

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, March 5, 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.

Councilman Sims asked for another moment of silence for the tornado victims out west.

#### ROLL CALL

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

Councilman Sims called forward all of the participants in the Freehold Borough Youth Government Program and the Oaths of Office were administered to the students. The following students were sworn in as members of the Freehold Borough Youth Government:

Brayden Donnelly, Mayor  
Daniel Gross, Council President  
Marian Blancas, Councilperson  
Cameron Constanzo, Councilman  
Ricky Coyne, Councilman  
Allyssa Gonzalez, Councilperson  
Cydney Sims, Councilperson  
Cierra Sims, Council Alternate  
Mackenzie Parke, Administrator  
Emily Higgins, Borough Attorney  
Kayla Ciok, Borough Clerk  
Caitlyn Kafka, Deputy Borough Clerk  
Matt Parke, Police Chief

Mayor Higgins congratulated Councilman Sims on this fantastic program and he welcomed the family and friends of the youth government. He stated Councilwoman Shutzer and he sat in on the interview process and they are extremely proud of these students because they were proud of their heritage and Freehold Borough roots.

Councilwoman Shutzer offered a motion to accept the minutes from the Supplement to Workshop Meeting March 5, 2012 and was seconded by Councilman DiBenedetto.

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

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

**“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey Amending Temporary Appropriations for 2012.”**

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

**RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDNG TEMPORARY APPROPRIATIONS FOR 2012.**

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

Mayor Higgins read Item No. 7 on the Agenda will be held.

Mayor Higgins asked Freehold Borough Youth Government Mayor Donnelly to read Item No. 8 on the Agenda:

**“Introduction of and Authorization to Publish Ordinance #2012/6 Amending Chapter 2.114 (Historic Preservation Advisory Commission), Section 2.114.050 of the Revised General Ordinances of the Borough of Freehold.”**

Councilman Newman 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 an Ordinance entitled “ORDINANCE #2012/6 AMENDING CHAPTER 2.114 (HISTORIC PRESERVATION ADVISORY COMMISSION), SECTION 2.114.050 OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD,” 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 March 19, 2012 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.

Councilman Newman stated this ordinance is changing a few things in the Historic Preservation Ordinance. In this ordinance we are proposing 7 members with 2 alternates and we are going to go back to the Historical Preservation Advisory Commission to check on the number of members that they want. It also clarifies the issue of whether or not residences are included in the historic area and based on discussions with council these residences were not meant to be part of the historic area and automatically included in the historic district. There is also criteria for reading applications, as well.

Ms. Higgins stated that if Councilman Newman would like to amend the ordinance to read 9 members with 2 alternates.

Councilman Newman replied yes.

Ms. Higgins asked that the ordinance be introduced with that change.

Councilman Newman offered the following Resolution with the amendment of members and moved its adoption, seconded by Councilman Sims:

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

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

**“Resolution of the Mayor and Council of the Borough of Freehold Honoring Ruth Berg, Sylvia Lattman and Ida Solomon on the Occasion of Their 100<sup>th</sup> Birthdays.”**

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING RUTH BERG, SYLVIA LATTMAN AND IDA SOLOMON ON THE OCCASION OF THEIR 100<sup>TH</sup> BIRTHDAYS.

Councilwoman Shutzer stated Mayor Higgins presented these Resolutions at a birthday celebration held at The BrookSide Assisted Living facility.

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

Mayor Higgins asked Freehold Borough Youth Government Mayor Donnelly to read Item No. 10 on the Agenda:

**“Resolution of the Mayor and Council of the Borough of Freehold Honoring Pastor James Franklin McRae, Sr.”**

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

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING PASTOR JAMES FRANKLIN MCRAE, SR.**

Councilman Sims stated that Pastor McRae is no longer with us but he was a pastor at his church for over 20 years and Mayor Higgins presented the Resolution to his family at the funeral.

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

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

**“Resolution Approving Change Order Number 1 for the Purchase of a Law Enforcement Vehicle.”**

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

**RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE PURCHASE OF A LAW ENFORCEMENT VEHICLE.**

Councilwoman Shutzer stated there was a difference here of \$3,436.00 because the original ordered car was not able to accommodate the required new communication system.

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

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

**“Resolution Urging JCP&L to Review the Power Infrastructure In and Around the Borough of Freehold.”**

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

**RESOLUTION URGING JCP&L TO REVIEW THE POWER INFRASTRUCTURE IN AND AROUND THE BOROUGH OF FREEHOLD.**

Councilman DiBenedetto stated the Resolution reads “Urging” and should state “displeasure”. The system in place has not reached the twentieth century and we are extremely unhappy about it. Mayor Higgins and Mr. Bellina will be meeting with the Vice President of JCP&L on Tuesday, March 6, 2012 to have a sit down with him to try to upgrade our system, as well as, OEM.

Councilman Sims stated he met with Hank Stryker who is our OEM coordinator and we have taken the necessary measures to assure that if such a power outage occurs again we are prepared and are ready to go into our evacuation mode.

Councilman Schnurr stated after Hurricane Irene, Governor Christie asked the BPU to hold public hearings at various places throughout New Jersey and he was in attendance at the hearing held in the Monmouth County Library, Manalapan Branch. It became apparent to him that it is not just the infrastructure that needs improvement it is also the way that JCP&L communicates with one another and with the towns that also need improving. When he was on Randolph Road he saw the way they were writing down what they did and they weren’t using any type of electronic devices everything was being done they way it was done 80 years ago with pencil and paper.

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

Freehold Borough Youth Government Mayor Donnelly read Item No. 13 on the Agenda as follows:

**“Resolution Authorizing the Conveyance of Real Property to Contiguous Owner – Re: Block 119, Lot 21.24 West Main Street.”**

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

**RESOLUTION AUTHORIZING THE CONVEYANCE OF REAL PROPERTY TO CONTIGUOUS OWNER – RE: BLOCK 119, LOT 21.24 WEST MAIN STREET.**

Councilman Schnurr stated this is a block of land that is by the Covenhoven House on West Main Street and it is not enough to build a house on. The accepted bid was for \$37,000.00.

Mayor Higgins explained that for this Resolution he has a conflict because he was on the Board of the Monmouth County Historical Association which owns the Covenhoven House and the Monmouth County Historical Association were one of the bidders on this property.

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

Freehold Borough Youth Government Mayor Donnelly read Item No. 14 on the Agenda as follows:

**“Resolution Authorizing the Sale of Municipal Surplus Property via Online Auction Website.”**

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

**RESOLUTION AUTHORIZING THE SALE OF MUNICIPAL SURPLUS PROPERTY VIA ONLINE AUCTION WEBSITE.**

Mr. Bellina explained that by law municipal surplus property must be sold in an auction.

Mayor Higgins stated the ‘blue’ Borough bus, an old fire chief’s car, a couple of police cars and equipment will be up for auction.

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

Mayor Higgins read Item No. 15 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 Sims:

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

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

Freehold Borough Youth Government Mayor Donnelly read Item No. 16 on the Agenda as follows:

**“Resolution Extending a Contract for Refuse and Recycling Collection Services for a One (1) Year Period.”**

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

**RESOLUTION EXTENDING A CONTRACT FOR REFUSE AND RECYCLING COLLECTION SERVICES FOR A ONE (1) YEAR PERIOD.**

Councilwoman Shutzer explained in the original agreement with DeLisa we were granted the possibility of two, 1 year extensions at the same cost, terms, and provisions of the third year of that contract so we are taking advantage of that.

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

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

**“Resolution Approving the Following Applications:**

- a. **Raffle License #10-12, 50/50, Dwight D. Eisenhower Middle School PTO, at the American Hotel, 4/26/12, 6:00 PM – 10:00 PM.**
- b. **Raffle License #11-12, Gift Auction, Dwight D. Eisenhower Middle School PTO, at the American Hotel, 4/26/12, 6:00 PM – 10:00 PM.**
- c. **Raffle License #12-12, Grand Prize, Dwight D. Eisenhower Middle School PTO, at the American Hotel, 4/26/12, 6:00 PM – 10:00 PM.**
- d. **Parade Application, Freehold Borough Arts Council, 3/17/12, 11:00 AM – 11:30 AM.**
- e. **Poppy Sale, 3/6/12 – 12/31/12, American Legion Auxiliary Monmouth Unit #54.**
- f. **Temporary Taxi Drivers License, Elizabeth Hernandez, Freehold.**
- g. **Permanent Taxi Drivers License, Bernabe Pantoja, Freehold.**
- h. **Permanent Taxi Drivers License, Octavio Pantoja, Freehold.**
- i. **Permanent Taxi Drivers License, Carmen Cuevas, Freehold.**
- j. **Permanent Taxi Drivers License, Gary Tirpak, Freehold.**
- k. **Permanent Taxi Drivers License, William Burlew, Freehold.**
- l. **Permanent Taxi Drivers License, Stephen Buda, Freehold.**
- m. **Permanent Taxi Drivers License, Rafael Urioste Flores, Trenton.**
- n. **Permanent Taxi Drivers License, Bernabe Galvan, Freehold.**
- o. **Permanent Taxi Drivers License, Donald Soden, Clarksburg.**
- p. **Permanent Taxi Drivers License, Jose A. Caldera Acosta, Freehold.**
- q. **Permanent Taxi Drivers License, Juan Ramirez Rojas, Jamesburg.**
- r. **Permanent Taxi Drivers License, Leonel M. Hernandez, Freehold.**
- s. **Permanent Taxi Drivers License, Efren Morales, Freehold.**
- t. **Permanent Taxi Drivers License, Elizabeth Pelaez, Freehold.**
- u. **Permanent Taxi Drivers License, Angel Pantoja Morales, Freehold.”**

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

**RESOLUTION APPROVING APPLICATIONS NO. 17A THROUGH 17U.**

On roll call Council Members DiBenedetto, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; Councilman Newman abstained from 17D; Councilman Kane absent. Mayor Higgins declared the motion adopted.

Freehold Borough Youth Government Mayor Donnelly read Item No. 18 on the Agenda as follows:

**“Approval of Bills.”**

Councilman Schnurr 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 \$1,695,461.94 be paid as presented.

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

Mayor Higgins opened the meeting to the public.

Barbara Oliver, 71 Center Street, thanked the governing body for removing her tree. She also agreed with Agenda Item No. 12, during Hurricane Irene she had 15 inches of water in her basement for over 5 days.

Mayor Higgins recognized the efforts of Dan Megill and Christine Gregory for helping with Ms. Oliver’s tree.

Kevin Coyne, 54 Broadway, asked if the Monmouth County Historical Association bided on the property on West Main Street.

Ms. Higgins replied yes and their bid was for \$20,101.00 and the bid from Connie Sarno was for \$37,000.00.

Mr. Coyne asked if the Borough was obligated to take the highest bid.

Ms. Higgins replied yes.

Marc LeVine, 79 Barkalow Avenue, thanked Mayor Higgins for attending the CIC meeting this past week. This was a very productive meeting and we came up with some very interesting projects to work on. These projects involve the email blasts, some audio and video equipment that the Borough could benefit from and we are also talking about a video-cam. We will be interviewing people in the town about the businesses and arts.

Mayor Higgins stated that he and Councilman Sims have had discussions since that meeting with Mr. Bellina and they look forward to a fruitful relationship with the CIC and expect to have some things accomplished shortly.

Marianne Earle, 89 Broad Street, stated there is a dollar store going in town and asked if it was a change of use from the previous property. She asked if they had to come before any of the boards to gain approval.

Mr. Bellina replied this was part of their original approval that they received previously.

Muriel Smith, 21 Monument Street, questioned who owned the Covenhoven property.

Ms. Higgins explained the property in the Resolution was not the Covenhoven property it is an undersized piece of property that is in between Covenhoven property and the residence on the other side. The Borough has owned this property for years when Reid Way was developed and there was an undersized lot with an easement down the middle and by ordinance this property was offered to both contiguous property owners and neither one could come to an agreement on it. They both expressed interest in purchasing the property so we had to go to ordinance authorizing it to be offered for sale to the contiguous owner's highest bidder.

Muriel Smith asked who cut all the trees down.

Mayor Higgins stated he didn't know if the trees were on the Monmouth County Historical Associations property or not.

Mr. Bellina stated he would have to look into this.

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

Mayor Higgins called upon the members of the council for their comments.

Mayor Higgins thanked everyone for coming to the meeting.

Councilman Sims thanked everyone for attending the meeting. He thanked the students and parents of the Freehold Borough Youth Government Program.

Councilman Newman stated it was nice to see so many students who are interested in their town and who want to give back and volunteer. He stated he will be talking to Councilman Sims about an upcoming bike fair that he feels the students could be involved in.

Councilman Newman stated Downtown Freehold is having a "St. Patrick's Week" starting on March 12, 2012. On Tuesday, March 13<sup>th</sup> and Wednesday, March 14<sup>th</sup> the town is hosting a "dine around" where patrons pay \$10.00 and go from one restaurant to another. On Thursday,

March 15<sup>th</sup>, the American Hotel will be hosting “Ireland at the Oscars”. They will be showing seven short films that were nominated for an Oscar in the best short film category. On Friday, March 16<sup>th</sup> there will be bagpipers playing downtown and on Saturday, March 17<sup>th</sup> there will be a parade on Main Street at 11:00 AM. Also on March 17<sup>th</sup> the Center Players Playhouse will be working with the Freehold Arts Council and they will be showing a movie that was also nominated for an Oscar called “The Secret of Kales”. This is a free event and you just have to get in touch with the Arts Council to reserve a seat.

Councilman Newman stated this week he and Mr. Bellina would be meeting with the NJDOT about a program called “Complete Streets”. This program ties into the bicycle/pedestrian safety program.

Councilman Newman stated he is working with Mr. Bellina and Councilwoman Shutzer about a program called “Easy Car System” for seniors. This is a system where people get cars for a cheap price for a limited use.

Councilwoman Shutzer stated she is thrilled about the Youth Government Program. She congratulated Councilman Sims, the students and the parents. She stated these are the young people we should see in the newspapers and these are the young people that give us hope for tomorrow.

Councilwoman Shutzer stated you don’t appreciate the first aid squad and the police department until you need them. She stated from personal experience that our departments are second to none. These combined groups saved her husband’s life. She reminded the residents that the Freehold First Aid and Emergency Squad is hosting a vendor and basket fundraiser at Park Avenue School on Saturday, March 24<sup>th</sup> and they will accept donations up until this Friday. You can call the first aid squad for more information.

Councilwoman Shutzer stated the Knox Box system has been approved for residents. She left information for the residents during the meeting and stated if you need more information you should contact her.

Councilman Schnurr congratulated Councilman Sims for a terrific idea on the Freehold Borough Youth Program. He stated the Freehold Borough Little League opening day is scheduled for Saturday, April 14<sup>th</sup>, at 9:00 AM with a rain date of Sunday, April 15<sup>th</sup>

Councilman Schnurr stated the Memorial Day Parade Committee will be having the following fundraisers:

|                   |                               |
|-------------------|-------------------------------|
| March 20, 2012    | Chili’s Restaurant            |
| April 17, 2012    | San Marzano Restaurant        |
| May 7, 8, 9, 2012 | Downtown Freehold Restaurants |

Councilman Schnurr thanked Rich Gatto with his help with the downtown restaurants. The Memorial Day Parade is the oldest and largest parade in our area. It requires a year-around effort to pull it off successfully and our Chairperson is Alice McCobb. During the April 16<sup>th</sup> Workshop Meeting he will be going over all of the details about the parade.

Councilman Schnurr stated he recently viewed a website that explained State Aid for Monmouth County school districts and listed below were some of the towns:

|               |          |
|---------------|----------|
| Deal          | up 62.3% |
| Rumson        | up 34.5% |
| Fair Haven    | up 32.4% |
| Little Silver | up 31.1% |

|                            |          |
|----------------------------|----------|
| W. Long Branch             | up 30.6% |
| Rumson/Fair Haven Regional | up 29.6% |
| Brielle                    | up 29.5% |
| Shrewsbury                 | up 27.1% |
| Monmouth Beach             | up 26.5% |
| Holmdel                    | up 25.7% |
| Shore Regional             | up 25.4% |
| Manasquan                  | up 24.4% |
| Spring Lake                | up 21.9% |
| Red Bank Regional          | up 21.6% |
| Atlantic Highlands         | up 20.3% |
| Sea Girt                   | up 18.5% |
| Freehold Borough           | up 5.4%  |

There is something wrong with this and he encouraged all the residents to contact their State Representatives.

Councilman Schnurr stated there was a Resolution honoring three women who reached their 100<sup>th</sup> birthday. He stated he had a great-grandmother and two aunts that were over 100 years old.

Councilman DiBenedetto stated on Saturday, March 24<sup>th</sup> from 9:00 AM – 5:00 PM there will be a Life Support Banquet Gift Auction at Park Avenue School.

Councilman DiBenedetto congratulated Councilman Sims on the Freehold Borough Youth Program and he thanked the parents and the students.

Councilman DiBenedetto offered his best wishes and a speedy recovery to Councilwoman Shutzer's husband.

Mayor Higgins stated he would like to recognize Councilman Sims and the members of the Youth Government. This is a very exciting program and very special.

Mayor Higgins stated Friday, March 2<sup>nd</sup> was "Read Across America Day", and Mr. Bellina, Chief Roberts and himself went to the Freehold Borough Schools and read to the students. He stayed for three classes and had such a great time.

Mayor Higgins stated at the March 19<sup>th</sup> Workshop Meeting there will be a presentation from the Open Space Pace which will be held in September. This group is trying to rally support and interest for the struggling horse racing industry in New Jersey. They will be parading horses through town, culminating at the Freehold Racetrack. This will be a full day event.

Councilman Sims stated he has a group coming to the March 19<sup>th</sup> Workshop Meeting who will be presenting information on a Health Fair in June which will be held on the corner of Avenue A and Throckmorton Street.

Mayor Higgins stated that Councilwoman Shutzer expressed her appreciation and thanks to the police department and first aid squad. Chief Roberts just received an email from a resident in town thanking the chief for the actions of the police department in a first aid situation.

Youth Government Mayor Donnelly thanked Councilman Sims for organizing the program and he thanked all the members of the youth government program for coming out on a Monday night during a busy school week and giving up some of their time to figure some things out! He

also thanked the governing body for being so kind and he also thanked all of the parents for coming out and supporting them. He also thanked his parents for pushing him into participating in the program.

The meeting was adjourned at 8:24 PM.

Respectfully Submitted,

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TRACI L. DIBENEDETTO, RMC  
BOROUGH CLERK

TLD:aj