

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, August 5, 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 Ronnie Davis, a member of the Olde Freehold Day Committee and Stanley Ketcham, Sr., former Captain of the Freehold First Aid Emergency Squad, both of whom have passed away since our last meeting.

#### ROLL CALL

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

Councilwoman Shutzer offered a motion to accept the minutes from Executive Sessions June 17, 2013 and July 15, 2013 and Workshop Meeting July 15, 2013, seconded by Councilman Sims.

On roll call Council Members Griffiths, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; Councilman Kane abstained on the June 17, 2013 Executive Session Minutes; Councilman DiBenedetto absent. Mayor Higgins declared the motion adopted.

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

#### **“Presentation by Freehold Mom’s Club.”**

Councilman Schnurr stated that he was introduced to this club at Olde Freehold Day; the club was one of the many vendors there. He stated members were at the meeting to talk about their organization and how they offer support to mothers.

President Jamie Newinski read a prepared statement which explained that the group not only offers support to local “stay at home” moms, but the group also is involved with service projects.

Councilman Schnurr asked that an email blast of the statement be sent to local residents and Councilman Sims asked that it be linked to our website.

Mayor Higgins asked that Ms. Newinski meet with Councilman Schnurr and give him the information.

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

#### **“Presentation by Brett Taft, Open Space Pace.”**

Mr. Bellina stated Mr. Taft was not present this evening.

Mr. Bellina said the Open Space Pace will take place on September 21, 2013 and will follow the same format as last year. It will consist of a parade of horses, a band and fireworks.

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

#### **“Resolution of the Mayor and Council of the Borough of Freehold Honoring Barbara J. Taylor on the Occasion of Her Retirement.”**

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING BARBARA J. TAYLOR ON THE OCCASION OF HER RETIREMENT.

Councilwoman Shutzer explained the Resolution was presented to Barbara at a get together the employees gave her this past Wednesday. We are honoring her 25 years of service to Freehold Borough and we wish her good health and happiness and she is already traveling.

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

Mayor Higgins read Item 8 on the Agenda as follows:

**“Resolution of the Mayor and Council of the Borough of Freehold Commending the GINA for Missing Persons Foundation and the Squeaky Wheel Tour.”**

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD COMMENDING THE GINA FOR MISSING PERSONS FOUNDATION AND THE SQUEAKY WHEEL TOUR.

Councilman Schnurr stated that the band Verago approached him at Olde Freehold Day to explain about the foundation and the work they do. This foundation is used to educate the public by using music to create awareness and media attention for local missing persons. The Squeaky Wheel Tour is a concert series created by this group that profiles missing persons in the area.

Councilman Schnurr stated this has been a very successful tour; more than 1,100 people have been found because of the collective efforts of the tour, local law enforcement and the families of the missing. The band travels throughout the country.

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

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

**“Second Reading and Public Hearing: Ordinance #2013/10 Appropriating \$50,000 from the Water-Sewer Utility Capital Fund Surplus for Engineering Services for the Emergency Generator Project in and by the Borough of Freehold, in the County of Monmouth, New Jersey.”**

Mayor Higgins opened the meeting to the Public.

There was no comment from the Public.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

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 an Ordinance entitled “ORDINANCE #2013/10 APPROPRIATING \$50,000 FROM THE

WATER-SEWER UTILITY CAPITAL FUND SURPLUS FOR ENGINEERING SERVICES FOR THE EMERGENCY GENERATOR PROJECT IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY”, be, and same is hereby adopted on second reading.

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

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

**“Second Reading and Public Hearing: Ordinance #2013/11 Amending Chapter 10 (Vehicles and Traffic), Section 10.12.150 (Parking at the Market Yard Municipal Parking Lot).”**

Mayor Higgins stated Ordinance #2013/11 will be held until the next meeting.

Mayor Higgins entertained a motion to hold until the next meeting.

Councilwoman Shutzer offered a motion to hold Ordinance #2013/11 until the next meeting seconded by Councilman Sims:

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

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

**“Resolution Authorizing Fireworks Display – Open Space Pace.”**

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

RESOLUTION AUTHORIZING FIREWORKS DISPLAY – OPEN SPACE PACE.

Councilwoman Shutzer stated that all requirements have been met.

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

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

**“Resolution of the Borough of Freehold, County of Monmouth and State of New Jersey Cancelling and Refunding Tax Charges and Interest Regarding Block 44, Lot 20, 29 Broadway, Freehold.”**

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY CANCELLING AND REFUNDING TAX CHARGES AND INTEREST REGARDING BLOCK 44, LOT 20, 29 BROADWAY, FREEHOLD.”

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

Mayor Higgins read Item No. 13 on the Agenda as follows:

**“Revised Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Authorizing a Developers Agreement Re: Hui Lu, Block 84, Lot 1.”**

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

REVISED RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING A DEVELOPER'S AGREEMENT RE: HUI LU, BLOCK 84, LOT 1.

Councilman Schnurr explained the reason for the revision was because this is two, one-bedroom residential apartments as opposed to three.

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

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

**“Resolution Authorizing 2013 Professional Services Projects with Cranmer Engineering for Borough Engineering Services.”**

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

RESOLUTION AUTHORIZING 2013 PROFESSIONAL SERVICES PROJECTS WITH CRANMER ENGINEERING FOR BOROUGH ENGINEERING SERVICES.

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

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

**“Resolution Awarding a Contract for Tree Removal and Trimming.”**

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

RESOLUTION AWARDING A CONTRACT FOR TREE REMOVAL AND TRIMMING.

Councilman Griffiths explained the contract was put out for bid and advertised as usual but only one bid was received. We are not pleased with the lack of competitive bids but we are willing to accept this bid because this bidder, Drago Services, LLC, has a history with the Borough.

Councilman Griffiths further explained that Mr. Bellina contacted Drago Services and four other tree companies prior to Hurricane Sandy and they were all asked to be available to work for the Borough immediately after Sandy blew through. All five assured Mr. Bellina they would be there for us but only Drago Services showed up.

Councilwoman Shutzer stated that she concurred with the decision to accept the bid.

Councilman Kane added that Drago Services did a great job during both of the storms.

Mayor Higgins stated that Drago Services is a reputable firm that has done nice work for the Borough and he believes that Council is doing the right thing by going ahead.

Councilwoman Shutzer added that it needs to be said that we would not be approving this if the bid was out of line; it wasn't, it was a good price.

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

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

**“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Providing for the Insertion of Special Items of Revenue in the 2013 Budget of the Borough of Freehold Pursuant to N.J.S.A. 40A:4-87 (Chapter 159). (Police Youth Academy)”**

Councilman Sims 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, PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2013 BUDGET OF THE BOROUGH OF FREEHOLD PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159). (POLICE YOUTH ACADEMY)

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

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

**“Resolution Appointing Community Development Representative and Alternates for the Year 2013.”**

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

RESOLUTION APPOINTING COMMUNITY DEVELOPMENT REPRESENTATIVE AND ALTERNATES FOR THE YEAR 2013.

Councilman Griffiths stated that basically this makes sure we have both our representatives and alternates; these are our professionals.

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

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

**“Resolution Memorializing the Mayor’s Appointment to the Freehold Borough Planning Board.”**

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

RESOLUTION MEMORIALIZING THE MAYOR’S APPOINTMENT TO THE FREEHOLD BOROUGH PLANNING BOARD.

Councilman Schnurr stated he was proud to announce the newest member of our Planning Board, who is here tonight, Annette Jordan.

Councilman Schnurr stated that Ms. Jordan has been active on many boards and committees and is a very hard worker and he is sure she will do a great job on the Planning Board as well.

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

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

**“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Authorizing Compensation Payment to Barbara J. Taylor Upon Her 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 BARBARA J. TAYLOR UPON HER RETIREMENT.

Councilwoman Shutzer explained this is all contracted compensation.

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

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

**Resolution Confirming Personnel Appointments/Actions:**

- a. Resolution Authorizing Leave for Traci L. DiBenedetto to November 27, 2013.**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS 20A.

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

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

**“Resolution Approving the Following Applications:**

- a. Raffle License No. 20-13, 50/50, Freehold Boro Music Parents Association, FHS home football games.**
- b. Procession, Italian American Association of Monmouth County, 8/24/13, 7:30 PM – 8:30 PM, starting at McLean Street and ending at Dick’s Sporting Goods Store.”**

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

RESOLUTION APPROVING APPLICATIONS 21A AND 21B.

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

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

**“Approval of Bills.”**

Councilman Kane 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 the bills on the attached list in the amount of \$3,030,522.50 be paid as presented.

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

There were no late communications.

Mayor Higgins opened the meeting to the public.

Sal Aversano, 24 East Manchester Court, Apt. E, Freehold asked permission to play his instrument, a guitar, in downtown Freehold. Ms. Higgins stated that he would need to fill out an application that he could obtain in the Clerk's office. He would need to do a sketch of exactly where he wishes to perform and also list the days and times.

Sandra Davis, 18 Shorbrook Circle, Neptune, a representative of the NAACP, is seeking permission to hold a rally and march from Rhea Street to Court Street to the Hall of Records on August 7<sup>th</sup>. She said it is a prayer vigil type of rally to bring awareness of voter registration and the Voters Right Act. She said the application had been held up pending a Certificate of Liability which she had with her and would present to the Clerk.

Mr. Bellina stated that the Borough would be the ones to approve the march but because the actual rally would be held on county property that she would have to have it approved by the County.

Al Michenfelder, 30 Jackson Street, announced the Racers Club will be turning 21 and they will be at their new place, Café 360, starting September 7<sup>th</sup>, from 1:00 PM to 2:00 PM. He also thanked Councilman Kane and the rest of the committee for Olde Freehold Day. He said it was the best ever.

Pete DeFonzo, 32 Birch Street had two questions. First he asked how their street could be put on a list to be repaved. He said that in the 35 years he has owned there, the street has never been repaved. Mr. Bellina stated they are in the throes of updating their plans this summer. Mr. DeFonzo's second concern was 39 Morris Street and 11 Crestwood Drive. He stated that the sidewalks are a mess and the storm drains have trees growing out of them.

Barbara Oliver, 71 Center Street, said that two cats were captured but there are still more. She suspects that someone is feeding them.

Thomas Baldwin, 3 Vought Avenue, thanked the Police Department for their excellent work. He said that a computer was stolen from a friend's car and the police had recovered the item within an hour's time.

Mr. Baldwin also reported there is a big pothole on Bannard Street just as you turn off Bowne Avenue. Mr. Bellina said it would be checked out tomorrow.

Mr. Baldwin asked why Mr. Aversano needs to have permission to play his guitar. Isn't this a freedom of speech issue?

Ms. Higgins replied that yes, there is freedom of speech but this needs to be regulated because depending where Mr. Aversano is located he could impede traffic. He hasn't told us yet where he intends to play and it is reasonable to ask.

Mr. Michenfelder stated that there are very high weeds on the sidewalks near the old police station and he feels it is dangerous to walk there.

Mayor Higgins asked Mr. Bellini to have the area checked out.

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

#### RESOLUTION TO CLOSE PUBLIC PORTION.

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

Mayor Higgins asked the council for their comments.

Councilman Schnurr said that when he was speaking about the Missing Persons Foundation he forgot to thank the American Legion for opening their doors to that event. The American Legion has a long celebrated history of supporting events and local groups and he wants to publically thank them.

Councilman Schnurr stated that he wanted to pass along his condolences to the Davis family.

Councilman Schnurr wanted to recognize Council President Kane for taking over a lot of the MC duties at Olde Freehold Day and to publically thank him.

Councilman Schnurr announced that this Saturday is the YMCA Annual Walkathon from 9:00 AM – 1200 PM at the Borough High School.

Councilman Schnurr also announced that the YMCA had recently received a grant of \$22,400 from the United Way. It is a grant to help improve literacy and will include an active partnership with the school district. The target is kindergarten through third grades.

Councilman Schnurr wished to pass along his congratulations to the YMCA for receiving the grant.

Councilman Schnurr announced that the Monmouth County Planning Board is accepting nominations for the 2013 planning awards.

Councilwoman Shutzer congratulated our Police Department and all the sponsors who helped with the Police Youth Academy. She said the ceremony was absolutely wonderful and the parents were extremely thankful for the experience their children had in the academy. Congratulations to the PBA.

Councilwoman Shutzer extended her sincere condolences to the family of Ronnie Davis and to the Ketcham family.

Councilwoman Shutzer stated she hoped there will be lots of activities during Senior's Month in September and we are hoping to hold our first meeting at Hudson Manor. She went on to state that if any seniors don't have a ride Councilman Sims has agreed to transport them by bus. Watch for notices on our email blasts and in the newspaper.

Councilman Shutzer offered sincere thanks to the Olde Freehold Day Committee. It was a beautiful day and the fellowship there was amazing. She thanked Councilman Kane and asked him to take her thanks back to the committee.

Councilman Shutzer wished Mr. Baldwin belated and sincere birthday wishes.

Councilman Sims thanked everyone for coming out tonight and announced that tomorrow night is National Night Out sponsored by the PBA from 6:00 PM – 9:00 PM in the Hall of Records parking lot.

Councilman Sims passed along his thanks to Councilman Kane and the Olde Freehold Day Committee.

Councilman Griffiths added his congratulations to the Olde Freehold Day Committee.

Councilman Griffiths congratulated Barbara Taylor on her retirement of 25 years of faithful service to the Borough.

Councilman Griffiths offered his congratulations to the new Planning Board member, Annette Jordan.

Councilman Griffiths added his congratulations to the 34 graduates of the Police Youth Academy. He said the graduation ceremony was very moving and the accomplishments of the kids during those two weeks were absolutely incredible. He also wanted to thank the "Red Shirts"; kids who have graduated and come back to assist.

Councilman Kane thanked everyone for coming out and offered his condolences to the Ketcham family.

Councilman Kane offered his congratulations to Chief Roberts for the Youth Police Academy graduation.

Councilman Kane said that Olde Freehold Day is truly a community event. The committee works the entire year. He mentioned Bill Madden who ran the paddle boats, Councilman Sims who ran the shuttle bus the entire time, Kerry Higgins who was in the dunk tank; the Fire Department did the beer truck.

Councilman Kane explained Ronnie Davis was the one who coordinated the music for Olde Freehold Day by obtaining bands that would play the entire day for free. Ronnie was diagnosed with liver cancer in March and was determined that he would attend Olde Freehold Day and he was there the entire day. The stage was dedicated to Mr. Davis. Councilman Kane thanked everyone who helped that day and said it was a "tremendous home run" for our town, to see the entire town come together.

Councilman Kane said that next year's Olde Freehold Day will be July 19, 2014.

Mayor Higgins stated that Olde Freehold Day is really a community event. One of the nicest things you see is people who haven't been back to Freehold for a while getting together at Olde Freehold Day.

Mayor Higgins said the Police Youth Academy was a great success. Mayor Higgins spoke with two parents after the graduation who were very moved by the event. One parent was from another municipality that doesn't have this program and the parent was so pleased that the child was accepted into the Borough's program.

Mayor Higgins announced that as part of the Mayor's Fitness Campaign there was a bike ride into Freehold Township and a get together with Mayor McMorrow. We had an excellent police escort thanks to Chief Roberts.

Mayor Higgins announced that people have started giving him memorabilia that will be displayed in the newly named Scudder Hall (Council Chambers). One is a book of Oaths signed in the early 1940's, another book called *The Path to Freedom: Black Families in New Jersey* written by Walter Greason. It has a lot of references to Bethel Church. It is an autographed copy and was left to Mayor Higgins by Mr. Greason. The last book is *Marching Home* which is really a history of Freehold. It is signed by the author, Kevin Coyne and at the time of publication there were five veterans who were still surviving.

Mayor Higgins called for a motion to adjourn.

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

MOTION TO ADJOURN.

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

The meeting was adjourned at 8:28 PM.

Respectfully Submitted,

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ANTOINETTE JONES  
CLERK'S ASSISTANT

AJ:llc