

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, September 15, 2013 at 6:30 p.m. in Hudson Manor, 40 Hudson Street.

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).

Mayor Higgins stated “On behalf of the governing body we want to thank the residents of Hudson Manor and the Board of Hudson Manor and Coughlin Management for their help in tonight’s meeting. In recognition of Freehold Borough Senior Citizen Month, we are bringing your municipal government to you. We recognize the many roles that seniors have played in our Freehold community.”

Mayor Higgins introduced Mr. Bellina, Borough Administrator; Ms. Higgins, Borough Attorney; Police Chief Roberts and Ms. DiBenedetto; Borough Clerk.

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
PRESENT	COUNCILMAN RONALD GRIFFITHS
PRESENT	COUNCILMAN KEVIN KANE
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER
PRESENT	COUNCILMAN JAYE SIMS

Mayor Higgins recognized two former mayors in attendance this evening, Former Mayor Michael Wilson and Former Mayor Roger Kane.

Councilman Sims offered a motion to accept Council Meeting September 3, 2014 Minutes and was seconded by Councilman DiBenedetto.

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. 5 on the Agenda as follows:

**“Swearing In and Oath of Office: Richard McGraw, Police Officer, Freehold Borough Police Department.”**

Chief Roberts introduced Patrolman McGraw who comes to us from the Corrections Department.

Mayor Higgins swore in Patrolman McGraw and acknowledged the police officers that came to welcome him.

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

**“Proclamation of the Mayor and Council of the Borough of Freehold Declaring September 2014 Senior Citizens Month.**

Councilwoman Shutzer read the proclamation. She thanked Gloria Koch for taking the time out to make crocheted Christmas wreathes for all of the seniors who attended last year’s Senior Holiday Party.

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

**“Resolution of the Mayor and Council of the Borough of Freehold Honoring Robert and Sandy Taylor.”**

Councilwoman Shutzer read and presented the Resolution to Robert and Sandy Taylor.

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

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING ROBERT AND SANDY TAYLOR.**

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

**“Resolution of the Mayor and Council of the Borough of Freehold Honoring Roger and Barbara Kane.”**

Councilwoman Shutzer read and presented the Resolution to Roger and Barbara Kane.

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

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING ROGER AND BARBARA KANE.**

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

**“Presentation by the Freehold Borough School District – Special School Election.”**

Councilwoman Shutzer stated there will be a referendum election for the school budget on September 30, 2014. It is to help improve the quality of education for the schools in town to help with overcrowding. She introduced Rocco Tomazic, Superintendent of Schools and Annette Jordan, President of the Freehold Borough School Board.

Dr. Tomazic passed around a simplified flyer which described the referendum. The basics of the referendum request fall squarely on statistics. For the State standards we have enough seats for 1,148 students and as of today we have 1,621 students which are 42% over capacity. We are short 25 classrooms, right now we have 6 classrooms that we’re renting in Freehold Township. That still leaves a lot of extra students and we are accommodating these students by placing more children in classrooms and shutting down the library. The problem is we continue to get more students. Our student population is not stable and every year we will probably need to add 2 more classrooms. The Board of Education studied the situation and then hired a demographer to study the population and an architect to draw up plans for the additions and renovations to the school. We then submitted these plans to the NJ State Department of Education for their approval to help establish how much money they would help us with. The total needed is \$3,902,000 and 38% is eligible for debt service. We are in a very unique time right now; the interest rates are low and constructions costs are down. If we pass this referendum our class sizes would not be as large, we can restore the library, eat lunch in the cafeteria at a normal lunchtime and we will avoid having split sessions which are very hard on the students and very inconvenient to the parents.

Dr. Tomazic stated this evening we would like to address the voters who might be saying I’m sorry about all of that but I don’t want my taxes to go up. If you look at the big picture and the schools have to go to a split session schedule, no families are going to want to move to Freehold Borough. Even though your taxes would go up \$278, the value of your property will go further down, much more than the tax increase. The special election is on Tuesday, September 30, 2014 from 2:00 PM – 9:00 PM.

Councilwoman Shutzer stated the vote of the seniors is very important.

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

**“Second Reading and Public Hearing: 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.”**

Mayor Higgins opened the meeting to the Public.

There was no comment from the Public.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

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 #2014/11 AMENDING AND SUPPLEMENTING CHAPTER 2 (ADMINISTRATION AND PERSONNEL), SECTION 2.44 (POLICE DEPARTMENT) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD", be, and same is hereby adopted on second reading.

Councilman Schnurr stated as he indicated at the last meeting he will be voting "no" on this because back in 2011 the council hired a police consultant to review police operations and we did so because Police Chief Mitch Roth was retiring and we thought this would be a good opportunity for us to review the entire police department. After the 2011 study we decided to keep the "Police Chief Model". One of the reasons why he wants to keep that model is from 1996-2011 there was a 55% drop in crime. This statistical evidence shows that this "model" is working for us.

Councilman Schnurr stated he doesn't feel a civilian political appointee should be running the police department, the police department should be running the police department.

Councilman Griffiths stated he will be voting "yes" to this ordinance. This is the second time the governing body has reviewed this. We even went through a very intensive police accreditation and it also recommended that we put this in our ordinance. This ordinance does not remove the position of police chief. Police Chief Roberts' job is not at risk and neither is anyone else's job at the police department. If we did appoint a police director tonight it would help both the chief and the department by relieving the chief of many of his administrative duties and allow him to concentrate on law enforcement duties. The director would also help to update the rules and regulations of the department and he would be responsible for purchasing and preparing police budgets. A police director could perform data analysis of crime statistics.

Councilman Griffiths stated that technically every police chief under New Jersey law reports to an appropriate authority. It could be the governing body, mayor or administrator. In our case, Mr. Bellina, Business Administrator, has the authority. A police director would not be a hindrance to our department. He believes it would be an asset. A police director serves for an appointed term and serves at the will of the governing body. Councilman Schnurr mentioned that he didn't want a politically appointed person, everyone who works for us is politically appointed including the police chief. A police chief stays in that position until

he retires. If the governing body did appoint a police director and we were not happy with the results, the governing body has the right to eliminate the position. This ordinance gives us the right to appoint a police director in the future.

Councilwoman Shutzer stated when she was on the Public Safety Committee at one point they determined that the engineer's assistant at Borough Hall would go for a number of hours to the police department each day to take care of things that the police shouldn't be spending their time doing. We said at that time we didn't want the police ordering light bulbs and changing oil in their vehicles. We want the police to be doing police work and that is exactly what this position would allow. It allows the police chief to run the department and the police director to do all the other things that take away from the chief's time doing police work. This is not creating the position; it just gives us the ability to add this position later if we chose. She will be voting "yes".

Councilman Sims agreed with Councilman Schnurr and will be voting "no" on this. He does not believe that adding this position is a viable option. He thinks we should continue with the current "model" that we have in place.

Councilman Kane stated he is the chairman of the Public Safety Committee. This ordinance allows us to create the position of public safety director if we need to. It is not creating a police director right now. If there was a police director, it would be an administrative position and the police chief would continue to run the department. So as for the police officers now who are wondering about promotions, nothing changes. The current promotion opportunities stay the same. All this position does is create an administrative position and allows the chief to handle police operations.

Councilman Kane stated that Councilman Schnurr said a political appointee like it was a negative connotation. Most police directors are retired law enforcement officials who have worked in numerous police departments around the state. The police director will be a highly qualified individual who knows how a police department runs and can look at it from an administrative standpoint. He will be voting "yes".

Councilman DiBenedetto will be voting "yes" on this because he has attended seminars on this that have discussed the pros and cons of a public safety director. Police Chief Roberts has done a tremendous job but he sees the position he is in and he sees that his needs are growing everyday. Councilman DiBenedetto stated at this point he does not feel a public safety director is needed but it is a "tool" that we can use in the future. He will be voting "yes" on this ordinance.

Councilman Sims stated the entire governing body has spent a lot of time on this and even though there is a difference of opinion on the council, we've all done our homework.

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

Mayor Higgins thanked his colleagues who voted for this ordinance. He feels this is an important “tool” that we have and this is part of a very intensive police accreditation.

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

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

- a. Appointment of Joseph Fortunato as a probationary member of the Freehold Fire Department, Good Will Hook & Ladder Company, Effective September 15, 2014.”**

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

**RESOLUTION CONFIRMING PERSONNEL APPOINTMENT/ACTION NO. 11A.**

Councilman Sims stated this is a very good appointment to the fire department and Mr. Fortunato is a 23 year veteran of the NYFD.

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

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

**“Resolution Approving the Following Applications:**

- a. Block Party, 9/27/14, 2:00 PM – 7:00 PM, Broad Street from Manalapan Avenue to Yard Avenue. c/o L. Smith**
- b. Open Space Pace, Parade, starting at the Hall of Records, continuing along Main Street and ending at the Freehold Racetrack, 9/20/14, 9:30 AM – 11:30 AM. c/o Brett Taft**

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

**RESOLUTION APPROVING APPLICATION NOS. 12A – 12B.**

Councilman Schnurr stated the Open Space Pace is an all day celebration to support the horse racing industry in central New Jersey. This event will be held on Saturday, September 20<sup>th</sup> and starts with a parade on Main Street and continues to the Racetrack. It is a free event and he encouraged everyone to attend.

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

### **“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 \$605,078.00 be paid as presented.

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

### **“Clerk – Late Communications.”**

There were none.

### **“Committee Reports:**

Councilman Schnurr stated the Memorial Day Parade Committee will be having their first meeting this year on Wednesday, September 17, 2014. The committee usually meets once a month. The committee holds fundraisers and the next one is tomorrow, September 16<sup>th</sup> at The Cabin Restaurant. When you present the flyer to the hostess they will donate 20% of the bill to the Memorial Day Parade. These funds help pay for the marching bands that perform at the parade.

Councilman Schnurr stated the Elk’s Point project was a great example of public/private partnerships and he thanked the council, Marine Corp. League and the VFW for all of their hard work.

Councilman Schnurr stated the Planning Board approved eight duplexes on Orchard Street. These two family homes will look very similar to the recently built single family homes that are on the other side of the street. Once this project is finished the entire road will be paved. The Land-use Committee is working on a parking ordinance for the CVS lot that mirrors the same times as the Market Yard Lot.

Councilman Schnurr announced as liaison to the Library, there will be a flag retirement ceremony on September 17<sup>th</sup> at 7:00 PM at the VFW. This is a collaborative effort between the VFW and the teen program. Kathy Mulholland is here tonight, she is a librarian and she is here to answer any questions you might have. Last year when we were here, you requested that a drop box be placed at the bottom of the handicap ramp at the library which we did.

Councilman Schnurr stated there was a horrible accident on Kozloski Road and the Freehold Mom’s Club is doing a benefit for the baby whose parents were killed at Friday’s Restaurant on September 16<sup>th</sup> from 12:00 PM – 10:00 PM and 20% of the bill will go into a trust fund for that child.

Councilwoman Shutzer stated as liaison to Personnel, she welcomed Patrolman McGraw and his family. The Council on Aging is having a meeting tomorrow at the YMCA. The Borough

bus will not be available for transportation to the meeting because it is not in service and won't be available until either late tomorrow or Wednesday.

Councilwoman Shutzer brought some hand outs and the new Monmouth County Directory. The bus is available for voting in the Special Election which is Tuesday, September 30<sup>th</sup> from 2:00 PM – 9:00 PM; just let Loretta know if you will need the bus.

Councilwoman Shutzer stated Senior Appreciation Day is Sunday, September 21<sup>st</sup> from 12:00 PM – 5:00 PM and Carol Lida, chairperson of the Human Relations Committee, is here to describe the event.

Ms. Lida explained Senior Appreciation is this Sunday at the Hall of Records Parking Lot from 12:00 PM – 5:00 PM. The bus will be running from all three senior apartments in the Borough. This is our second year doing this and the banner is up on Main Street. There will be a DJ playing music and there will be lots of food and craft vendors. There will also be gifts for seniors who attend.

Councilwoman Shutzer urged everyone to go out and vote. She stated the Freehold Alliance Against Substance Abuse, which is a joint venture with Freehold Township, has a monthly newsletter that is available through the email blast.

Councilwoman Shutzer congratulated Carl N. Steinberg, the Marine Corps. League and the VFW for all of their hard work on the World War II Memorial.

Councilman Sims thanked everyone responsible for allowing them to hold the meeting at Hudson Manor. He congratulated Sandy and Bob Taylor and Barbara and Roger Kane and thanked them for all of their work in the Borough. The Youth Government Program is currently fundraising to help support their trip to Washington DC in the Spring. So far, they've been to a Freeholder's meeting and to the State House in Trenton with himself and Mayor Higgins.

Councilman Sims stated he heard comments from the residents wondering why Freehold Borough and Freehold Township do not merge so he asked Dr. Tomazic to explain.

Dr. Tomazic stated the Department of Education is celebrating because they just put out a press releasing stating that for the first time in 19 years they've been able to get two communities to merge their school districts. The reason it is so hard to merge two school districts is because everyone in both districts must agree. Our Borough teachers would be the happiest because when you merge the pay scale is adjusted to the higher paying town. Another reason merging is very difficult is because of taxes. If the Borough's taxes went up and the Township's went down because of the merge than Freehold Borough wouldn't vote for the merge and vice versa. Annette Jordan has approached Freehold Township about a merge in the past and so far there has been no interest from them.

Councilman Kane thanked everyone from Hudson Manor for allowing them to hold the meeting at their facility. He congratulated Sandy and Bob Taylor and Barbara and Roger Kane.

Councilman Kane stated the Finance Committee along with Mr. Bellina, Mr. Gartz and Ms. Caruso will be meeting at the end of the month to start work on the Best Practices report from the State. As for the Public Safety Committee, the police department is going through a very intensive police accreditation program which will be a great asset to our police department. He also welcomed Officer McGraw.

Councilman Kane stated the Freehold Board of Health is working on trying to develop a Health Center to open a free health clinic somewhere here in the Borough. This committee also offers the free rabies clinic which is done twice a year in April and September. Last week was the September clinic and there were only about 20 people there this year. He encouraged all the residents to take advantage of getting their pet's rabies vaccination for free.

Councilman Kane stated the Open Space Pace starts this Saturday, September 20<sup>th</sup> with the parade down Main Street and continues to the Racetrack where there will be festivities all day long. The Horse Racing industry is really in jeopardy. New Jersey has the best harness racing in the country but the neighboring states put slot machines at their racetracks which is really hurting the industry. If the Racetrack would close tomorrow the property would get sold and most likely turn into a housing development. Our schools are already severely overcrowded and the last thing the Borough needs is another housing development which would attract more children entering the public school system.

Councilman Griffiths acknowledged Carol Lida, chairperson of the Human Relations Committee, Christine Gregory, chairperson of the Shade Tree Commission and Annette Jordan, member of the Innovation Committee.

Councilman Griffiths encouraged everyone to go out and vote for the special Board of Election referendum. He also encouraged everyone to attend the Open Space Pace and Senior Appreciation Day.

Councilman Griffiths stated on Saturday, September 20<sup>th</sup> and Sunday, September 21<sup>st</sup> there will be a Civil War encampment at the County museum on Monument Street. He stated there has been a problem with the bus and he apologized for that but it will be fixed shortly.

Councilman Griffiths commented on the vote this evening regarding the police ordinance. For the first time since he's been on council our vote wasn't unanimous. A difference of opinion is a good thing we don't have to be in agreement all of the time.

Councilman DiBenedetto thanked everyone at Hudson Manor for allowing them to meet in their building. He congratulated Bob and Sandy Taylor and Roger and Barbara Kane. These couples both deserve this recognition and have worked very hard in the community. He also thanked the Public Works Department for helping set up the meeting. The Public Works Departments has been busy working throughout time.

Councilman DiBenedetto welcomed Susan Greitz, who is the newest member to the Recreation Commission; she is also a member of the Human Relations Committee and Board of Education. The Borough-wide Yard Sale is coming up on October 11, 2014. The Freehold Center Partnership has their Fall series going on right now and the events are on Wednesday nights from 7:00 PM – 9:00 PM.

Councilman DiBenedetto stated the Historic Preservation Committee is a committee that keeps the historical charm in town and they review signs, buildings and awnings.

Mayor Higgins stated that Borough Historian Kevin Coyne will be leading a tour of Freehold and will point out historical landmarks in town. The tour will start out in front of the American Hotel on Sunday, September 21, 2014 at 1:00 PM.

Mayor Higgins recognized Ms. DiBenedetto, Borough Clerk for all of her help in organizing this meeting.

Mayor Higgins opened the meeting to the public.

Eva Sims, Hudson Manor, invited everyone to the Bethel AME Church Family and Friends event at Knob Hill Country Club on Friday evening. There will be a health screening at CentraState Medical Center on Saturday and a praise and worship service at the church on Sunday.

Martha Hyler, Hudson Manor, stated she didn't like the title of police director and asked if it could be changed to something else.

Martha, another resident from Hudson Manor, had questions about the senior bus and asked when the bus would be back in service.

Councilman Griffiths stated he hoped to have both buses back this week but unfortunately the older bus will probably never have the air conditioning fixed. It was just unfortunate timing that both buses went into repair at the same time.

Priscilla Burke, Hudson Manor, asked who can get rid of the police chief.

Councilman Griffiths responded that no one can and we are in no means trying to get rid of Police Chief Roberts.

Ms. Burke stated that we have a terrific police department in this town, but she feels we need more police officers.

Barbara Oliver, 71 Center Street, asked how much a police director would cost. She also felt it was not needed because she really likes Chief Roberts.

Susan Greitz, 374 Park Avenue, asked if the governing body would consider a crosswalk where the "cut" is made on Main Street by the American Hotel. All day long there is an issue of pedestrians crossing the road there.

Mr. Bellina replied that Main Street is a State road and we cannot just put a crosswalk there because we would need permission from the NJDOT.

Francesca Rinaldi, Hudson Manor, crosswalks don't always help because a lot of cars don't stop or slow down. She was very concerned about the corner of Mechanic Street and South Street no one stops there.

Patti Smith, Hudson Manor, asked about the dispatchers at the police department and if they merged with Freehold Township.

Mayor Higgins stated we merged with Monmouth County along with most of the towns in Monmouth County.

Ms. Smith asked about the blinking light and there have been several accidents and she is afraid that children will get hit by a car there.

Police Chief Roberts stated that no child coming from the YMCA crosses that street unattended. He has seen YMCA counselors helping them cross.

Councilwoman Shutzer asked the police chief if Jackson Terrace and Center Street would qualify for a four-way stop sign.

Mr. Bellina stated that both roads are Borough roads so the police chief will look into this.

Carol Lida, 27 Bennett Street, thanked Mr. Bellina, Councilman Griffiths and Mayor Higgins for their help in getting the money raised for the Senior Appreciation Day Banner.

Kathy Mulholland, stated the Freehold Public Library is very welcoming to the public and they offer pick-up and drop off books; many children's programs; and they will also help senior citizens with computers questions.

Ms. Burke stated driving in town on Main Street and South Street is very difficult because of jaywalkers.

Dorothy Jackson stated that education needs to take center stage and is something we need to focus on.

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

There being no further business to discuss, Councilwoman Shutzer moved to adjourn the meeting at 8:10 PM, seconded by Councilman Griffiths, with all in favor.

Respectfully Submitted,

---

TRACI L. DI BENEDETTO  
BOROUGH CLERK