 10:00 PM.

Council President Schnurr stated the governing body received a letter from the Freehold Fire Department indicating they do not want to go forward with the fire district. He stated he was glad there was a conclusion to this and the fire departments needs were met and the Borough does not have to go through the expense of having a fire district.

Council President Schnurr stated that he has received calls from as far away as Virginia from people that are going to attend the little league celebration.

The meeting was adjourned at 8:30 PM.

Respectfully Submitted,

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TRACI L. DIBENEDETTO, RMC  
BOROUGH CLERK

TLD:aj