

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, July 21, 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 DiBenedetto 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
ABSENT	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 Executive Sessions April 7, 2014 and June 16, 2014; Supplemental Minutes June 2, 2014 and June 30, 2014 and Special Meeting June 30, 2014 and was seconded by Councilman DiBenedetto.

On roll call Council Members, DiBenedetto, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; Councilman Sims abstained from Executive Session June 16, 2014; Councilman Griffiths absent. Mayor Higgins declared the motion adopted.

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

#### **“Presentation of Certificates to Project S.A.L.U.D. Members.”**

Councilman Sims stated this group came before the governing body last November and since then has put in extensive work into this project.

Councilman Sims introduced Tammy Ciok who is a parent of one of the members, as well as a member of the Human Relations Committee and they presented the certificates to the Project S.A.L.U.D. Members.

The members of Project S.A.L.U.D. introduced themselves and gave a presentation. They stated they are a group of juniors from Bio-Technology High School and Freehold Boro High School who are looking to make a difference in Freehold Borough mainly with the Latino community involving their healthcare through education, improvement of local resources and disease prevention. They also would like to create a health center.

Councilman Kane stated this was a great presentation.

Ms. Higgins asked who translated all of their material.

They stated that all of the members are bi-lingual and that they take Spanish in school and can translate. During the workshops they speak Spanish.

Mayor Higgins congratulated the members and stated this was a terrific program.

Mr. Bellina asked if their video could be posted on the Borough website.

They replied yes.

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

**“Introduction of and Authorization to Publish Ordinance #2014/8 to Mandate Direct Deposit for Municipal Employees by the Borough of Freehold Pursuant to C.52:14-15f et. seq.”**

Councilwoman Shutzer 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 #2014/8 TO MANDATE DIRECT DEPOSIT FOR MUNICIPAL EMPLOYEES BY THE BOROUGH OF FREEHOLD PURSUANT TO C.52:14-15F ET. SEQ.” 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 August 4, 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, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; Councilman Griffiths absent. Mayor Higgins declared the motion adopted.

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

**“Introduction of and Authorization to Publish Ordinance #2014/9 Amending Chapter 5.48 (Jewelry and Precious Metals), Chapter 5.48.052 (Maintenance of Record of Transactions) and Chapter 5.48.060 (License Fees) of the Revised General Ordinances of the Borough of Freehold.”**

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 #2014/9 AMENDING CHAPTER 5.48 (JEWELRY AND PRECIOUS METALS), CHAPTER 5.48.052 (MAINTENANCE OF RECORD OF TRANSACTIONS) AND CHAPTER 5.48.060 (LICENSE FEES) 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 August 4, 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, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; Councilman Griffiths absent. Mayor Higgins declared the motion adopted.

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

**“Introduction of and Authorization to Publish Ordinance #2014/10 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 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 #2014/10 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 August 4, 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 Schnurr stated this ordinance was recommended by the Land Use Committee and any vehicles that are parked on the street or in parking lots have to be registered. We've had issues during the snowstorms with the plows.

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

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

**“Introduction of and Authorization to Publish Ordinance #2014/11 Amending and Supplementing Chapter 2(Administration and Personnel), Section 2.44 (Police Department) of the Revised General Ordinances of the Borough of Freehold.”**

Councilman Kane made a motion to table this Ordinance, seconded by Councilman DiBenedetto:

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

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

**“Introduction of and Authorization to Publish Ordinance #2014/12 Amending and Determining Salaries of Certain Officers, Positions and Employees of the Borough of Freehold, in the County of Monmouth, and Repealing Any and All Other Ordinances Heretofore Adopted Which are Inconsistent Herewith.”**

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled “ORDINANCE #2014/12 AMENDING AND DETERMINING SALARIES OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, AND REPEALING ANY AND ALL OTHER ORDINANCES HERETOFORE ADOPTED WHICH ARE INCONSISTENT HEREWITH,” 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 August 4, 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, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; Councilman Griffiths absent. Mayor Higgins declared the motion adopted.

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

**“Resolution Accepting the 2013 Fiscal Year Audit Report as Prepared by Suplee, Clooney and Company.”**

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

RESOLUTION ACCEPTING THE 2013 FISCAL YEAR AUDIT REPORT AS PREPARED BY SUPLEE, CLOONEY AND COMPANY.

Councilman Schnurr stated auditors come in once a year to look at our books and the first thing he does when their report is finished is go to the last page where it says, “Recommendations”, and it says none. This is a reflection on our accounting staff and our Administrator, Joe Bellina.

Councilwoman Shutzer stated that she has been here long enough and has seen numerous audit reports that have had recommendations.

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

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

**“Resolution Authorizing Notice of Intent to Withdraw from the Middlesex Joint Insurance Fund.”**

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

**RESOLUTION AUTHORIZING NOTICE OF INTENT TO WITHDRAW FROM THE MIDDLESEX JOINT INSURANCE FUND.**

Mr. Bellina stated although it appears that we are withdrawing from this fund it does not necessarily mean that we are. The bylaws of the fund require a notice of 90 days or more in the event that we do withdraw. We have to go through a competitive bid process and seek another price or two from another JIF or even the open market, which hasn't been favorable to municipalities over the past 15 years ago. If the price we get from the Middlesex JIF is beneficial to the town, then we will opt back in, if not then we have done what we are required to do, which is give them 90 days notice.

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

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

**“Resolution Authorizing the Purchase of One (1) Dump Truck per the New Jersey State Contract.”**

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

**RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) DUMP TRUCK PER THE NEW JERSEY STATE CONTRACT.**

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

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

**“Resolution Authorizing the Purchase of One (1) Mason Dump Truck per the New Jersey State Contract.”**

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

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) MASON DUMP TRUCK PER THE NEW JERSEY STATE CONTRACT.

Councilman DiBenedetto stated that both of these vehicles will be replacing older vehicles.

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

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

**“Resolution Entering into an Agreement with EnergySolve, LLC of Somerset, New Jersey to Provide Energy Bill Analysis Services.”**

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

RESOLUTION ENTERING INTO AN AGREEMENT WITH ENERGYSOLVE, LLC OF SOMERSET, NEW JERSEY TO PROVIDE ENERGY BILL ANALYSIS SERVICES.

Mr. Bellina stated this company will manage all of the Borough’s utility bills. They are able to streamline and identify where we’ve been overcharged. They will also reclaim the money from the utility company and give it back to the Borough.

Councilman Schnurr stated when looking at your own bill from JCP&L you might say why would you hire a company to do this. But when you have so many meters throughout the town, trying to do the accounts payable for all of different locations is very time consuming. This company will also reclaim any money that may have been paid.

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

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

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

RESOLUTION AUTHORIZING APPROPRIATION OF FUNDS FOR THE 2014 OLDE FREEHOLD DAY.

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

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

**“Resolution Confirming Personnel Appointments/Actions:**

- a. **Resignation of Eileen Korz as a member of the Freehold Borough Recreation Commission, effective June 30, 2014.**
- b. **Appointment of Matthew Cotroneo as a probationary member of the Freehold Fire Department, Engine & Hose Company No. 1, effective July 21, 2014.**
- c. **Appointment of Chris Hanley as a member of the Freehold Fire Department's Juniors Program, effective July 21, 2014.**
- d. **Appointment of Gunnar Larsen as a member of the Freehold Fire Department's Juniors Program, effective July 21, 2014.**
- e. **Appointment of Dannie Jackson III as a member of the Freehold Fire Department's Juniors Program, effective July 21, 2014."**

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

**RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO. 17A – 17E.**

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

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

**"Resolution Approving the Following Applications:**

- a. **Canning, Youth Government, 7/24/14 and 8/14/14 from 5:00 PM – 8:00 PM at the Intersection of Main and South Street."**

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

**RESOLUTION APPROVING APPLICATION NO. 18A.**

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

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

**"Correspondence:**

- a. **Acknowledgement of Petition for Proposed Lake Topanemus Dog Park."**

Mr. Bellina stated we received this petition two or three weeks ago and we want to acknowledge that we received it. We are going to send a letter to the Lake Topanemus Commission and let them decide if they would be interested in creating a dog park.

Mayor Higgins 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 DiBenedetto:

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$3,108,647.58 be paid as presented.

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

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

**“Clerk – Late Communications.”**

There were none.

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

**“Committee Reports:**

Councilman Schnurr stated the library summer programs are in progress. The Memorial Day Parade Committee is not meeting until September. The Land Use Committee is working on the parking ordinance for the CVS parking lot. We are trying to make the parking lot consistent with the Market Yard Parking lot and we have forwarded this to the FCP for their input.

Councilman Schnurr stated he has many contacts with the little league and his prediction this year is that there will be a record number of homeruns this year in Williamsport because they’ve changed the baseball!

Councilwoman Shutzer stated the Youth Police Academy started today and will run for two weeks.

Councilman Sims had nothing to report.

Councilman Kane had nothing to report and he congratulated the members of Project S.A.L.U.D.

Mayor Higgins stated Councilman Griffiths is on vacation and he asked Mr. Bellina if he had any information on his committees.

Mr. Bellina stated the Innovation Committee is working on the Borough website and he encouraged the residents to fill out the surveys.

Councilman DiBenedetto stated public works has been busy with brush pick-up and filling potholes. He said the recreation programs are in full bloom. The FCP has been very busy on Wednesday and Thursday nights and the farmer’s market is downtown on Fridays between 10:00 AM and 3:00 PM through October.

Mr. Bellina stated the road resurfacing for Jackson and McElwaine will probably start around the first week of August. There is a bid opening for Avenue’s A & C on Thursday, July 24, 2014.

Mayor Higgins opened the meeting to the public.

Tom Baldwin congratulated the Project S.A.L.U.D. members. He also thanked the streets and roads department for picking up the brush on Bannard Street. He stated that he heard Olde Freehold Day was a success and a lot of people had a very enjoyable time. The people who planned the celebration should be proud of their efforts.

Mr. Baldwin stated two weeks before the celebration he made a sign stating what “old” Freehold was about from a minority point of view; after all we are citizens and residents. This sign caused many different responses. Most of the people walked by with no response at all, a lot of people were hostile but made no comment. Some people were very hostile and thought that maybe he had a mental disorder. What really disturbed him was he had two police officers approach him and one of them suggested that perhaps he should think about living somewhere else if he didn’t like what was going on here. He felt that was out of line. He has been a taxpayer and resident for over 20 years and he has no criminal record. He was also approached by an Olde Freehold Day committee member in the courthouse parking lot. He was accused of harassing people getting on the bus. He was only talking to them. This person filed a complaint against him for harassment and Lt. Wodell diffused the situation.

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

**RESOLUTION TO CLOSE PUBLIC PORTION.**

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

There being no further business to discuss, Councilwoman Shutzer moved to adjourn the meeting at 7:51 PM, seconded by Councilman DiBenedetto with all in favor and Councilman Griffiths absent.

Respectfully Submitted,

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TRACI L. DI BENEDETTO  
BOROUGH CLERK