

Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, October 1, 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).

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

#### ROLL CALL

PRESENT	MAYOR J. NOLAN HIGGINS
PRESENT	COUNCILMAN MICHAEL DIBENEDETTO
PRESENT	COUNCILMAN KEVIN KANE
PRESENT	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 of the 2011 John G. McGackin Award – William Anderson.”**

Councilman Kane stated the John G. McGackin Award was being awarded to William Anderson who is a 13 year member of the Freehold Fire Department, Monmouth Hose Company, currently serving as 1<sup>st</sup> Lieutenant; 12 year member of the Sons of American Legion, currently serving as a senior Vice-Commander; 10 year member of the Halloween Spooktacular Committee, currently serving as the Co-Chairman with Judi Guy; 8 year member of the Olde Freehold Day Committee and one of the original members of the Neighborhood Pride Committee.

Councilman Kane, the McGackin family and past winners presented the award to Mr. Anderson.

Mr. Anderson stated the following:

“Thanks everyone. As long as I have known you guys, I’ve never been able to call you by your first names. When Kevin Kane called me to inform me that I’ve been chosen for this award, I was a little shocked and somewhat embarrassed. It was truly a surprise and I am deeply humbled by this recognition. I am honored to be included in a group of such dedicated individuals. I think I was first introduced to volunteering while growing up here in Freehold. My dad put a lot of time into the Freehold Borough Little League as a manager, groundskeeper, maintenance man, on the board and ultimately president of the league. My mom helped out at the snack stand and later joined the Freehold First Aid Squad spending a number of years with that organization. I joined the Freehold Fire Department after high school because as Mayor Nolan Higgins once said, “If you live in Freehold, it’s what you do.” Just look around the room you can’t walk a few feet without bumping into a volunteer who is on one committee or another. We don’t do it for the pat on the back, we do it because it’s what we love to do, although this pat on the back feels pretty good right now. Years later I joined the Sons of the American Legion, the Olde Freehold Day Committee, the Neighborhood Pride Committee and last the Spooktacular Committee. Which Roger Kane says, “This is the best committee that I’ve ever served on.” I agree with him 100 percent. What makes these organizations and committees so special are the people I volunteer with. We have a lot of great memories and I’ve made friends that I know will last a life time. There are so many volunteers in town, I’ve never considered myself anything other than part of the group.

An unfortunate turn of events put me on the other side that I never thought I would be on. Two and half years ago I was very sick and going through treatment for advanced stage cancer. It was then that the members of the Freehold Fire Department and Sons of the American Legion got together and threw a benefit for me and my family. The event was something I never could have imagined. I think it truly showed everyone what our community is all about. Just six months later a group of teenagers called the World Changers came here from all over the country paying their own way to volunteer to help beautify some homes in Freehold. Again, we were lucky enough to be on the receiving end and what a

wonderful bunch of kids they were. My wife, Pegeen and I, are also lucky to have the family and friends that we had. A few brother firemen, including Joe and Mike DiBenedetto, my dad, my brother-in-law Tim, my nephew Tommy, all helped do things around the house that I was unable to do. Being on the other side of the receiving end is truly a humbling experience to say the least. I am incredibly thankful for all of them and for all they have done for us.

Volunteering has very much changed my life and has helped me in ways I would never have thought possible. From making good friends, to fighting fires, to supporting our veterans or doing what I could do to make our town a better place and for helping me get back on my feet after being so sick. I would like to thank all of these organizations for allowing me to be a part of their group and I would also like to thank the past honorees for choosing me for this wonderful award. Thank you to my family and friends for showing their support tonight and I would finally like to thank my wife, my best friend Pegeen, who has put up with the meetings and the drills, the events and the fire calls and more meetings and the occasional pager going off at 3:00 AM. She has been my helper, my sounding board and my biggest supporter of all and for that I am very thankful for. Thank you all for your support and this amazing honor.”

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

**“Second Reading and Public Hearing: Bond Ordinance #2012/13 Amending in Part Bond Ordinance No. 2008/7 Finally Adopted on April 7, 2008 as Supplemented by Bond Ordinance 2008/21 Finally adopted December 1, 2008 and Supplemented by Bond Ordinance 2009/2 Finally adopted on April 6, 2009 Providing for Various Road Improvements, in Order to Amend the Purpose, Authorized in and by the Borough of Freehold, in the County of Monmouth, New Jersey.”**

Mayor Higgins opened the meeting to the public.

There were no comments.

Councilman Kane 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. Mayor Higgins declared the motion adopted.

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 Bond Ordinance entitled “BOND ORDINANCE #2012/13 AMENDING IN PART BOND ORDINANCE NO. 2008/7 FINALLY ADOPTED ON APRIL 7, 2008 AS SUPPLEMENTED BY BOND ORDINANCE 2008/21 FINALLY ADOPTED DECEMBER 1, 2008 AND SUPPLEMENTED BY BOND ORDINANCE 2009/2 FINALLY ADOPTED ON APRIL 6, 2009 PROVIDING FOR VARIOUS ROAD IMPROVEMENTS, IN ORDER TO AMEND THE PURPOSE, AUTHORIZED IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY,” be, and same is hereby adopted on second reading.

Councilwoman Shutzer stated she will be abstaining from this vote because she lives on one of these streets.

Councilman Schnurr stated this ordinance redefines the previous bond ordinances and any money that was in those bond ordinances will be used for road improvements.

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

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

**“Resolution Authorizing a New Bus Transportation Agreement Between the Borough of Freehold and Senior Citizens Housing Corporation.”**

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

**RESOLUTION AUTHORIZING A NEW BUS TRANSPORTATION AGREEMENT BETWEEN THE BOROUGH OF FREEHOLD AND SENIOR CITIZENS HOUSING CORPORATION.**

Councilwoman Shutzer stated the Borough has an agreement with Hudson Manor for a new bus. We’ve had an agreement with them for the last bus and we are entering into a new agreement. Hudson Manor is purchasing the bus for the use of the Borough. They are hiring the driver and paying for the salary and benefits. The Borough will provide the insurance, gas and maintenance. This bus will service all senior citizens in Freehold Borough. We owe a debt of gratitude to Hudson Manor for entering into this agreement with us because we could not afford to get this bus on our own.

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

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

**“Resolution Authorizing Freehold Borough Officials to Submit a Grant Application to the State of New Jersey, Department of Transportation, Trust Fund Authority Act, Fiscal Year 2013.”**

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

**RESOLUTION AUTHORIZING FREEHOLD BOROUGH OFFICIALS TO SUBMIT A GRANT APPLICATION TO THE STATE OF NEW JERSEY, DEPARTMENT OF TRANSPORTATION, TRUST FUND AUTHORITY ACT, FISCAL YEAR 2013.**

Councilman DiBenedetto stated this is an application for a grant for various road improvements.

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

Mayor Higgins read Item No. 8 on the Agenda as follows:

**“Resolution Awarding a Contract for the Repaving of West George Street, Stillwell Place, Court Street Parking Lot, Douglas Road and Various Roadway Repairs.”**

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

**RESOLUTION AWARDING A CONTRACT FOR THE REPAVING OF WEST GEORGE STREET, STILLWELL PLACE, COURT STREET PARKING LOT, DOUGLAS ROAD AND VARIOUS ROADWAY REPAIRS.**

Councilman DiBenedetto stated this bid was awarded to Earle Asphalt Co. for \$865,913.00 and there is \$275,000.00 grant applied to this.

Councilman Schnurr stated we received only one road construction bid for roughly \$866,000.00 and last year we had 17 bids for half the amount of work. Councilman Schnurr stated he is in agreement for all of the road improvements that are going to be done, but his problem is we received only one bid. He explained that by taking municipal government out of the equation, if you were going to have work done on your home for one-tenth of that amount which would equate to \$86,000.00 wouldn’t you get a second quote. Of course you would and this is directly equated to the topic that was brought up at the last council meeting which is the Best Practices Checklist from the State of New Jersey. This does not sound like best practices to him.

Councilman Schnurr stated you may hear from the other council members that the weather is going to turn cold soon and the asphalt factories are going to close and then we cannot do the work that is required. He reminded everyone out here that we are all politicians not weathermen and this should not be a scare tactic in accepting only one bid. He stated you may also hear about the resident's on this street or that street and his response to voting no tonight is not that we don't do the road work, it's a vote that we don't accept one bid. He stated you may also hear that the bid is only \$80,000.00 more than the engineers estimate. He feels that the folks up here should not be that cavalier with your money.

Councilman DiBenedetto stated he will be voting yes to this Resolution. There are people on Douglas Road that have floods in their backyards. The problem they have will not be fixed this year if this does not go through. He stated he is voting yes for this because he is thinking of all of our taxpayers.

Councilwoman Shutzer stated now she is upset because she cannot vote on this. But if she could vote she would be voting yes.

Councilman Sims stated he respected everyone's position up here at the table, however, throughout the course of the latter part of this year he sat on one resident's driveway on Douglas Road and watched water just constantly fill up as a result of some of the heavy storms that we've had and this has been an ongoing issue for the past few years. He will be voting yes.

Councilman Kane stated we have been spoiled by the economy the past few years because all of our bids have generated tremendous interest. We would have liked to receive more bids on this project and it was \$80,000.00 over the engineering estimate but the significant property damage of the residents of Douglas Road is causing us to be responsible and act immediately and fix the drainage issues so they don't receive any further damage to their properties. He will be voting yes.

Councilman Newman stated he will be abstaining from this vote because his running mate is one of the principles of this company.

Councilwoman Shutzer asked Kerry Higgins, Borough Attorney if she would be jeopardizing anything by voting for this.

Ms. Higgins stated legally she does not financially benefit from this but she will reap some of the benefits from this because she lives on that street that is going to be paved.

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

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

**“Resolution Approving Change Order Number 1 for the Improvements to Hull Avenue and Bowne Avenue.”**

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

**RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE IMPROVEMENTS TO HULL AVENUE AND BOWNE AVENUE.**

Councilman Sims stated the different amount from the original quote was \$47,752.00 and the scope of the work came out under that.

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

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

**“Resolution Authorizing Tax Appeal Settlement Re: Block 71, Lot 15, 32-38 South Street.”**

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

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT RE: BLOCK 71, LOT 15, 32-38 SOUTH STREET.

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

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

**“Resolution Authorizing Tax Appeal Settlement Re: Block 84, Lot 9, 46 Conover Street.”**

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

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT RE: BLOCK 84, LOT 9, 46 CONOVER STREET.

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

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

**“Resolution Authorizing Tax Appeal Settlement Re: Block 20, Lot 17, 21 Bowne Avenue.”**

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

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT RE: BLOCK 20, LOT 17, 21 BOWNE AVENUE.

Councilman Kane stated all three Resolutions were finalized tax appeal settlements.

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

Mayor Higgins read Item No. 13 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 68, Lot 16, 6 Lloyd Street.”**

Councilman Schnurr 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 68, LOT 16, 6 LLOYD STREET.

Councilman Schnurr stated this residence sustained extensive storm damage on July 28, 2012 and this is a temporary mobile home for a 120 day period.

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

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

**“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey,**

**Appointing ICMA Retirement Corporation as an Additional Deferred Compensation Plan Administrator.**

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPOINTING ICMA RETIREMENT CORPORATION AS AN ADDITIONAL DEFERRED COMPENSATION PLAN ADMINISTRATOR.

Councilman Kane stated this is an additional administrator to our deferred compensation plan.

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

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

**“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Authorizing Employee Loans from their Deferred Compensation Plan with ICMA-RC Plan #30-6947.”**

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING EMPLOYEE LOANS FROM THEIR DEFERRED COMPENSATION PLAN WITH ICMA-RC PLAN #30-6947.

Councilman Kane stated this allows ICMA to authorize loans against employee’s retirement accounts.

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

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

**“Resolution of the Mayor and Council of the Borough of Freehold Approving Assumption of Mortgage Given to Borough of Freehold Housing Rehabilitation Program Concerning RCA Case Number 06-030.”**

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 APPROVING ASSUMPTION OF MORTGAGE GIVEN TO BOROUGH OF FREEHOLD HOUSING REHABILITATION PROGRAM CONCERNING RCA CASE NUMBER 06-030.

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

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

**“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Authorizing Compensation Payment to Detective Michael George Upon His Retirement.”**

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH,  
STATE OF NEW JERSEY, AUTHORIZING COMPENSATION PAYMENT TO  
DETECTIVE MICHAEL GEORGE UPON HIS RETIREMENT.

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

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

**“Resolution Confirming Personnel Actions:**

- a. Resignation of Justin Barkalow as a member of the Freehold Fire Department, Goodwill Hook & Ladder Co., effective September 6, 2012.**
- b. Appointment of John O’Grady as a member of the Freehold Fire Department, Goodwill Hook & Ladder Co., effective October 1, 2012.”**

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

RESOLUTION CONFIRMING PERSONNEL ACTIONS NO. 18A – 18B.

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

Mayor Higgins read Item No. 19 on the Agenda as follows:

**“Resolution Approving the Following Applications:**

- a. Raffle License #24-12, 50/50, Olive Branch Lodge #16 F&AM, 10/9/2012 – 1/22/13, 6:00 PM – 8:00 PM, 2 Dutch Lane Road.**
- b. Raffle License #25-12, Tricky Tray, Marlboro Educational Foundation, 12/3/12, 6:00 PM – 10:00 PM at the American Hotel.**
- c. Raffle License #26-12, 50/50, St. Peters Church, 11/17/12, 9:00 AM – 6:00 PM at 33 Throckmorton Street.**
- d. Memorializing 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 c/o Nicole Nahmod.**
- e. Halloween Spooktacular Jack-o-Lantern Event, 10/27/12 6:30 PM–8:30 PM at the Hall of Records.**
- f. Halloween Spooktacular Parade, 10/28/12, 1:00 PM – 4:00 PM starting on Manalapan Avenue and ending on Lafayette Place.**
- g. Our Lady of Guadalupe Procession, St. Rose of Lima Church/Hispanic Community, 12/9/12, 11:30 AM – 1:30 PM, starting on Throckmorton Street, to Main Street and ending on Randolph Street.”**

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

RESOLUTION APPROVING APPLICATIONS 19A – 19G.

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

Mayor Higgins read Item No. 20 on the Agenda as follows:

**“Approval of Bills.”**

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

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$1,420,263.49 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 Higgins declared the motion adopted.

Mayor Higgins read Item No. 21 on the Agenda as follows:

**“Clerk-Late Communications”**

There were none.

Mayor Higgins read Item No. 22 on the Agenda as follows:

**“Grant Award Determination – CDBG”**

Mr. Bellina explained the CDBG grant award process which is federal funds that come down through the county government to the local governments. As part of the grant application we must submit a video. He introduced Gary Gellmen who played a video which was taken in Freehold Borough.

Mayor Higgins stated this video was presented as part of our Community Development Block Grant Application and this presentation is bringing in \$184,000.00 to the Borough of Freehold for improvements to Throckmorton Street.

Mr. Bellina stated it takes a while for the funds to clear, probably June or July of next year.

Mayor Higgins opened the meeting to the public.

Al Michenfelder, 30 Jackson Street stated Mike Page, owner of Court Jester, gave him a box with model cars in it so the kids don't have to buy any cars. He stated he is in need of children he has 9 kids but there is room for 10. He thanked Jersey Freeze, the American Legion and Sam's Club. He asked Mayor Higgins to open the meeting at Court Street School.

Bill Madden, 10 Vredenburg Avenue, Trustee Freehold First Aid Squad, stated there was a spaghetti fundraiser for Jack Schellenger which raised \$17,000.00. He thanked the residents of Freehold Borough. He stated the First Aid Squad sent out 13,000 fundraising letters and to date we have 1,600 that were returned. This means they are down approximately \$20,000.00 from last year. They will be going into their second mailing next week which costs another \$1,700.00 for postage. The first aid squad answers 4,000 calls per year and the response financially is not coming in.

Bob Taylor, Kiawah Avenue, stated the bill list should be publicized and placed in the lobby downstairs.

Jeff Friedman, 3 Broad Street, stated that the block grant was great and that it would do a lot of good work for Throckmorton Street. The video was also excellent and he hopes that we take as much time preserving our history and maintaining our buildings in a way that will keep our historic charm for a long time.

Greg Goldman, 19 Schanck Street, echoed what Mr. Friedman said and it is important to preserve some of the history here in the Borough. The building at 28 Court Street recently had its windows being replaced and it was asked if they had a permit to do so because this property is considered to be a historic preservation house and there was no consideration as to whether or not they needed any type of approval by the Historic Preservation Committee. He just feels this should have gone through the proper protocol.

Ms. Higgins stated that under our ordinance replacing windows does require any type of permit so the Code office would not even know that windows were being replaced, historic district or not. Maybe this is a glitch that we have to look at, it was discussed by the Land Use Committee and they will discuss it further. It is not that HPC was by-passed, no permits are required for replacing windows.

Mayor Higgins explained the Land Use Committee is a committee made up of three council members, one from HPC, one from Planning Board and one from the Code office and they meet on a regular basis and issues like this are raised before them and between the three groups they try to flush out a solution.

Mr. Bellina stated the Code office had no knowledge of the windows being put in.

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 voted its adoption; opposed none; abstain none; absent none. Mayor Higgins declared the motion adopted.

Mayor Higgins called upon the council for their comments.

Councilman Schnurr congratulated Billy Anderson on receiving the McGackin Award, it was well deserved.

Councilman Kane thanked everyone for coming to the meeting. He thanked the McGackin family for coming out and presenting the award. He congratulated Billy Anderson and thanked him for all his work volunteering.

Councilman Kane reminded the residents about the hard work of the Freehold First Aid and he urged all of the residents to donate.

Councilman Kane congratulated Sam Landy and Brett Taft from the Open Space Pace Committee. This was a terrific event. It started down Main Street and then an all day event with music and all kinds of activities were held at the Freehold Racetrack. This was to bring awareness to the harness industry, horse industry and open space. They are trying to create a Kentucky Derby type event at Freehold Raceway, to keep our area going.

Councilman DiBenedetto stated that tonight you saw some differences on one of our items on the agenda and this is what makes us what we are. We have to make decisions and there is no animosity between us, we just have differences of opinions.

Councilman DiBenedetto thanked the McGackin family for coming out this evening. The Boro-wide yard sale will be held this Saturday, October 6, 2012. The Fall concert series has begun they are held on Wednesdays from 7:00 PM – 9:00 PM at the Hall of Records. On October 3, 2012 there is a great musical group called the Amish Outlaws. If it rains the events will be moved inside at the American Hotel. The Spooktacular Events will be starting and the Haunted Hayride will be held on Saturday, October 20, 2012 at Lake Topanemus, the Jack o' Lantern contest will be held on Saturday, October 27, 2012 from 6:30 PM – 8:30 PM at the Hall of Records, if it rains it will be held back in the Freehold Borough Fire Department Annex building. The costume contest and Halloween parade will be held on Sunday, October 28, 2012.

Councilman Sims thanked everyone for attending the meeting and thanked the McGackin family. He congratulated Billy Anderson and described him in one word "Awesome".

Councilman Newman stated he served as liaison to the Historic Preservation Committee and it may seem kind of innocuous to many people here about the windows being replaced and what it does to the character of a building but when you start taking away from our old buildings, just a little piece here and there changes the nature of the building. It changes the look of Freehold and people come here to see the historic structures. He was reminded of a home on Court Street that unfortunately had a fire a couple years ago. It was redone and if you take a look at that house now and then look at the houses next to it, there is a big difference between those homes. So it is the little things that count. This particular discussion was discussed by the Land Use Committee and it will be addressed again in the future.

Councilman Newman congratulated Billy Anderson and thanked everyone for attending the meeting.

Councilwoman Shutzer congratulated Billy Anderson and she appreciates everything that he has done for this town. In all of Billy's struggles with his health and all of the things he's done for this town, behind him was his wife, Pegeen.

Councilwoman Shutzer urged all the residents to donate to the first aid. She doesn't understand how so many residents are not donating. She stated from experience, when you are in panic mode and someone is in need of help and is suffering and even in life threatening situations, when these folks come to your door it makes \$5.00, \$10.00, \$50.00 seem like nothing. She offered her best wishes to Jack Schellenger.

Councilwoman Shutzer stated the Open Space Pace Program was wonderful. It was a great day. She thanked Hudson Manor for the new bus.

Councilwoman Shutzer stated the council does have differences of opinion, usually we discuss them behind closed doors but we decided as a group that we would go forward with this because of the suffering and the property damage that has already been incurred by the residents of Douglas Road. You have to understand the time and money that it would have taken to rebid this and sometimes you have to weigh the options.

Mayor Higgins stated the Open Space Pace was held on Saturday, September 29, 2012 and the horse racing industry extends beyond Freehold Racetrack. This affects our restaurants downtown, the horse farms preserved for open space, veterinary practices and drivers and trainers, etc. This industry is a big part of our economy and one that suffers. This event was a great day and they are talking about doing it again next year and they have our encouragement and support to do so. He recognized Sam Landy and his committee for all of his help organizing this event.

Mayor Higgins stated there have been many questions about our tree program and what's going to happen with our trees. The Borough had a tree expert come in and identify the various problems with our trees in a very detailed report and the trees have been ranked and prioritized. We are hoping to be able to put a bid out in the next few weeks and start to do some of the tree work. Brush pick-up will continue through October and November 1<sup>st</sup> leaf pick-up will commence, there will be a brochure mailed out to each of the residents detailing the collection times for all areas in the Borough.

Mayor Higgins stated the Spooktacular events were announced earlier and October is a busy month, he urged the residents to come out and support the Borough.

Mayor Higgins congratulated his 'brother', Billy Anderson, from the Freehold Fire Department on receiving the McGackin award.

The meeting was adjourned at 8:45 PM.

Respectfully Submitted,

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TRACI L. DIBENEDETTO, RMC  
BOROUGH CLERK

TLD:aj