

The Supplement to the Workshop Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, May 16, 2011 at 7:00 PM 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).

Councilwoman Shutzer opened the meeting with the Salute to the Flag, followed by a moment of silence.

Roll Call

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

Councilwoman Shutzer offered a motion to accept the minutes from the Supplement to Workshop Meeting April 18, 2011 and Regular Meeting May 2, 2011, seconded by Councilman Kane.

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

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

“Proclamation of the Mayor and Council of the Borough of Freehold Declaring the Month of June Freehold First Aid Fund Drive Month.”

Councilwoman Shutzer stated if any of the residents wanted to have a fundraising sign in their yard they should leave their name with either the Borough Clerk, herself or you could call the first aid squad.

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

“Introduction of and Authorization to Publish Ordinance #2011/5 Authorizing the Sale of Property Owned by the Borough of Freehold, Designated as Tax Block 119, Lot 21.24, West Main Street in the Borough of Freehold, County of Monmouth, New Jersey.”

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled “ORDINANCE #2011/15 AUTHORIZING THE SALE OF PROPERTY OWNED BY THE BOROUGH OF FREEHOLD, DESIGNATED AS TAX BLOCK 119, LOT 21.24, WEST MAIN STREET IN THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY” 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 Ordinance in the Asbury Park Press and that same shall be further considered for final passage after public hearing at a meeting held on June 6, 2011 and that during the week of said meeting copies of the Ordinance shall be made available at the Clerk's office to members of the general public who shall request same.

Ms. Higgins explained this is a very small piece of property that was held out from the Reid Way subdivision because it gave them access to their construction equipment. This lot is too small to build on and it was deeded back to the Borough. The Borough offered to sell to the adjoining property owners and since both sides are interested we're going out to bid with just the adjoining property owners.

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

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

“Resolution of the Borough of Freehold Amendment to 2011 Municipal Budget.”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD AMENDMENT TO 2011 MUNICIPAL BUDGET.

Mr. Bellina stated upon State review we learned that we had to make a couple of minor adjustments in the listing of the Library. There also was a small calculation to the reserve in our budget tax. The law requires him to read those parts of the budget amendment for public record.

“The amount to be raised for support of the municipal budget and the local tax for municipal purposes including reserve for uncollected taxes went from \$8,862,935.55 to \$8,461,225.55. The minimum library tax went from \$0 to \$401,710.00 and the total amount to be raised by taxes for support in the municipal budget went from \$8,862,935.55 to \$8,862,935.55. Under the Appropriations Category operations excluded from Caps public and private programs offset by revenues went from \$374,009.56 to \$378,009.56. The reserve for uncollected taxes went from \$662,090.25 to \$725,810.24. Total general appropriations went from \$14,761,799.81 to \$14,829,519.80. The State has approved our budget so we have permission to forge ahead.

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

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

“Resolution Adopting the 2011 Annual Budget of the Borough of Freehold.”

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

RESOLUTION ADOPTING THE 2011 ANNUAL BUDGET OF THE BOROUGH OF FREEHOLD.

Mr. Bellina stated the public hearing for the budget was held two weeks ago at the Regular Meeting on May 6, 2011 and was properly advertised.

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

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

“Resolution Accepting the Assessment Roll of the Special Improvement District of the Borough of Freehold.”

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

RESOLUTION ACCEPTING THE ASSESSMENT ROLL OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF FREEHOLD.

Councilman Newman asked if this included the addition to the assessment roll.

Mr. Bellina replied at this point in time the properties that we’ve listed here will be given notice are the properties that were checked the last time and as far as we know there have not been any changes.

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

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

“Resolution Accepting and Introducing the Budget of the Special Improvement District of the Borough of Freehold and Setting the Date for the Budget’s Pubic Hearing and Adoption.”

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

RESOLUTION ACCEPTING AND INTRODUCING THE BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF FREEHOLD AND SETTING THE DATE FOR THE BUDGET’S PUBLIC HEARING AND ADOPTION.

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

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

“Resolution Awarding a Contract for the Purchase of Gasoline and Diesel Fuel.”

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

RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE OF GASOLINE AND DIESEL FUEL.

Councilman DiBenedetto stated this is a two year contract with Allied Oil, LLC out of Hillsborough and we are in a joint venture with Freehold Township.

Mr. Bellina stated the last time we did this bid was two years ago and based on the estimated usage the total amount of this contract versus the one that we did two years ago has doubled.

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

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

“Resolution Designating an Officer in Charge in the Freehold Borough Police Department.”

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

RESOLUTION DESIGNATING AN OFFICER IN CHARGE IN THE FREEHOLD BOROUGH POLICE DEPARTMENT.

Councilman Newman questioned this procedure and as he thought about it more he decided that Captain Roberts is a good man who has been serving pretty well and should be made Police Chief. Part of the reason why is because a couple of months ago he made a request to Captain Roberts asking him to look into some drug activity and unfortunately at that time Captain Roberts responded that the police department knew about the drug activity but they did not have the resources to follow up on it. In the last couple of months he noticed that there were some other investigations that have been going on in town that do not have the high level of importance that drugs do and he felt that it probably has to do with the fact that Captain Roberts is technically the Officer-in-Charge not the Police Chief. Being the Officer-in-Charge means that you don't have all the rights as a Police Chief. Councilman Newman knows this is a temporary designation but he wanted his thoughts known. He does understand the governing body's decision to elect him Officer-in-Charge but he feels that Captain Roberts should be given the opportunity to prove himself as Police Chief.

Councilman Kane, Police Commissioner, stated the action we are taking tonight has been discussed numerous times amongst all of the council members and this is the course of action that we all chose including Councilman Newman. Captain Roberts does a great job and has done a great job as Officer-in-Charge.

Councilman DiBenedetto stated he missed the Workshop Meeting where this was discussed but he did his research and we on the council have different opinions on which avenue we should take now that we don't have a police chief. Some of our surrounding towns are also faced with this

decision and they will also be without police chiefs. Our police department does need a leader and this is only a temporary position. Captain Roberts has really stepped up to the plate.

Council President Schnurr stated that public safety has been one of the big focuses on council between the fire and police departments. He stated that he sat in and watched dispatch at the police department for five hours to get a better feel to see how the dispatching works because the governing body is thinking about transitioning this over to the County. Then he went to the County dispatch so he could have a comparison between the two along with Councilman DiBenedetto and Councilman Sims. Councilman Schnurr met with Captain Roberts, the lieutenants and the PBA in order to get a better understanding as to whether we should go to a Public Safety Director or a Police Chief route. We also met with the Police Chief's Association to get their point of view on this matter. There has been a lot of work involved with this decision. We are appointing Captain Roberts Officer-in-Charge with the understanding that eventually he may become Police Chief. He has done a great job in the short time he has been the unofficial Officer-in-Charge.

Councilwoman Shutzer stated this is the first time in all of the discussions the governing body has had on this that Councilman Newman has made an objection.

Councilman Newman stated at the last Executive Session the governing body discussed this and he questioned what a 6 month designation as an Officer-in-Charge would do. He stated he did have questions at that time. When he thought about it more he decided that he did not like the Officer-in-Charge designation. He would rather have a Police Chief who can take the "bull by the horns".

Councilman DiBenedetto stated that no where in this resolution does it state that this would be for 6 months.

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

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

“Resolution Authorizing Tax Appeal Settlement Re: Block 78, Lot 8; 21 Third Street.”

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

**RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT RE: BLOCK 78, LOT 8;
21 THIRD STREET.**

Ms. Higgins explained this is a residential structure. The Borough received an abundance of tax appeals and after reviewing the information supplied by the taxpayer with the tax assessor we approved and recommended the settlement.

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

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

“Resolution Rejecting Bids for Throckmorton Street Pedestrian Crosswalk and Sidewalk Improvements.”

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

RESOLUTION REJECTING BIDS FOR THROCKMORTON STREET PEDESTRIAN CROSSWALK AND SIDEWALK IMPROVEMENTS.

Mr. Bellina explained the bids were more than what was budgeted. There was one slight mistake in the schedule of quantities and had the correct unit of measurement applied there was no way we were able to pay for the project the way we designed it. We are down scaling it just a little so hopefully it will fall into our budget.

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

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

“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey, Authorizing Temporary Trailer on Block 3.08, Lot 11, 1 Oak Street.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING TEMPORARY TRAILER ON BLOCK 3.08, LOT 11, 1 OAK STREET.

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

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

“Resolution Memorializing the Mayor’s Appointments to the Freehold Borough Planning Board:

- a. Adam Reich, Class IV – Term expires December 31, 2013.
Fills vacancy as per resignation of William Butch.**
- b. Garry Jackson, Class II – Term expires December 31, 2011.
Replaces Adam Reich, former member of the Freehold School Board of Education.”**

Council President Schnurr offered the following Resolution and moved its adoption, seconded by Councilman DiBenedetto:

RESOLUTION MEMORIALIZING THE MAYOR’S APPOINTMENTS TO THE FREEHOLD BOROUGH PLANNING BOARD.

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

Council President Schnurr read Item No. 17 on the Agenda as follows:

“Resolution Confirming Personnel Appointments/Actions:

- a. Appointment of Steven R. Phillips as a part-time school crossing guard, effective May 16, 2011.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO. 17A.

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

Council President Schnurr read Item No. 18 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. Bingo License #1-11, St. Rose of Lima Church, Year Round on Mondays, 7:15 PM – 10:00 PM, 51 Lincoln Place.**
- b. Bingo License #2-11, St. Rose of Lima Church, Year Round on Saturdays, 10:30 AM – 12:00 AM, 51 Lincoln Place.**
- c. Carnival – Street Closure, Greater Freehold Pop Warner, McLean Street from Randolph Street to South Street, 6/16/11 5:00 PM – 10:00 PM, 6/17/11 5:00 PM – 11:00 PM and 6/18/11 3:00 PM – 11:00 PM.**
- d. Solicitation License, The Marketing Professionals Inc., visiting existing Verizon customers to help with their services, May 21, 2011 – December 31, 2011.**
- e. Permanent Taxi Driver License, Robert Stern, Toms River.**
- f. Permanent Taxi Driver License, George Obeng, Freehold.**
- g. Permanent Taxi Driver License, Robert Renaud, Sayreville.**
- h. Permanent Taxi Driver License, Joseph Richmond, Freehold.**
- i. Temporary Taxi Driver License, Carmine Tulino, Freehold.**
- j. Temporary Taxi Driver License, Gustavo Lopez, Cream Ridge.”**

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

RESOLUTION APPROVING APPLICATION NOS. 18A THROUGH 18J.

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

Council President Schnurr read Item No. 19 on the Agenda as follows:

“Approval of Bills.”

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

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$1,553,010.36 be paid as presented.

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

The supplemental portion of the agenda was adjourned at 8.00 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

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