

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, June 2, 2014 at 7:00 p.m. in the Municipal Building.

In the absence of Mayor Higgins, Council President DiBenedetto 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 the father of Christine Gregory.

ROLL CALL

ABSENT	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

Councilwoman Shutzer offered a motion to accept the Supplemental Minutes and Council Meeting Minutes of May 19, 2014 and was seconded by Councilman Griffiths.

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

Council President DiBenedetto stated that due to a scheduling conflict we are going to go out of order on the agenda and read Item No. 10 as follows:

“Resolution Authorizing Amendment to Stipulation of Settlement Re: Bay Dock Holdings, LLC v. Zoning Board of Adjustment of the Borough of Freehold, and Mayor and Borough Council of the Borough of Freehold, Superior Court, Law Division, Monmouth County, Docket No. MON-L-751-05.”

Gerald Sonnenblick, Esq., attorney for Bay Dock Holdings, stated that his client received permission to build a 30 unit, 4 story apartment building and the feeling we received was that you didn’t like that plan so we came up with a different plan of 8 duplexes, which is more in keeping with the rest of the homes on the street. We went to the planning board last week and it was approved, subject to the governing body’s approval.

Ms. Higgins, Esq., stated the planning board approved the agreement, not the plans.

Mr. Sonnenblick stated the plans have to go before the planning board and meet all of the requirements.

Ms. Higgins stated they had approval for 30 age restricted units and our legislature passed the Residential Conversion Act which would have allowed them to get rid of the age restriction and then just have 30 non-age restricted units. After meetings with the developer and the governing body they came back with the revised plans for 16 units in 8 duplexes.

Mr. Sonnenblick stated we are hoping to have a technical review meeting with Mr. Bellina and Mr. Wentzien very shortly and they are looking to get on the Planning Board Agenda for June 25, 2014.

Ms. Higgins stated they are here tonight to get the council's approval of the amendment to the stipulation of settlement which was a result of litigation that they brought after they were denied initially. If the council is amenable then you would move the resolution to amend the stipulation of settlement, which would still be subject to planning board approval.

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

RESOLUTION AUTHORIZING AMENDMENT TO STIPULATION OF SETTLEMENT RE: BAY DOCK HOLDINGS, LLC V. ZONING BOARD OF ADJUSTMENT OF THE BOROUGH OF FREEHOLD, AND MAYOR AND BOROUGH COUNCIL OF THE BOROUGH OF FREEHOLD, SUPERIOR COURT, LAW DIVISION, MONMOUTH COUNTY, DOCKET NO. MON-L-751-05.

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

Council President DiBenedetto stated we will go out of order again and move on to Item No. 6 on the Agenda:

“Open Space Pace and Festival Update (Brett Taft).”

Brett Taft, Open Space Pace, stated this will be the third year of the parade and festival at Freehold Raceway. This year it will be on Saturday, September 20, 2014 beginning with a parade starting on Main Street and ending at the Racetrack. This will be an all day event which includes; food, music and fireworks. Last year there were 5,000 people in attendance. Our goal this year will be to fill the racetrack.

Councilwoman Shutzer stated this is a wonderful program. She asked if they could invite the Freehold Boro High School Band to march in the parade this year.

Councilman Kane stated this is a great event and creates awareness for the horse racing industry.

Councilman Schnurr stated it is not just the horse racing industry here in Freehold, if the horse racing industry goes away all of the horse farms will also go away and what gets replaced is housing developments.

Council President DiBenedetto stated we will now go to Item No. 7 on the Agenda and read it as follows:

“Freehold Borough School District – Building Improvement Program Presentation.”

Rocco Tomazic, Superintendent of Freehold Borough Schools, explained the building initiative. We currently have 1,586 students, predominantly Hispanic and that has grown over the last 10 years. What is also important is the free or reduced priced lunch in our schools is at 76.9%. This is generally a federal program that is used in New Jersey to measure the degree of poverty or at risk that is in a school district. Once the Freehold Borough students graduate 8th grade they then go to the Freehold Regional High School District or the Monmouth County Vocational School District.

Freehold Borough School District has three schools, Freehold Intermediate is grades 6 - 8 and both elementary schools are Pre-K – 5. Currently we are renting 4 classrooms at West Freehold School in Freehold Township. These are kindergarten classrooms and the students get bused from our district and next year we will also be renting two additional classrooms at Marshall W. Errickson School and those students will be coming from the Freehold Learning Center. Based on the standards of a thorough, efficient education that is established by the New Jersey Department of Education, we in the Borough have enough room for 1,148 students. So currently we have 101 in Freehold Township, so that leaves us 322 students that are un-housed in district that we have to squeeze into the existing space and the way we do that is by shutting down the library and making our classes very large.

Currently we have 414 students at Freehold Intermediate School. Next year we will have 425, the next year 492, then 491 and finally 524. These are not speculated students who might come, these are physical students who are currently in the building and are just moving up in their grade structure. Every year we are adding two classrooms.

The Board of Education has taken on its responsibilities and put forward the idea that we need to build. We cannot make that decision, we had to have a demographic study done, we came in and had our architectural firm analyze our buildings and then come forward with a plan to start addressing some of this growth.

The proposed plan for the Freehold Learning Center is to enter on Dutch Lane Road and exit onto Route 537 by the Shell Station. They will be adding a new Pre-K/Kindergarten wing. Under this plan the district would re-align so that FLC will have Pre-K to 2nd grade and Park Avenue School will have 3rd grade – 5th grades and the Freehold Intermediate School would stay the same 6th – 8th. We are proposing to add additional cafeteria space because at present the cafeteria and the gym are the same. Plan A includes a gym at Park Avenue School. We are looking to build enough gym space so that we can do the legally required 150 minutes of gym. Plan B includes the gym and cafeteria space at Park Avenue School, as well as renovation to the Library.

Council President DiBenedetto asked for questions and comments from the governing body.

Councilman Griffiths asked in the expansion would the new portions be built so they could go up in the future.

Mr. Tomazic stated that this is not currently in the plan but it is an option.

Councilman Griffiths stated there was an article entitled “A Portrait of an Underfunded New Jersey School District – Freehold Borough”. He stated every resident should read it. He did a little research to see how underfunded the Borough is. The Borough school district has 1586 students and we receive \$9.6 million in state aid. Asbury Park has 1973 students and they receive \$55.3 million in state aid. Freehold Regional High School District has 11,447 students and they receive less than Asbury Park does by \$4 million.

Councilman Sims stated that there is state district mandates that the school district is required to do each year that the state imposes and we’re knocking our heads here. Is another trip to Trenton required, what’s to say the school district doesn’t adhere to their mandates because of the lack of funding.

Councilwoman Shutzer stated that she knows first hand what the school district is doing and she knows how hard everyone is working to make it the best possible for our kids. There is only so much that we can do.

Councilman Schnurr stated as to the architectural plans this is what we saw at the planning board meeting.

Councilman Kane stated even though we are two different boards we need to get together and work together on this.

Council President DiBenedetto we will now go back to Item No. 5 on the Agenda.

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

Alice McCobb and Councilman Schnurr presented the 2014 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.

Council President DiBenedetto read Item No. 8 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 the proclamation and presented it to Jim McAllister and Bill Madden.

Bill Madden stated the First Aid Squad is always looking for volunteers and donations. They have a group of 25 cadets who are doing an amazing job.

Jim McAllister thanked both Freehold Borough and Freehold Township for their support.

Councilman Schnurr asked Mr. Madden to explain how many hours it takes to become an EMT.

Mr. Madden stated it used to be three months and the cost was \$600. The State has now changed that and it is now 6 months and \$1,400 to get a person trained as EMT and you must have that within one year's time.

Council President DiBenedetto read Item No. 9 on the Agenda as follows:

“Second Reading and Public Hearing: Ordinance #2014/7 Supplementing Title 16 (Land Use Procedures), Chapter 16.24 (Site Plan Review and Approval) of the Revised General Ordinances of the Borough of Freehold Regarding Sidewalk Waivers.”

Council President DiBenedetto opened the meeting to the public.

There were no comments.

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

Councilman Schnurr 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 an Ordinance entitled “ORDINANCE #2014/7 SUPPLEMENTING TITLE 16 (LAND USE PROCEDURES), CHAPTER 16.24 (SITE PLAN REVIEW AND APPROVAL) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD REGARDING SIDEWALK WAIVERS,” be, and same is hereby adopted on second reading.

Councilman Schnurr stated this ordinance came from the Land Use Committee. It gives the planning board the opportunity to waive the construction requirement of having a

sidewalk. By granting the waiver the developer is required to pay the Borough the amount equal to 60% of the cost of installing a sidewalk to the Borough for a dedicated sidewalk fund. This is the exact ordinance that Freehold Township has.

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

Council President DiBenedetto read Item No. 11 on the Agenda as follows:

“Resolution Amending 2014 Professional Services Contract with William T. Wentzien, PE, LS for Borough Engineering Services.”

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

RESOLUTION AMENDING 2014 PROFESSIONAL SERVICES CONTRACT WITH WILLIAM T. WENTZIEN, PE, LS FOR BOROUGH ENGINEERING SERVICES.

Councilman Schnurr stated there are a lot of vendors that are on our accounts payable list that we pay. These guys are not vendors; they are partners with the Borough. They are the ones that do the engineering work for the streets and roads. They helped design Elks Point.

Council President DiBenedetto stated that Bill Wentzien has done countless hours of volunteer time for the Borough.

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

Council President DiBenedetto read Item No. 12 on the Agenda as follows:

“Resolution Authorizing an Interlocal Services Agreement with the Freehold Borough Board of Education Re: Paving.”

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

RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE FREEHOLD BOROUGH BOARD OF EDUCATION RE: PAVING.

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

Council President DiBenedetto read Item No. 13 on the Agenda as follows:

“Resolution Awarding a Contract for the Repaving of Jackson Terrace and McElwaine Drive.”

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

RESOLUTION AWARDING A CONTRACT FOR THE REPAVING OF JACKSON TERRACE AND MC ELWAIN DRIVE.

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

Council President DiBenedetto read Item No. 14 on the Agenda as follows:

“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Authorizing a \$500 Change Fund to be Utilized for Olde Freehold Day Committee on June 21, 2014 (or Rain date).”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING A \$500 CHANGE FUND TO BE UTILIZED FOR OLDE FREEHOLD DAY COMMITTEE ON JUNE 21, 2014 (OR RAIN DATE)

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

Council President DiBenedetto read Item No. 15 on the Agenda as follows:

“Resolution Authorizing Fireworks Display – Freehold Center Partnership.”

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

RESOLUTION AUTHORIZING FIREWORKS DISPLAY – FREEHOLD CENTER PARTNERSHIP.

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

Council President DiBenedetto read Item No. 16 on the Agenda as follows:

“Resolution Authorizing Affiliation Agreement with 180 Turning Lives Around Domestic Violence Response Team.”

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

RESOLUTION AUTHORIZING AFFILIATION AGREEMENT WITH 180
TURNING LIVES AROUND DOMESTIC VIOLENCE RESPONSE TEAM.

Councilman Kane stated 180 Turning Lives Around had a presentation with the Public Safety Committee and this is the resulting agreement with them. The purpose of this group is to offer comprehensive services to victims of domestic violence.

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

Council President DiBenedetto read Item No. 17 on the Agenda as follows:

“Resolution Authorizing Sale of Seized Property.”

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

RESOLUTION AUTHORIZING SALE OF SEIZED PROPERTY.

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

Council President DiBenedetto read Item No. 18 on the Agenda as follows:

“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Authorizing Compensation Payment to Patricia Marone Upon her Separation from Employment.”

Councilman Sims 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, AUTHORIZING COMPENSATION
PAYMENT TO PATRICIA MARONE UPON HER SEPARATION FROM
EMPLOYMENT.

Councilman Sims stated the Borough is just fulfilling our contractual obligations.

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

Council President DiBenedetto read Item No. 19 on the Agenda as follows:

“Resolution Confirming Personnel Appointments/Actions:

- a. **Appointment of Thomas Ray as a member of the Freehold Fire Department’s Juniors’ Program, effective June 2, 2014.**
- b. **Appointment of Nicole Ray as a member of the Freehold Fire Department’s Juniors’ Program, effective June 2, 2014.**
- c. **Appointment of Darren Maine as a member of the Freehold Fire Department’s Juniors’ Program, effective June 2, 2014.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO.
19A – 19C.

Councilman Sims stated that these are three great youths from our town and they are joining our fire department’s junior program. The Ray children’s uncle is an Ex-Fire Chief and Michael Burtt and Darren Maine’s grandmother is Diana D’Anna from the Freehold First Aid Squad.

Councilwoman Shutzer stated the funding of the Junior’s Program is the donation bins located in front of the auxiliary fire house.

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

Council President DiBenedetto read Item No. 20 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 \$1,656,718.38 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. Council President DiBenedetto declared the motion adopted.

Council President DiBenedetto read Item No. 21 on the Agenda as follows:

“Clerk – Late Communications.”

There were none.

Council President DiBenedetto opened the meeting to the public.

Paul Ceppi, 16 Ann Street stated the fireworks display at the racetrack is a free event and it is very good. But it is very dangerous, there are people parking on both sides of Ann Street. Mr. Ceppi stated he has had people park right in the middle of Ann Street. They leave their car and return at the end of the fireworks. He asked if the road could be closed to local traffic or changed to one-way traffic only on that date because a great day turns into a very hostile end of the day.

Councilman Sims stated we looked at this a few years ago.

Councilman Kane stated we will address this with the Public Safety Committee and asked to post “No Parking” signs like what is done for the Memorial Day Parade.

Chief Roberts replied yes.

Christine Gregory, 42 West George Street, thanked everyone for the moment of silence in honor of her father’s passing and for all of the cards and well wishes that she has received.

Councilwoman Shutzer 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. Council President DiBenedetto declared the motion adopted.

Council President DiBenedetto called upon the members of the council for their comments.

Councilman Kane thanked everyone for attending the meeting. He congratulated Alice McCobb and everyone on the parade committee. He also thanked Annette Jordan and the school board representatives for their great presentation. He encouraged everyone to attend the Open Space Pace and he reminded the residents that Olde Freehold Day is on Saturday, June 21, 2014.

Councilman Griffiths stated Councilman Kane is here under duress. He is on crutches because he just had surgery and his knee is probably throbbing right now. He offered his condolences to Christine Gregory. Councilman Griffiths urged everyone to work together to try and get the money out of the state to do right by the children of Freehold Borough.

Councilman Kane also offered his condolences to Christine Gregory.

Councilman Sims offered his congratulations to Alice McCobb on a wonderful parade. On June 22nd the Youth Government is doing another car wash from 11:00 AM – 3:00 PM to help fundraise for their upcoming trip to Washington DC. He offered get well wishes to Mayor Higgins, Committeewoman McMorrow and Committeeman Ammiano.

Councilwoman Shutzer apologized to Alice McCobb because at the end of the parade everything started to come so fast that she did not publicly thank her until she had already passed by. She heard so many wonderful comments about the parade. She has the senior bus schedule for the month. She offered condolences to Christine Gregory, she knew her father, he was the elderly gentlemen that walked through town and stopped and picked up every piece of trash he saw.

Councilwoman Shutzer stated Juneteenth will be held on Saturday, June 14th at the Court Street School at 2:30 PM. She wished good wishes to the Mayor and the Township officials. She also thanked the Freehold Borough School Board for their presentation.

Councilman Schnurr offered his condolences to Christine Gregory. He also thanked Alice McCobb and the committee for a terrific parade.

Councilman DiBenedetto also offered his condolences to Christine Gregory. He stated that our summer events downtown will be starting. He also thanked Alice McCobb and her family for their dedication to the parade.

There being no further business to discuss, Councilman Griffiths moved to adjourn the meeting at 8:40 PM, seconded by Councilwoman Shutzer with all in favor and Mayor Higgins absent.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:aj