

**MINUTES FOR THE JULY 16, 2012 WORKSHOP MEETING
HELD AT 7:30 PM
51 WEST MAIN STREET
FREEHOLD, NJ 07728**

ROLL CALL:

Present: Mayor J. Nolan Higgins, Councilman Michael DiBenedetto, Councilman Kevin Kane, Councilman John Newman, Councilman George Schnurr, Councilwoman Sharon Shutzer and Councilman Jaye Sims.

Absent: None

Also present were Borough Attorney Kerry Higgins, Borough Administrator Joseph B. Bellina, Captain Craig Dispenza and Borough Clerk Traci L. DiBenedetto

2. ROUTINE TRANSACTIONS-SUPPLEMENTAL AGENDA (See Attachment I).

See the permanent minute book for the minutes and the resolution book for the attachments.

3. OPEN SPACE PACE UPDATE.

Sam Landy stated the name of the event has changed to the Open Space Pace and Festival because so many people have now gotten involved. The event will take place on September 29, 2012 at Freehold Raceway. A parade of horses will begin at 10:30 AM at the racetrack and come into the Borough and then return to the track. The list of events at the track includes celebrity races and amateur races. There will be an under-saddle race between 11:30 AM and 12:30 PM. The regular races will be from 12:30 PM to 4:30 PM. There will be a warm up band and a nationally known New Jersey band that we are not going to announce until September 1st. The event should end about 7:30 PM.

Brett Taft announced that Lou and Liz from 94.3 The Point radio station will be in attendance along with New Jersey 101.5. Mr. Taft stated there will be some professional athletes in attendance, a petting zoo, medieval times will lead the parade and there will be some jousting going on in between the races. Mr. Taft stated there is more information listed on their web site at www.openspacepace.org.

4. STORM DRAINAGE DISCUSSION – FERTILIZER ORDINANCE. (SEE ATTACHMENT II.)

Bill Wentzien, Cranmer Engineering stated as part of our long going effort for the State of New Jersey, Dept. of Environmental Protection, each municipality has a mandated municipal storm water permit. It was originally issued in 2004 and was updated in 2009 and every annual activity, the Borough Administrator has the task of updating our status with the State of New Jersey. They are requiring that the Borough adopt another ordinance with the title of Fertilizer Application Ordinance, which Mr. Wentzien has reviewed with the administrator and everything is in order to proceed with the ordinance.

5. REDEVELOPMENT ZONE PRESENTATION – YOGURT STORE, 26 EAST MAIN STREET. (SEE ATTACHMENT III.)

Bill Wentzien stated the applicant has provided an application which falls under the redevelopment plan area. In the redevelopment plan any particular bulk variances or design waivers will need to be reviewed and adopted to the land use application. They will provide council with a brief review and if there are any general comments they will be analyzed as part of my review before the Land Use Board. The key element that council needs to be aware of is that the location and the use is a permitted use in the Freehold Center Core Redevelopment Zone.

Marty Schechter, Top It Frozen Yogurt, explained this will be a self serve frozen yogurt store. Mr. Schechter stated he owns one in Asbury Park and Long Branch. He stated they wouldn't be bringing in more vehicle traffic but taking care of the people who are already here. The use of building currently is a real estate office that we are going to split up. Mr. Schechter stated he will have one and half stores and Cozmos will be in the front of the half that he is taking in the back and the management company will be moving forward.

Councilman DiBenedetto asked if they will be selling any other type of food other than yogurt.

Mr. Schechter stated that it would just be yogurt.

Councilman Schnurr asked what the parking waiver would be.

Mr. Wentzien explained when you review the comparison of the prior real estate agency to the new yogurt store; the prior use required by Freehold Borough ordinance parking ratios was 4 spaces. This use will require 5 spaces. There will be a need for one additional parking space.

Councilman Schnurr asked if they would have to comply with the ordinance that was introduced tonight regarding the garbage, trash and refuse collection once it was adopted.

Mr. Wentzien stated once a general land use ordinance is adopted that will be part of his ongoing review.

Councilman Schnurr wished Mr. Schechter good luck.

Councilman Newman asked if there was any seating in the facility.

Mr. Schechter stated there would be seating.

Councilman Newman asked if Mr. Schechter would be coming before the Historic Preservation Committee.

Mr. Bellina stated they are scheduled for next week.

Councilman Kane asked if there would be a restroom for public use.

Mr. Schechter replied there will be a restroom.

Councilman Schnurr stated this moves the process along, not that the council is necessarily approving anything.

Kerry Higgins stated these applicants have to come here to show that the project complies with the goals of the core redevelopment zone. You are making your findings as to individual waivers; variances that all color schemes, etc. are subject to HPC review and approval.

Mayor Higgins entertained a motion for Ms. Higgins to draft a resolution for the next meeting.

Councilwoman Shutzer offered the motion and was seconded by Councilman Kane.

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

6. REDEVELOPMENT ZONE PRESENTATION – UNFORGETTABLE KJPL, LLC (SUBWAY), 28 WEST MAIN STREET. (SEE ATTACHMENT IV.)

William Mehr, Esq. is representing the applicant, Keith Harrington, owner of the proposed Subway which will be located at 28 West Main Street. The store will contain 43 seats. It is a permitted use in the zone. The footprint and the overall façade of the building are not being changed. Currently the LC Nails & Spa has their awning which goes over the entire front door. We have provided a sketch of an awning to match which will be a hunter green. We are going to bring the two awnings together on the same building. There will also be a sign in the back of the building on the wall and we will be providing goose neck lamps over top of

that sign as well as over the back doorway. There is no property available to them to do anything regarding parking but this store is capitalizing on downtown traffic. The lunch time business will be people coming in on a walking basis. They will be open in the evening but parking in the downtown changes in the evening. There is adequate parking between the rear parking lot as well as the Broad Street lot. We will need a variance for that from the Land Use Board for five parking spots.

Mr. Wentzien stated Mr. Mehr has hit the highlights that need to be addressed. At the time of Mr. Wentzien's review, specific dimensions of the sign were not available but he has acknowledged that the ratio of the height to the projection he is in variance with. This will go through the HPC and the issue with the parking waiver will go through the Land Use Board.

Mr. Mehr stated they will be taking out the entire front platform in the interior of the building that was used for display purposes and there will be seating up within the front window area and going back from there.

Councilman Sims asked where the deliveries will be made.

Mr. Harrington stated it will be in the back but does not know yet of the time frame.

Mr. Mehr stated they will be going before the HPC next week, followed by the Planning Board.

Mayor Higgins entertained a motion for Ms. Higgins to draft a resolution for the next meeting.

Councilwoman Shutzer offered the motion and was seconded by Councilman DiBenedetto.

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

7. COMMUNITY INFORMATION COMMITTEE.

Councilman Jaye Sims introduced Kevin Asadi, interim-chair of the CIC.

Kevin Asadi stated on behalf of the CIC, he wanted to give a few recommendations on how communication can be improved between the council and the residents with respect to the e-mail blasts and the web-site. Mr. Asadi presented the council with a rough sketch of what they would like to do through Constant Contact. What this does is polish up the e-mail blasts and makes it more visually appealing. For a private entity it is \$30.00 a month for a list between 500

and 2500 people and the Borough currently has about 800 people on the list. As a municipality, we would be able to get up to a 25% discount of the \$30.00. The CIC would not create the content but manage the content and get it blasted out to the residents and this would free up the paid staff. This is easy to do and the CIC volunteers are ready to do it and anticipate that within one meeting cycle it would be up and running.

Mr. Asadi also made mention of the web-site, which is the electronic gateway into the town. The CIC is not satisfied with where the web-site is and feels it could be improved greatly at no expense. We have looked closely at the Borough's site along with web-sites for other municipalities. One of the problems we have noticed is the photograph on the opening page. Freehold Borough is one of the most beautiful, vibrant and historic places in Monmouth County and our photography should emphasize that. Another concern is the outdated information and more importantly the events going on throughout the town. When you click on the "Events" tab you get information that has nothing to do with events. These are problems that can be fixed at no cost to the Borough. Mr. Asadi requested to be given access to whoever currently manages the web-site so the CIC can work with that person to change these issues.

Councilman Schnurr asked for an example of what they would do for the e-mail blasts.

Mr. Asadi stated they have not developed a process with that level of detail but whoever has the information for the blast would send it to the CIC volunteer and it would be put in a format that is likely to be read and it would be sent out. Mr. Asadi stated they would not be developing any content at all.

Councilman Schnurr asked about "emergency" e-mail blasts. There was a time that we had to call Pat Ruegger in on a Saturday for this.

Mr. Asadi explained there are volunteers among them to make sure the "emergency" e-mails are sent out.

Councilman Schnurr asked how the CIC would safeguard the e-mail addresses.

Mr. Asadi stated they would replicate how it is currently safeguarded.

Councilman Newman asked if the CIC has a budget.

Mr. Bellina stated they do.

Councilman Schnurr proposed starting with the e-mail blasts and see how that goes first.

Ms. Higgins suggested starting with the web-site first. The e-mail blasts are being done now whereas the web-site has a lot of holes to fill.

Mr. Asadi stated he is confident that the CIC has volunteers that can and will do this.

Mayor Higgins asked Mr. Asadi what he would do to get started with the website.

Mr. Asadi stated he would contact whoever currently administers it and find out how technical it would be to make the changes.

Ms. Higgins suggested that Kevin sit down and meet with Joe and B.R. and figure out how to move forward.

Mayor Higgins thanked Mr. Asadi and the CIC for working on this.

8. LAND USE COMMITTEE UPDATE.

Councilman Schnurr stated Mayor Higgins created “super” committees in the beginning of the year and one of the committees is the Land Use Committee. This committee consists of Councilman Sims, Councilman Newman and Councilman Schnurr.

Councilman Schnurr briefly commented on some of the issues that they have discussed. They have reviewed the amended landlord registration ordinance that was passed in December with the code office. They reviewed the recently adopted master plan from the planning board and also discussed the amendment to the HPC ordinance that allowed grants and collection of fees. Councilman Schnurr discussed the HPC and Land Use Committee in regards to what each committee does and from that conversation there was a discussion on how information can flow better from the HPC to the Land Use Board. There are very detailed minutes that are now being provided to all the members of council along with the Planning Board on applications specific to the board. They have done away with the sign sub-committee and all of the variances are coming to the planning board themselves. Councilman Schnurr stated the land use committee had to resolve some sign boundaries within the historic district and special improvement district. They have discussed a parking escrow contribution in exchange for parking waivers and the idea was to develop a contribution and a separate account for parking waivers granted by the planning board. Funds could be used to address different parking needs. They have compared current parking fees with other towns and as a result of that we have made a recommendation to raise the fees for parking. Some other subjects of discussion were the Colaner property, Parker Condominium improvements, downtown business property inventory, trash enclosure ordinance and improvements to the Forman Parking Lot.

Mayor Higgins thanked Councilman Schnurr and the land use committee. The communication lines and flow of information back and forth between the three

groups seem to be dramatically increased. Mayor Higgins looks forward to continued progress.

Councilman Schnurr mentioned that even though he is the chairman of the land use committee, one of the things decided early on was this would be in name only. The three members of the committee were all equal. He stated one of the things he was adamant about is that if one of the members could not make our meeting then the meeting would be cancelled. Also, any recommendations made to the governing body by the land use committee are going to have to be unanimous.

- 9. EXECUTIVE SESSION**
 - a. Personnel Matters**
 - b. Litigation**
 - c. Contract Negotiations**

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

RESOLUTION AUTHORIZING EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS, LITIGATION AND CONTRACT NEGOTIATIONS.

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

10. ADJOURNMENT.

There being no further business to discuss, Councilman DiBenedetto moved to adjourn the meeting at 9:45 PM, seconded by Councilwoman Shutzer, with All in Favor.

Respectfully Submitted,

Traci L. DiBenedetto, RMC
BOROUGH OF FREEHOLD

