

Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Tuesday, September 4, 2012 at 7:30 p.m. in the Municipal Building.

Mayor Higgins 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).

Councilman Sims opened the meeting with the Salute to the Flag, followed by a moment of silence. Mayor Higgins stated as we pause this evening he asked everyone to remember Reverend Malcolm Steele who passed away yesterday.

ROLL CALL

PRESENT	MAYOR J. NOLAN HIGGINS
PRESENT	COUNCILMAN MICHAEL DIBENEDETTO
PRESENT	COUNCILMAN KEVIN KANE
ABSENT	COUNCILMAN JOHN NEWMAN
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER
PRESENT	COUNCILMAN JAYE SIMS

Mayor Higgins read Item No. 4 on the Agenda as follows:

“Presentation to Michael and Emily Ruegger, Freehold Learning Center, participants in the National Young Scholars Program.”

Councilwoman Shutzer stated it is an honor to be presenting these certificates to Emily and Michael Ruegger. This program is for talented, gifted students and it is very hard to be nominated for it. She stated this also speaks well for the Freehold Borough K-8th grade district, for their teachers and for the characteristics of these two fine students. She stated it is children like this that gives us hope for the future. She called up Ms. Dougherty, Principal of Freehold Learning Center, Annette Jordan, Board of Education President and Michael and Emily’s parents. Mrs. Dougherty read and presented the certificate to Emily Ruegger and Annette Jordan read and presented the certificate to Michael Ruegger.

Mayor Higgins read Item No. 5 on the Agenda as follows:

“Monmouth County Municipal Open Space Grants Program – Veterans Park – Public Hearing and Resolution.”

Councilman Sims thanked the council and the youth government. This public hearing and resolution is for the rehabilitation of Veterans Park that our youth government will be taking on.

Steve Kiselick, Cranmer Engineering stated Monmouth County Parks suggested that we break the project into phases. He presented mayor and council with a map of the plan and stated that everything south of the phase line closer to Schanck Road is what we are applying for with the grant application so all of the improvements will be closer to Schanck and there will be nothing coming off Dogwood Lane or Crestwood Drive. That is because of the funding that is available we were advised it would be far better off if we applied for the funding in phases. We can come back to Monmouth County Parks under the next phase depending on how much they allot us in funding.

Joseph Bellina, Borough Administrator stated that for Phase 1 the engineers priced it out to be \$270,000.00 and we are allowed to do 50% so it would be \$135,000.00. In the past, there has been a lot of emphasis on using the money to acquire open space but because a lot of towns are not doing that this year, they are focusing on towns like Freehold Borough which is near full development.

Mr. Kiselick stated Monmouth County looked very favorable on this application because the Borough already has the property. Mr. Kiselick explained this is all that the Monmouth County Parks are requesting at this time. They want a cost estimate with an outline of the items we are proposing to put in. Under Phase 1, would be the exercise trail, renovate the shelter, renovate the two tot lots, add a drinking fountain, swing set and exercise stations along the trail. The basketball courts are proposed in Phase 2.

Mr. Kiselick stated the drainage improvement is more of a utility issue which nobody will see to dry out the wet spots. We do have to get all of the regulatory permits with this.

Councilman DiBenedetto questioned the parking for people coming to use the basketball courts. They will most likely be parking on Edgewood Drive and there really aren't adequate steps to get down into the park.

Mr. Kiselick stated that one of the items that they have cautioned us to provide is ADA access to the park. We will have a walk way system to whatever improvements that are ADA compatible whether it be ramps or stairs. We will propose either a ramp system or path that won't be too steep off of Schanck. We have not provided any parking and anticipated this to be all walk up activity.

Councilman Schnurr asked if the Borough could have a meeting with the residents around the park if we do receive the grant.

Mr. Bellina stated we would do that.

Councilman Schnurr asked if there were plans for security lighting.

Mr. Kiselick stated there is no lighting in this phase of the plan. We do have halfway lighting in a future phase. There is an existing light fixture in the middle of the part and if security is an issue we can try to upgrade those lights at that location.

Mr. Bellina stated this is an item that we don't have to have finalized now but at the time that we design and go to bid we can incorporate it

Mr. Kiselick stated it would be security lighting only it wouldn't be "activity" lighting.

Councilman Sims thanked Mr. Kiselick for all of his work and time spent working with the Youth Government Program. Mr. Kiselick has been actively participating on this project and has been coming to all the meetings and the kids have been giving him input on the design and they have been working very hard on this project.

Brayden Donnelly, Youth Government Mayor, thanked everyone who was involved with this because a couple months ago he never dreamed that they would be off and running and talking about approximately \$200,000.00. This started off with a simple what do we want to do. Since Freehold Borough is a very built up town without a lot of open space, the group switched over to what can we fix. They picked Veteran's Park and are now up and running.

Daniel Gross, Youth Government Council President, stated their top three things were a part of phase one. First was a swing set. Drainage has been the biggest issue. The last issue was adding path ways, especially adding one coming down from Edgewood Drive so that there is other access to the park. We feel this would better the park, bring more of an attraction to it and help it become a nicer park.

Mayor Higgins asked if there were any comments from the public.

There was none.

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, Schnurr and Shutzer voted its adoption; opposed none; abstain none; Councilman Newman absent. Mayor Higgins declared the motion adopted.

Councilman DiBenedetto asked if the next phase could come to the Recreation Meeting.

Councilman Sims stated that is in the plans and the Youth Government will attend the meeting this month.

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

RESOLUTION AUTHORIZING APPLICATION FOR MUNICIPAL OPEN SPACE GRANT.

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

Mayor Higgins read Item No. 6 on the Agenda as follows:

“Presentation by the Western Monmouth YMCA to the Mayor and Council.”

Councilman DiBenedetto introduced Cynthia Joy, YMCA Director and Mel O’Neal.

Mr. O’Neal stated he has served the YMCA for the last 12 years and at the Freehold Borough YMCA Community Center they provide many youth programs and activities. Some of the activities are: Colonial Basketball League, YMCA Leaders Club, Youth and Government, Mr. McGackin Junior Music Club, United Nations, Open Gym at Freehold Boro High School, First Tee Golf at Battleground Country Club, Chess Club, free SAT Prep courses, Dance Club, Girl Scouts, Teen Summits and the YMCA Borough Summer Recreational Day Camp. The summer camp served 130 campers, employed 24 counselors, had 5 leaders in training and 3 volunteers. Twenty of twenty-four counselors were residents of Freehold Borough. Freehold Residents paid \$275 for their 9 year olds and \$400 for their 10-13 year olds. He then showed a video which was a recap of the summer program.

Mayor Higgins read Item No. 7 on the Agenda as follows:

“Proclamation by the Borough of Freehold Declaring September 9-15, 2012, National Assisted Living Week.”

Councilwoman Shutzer read the proclamation. Mayor Higgins will present the Proclamation to The Brookside on Wednesday, September 12, 2012.

Councilman Sims offered a motion to accept the minutes from the Workshop Meeting June 18, 2012 and Regular Meeting August 6, 2012 and was seconded by Councilman DiBenedetto.

On roll call Council Members DiBenedetto, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; Councilman Kane abstained from the Workshop Meeting on June 18, 2012 and Councilman Sims abstained on Regular Meeting August 6, 2012; Councilman Newman absent. Mayor Higgins declared the motion adopted.

Mayor Higgins read Item No. 9 on the Agenda as follows:

“Introduction of and Authorization to Publish Ordinance #2012/14 Amending Chapter 16 (Land Use Procedures) and Chapter 18 (Zoning) of the Revised General Ordinances of the Borough of Freehold, County of Monmouth, State of New Jersey.”

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that a Ordinance entitled “ORDINANCE #2012/14” be, and same is hereby approved on first reading; and

BE IT FURTHER RESOLVED that the Clerk will forward this Ordinance to the Land-use Board.

Councilman Schnurr stated this ordinance was approved by the Planning Board and then went to the Land-use Committee and the highlights of this ordinance are:

1. Applicants can now submit sketch plans and conceptual site plans. This enables the Planning Board and applicant to discuss and evaluate principles

- and potential problems involved before they go through the expense of completing detailed engineering drawings.
2. It legitimizes home office use.
 3. It makes a conditional-use for the following: grocery store, convenience store and dollar store. There will also be a conditional-use for taxi and limousine services because of the parking requirement of one space per vehicle.
 4. Residential zones R-4 and R-5 will not require a garage. It will require that applicants have two off street parking spaces as opposed to a garage.
 5. The ordinance outlines the minimum off street parking requirements.
 6. Shows the schedule of area and yard building requirements for all of the residential and commercial zones.

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

Mayor Higgins read Item No. 10 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Authorizing the Discharge of a Mortgage RE: RCA No. 45”.

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE DISCHARGE OF A MORTGAGE RE: RCA NO. 45.

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

Mayor Higgins read Item No. 11 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey, Authorizing the Discharge of a Mortgage RE: RCA No. 70.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING THE DISCHARGE OF A MORTGAGE RE: RCA NO. 70.

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

Mayor Higgins read Item No. 12 on the Agenda as follows:

“Resolution and Order In the Matter of Disciplinary Proceedings Against Walter J. Conley Lodge #137 IBPOE W, Inc. 91 Throckmorton Street, Borough of Freehold the holder of ABC Club License No. 1315-31-013-001.”

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

RESOLUTION AND ORDER IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST WALTER J. CONLEY LODGE #137 IBPOE W, INC. 91 THROCKMORTON STREET, BOROUGH OF FREEHOLD THE HOLDER OF ABC CLUB LICENSE NO. 1315-31-013-001.

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

Mayor Higgins read Item No. 13 on the Agenda as follows:

“Resolution Approving an Appointment to the Freehold Housing Authority:

- a. Tara Brantley – Term expires December 31, 2015.
Fills the unexpired term of Mr. Gareth Lewis.”**

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

RESOLUTION APPROVING AN APPOINTMENT TO THE FREEHOLD HOUSING AUTHORITY.

Councilman DiBenedetto stated there are requirements that have to be met and Ms. Brantley has met them.

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

Mayor Higgins read Item No. 14 on the Agenda as follows:

“Resolution Approving the Mayor’s Nomination for Appointment to the Historic Preservation Commission:

- a. Robert Sive, Alternate Number 1, Term expires December 31, 2013.
This appointment will fill an existing vacancy.**
- b. Gil Burgess, Alternate Number 2, Term expires December 31, 2012.
This appointment will fill an existing vacancy.”**

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

RESOLUTION APPROVING THE MAYOR’S NOMINATION FOR APPOINTMENT TO THE HISTORIC PRESERVATION COMMISSION.

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

Mayor Higgins read Item No. 15 on the Agenda as follows:

“Resolution Approving the Mayor’s Nomination for Appointment to the Recreation Commission:

- a. Terrance Custis – Term expires December 31, 2016.
This appointment will fill an existing vacancy.”**

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

RESOLUTION APPROVING THE MAYOR’S NOMINATION FOR APPOINTMENT TO THE RECREATION COMMISSION.

Councilman Schnurr stated that Terrance does a lot of work for the YMCA and he will be a great addition to the Recreation Commission.

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

Mayor Higgins read Item No. 16 on the Agenda as follows:

“Resolution Approving the Mayor’s Nomination for Appointment to the Shade Tree Commission:

- a. Cheryl Greenfield – Term expires December 31, 2014.
This appointment will fill an existing vacancy.”**

Councilman DiBenedetto thanked Ms. Greenfield for stepping up and joining the commission.

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

RESOLUTION APPROVING THE MAYOR'S NOMINATION FOR APPOINTMENT TO THE SHADE TREE COMMISSION.

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

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

“Resolution Confirming Personnel Actions:

- a. Resignation of Kevin Mulligan from the Freehold Planning Board, effective September 4, 2012.**
- b. Resignation of Ronnie Steppat Sr. as School Crossing Guard, Freehold Police Department.**
- c. Appointment of Arnold Shuster as full-time School Crossing Guard, Freehold Police Department, effective September 4, 2012.”**

Councilman Sims thanked Mr. Mulligan for all of years of service on the Planning and Zoning Boards and for Mr. Steppat for being a crossing guard.

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

RESOLUTION CONFIRMING PERSONNEL ACTIONS NO. 17A – 17C.

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

Mayor Higgins read Item No. 18 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. Memorializing Block Party, 81 W. Main St., 9/1/12, 8:00 AM – 6:00 PM, c/o First Baptist Church of Freehold.**
- b. Block Party, 9/23/12 2:00 PM – 7:00 PM (rain date 9/30/12) Broad Street from Manalapan Avenue to Yard Avenue. c/o Leroy Smith**
- c. Canning, Four Diamonds Charity, Penn State University students, 9/28/12 – 9/29/12, 9:00 AM – 5:00 PM, at various intersections in the Borough.**
- d. Yard Sale, 9/29/12, 9:00 AM – 4:00 PM, Jackson Street Municipal Parking Lot. c/o Pamela Dean**
- e. Parade Application – The Open Space Pace, 9/29/12, 7:00 AM – 11:00 AM, starting at Hall of Records and ending at Freehold Raceway. c/o Brett Taft.**
- f. Rosary Rally, St. Rose of Lima Church, 10/13/12, 10:00 AM – 12:00 PM, South Street side of school.**
- g. Temporary Taxi Drivers License, Stephanie Jackson, Freehold.**
- h. Permanent Taxi Drivers License, Alberto Sanchez, Howell.”**

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

RESOLUTION APPROVING APPLICATIONS 18A – 18H.

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

Mayor Higgins 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 Sims:

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$3,239,616.14 be paid as presented.

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

Mayor Higgins opened the meeting to the public.

Jeff Friedman, 3 Broad Street, stated the Downtown Concert Series by St. Peter's Church has its 3rd season underway and he urged the residents to attend.

Mayor Higgins echoed Mr. Friedman's comments. This is an outstanding concert series they have Broadway quality internationally known performers.

Annette Jordan, Freehold Borough BOE President, reminded the residents that school starts on Thursday, September 6, 2012. She also stated her son has been a counselor at the YMCA and it has been a great experience for him.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

Mayor Higgins called upon the council for their comments.

Councilman Sims thanked everyone for attending the meeting. He apologized for not being at the last meeting but he wanted to publically thank Mayor Higgins for his leadership during the July 28, 2012 storm.

Councilman Sims stated we are all up here with heavy hearts over the passing of Reverend Malcolm Steele. He was an iconic member of this community and he was a vital important role member of the Sims family. He baptized all four of his siblings, as well as, his nieces and twin daughters. He will be greatly missed.

Councilman Sims thanked the Youth Government for attending the meeting and this is the first phase of the park project. He also thanked Mr. Bellina for his help with the grant. He also thanked the council for their help running this program. The Youth Government is in the process of planning a trip to the State House for a tour.

Councilwoman Shutzer offered her condolences to the Steele family. Reverend Steele was a wonderful person and influenced a countless number of people. She thanked Cheryl Greenfield, Robert Sive, Gil Burgess and Terrence Custis for stepping up and volunteering their time on the different committees.

Councilwoman Shutzer stated that Sunday is National Grandparents Day. She stated because of the misfortune of one of our residents and the foresight of another resident who recommended the Knox boxes we now have two elderly residents who live alone have Knox boxes.

Councilwoman Shutzer stated the Rabies Clinic will be held on Thursday, September 13, 2012 at the firehouse from 6:00 PM – 7:00 PM. She reminded everyone that the Sheriff's office has prescription and over-the-counter drug drop off.

Councilwoman Shutzer thanked Mr. Bellina, Mayor Higgins and Sheriff Golden who arranged to have the inmate's clean Musgrave Park. She reminded the residents that the two big red clothing, toys or shoe donation bins is a fundraiser for the Junior Firefighters program. The Seniors Meeting has been changed from September 12th to September 19th. She also thanked the Human Relations Committee for leading the lovely prayer service after the storm that hit the town.

Councilman Schnurr reminded the residents that school is back in session and to be careful driving. He stated in regards to Veterans Park the “power of people” is one of the most important things you can remember in life.

Councilman Schnurr mourned the passing of Reverend Malcolm Steele of Bethel AME Church. He seemed to him that he was bigger than life, a man of love, peace, tolerance and dedication to his faith and to this community.

Councilman Schnurr thanked Traci DiBenedetto, Borough Clerk for her terrific work and praised her work ethic.

Councilman Kane offered his condolences to the Steele family. Reverend Steele “touched” everyone in town. If there was something going on in town, Reverend Steele was always there.

Councilman Kane congratulated Councilman Sims for all of his work with the Youth Government. This was Councilman Sims idea, he took it to the governing body for their approval and he has a tremendous group of students.

Councilman Kane reminded the residents to be careful, school is starting and the police will be out there keeping an eye on everyone. This is a walking community and asked the residents to keep an eye on the children walking to school.

Councilman DiBenedetto also offered his condolences to the Steele family. Reverend Steele was a very quiet man but he spoke through his smile which could warm your heart but he also gained respect by shaking your hand. He thanked Sherriff Golden and the Monmouth County employees that attended the meeting. He also thanked all the volunteers who stepped up tonight for the various committees. He also thanked the volunteers who stepped down this evening.

Councilman DiBenedetto thanked Cynthia Joy and Mel O’Neal for all of their hard work on the YMCA program. He stated the boro-wide yard sale will be held on Saturday, October 6, 2012. He also reminded the residents about the Downtown Freehold concerts.

Councilman DiBenedetto stated the Graeme Preston Foundation has their golf outing this Monday, September 10, 2012. This organization has given back to our community through our Youth Police Academy and through various projects they have done in Freehold Borough.

Councilman DiBenedetto stated that Freehold First Aid and Emergency Squad is running a breakfast on Saturday, September 22, 2012 at Applebee’s Restaurant.

Mayor Higgins recognized Captain Dispenza. He explained that Chief Roberts’ daughter has had some very significant health issues during the summer and Captain Dispenza has been attending the meetings in his place. We are happy to report that she is doing much better.

Mayor Higgins stated at the last Monmouth County Freeholders Meeting, Mr. Bellina and I appeared and thanked the County and the Sherriff and their various groups for the help during the storm. We are still in hurricane season and there is some material on the Borough website called “Hurricane Survival Guide for New Jersey”.

Mayor Higgins extended his condolences to the Steele family. He stated he knew him personally and professionally and he was a man that no matter what a person’s station in life was, he treated them with the utmost dignity and respect and he will be missed by the Bethel AME Church, his family and this community.

The meeting was adjourned at 8:49 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:aj