

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, February 4, 2013 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 for Jack Schellenger, longtime member of the Freehold First Aid Squad and Andy Zarnowski, retired Borough employee.

#### ROLL CALL

PRESENT	MAYOR J. NOLAN HIGGINS
PRESENT	COUNCILMAN MICHAEL DIBENEDETTO
PRESENT	COUNCILMAN RONALD GRIFFITHS
PRESENT	COUNCILMAN KEVIN KANE
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER
PRESENT	COUNCILMAN JAYE SIMS

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

#### **“Presentation by Councilman Jaye Sims.”**

Councilman Sims stated that he, along with Councilman DiBenedetto attended the annual awards banquet for Freehold Pop Warner and they presented a plaque to the mayor and council.

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

#### **“Washington DC Trip Proposal”**

Councilman Sims introduced Carol Lida, Jane Fields and Christine Gregory members of the Human Relations Committee.

Ms. Fields described the proposed bus trip to Washington DC to visit the Martin Luther King Memorial and the Holocaust Museum in April. She stated the committee realized there wasn't sufficient time to plan the trip so she described a revised timeline with the trip being postponed until Saturday, May 18, 2013.

Councilman Kane asked if there was an interest and if they would be able to sell 43 tickets which is the minimum to rent the bus.

Ms. Lida stated that they have not publicized the bus trip yet but everyone on the Human Relations Committee is interested in going.

Mayor Higgins stated the council would discuss and advise.

Councilwoman Shutzer offered a motion to accept the minutes from the Workshop Meeting January 22, 2013 and was seconded by Councilman Sims.

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

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

#### **“Resolution of the Mayor and Council of the Borough of Freehold Honoring John Joseph Wilson III, Joseph Simpson, Justin Eng and Gregory Vitone on the Occasion of Their Attainment of the Rank of Eagle Scout.”**

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING JOHN JOSEPH WILSON III, JOSEPH SIMPSON, JUSTIN ENG AND GREGORY VITONE ON THE OCCASION OF THEIR ATTAINMENT OF THE RANK OF EAGLE SCOUT.

Councilman Schnurr stated he attended the Eagle Scout ceremony on January 26, 2013 and presented these young men with the Resolutions.

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

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

**“Resolution Rejecting Bids for the Purchase of an in Car Law Enforcement Video System.”**

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

RESOLUTION REJECTING BIDS FOR THE PURCHASE OF AN IN CAR LAW ENFORCEMENT VIDEO SYSTEM.

Councilman Kane stated as part of the bid process, bidders were required to submit consent of surety from a licensed surety company, which basically guarantees that the successful bidder would be provided a performance bond if awarded the contract. Neither company did that, which made both bids non-responsive and these bids had to be rejected.

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

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

**“Resolution Authorizing the Execution of a Commodity Resale Agreement with the County of Monmouth.”**

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

RESOLUTION AUTHORIZING THE EXECUTION OF A COMMODITY RESALE AGREEMENT WITH THE COUNTY OF MONMOUTH.

Councilman Schnurr stated that Monmouth County offers shared services programs with municipalities and Freehold Borough can take advantage of them. The process is we submit a completed request form to the County, if the request can be met for the particular commodity we get a price quote and Freehold Borough decides at our option whether we want to proceed with the purchase. Some of these things include such snow removal and chemicals.

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

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

**“Resolution Consenting to the Proposed Water Quality Management (WQM) Plan Amendment Entitled: Monmouth County Future Wastewater Service Area Map.”**

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

RESOLUTION CONSENTING TO THE PROPOSED WATER QUALITY MANAGEMENT (WQM) PLAN AMENDMENT ENTITLED: MONMOUTH COUNTY FUTURE WASTEWATER SERVICE AREA MAP.

Councilman DiBenedetto stated the NJDEP is seeking an amendment to the WQM, which is the Monmouth and Ocean Counties water quality management plan. This plan modifies their previously approved sewer system areas to eliminate environmentally sensitive areas that are currently connected to the sewer system. It also creates areas that were proposed for sewer service based on local planning initiatives.

On roll call Council Members DiBenedetto, Griffiths, Kane, 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 Awarding a Contract for Water Plant Valves and Pipe Replacement.”**

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

**RESOLUTION AWARDING A CONTRACT FOR WATER PLANT VALVES AND PIPE REPLACEMENT.**

Councilman DiBenedetto stated this bid was awarded to A.C. Schultes, Inc. for \$16,465.00 and there were eight bidders and the highest bid was \$43,700.00.

On roll call Council Members DiBenedetto, Griffiths, Kane, 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 of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Authorizing a Developer’s Agreement RE: C.C.M. Properties, LLC Block 18, Lot 10.”**

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

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING A DEVELOPER’S AGREEMENT RE: C.C.M. PROPERTIES LLC, BLOCK 18, LOT 10.**

Councilman Schnurr stated American Granite Designs located at 56 Jerseyville Avenue made an application to the planning board to construct an accessory building that is 8,000 s.f. and they also planning to construct a second floor addition to the existing masonry building which was approved by the Freehold Borough Planning Board on August 8, 2012. A developer’s agreement is common when there are a number of terms and conditions set forth by the planning board. In this case this agreement is centered on parking and traffic flow.

On roll call Council Members DiBenedetto, Griffiths, Kane, 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 Borough of Freehold, County of Monmouth, State of New Jersey, Amending Temporary Appropriations for 2013.”**

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

**RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING TEMPORARY APPROPRIATIONS FOR 2013.**

On roll call Council Members DiBenedetto, Griffiths, Kane, 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 Approving the Mayor’s Nomination of Council Representative to the Lake Topanemus Commission:**

- a. Kevin Kane – Council Representative, term expires December 31, 2013.”**

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

RESOLUTION APPROVING THE MAYOR’S NOMINATION OF COUNCIL REPRESENTATIVE TO THE LAKE TOPANEMUS COMMISSION.

On roll call Council Members DiBenedetto, Griffiths, Kane, 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 Confirming Personnel Appointments/Actions:**

- a. Appointment of Brittany Miranda as a member of the Freehold Fire Department’s Junior Program, effective February 4, 2013.**  
**b. Resignation of Bruce Woolford as a member of the Freehold Fire Department, Engine Company #2, effective January 17, 2013.**  
**c. Termination of Matthew Miranda as a member of the Freehold Fire Department, Monmouth Hose Company, effective February 4, 2013.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO. 15A – 15C.

Councilwoman Shutzer thanked Bruce Woolford for his 50 years of service as a member of the fire department on behalf of the council and the town.

On roll call Council Members DiBenedetto, Griffiths, Kane, 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 Approving the Following Applications:**

- a. Raffle Lic. No. 3-13, Casino Night, Police Unity Tour, Inc., 4/12/13, 7:00 PM – 12:00 AM at the American Hotel, 18-20 East Main Street.**  
**b. Raffle Lic. No. 4-13, 50/50, St. Rose of Lima Church, 6/23/13, 9:00 PM, 16 McLean Street.**  
**c. Temporary Taxi Driver License, Efren Morales, Freehold.**  
**d. Permanent Taxi Driver License, William Burlew, Freehold.**  
**e. Permanent Taxi Driver License, Michael Beierschmitt, Freehold.**  
**f. Taxi Owner License (1), Michael Nwachukwu, t/a Regional Taxi.**  
**g. Taxi Owner License (1), Juan Gonzalez, t/a Gonzalez’s Taxi.**  
**h. Taxi Owner License (1), Keith Berman, t/a KB Taxi.**  
**i. Taxi Owner License (1), Guadalupe Hinojosa, t/a Omega Taxi.**  
**j. Taxi Owner License (1), Vicenta Pantoja, t/a Marco’s Taxi.**  
**k. Taxi Owner License (1), Michael Kaye, t/a Liberty Taxi.**  
**l. Taxi Owner License (2), Hristos Kontzialis, t/a Cris Taxi.”**

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

RESOLUTION APPROVING APPLICATIONS 16A THROUGH 16L.

On roll call Council Members DiBenedetto, Griffiths, Kane, 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:

**“Approval of Bills.”**

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

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$2,352,501.98 be paid as presented.

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

Mayor Higgins opened the meeting to the public.

Jim McAllister, President, Freehold First Aid Squad, stated that Jack Schellenger passed away yesterday. He was a ‘life’ member of the department, as well as, a former Captain. He stated that on Saturday, February 2, 2012 they celebrated Bill Madden’s 60 years of active service in the department. He stated the total amount of calls for 2012, was 1076 for Freehold Borough, 2,080 for Freehold Township, 192 miscellaneous calls and 12 CPR saves.

Mayor Higgins stated this is an impressive record of service. He represented the Borough at their annual banquet and it was very nice to see Bill Madden recognized.

Barbara Oliver, 71 Center Street, asked if a fence, chain or gate could be put in front of Bethel A.M.E. Church. People have been very disrespectful and there is a lot of garbage on that property.

Mayor Higgins asked Chief Roberts to get in touch with Freehold Township and to combine resources to look into this.

Al Michenfelder, 30 Jackson Street, stated the Racer’s Club just celebrated their 20<sup>th</sup> Anniversary.

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

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

Councilman Schnurr thanked Mr. McAllister for the first aid report. He encouraged everyone to donate to the first aid squad. He stated the Land Use Committee, which members are Councilman DiBenedetto, Councilman Sims and himself will be making recommendations to the governing body regarding streamlining land use applications.

Councilman Schnurr congratulated Al Michenfelder for his 20 years of service to the Racer’s Club and he read a letter from Governor Christie to him. He then presented Mr. Michenfelder with a framed copy of the letter.

Councilwoman Shutzer stated there was a bomb scare at the Park Avenue School Complex and she thanked the staff of the two schools and the police department for the excellent work during the bomb scare. The students were transported to another location and nothing was found at the schools.

Councilwoman Shutzer also encouraged everyone to donate to the first aid squad. She congratulated Bill Madden on his 60 years of service and she expressed sincere condolences over the loss of Jack Schellenger.

Councilman Sims stated he had nothing to report.

Councilman DiBenedetto congratulated the Human Relations Committee and hopes the bus trip gets underway. He congratulated Jeff Friedman as the new chairman of the Historic Preservation Commission.

Councilman DiBenedetto acknowledged the passing of Andy Zarnowski and Jack Schellenger they will be greatly missed. He spoke with Bill Madden before his surgery and he also encouraged everyone to donate to the first aid squad.

Councilman DiBenedetto congratulated the boys who obtained the rank of Eagle Scouts. He also acknowledged the efforts of Bruce Woolford.

Councilman DiBenedetto congratulated the borough clerk on her pregnancy.

Councilman Griffiths acknowledged Bruce Woolford's resignation from the fire department and we wished him luck. He served a long time and did a great job. He also acknowledged the passing of Jack Schellenger.

Councilman Griffiths thanked Mr. Bellina and Bill Brash who is the Borough certified tree expert for their efforts on obtaining a grant from the Arbor Day Foundation.

Councilman Kane thanked everyone for attending the meeting. He commended the school for their quick and efficient moving of the children during the bomb scare. He stated Jack Schellenger will be greatly missed and he urged all the residents to donate to the first aid squad. The amount of dedication by the first aid squad is amazing. He also said the first aid squad is always looking for volunteers. Councilman Kane stated he served 15 years with Bruce Woolford in the fire department and he will be greatly missed.

Mayor Higgins stated there was a fire in Shrewsbury today and one of Borough fire companies was called to Shrewsbury on a mutual aid basis and he recognized the members who went over to help.

Mayor Higgins called for a motion to adjourn.

Councilwoman Shutzer offered the motion to adjourn, seconded by Councilman Sims:

MOTION TO ADJOURN.

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

The meeting was adjourned at 8:11 PM.

Respectfully Submitted,

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TRACI L. DIBENEDETTO, RMC  
BOROUGH CLERK

TLD:aj