

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, March 3, 2014 at 7:00 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.

#### 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:

**“Introduction of Frank E. Rodgers of the Rodgers Group, LLC, the Firm Providing Police Accreditation Services.”**

Mayor Higgins introduced Lt. Colonel Frank E. Rodgers. He stated Lt. Colonel Rodgers retired as a Deputy Superintendent, which is the second highest ranking position in the New Jersey State Police after 25 years of excellent service. Following his career with the State police he was appointed First Police Director of the newly formed New Jersey State Park Police. Lt. Colonel Rodgers holds a Master of Arts degree from Seton Hall University and is a graduate of the F.B.I. National Academy. He brings his firm’s expertise in law enforcement, communications and training to the Borough.

Lt. Colonel Rodgers thanked everyone for the opportunity to collaborate with your town and the police department. He is one of approximately 20 people that will bring all of their resources together to assist the Freehold Police Department in getting accredited. Accreditation consists of approximately 100 standards and 50 policies and the hardest part is once these new orders are codified making sure the agency is following them. These standards and policies run the gamut from use of force, and vehicular pursuit, to some of the more mundane issues, such as human resources. We started around two weeks ago, there were five people from our company dedicating specifically to this contract. One of our members who is assigned full-time as a project manager will be interfacing as our primary point of contact with the police department and we’ve actually delivered our first two policies.

Mayor Higgins asked for questions from the governing body.

Councilman Sims asked Lt. Colonel Rodgers from his experience the differences of dealing with smaller towns as compared to larger towns.

Lt. Colonel Rodgers responded that they are in contract with approximately 150 law enforcement agencies, everything from Sea Girt Police Department and Harvey Cedars to Paterson, Camden and Asbury Park. They have also worked for the county prosecutor's office.

Mr. Bellina asked Lt. Colonel Rodgers to explain other things that his firms does, particularly with Princeton in Mercer County.

Lt. Colonel Rodgers replied his company was retained to merge the two Princeton police departments. Both of those communities voted to merge together which involved the merging of their police department. We were not involved in helping them make the decision to merge, but once the decision was made to merge, we were retained to do it.

Mayor Higgins asked if anyone from the public had a question.

Mr. Jim McAllister, Freehold First Aid Squad, asked if the accreditation helped the Borough get more Federal or State funding.

Lt. Colonel Rodgers stated what the accreditation will do is reduce the insurance premiums that the town pays to the joint insurance fund.

Councilwoman Shutzer offered a motion to accept the Supplemental Minutes from the January 5, 2014, February 5, 2014 and February 18, 2014 and Council Meeting February 18, 2014 and was seconded by Councilman DiBenedetto.

On roll call Council Members DiBenedetto, Kane, Griffiths, Schnurr Shutzer and Sims voted its adoption; opposed none; Councilman Sims abstained from the Supplemental Minutes of February 5, 2014 and the Supplemental Minutes and Council Meeting minutes of February 18, 2014; absent none. Mayor Higgins declared the motion adopted.

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

**“Proclamation of the Mayor and Council of the Borough of Freehold Designating March 3, 2014 as Read Across America Day in the Borough of Freehold.”**

Mayor Higgins stated that several members of the governing body were scheduled to attend the Freehold Learning Center and Park Avenue School today to read to the students, but because of the snow they changed their schedule and we are hoping to be there on Friday.

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

**“Introduction of and Authorization to Publish Ordinance No. 2014/1 Amending and Supplementing Chapter 10 (Vehicles and Traffic), Section 10.12 (Parking Generally) of the Revised General Ordinances of the Borough of Freehold Prohibiting the Parking of Unregistered Vehicles.”**

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 an Ordinance entitled “ORDINANCE #2014/1 AMENDING AND SUPPLEMENTING CHAPTER 10 (VEHICLES AND TRAFFIC), SECTION 10.12 (PARKING GENERALLY) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD PROHIBITING THE PARKING OF UNREGISTERED VEHICLES” 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 17, 2014 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 Kane stated that all cars must be registered.

Ms. Higgins, Borough Attorney, stated we are obtaining the automatic license plate readers and this will enable the police department to issue summonses to the vehicles that the readers pick up in the municipal parking lots.

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:

**“Introduction of and Authorization to Publish Ordinance No. 2014/2 Amending Chapters 8.40 (Property Maintenance Code), Section 8:40.040A (Certificates of Occupancy) of the Revised General Ordinances of the Borough of Freehold.”**

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled “ORDINANCE #2014/2 AMENDING CHAPTER 8.40 (PROPERTY MAINTENANCE CODE), SECTION 8:40.040A (CERTIFICATES OF OCCUPANCY) 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 17, 2014 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.

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 Calling on the Legislature to Make Permanent the 2% of Interest Arbitration Awards.”**

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

RESOLUTION CALLING ON THE LEGISLATURE TO MAKE PERMANENT THE 2% OF INTEREST ARBITRATION AWARDS.

Councilman Griffiths stated the interest arbitration 2% cap will run out next month. If it does then we are still being held to the 2% overall. We are trying to encourage the legislature to continue the 2% cap.

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. 10 on the Agenda as follows:

**“Resolution Authorizing the Monmouth County Mosquito Commission to Apply Pesticides From Aircraft to Control Mosquitoes Over Portions of the Borough of Freehold.”**

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

RESOLUTION AUTHORIZING THE MONMOUTH COUNTY MOSQUITO COMMISSION TO APPLY PESTICIDES FROM AIRCRAFT TO CONTROL MOSQUITOS OVER PORTIONS OF THE BOROUGH OF FREEHOLD.

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 and Order of the Mayor and Council of the Borough of Freehold, Monmouth County, New Jersey in the Matter of Disciplinary Proceedings Against American Legion Post 54, the holder of ABC Club License No. 1315-31-011-001.”**

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

RESOLUTION AND ORDER OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, MONMOUTH COUNTY, NEW JERSEY IN THE MATTER OF DISCIPLINARY PROCEEDINGS AGAINST AMERICAN LEGION POST 54, THE HOLDER OF ABC CLUB LICENSE NO. 1315-31-011-001.

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

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

**“Resolution Authorizing License Agreement (Barry Fisher – 17 South Street).**

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

**RESOLUTION AUTHORIZING LICENSE AGREEMENT (BARRY FISHER – 17 SOUTH STREET).**

Councilman Schnurr stated this will include the installation of a 3 foot wide pedestrian walkway at the exterior of the building along with protective bollards so that people are able to walk safely through there. There will also be 3 foot wide awnings over the windows and doorways and goose neck lighting. The reason this is coming before the governing body is because part of this is on Borough property.

On roll call Council Members Griffiths, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; Councilman DiBenedetto abstained; 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 2014.**

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

**RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING TEMPORARY APPROPRIATIONS FOR 2014.**

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 Confirming Personnel Appointments/Actions:**

- a. Appointment of Matthew Trembow as part-time Special Police Officer, Class II, effective March 3, 2014.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO.  
14A.

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 Approving the Following Applications:**

- a. **St. Patrick’s Day Parade Application, Freehold Borough Arts Council, 3/16/14, 12:15 PM – 12:30 PM, from Borough Hall to the corner of Main & Court Streets.**
- b. **Raffle License #12-14, 50/50, St. Rose of Lima Church, 6/21/14, 6:00 PM, 16 McLean Street.**
- c. **Raffle License, #13-14, 50/50, Freehold Boro Music Parents Association, 4/25/14, 6:00 PM – 11:00 PM, Park 33, 618 Park Avenue.**
- d. **Raffle License, #14-14, Gift Auction, Freehold Boro Music Parents Association, 4/25/14, 6:00 PM – 11:00 PM, Park 33, 618 Park Avenue.**
- e. **Raffle License, #15-14, Calendar Raffle, Freehold Boro Music Parents Association, 4/25/14, 6:00 PM – 11:00 PM, Park 33, 618 Park Avenue.**
- f. **Permanent Taxi Driver License, Ronald Phillips, Freehold.**
- g. **Permanent Taxi Driver License, Maxima Phillips, Freehold.**
- h. **Permanent Taxi Driver License, Amanda Robles, Freehold.**
- i. **Temporary Taxi Driver License, Juan S. Gonzalez, Freehold.**
- j. **Temporary Taxi Driver License, Sukhandan Sannasee, Millstone.**
- k. **Temporary Taxi Driver License, Angel Cruz, Freehold.**
- l. **Temporary Taxi Driver License, Evelio Morales, Freehold.**
- m. **Temporary Taxi Driver License, Vicenta Pantoja, Freehold.**
- n. **Temporary Taxi Driver License, Jorge Rodriguez, Jackson.**
- o. **Temporary Taxi Driver License, Bernabe Pantoja, Freehold.”**

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

RESOLUTION APPROVING APPLICATIONS 15A THROUGH 15O.

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 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 \$1,925,969.14 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 read Item No. 17 on the Agenda as follows:

**“Clerk – Late Communications.”**

There were none.

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

**“Capital Projects Review.”**

Mr. Bellina stated the 2014 budget is under review. The projects that have been approved in the past, such as Throckmorton Street are about ready to start picking the dates for advertising the bids so we can establish a contract. He is hoping to get the bidding started in March and hopefully get the bids returned in March, as well. In all likelihood it will be April and get the contract awarded in May. This will be the big project for the year. The other project that we approved last year for design were for Avenue A, Avenue C which have not been done because of the snow. The design for Jackson Terrace and McElwaine Drive has been completed. Last year we heard from the County and they were thinking of perhaps realigning the intersection of Jackson Terrace through Route 537. We decided to hold off on our improvement projects to see if they were going to do anything with it. We called them a few weeks ago and they really weren't close. The Mayor followed up with a letter asking them for their timetable. We are meeting with the engineers again soon but he is going to recommend funding this project. Jackson Terrace has had another miserable winter and this will project will probably be done towards the end of the summer. We also have a report on emergency generators which will be reviewed by the Finance Committee.

Mayor Higgins opened the meeting to the public.

Jim McAllister, President, Freehold First Aid, stated we just passed 82 days covering Freehold Township and Freehold Borough with our own members and our own vehicles. We haven't done that in four years. We are on an upswing, morale is good and membership is good. We did have a situation over the weekend where we were down to 1 rig. We have 2 rigs in the body shop and 1 rig was out of service. We had coverage from other towns, we arrange mutual aid particularly when they are predicting major snowstorms. The rigs are old and we are doing what we can to keep them running. He also thanked public works for all of their help during the snowstorms.

Bill Madden, Vredenburgh Avenue, questioned Agenda Item No. 11.

Ms. Higgins explained that the American Legion had an incident and they were advised of an action plan that was needed to address some of the issues. They were also given an eight day suspension.

Mr. McAllister stated when cable was first installed they made an offer to televise meetings as a community service they would provide for us. He hasn't seen anything like that.

Ms. Higgins stated that they don't offer that anymore and that we've tried with our last franchising to get a lot more out of them including things like covering the Memorial Day Parade but we have been unsuccessful.

Councilman Kane asked if the first aid membership is higher than it has been in the past five years.

Mr. McAllister replied yes it was higher, but more importantly the morale is up and we have good leadership right now.

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

#### 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 passed around a few March Newsletters from the Freehold Borough Public Library. He stated the next Memorial Day Parade fundraiser is being held on Tuesday, March 4, 2014 at Fridays Restaurant and this is how the Memorial Day Parade Committee pays for a lot of the bands that you see at the parade.

Councilman Schnurr stated the planning board approved the signage change for REMAX Homeland Realtors. He explained that if you meet the requirements in the Borough ordinance you do not have to come before the planning board.

Councilman Schnurr thanked Mr. Bellina and Ms. Higgins for the fantastic job they are doing.

Councilwoman Shutzer stated "Read Across America" at the elementary schools is rescheduled until Friday. She also announced that March 16, 2014 is the date for the St. Patrick's Day parade.

Councilman Sims had no comment.

Councilman Kane stated on March 14, 2014 and March 15, 2014 we are bringing back the "March Madness" basketball tournament which benefits the YMCA Community Center on Center Street.

Councilman Griffiths stated the Shade Tree Commission is in the process of doing an inventory of all of the tree stock in the Borough. We are working with Bill Brash who will be attending the next meeting. The overall idea of the inventory is to identify in a public domain computer program, the size, age and type of trees and their condition. Had we had this in place when Super Storm Sandy hit we would have been able to seek reimbursement for the value of the

trees. The committee is also working on getting seedlings at a very reasonable rate and these will be nurtured by members of the Shade Tree Commission for a year until they are an appropriate size for planting.

Councilman Griffiths stated the Freehold Borough Library is having an Arbor Day poster contest run by Shade Tree Commission and it is for all 5<sup>th</sup> graders in the Borough. The library has been kind enough to use part of the funding from their grant from the Education Foundation to provide materials for any student in town, not just 5<sup>th</sup> graders who want to make a poster.

Councilman Griffiths stated the Human Relations Committee met and they've begun planning various activities for 2014 including the 2<sup>nd</sup> Annual Senior Day, which is tentatively planned for September 21, 2014. They are also making plans for their annual Humanitarian Award.

Councilman DiBenedetto stated the Recreation Commission has been very busy. We had a young man come in and he is looking to start a children's running group. The Community Garden has plots left, they are \$20.00 a piece.

Councilman DiBenedetto stated the Easter Egg Hunt will be Saturday, April 12, 2014 at 10:00 AM at the Park Avenue School Complex. Downtown will also be holding their annual St. Patrick's Day Pub Crawl and Dine-around. Flyers are located in the clerk's office.

Councilman DiBenedetto stated the Resolution authorizing the spraying of mosquitoes is done annually.

Mayor Higgins stated JCP&L will be doing aerial inspections of their transmission lines. They do this by flying very low in helicopters. This was supposed to happen last week but because of the weather it needed to be put on hold.

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 7:35 PM.

Respectfully Submitted,

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TRACI L. DIBENEDETTO, RMC  
BOROUGH CLERK

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