

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, June 3, 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 Kane opened the meeting with the Salute to the Flag, followed by a moment of silence for Former Senator Frank Lautenberg.

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

Councilman Sims offered a motion to accept the minutes from the Regular Meeting May 6, 2013 and Workshop Meeting May 20, 2013, seconded by Councilwoman Shutzer.

On roll call Council Members DiBenedetto, Kane, Shutzer and Sims voted its adoption; opposed none; Councilman Schnurr abstained on Regular Meeting May 6, 2013; absent none. Mayor Higgins declared the motion adopted.

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

“Presentation of the Memorial Day Parade Awards (Alice McCobb).”

Alice McCobb and Councilman Schnurr presented the 2013 recipients with trophies. A list of the winners is on file in the Resolution Book in the Borough Clerk’s office.

Councilman Schnurr thanked Alice McCobb and her family for all of their hard work on the Memorial Day Parade.

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

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Alice McCobb on Her 25 Years as Chairperson of the Memorial Day Parade Committee.”

Councilman Schnurr read and presented read the Resolution and plaque to Alice McCobb and thanked her for all her dedication to the parade.

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF
FREEHOLD HONORING ALICE MC COBB ON HER 25 YEARS AS
CHAIRPERSON OF THE MEMORIAL DAY PARADE COMMITTEE.

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

“Proclamation of the Mayor and Council of the Borough of Freehold Declaring the Month of June Freehold First Aid Fund Drive Month.”

Councilwoman Shutzer read and presented the Proclamation to Bill Madden.

Bill Madden stated the Freehold First Aid Squad is now answering 4,000 phone calls per year. They will be mailing out close to 18,000 letters to business and home owners during the month of June. Last year the fund drive started off terrible but picked up later. It takes a minimum of \$220,000 to give the first aid squad enough revenue for the year.

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

“Introduction of and Authorization to Publish Bond Ordinance #2013/6 Providing for Various Road, Parking Lot, Sidewalk and Park Improvements and Construction, Appropriating \$1,107,000 Therefor and Authorizing the Issuance of \$566,000 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized in and by the Borough of Freehold, in the County of Monmouth, New Jersey.”

Councilman DiBenedetto 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 #2013/6 PROVIDING FOR VARIOUS ROAD, PARKING LOT, SIDEWALK AND PARK IMPROVEMENTS AND CONSTRUCTION, APPROPRIATING \$1,107,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$566,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY” 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 Bond Ordinance in the Asbury Park Press and that same shall be further considered for final passage after public hearing at a meeting held on June 17, 2013 and that during the week of said

meeting copies of the Bond Ordinance shall be made available at the Clerk's office to members of the general public who shall request same.

Councilman DiBenedetto stated Throckmorton Street, Marcy Street, McGackin Parking Lot, Avenue A and Avenue C and construction and engineering on Veterans Park are all part of this Bond Ordinance.

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

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

“Introduction of and Authorization to Publish Bond Ordinance #2013/7 Providing for the Acquisition of Various Equipment, Appropriating \$120,000 Therefor and Authorizing the Issuance of \$114,000 Bonds and Notes to Finance a Portion of the Costs Therefor, Authorized in and by the Borough of Freehold in the County of Monmouth, New Jersey.”

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that a Bond Ordinance entitled “BOND ORDINANCE #2013/7 PROVIDING FOR THE ACQUISITION OF VARIOUS EQUIPMENT, APPROPRIATING \$120,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$114,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREFOR, AUTHORIZED IN AND BY THE BOROUGH OF FREEHOLD IN THE COUNTY OF MONMOUTH, NEW JERSEY” 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 Bond Ordinance in the Asbury Park Press and that same shall be further considered for final passage after public hearing at a meeting held on June 17, 2013 and that during the week of said meeting copies of the Bond Ordinance shall be made available at the Clerk's office to members of the general public who shall request same.

Councilman DiBenedetto stated some of our equipment is old and we are purchasing mason dump trucks, pick-up trucks, mowers and tractors.

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

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

“Introduction of and Authorization to Publish Bond Ordinance #2013/8 Amending

in Part Bond Ordinance No. 2012/5 Adopted April 2, 2012, as Amended by Bond Ordinance No. 2012/19 Adopted on December 17, 2012, Providing for Various Road, Drainage and Parking Lot Improvements, in Order to Increase the Appropriation Therefor by \$51,659.03 for a Total Appropriation of \$731,659.03, to Increase the Allocation of the Appropriation to Costs Permitted Under N.J.S.A. 40A:2-20, and Reappropriating \$51,659.03 in Excess Bond Proceeds Not Needed for Their Original Purposes in Order to Finance the Cost Authorized in and by the Borough of Freehold, in the County of Monmouth, New Jersey.”

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that a Bond Ordinance entitled “BOND ORDINANCE #2013/8 AMENDING IN PART BOND ORDINANCE NO. 2012/5 ADOPTED APRIL 2, 2012, AS AMENDED BY BOND ORDINANCE NO. 2012/19 ADOPTED ON DECEMBER 17, 2012, PROVIDING FOR VARIOUS ROAD, DRAINAGE AND PARKING LOT IMPROVEMENTS, IN ORDER TO INCREASE THE APPROPRIATION THEREFOR BY \$51,659.03 FOR A TOTAL APPROPRIATION OF \$731,659.03, TO INCREASE THE ALLOCATION OF THE APPROPRIATION TO COSTS PERMITTED UNDER N.J.S.A. 40A:2-20, AND REAPPROPRIATING \$51,659.03 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO FINANCE THE COST AUTHORIZED IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY,” 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 Bond Ordinance in the Asbury Park Press and that same shall be further considered for final passage after public hearing at a meeting held on June 17, 2013 and that during the week of said meeting copies of the Bond Ordinance shall be made available at the Clerk’s office to members of the general public who shall request same.

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

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

“Introduction of and Authorization to Publish Bond Ordinance #2013/9 Providing for Various Water-Sewer System Improvements and the Acquisition of Equipment, Appropriating \$370,000 Therefor, Authorizing the Issuance of \$262,000 Bonds and Notes, and Reappropriating \$91,343.81 in Excess Bond Proceeds Not Needed for Their Original Purposes in Order to Finance a Portion of the Cost Thereof, Authorized in and by the Borough of Freehold, in the County of Monmouth, New Jersey.

Councilwoman Shutzer 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 #2013/9 PROVIDING FOR VARIOUS WATER-SEWER SYSTEM IMPROVEMENTS AND THE ACQUISITION OF EQUIPMENT, APPROPRIATING \$370,000 THEREFOR, AUTHORIZING THE ISSUANCE OF \$262,000 BONDS AND NOTES, AND REAPPROPRIATING \$91,343.81 IN EXCESS BOND PROCEEDS NOT NEEDED FOR THEIR ORIGINAL PURPOSES IN ORDER TO FINANCE A PORTION OF THE COST THEREOF, AUTHORIZED IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY," 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 Bond Ordinance in the Asbury Park Press and that same shall be further considered for final passage after public hearing at a meeting held on June 17, 2013 and that during the week of said meeting copies of the Bond Ordinance shall be made available at the Clerk's office to members of the general public who shall request same.

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

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

"Resolution Approving Change Order Number 1 for the Construction of Various Sidewalks in the Borough of Freehold."

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

RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE CONSTRUCTION OF VARIOUS SIDEWALKS IN THE BOROUGH OF FREEHOLD.

Councilman Sims stated as a result of Superstorm Sandy we had many sidewalks around town that were uprooted by trees that fell. This is a change order, in addition to the current sidewalk work that is being done to repair those damaged sidewalks.

On roll call Council Members DiBenedetto, Griffiths, Kane, Shutzer, Schnurr 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 Approval to Submit a Grant Application and Execute a Grant Contract with the New Jersey Department of Transportation for the Throckmorton Street Roadway Improvements Project."

Mayor Higgins asked for a motion to withdraw this Resolution.

Councilwoman Shutzer made a motion to withdraw the Resolution, seconded by Councilman Sims:

On roll call Council Members DiBenedetto, Griffiths, Kane, Shutzer, Schnurr 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 Authorizing the Sale of Municipal Surplus Property via Online Auction Website.”

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

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

Councilman Griffiths stated this Resolution authorizes the administrator to auction off excess equipment.

On roll call Council Members DiBenedetto, Griffiths, Kane, Shutzer, Schnurr 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 the Special Assessment Roll of the Special Improvement District.”

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

RESOLUTION CONFIRMING THE SPECIAL ASSESSMENT ROLL OF THE SPECIAL IMPROVEMENT DISTRICT.

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 Adopting the 2013/2014 Budget of the Special Improvement District.”

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

RESOLUTION ADOPTING THE 2013/2014 BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT.

Councilman DiBenedetto thanked Rich Gatto and the committee for a budget well done.

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. 17 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: Mohammed Mian.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING A DEVELOPER’S AGREEMENT RE: MOHAMMED MIAN.

Councilman Schnurr stated this is a requirement for some of the applications approved by the Planning Board.

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. 18 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. Raffle License #15-13, Olive Branch Lodge No. 16, F&AM, 2 Dutch Lane Road, 6/18/13, 6:00 PM – 10:00 PM.**
- b. Raffle License #16-13, 50/50, Olive Branch Lodge No. 16, F&AM, 2 Dutch Lane Road, 6/18/13, 6:00 PM – 10:00 PM.**
- c. Raffle License #17-13, Carnival Games, St. Rose of Lima Church, 16 McLean Street, 6/19/13 – 6/23/13.**
- d. Raffle License #18-13, Year-round Pull Tab, Freehold Lodge No. 1854, B.P.O. Elks, Inc., 6/18/13 – 6/1/14.”**

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

RESOLUTION APPROVING APPLICATIONS 18A THROUGH 18D.

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. 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 \$1,517,386.98 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.

Bob Taylor, 13 Kiawah Avenue, stated Wells Fargo Bank has landscaping done every Monday and Friday and blow the dirt and leaves on Kiawah Avenue. He asked why brush was still all over the roads in town and would Streets and Roads be coming around to pick it up.

Mr. Bellina replied yes the brush issue will be cleaned up.

Mayor Higgins stated he will follow-up and let Mr. Taylor know about the landscaping at Wells Fargo Bank.

Mr. Taylor stated a year ago an ordinance was passed regarding trash cans being hidden in your property line and not in front of your property and yet there are still trash cans all over town.

Mr. Bellina stated the zoning ordinance Mr. Taylor is referring applied to businesses having dumpsters and did not include residential properties.

Bill Madden, 10 Vredenburgh Avenue, stated he was concerned about parking for the building being proposed in Agenda Item No. 17.

Ms. Higgins stated the addition approved by the planning board was approved with a parking waiver.

Mr. Madden asked how this will affect the parking at the first aid squad.

Mr. Bellina stated he would look at the planning board Resolution and plans and he would call him with his findings.

Councilman Schnurr stated this was approved back in 2010 but the applicant didn't start building because he wanted to see if the 7-11 would be approved.

Tom Baldwin, 3 Vought Avenue, asked who was in charge of the upkeep for the foreclosed properties in the Borough. There are two homes on his block that have fallen into disrepair.

Mr. Bellina replied the Borough Code Enforcement Department.

Councilwoman Shutzer asked Mr. Baldwin to give her the addresses of the two homes on his block that are foreclosed.

Mr. Bellina asked why public funds would be used to fund Olde Freehold Day.

Carol Lida, 27 Bennett Street, thanked Councilman Schnurr and Alice McCobb for having her sing the National Anthem at the Memorial Day Parade.

Barbara Oliver, 71 Center Street, stated her next door neighbor at 73 Center Street moved out and her backyard is a mess and she would like code enforcement to go out and take a look.

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

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 asked the council for their comments.

Councilman Schnurr applauded Councilwoman Shutzer's efforts in regards to putting a "spotlight" on the problem of foreclosed properties. The problem is that many investors bought properties 8 years ago and the homes are not worth what the mortgage is and the people walk away. This is happening everywhere in the Country, but if the bank owns the property, they are responsible.

Councilman Schnurr commented on the passing of Senator Lautenberg who was a long time leader on environmental protection, transportation issues and public health. The mass transportation system in the Northeast would really not be what is today if it wasn't for him.

Councilman Schnurr stated the Freehold Borough Education Foundation is hosting a bike education program which is geared toward 4th graders at the Freehold Learning Center and the Park Avenue Elementary School. There programs will be on June 5, 6, and 10 and they are in partnership with the New Jersey Bike and Walk Coalition. He thanked the Recreation Commission, Rotary Club and the AAA for all of their work and donations.

Councilwoman Shutzer urged all the residents to donate to the Freehold First Aid Squad. She stated at the last meeting the issue with the abandoned and bank owned houses in the Borough be put on the agenda for discussion at our next Workshop Meeting and she has been driving around and has

seen some of them. It is difficult to tell which ones are abandoned and which ones have people living in them. She asked if anyone knows a home in the Borough that is abandoned to please stay after to give her the address after meeting.

Councilwoman Shutzer thanked Mayor Higgins and Kerry Higgins for volunteering at the 21st Century Youth Program's first career day.

Councilwoman Shutzer congratulated and thanked Chief Roberts for his work with the seniors, one of the Borough residents brought in a check which was a scam but looked completely legitimate. Chief Roberts took a copy of it and turned it over to the FBI.

Councilman Sims thanked Alice McCobb and her family for all of their hard work on the Memorial Day Parade. He urged all the residents to donate to the first aid squad and wished them luck on their annual fund drive.

Councilman Sims stated the Youth Government will be doing a presentation at the June 17, 2013 Workshop Meeting and he asked all the residents to attend.

Councilman DiBenedetto urged everyone to help the first aid, they respond with their hearts but they arrive at your home through your funding. He congratulated Alice McCobb and her family for all of their help throughout the years on the Memorial Day Parade. He also congratulated all the winners and everyone who participated in the parade.

Councilman DiBenedetto stated the Wellness Program that was introduced by the Mayor needs a little lift so if you know anyone that likes to walk there is a walking program on Wednesday nights at 6:30 PM at Borough Hall and they walk a couple miles. They are also trying to have a "Paddle at the Pond" on Sunday, June 23rd.

Councilman DiBenedetto stated Freehold Idol kicks off on Wednesday, June 5th and is held every Wednesday through August 21st at 7:30 PM in front of the Hall of Records and the Summer Concert Series is starting with Mission Dance who will be performing on June 13th and runs through August 29th, at 7:30 PM in front of the Hall of Records.

Councilman Griffiths thanked Alice McCobb and everyone on the Memorial Day Parade Committee, it was a terrific parade. He also told Mr. Madden that the first aid squad could put a sign on 86 East Main Street.

Councilman Kane thanked everyone for attending the meeting. He also thanked Alice McCobb and her family for all of their work on the parade.

Councilman Kane urged the residents to take part of the Wellness Campaign. He also urged everyone to donate to the first aid squad.

Mayor Higgins stated the parade was terrific and he congratulated Alice McCobb on all of her hard work. He was very proud at Elks Point where he met the veterans from New York and they were very moved by the Elks Point service and the parade.

Mayor Higgins wished Bill Madden and the first aid squad luck on their fundraising drive. On Saturday, June 1st he had the pleasure of welcoming back the American Cancer Society's Relay for Life. They were at the Freehold Racetrack for several years and then they left, but now they are back and he hopes they will join them again next year.

Mayor Higgins stated the veterans group from New York presented us with a flag that flew at the 9-11 site in New York. Mayor Higgins thanked Mr. Bellina for a terrific job as MC of the parade.

Mayor Higgins called for a motion to adjourn.

Councilwoman Shutzer offered the motion to adjourn, seconded by Councilman Griffiths.

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 8:40 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:aj