

The Meeting of the Mayor and Council of the Borough of Freehold was held on Tuesday, January 20, 2015 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).

Councilwoman Shutzer 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

Mayor Higgins stated Item No. 4 on the Agenda would be tabled.

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

“Urban Land Institute – Technical Assistance Panel.”

Mayor Higgins stated we are in fortunate position of having a successful downtown that includes restaurants, retail stores, professionals, county government and an active special improvement management organization. With success and growth come new challenges. Development of a plan to follow from this point, decisions on how to use the space in our downtown area and of course parking. Borough residents, Jean Holtz and Jamie Bennett both highly regarded professionals qualified in the field of downtown redevelopment bring their expertise, interest, knowledge and enthusiasm for our hometown and will share a proposal which I believe will guide our planning as we move forward.

Ms. Holtz stated when Mayor Higgins was elected several years ago, he and I talked about a lot of things that could happen for the good of downtown Freehold and over time I shared with him some information that the firm she works for did to redevelop downtown New Brunswick. When Ms. Bennett move to Freehold Borough last year I found out that she was a land use attorney and was very adept and knowledgeable about the redevelopment process. We then began talking and together we came before Mayor Higgins and Mr. Bellina with a proposal. Ms. Bennett’s law partner is the President of ULI North Jersey (Urban Land Institute), which is a highly regarded institute of developers, architects, planners and land use professionals and together they make up a technical assistance panel. We realized that this might be a way for us to thoughtfully, collaboratively and strategically use for the betterment of downtown Freehold, as well as, other areas in the Borough.

Ms. Bennett stated ULI is a non-profit organization made up of experts in the field of real estate, land use and planning. The Technical Assistance Panel (TAP) process capitalizes on their expertise but also incorporates the comments of the public and the vision of the town leadership into one cohesive process that can yield a great deal. The technical assistance panel happens in three parts:

- The planning is the first part and in that part the Borough with input from the public identifies issues and areas that are of concern, where land use expertise could be helpful.
- The next part is to identify people in town who are stakeholders in the redevelopment process, business owners, residents and members of the land use committee.
- The next part is when ULI decides which of its members are best suited to guide the Borough.

Once all of that planning is in place and ULI has identified 6-8 panelists, there is a two day process, which usually starts on a Thursday with a tour of areas that they are looking at. Right after the tour is over, the panelists start meeting with the stakeholders and that is a time for members of the public to participate in identifying and collaborating on strategies of their own and issues and challenges that they see. Ultimately this gives this un-bias panel a wealth of information and by the end of the first day they know the area that they are talking about, they know the Borough's vision and they understand what the public wants. The panelists will then go into a conference room to collaborate the Borough issues. At the end of that process they will meet with the mayor and council to present their findings. They will then do a report with their recommendations and determinations and eventually give a presentation to the public.

Ms. Holtz stated once the governing body gives their approval we will work with ULI to determine the priority areas. Some areas that have been mentioned are the bus station area, the multitude of County parking lots, the Freehold Raceway parking lot, the Route 33 - Foodtown corridor and the Clayton concrete yard.

Mayor Higgins stated this is a very interesting and exciting process to go through. We've had developers come through town who have a great vision for our town and going through this exercise will be a very positive process for our town.

Councilman Schnurr stated most of the seminars that he attended at the League of Municipalities dealt with land use and he met many of the developers and he asked them one question and that was, "What is the number one thing that you need when you are developing a piece of property?" The response he received was they need the council's backing.

Mr. Bellina stated these ladies will provide the same presentation to the Planning Board at their meeting next week and he will invite some of the members of the Historic Preservation Commission to that meeting as well.

Councilwoman Shutzer asked if they knew how much this would cost.

Ms. Holtz stated the panel is all volunteers but to cover the fees for ULI will be approximately \$15,000.

Councilman Schnurr offered a motion to accept the minutes from the Council Meeting on December 29, 2014 and was seconded by Councilwoman Shutzer.

On roll call Council Members DiBenedetto, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed 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 #2015/1 of the Mayor and Council of the Borough of Freehold, County of Monmouth and State of New Jersey Amending and Supplementing Chapter 10 (Traffic), Section 10.08.040 (Stop Intersections) and by Amending Chapter 10.44 Traffic Schedule IX (Stop Intersections) of the Revised General Ordinances of the Borough of Freehold.”**

Councilman Sims 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 #2015/1 OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 10 (TRAFFIC), SECTION 10.08.040 (STOP INTERSECTIONS) AND BY AMENDING CHAPTER 10.44 TRAFFIC SCHEDULE IX (STOP INTERSECTIONS) 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 February 2, 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.

Councilwoman Shutzer stated we are talking about the intersections of Center Street and Jackson Street.

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

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

**“Resolution Authorizing the Transfer of Appropriations in the Fiscal Year 2014 Budget.”**

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

**RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS IN THE FISCAL YEAR 2014 BUDGET.**

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:

**“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Authorizing Assignment of Long Term Tax Exemption Agreement Re: Mechanic Street Redevelopment Eagle Group to Hager Brothers Urban Renewal Co., LLC.”**

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

**RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING ASSIGNMENT OF LONG TERM TAX EMEMPTION AGREEMENT RE: MECHANIC STREET REDEVELOPMENT EAGLE GROUP TO HAGER BROTHERS URBAN RENEWAL CO., LLC.**

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:

**“Resolution Authorizing the Release of Performance Guarantees (Indian Spirit Development, LLC; Block 61, Lots 3, 4 and 5).”**

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

**RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES (INDIAN SPIRIT DEVELOPMENT, LLC; BLOCK 61, LOTS 3, 4 AND 5.**

Councilman Schnurr stated when the work is done we have to give the performance bonds back.

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 Authorizing an Emergency Repair of Broken Sewer Pipe – Intersection of Manalapan Avenue and Bowne Avenue.”**

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

RESOLUTION AUTHORIZING AND EMERGENCY REPAIR OF BROKEN SEWER PIPE – INTERSECTION OF MANALAPAN AVENUE AND BOWNE AVENUE.

Councilman DiBenedetto stated this was done late in December through our Interlocal, shared services with Freehold Township. We used a firm called D&D Trenchless Solutions, Inc., because the resources we had were not sufficient for this. There was a 15 foot hole and there were fiber optics that deterred Borough workers from performing the job. They did a great job.

Councilwoman Shutzer stated it costs over \$42,000 to correct the problem.

Councilman Kane thanked the Water and Sewer Department for all of their hard work.

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 an Interlocal Services Agreement with the Borough of Englishtown Re: Certified Public Works Manager and Certified Recycling Coordinator.”**

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

RESOLUTION AUTHORIZING AN INTERLOCAL SERVICES AGREEMENT WITH THE BOROUGH OF ENGLISHTOWN RE: CERTIFIED PUBLIC WORKS MANAGER AND CERTIFIED RECYCLING COORDINATOR.

Councilwoman Shutzer stated this is one more example of the Borough using shared services with another municipality.

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 Fees to be Collected for the Freehold Borough Community Garden.”**

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

RESOLUTION AUTHORIZING FEES TO BE COLLECTED FOR THE FREEHOLD BOROUGH COMMUNITY GARDEN.

Councilman DiBenedetto introduced master gardener, Jeanne Patterson who was in attendance at the meeting.

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 of the Mayor and Council of the Borough of Freehold Appointing a Fund Commissioner and Alternate Fund Commissioner for the Garden State Municipal Joint Insurance Fund.”**

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD APPOINTING A FUND COMMISSIONER AND ALTERNATE FUND COMMISSIONER FOR THE GARDEN STATE MUNICIPAL JOINT INSURANCE FUND.

Councilman Kane stated the fund commissioner will be Mr. Bellina and the alternate fund commissioner will be Mr. Gartz.

On roll 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 Approving the Mayor’s Nomination for Appointment to the Freehold Borough Library Commission:**

- a. Carl Schwarzler, term expiring on December 31, 2019.”**

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

**RESOLUTION APPROVING THE MAYOR’S NOMINATION FOR APPOINTMENT TO THE FREEHOLD LIBRARY COMMISSION.**

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:

**“Resolution Confirming Personnel Appointments/Actions – Municipal Court:**

- a. Appointment of Shelly Yee as Part-time Clerk, effective January 20, 2015.**  
**b. Appointment of Robbie Bailey, Jr. as a Member of the Freehold Borough Fire Department’s Junior Firefighter Program.**  
**c. Appointment of Sean Preston as a Member of the Freehold Borough Fire Department’s Junior Firefighter Program.”**

Mayor Higgins asked Fire Chief Bailey to introduce his son who is following in the family’s footsteps by joining the Junior Firefighter Program.

Councilwoman Shutzer stated that Robbie’s father is our Second Assistant Chief and will be our fire chief in four years. She also stated that Sean Preston is also joining the Junior Firefighter Program and his grandfather, Lester Preston was a member for many years along with his uncle and his stepfather.

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

**RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS – ITEMS 16A AND 16C.**

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 Approving the Following Applications:**

- a. **Temporary Taxi Diver License, Edgar Pantoja, Freehold.**
- b. **Precious Metals License, Freehold Jewelers, 33 West Main Street.**
- c. **Precious Metals License, Cellwave, LLC, 10 West Main Street.**
- d. **Precious Metals License, Joyeria Latina, LLC, 19 South Street.**
- e. **Massage Establishment and Therapist License, Kaleria Corcoran, Freehold Body Care and Massage Spa, 4 East Main Street.**
- f. **Massage Therapist License, Inna Lamotkina, Freehold Body Care and Massage Spa, 4 East Main Street.**
- g. **Massage Establishment and Therapist License, Joann Kostyk, JMK Holistic Therapies, 90 West Main Street, Suite 9.**
- h. **Amusement Game License, Walter J. Conley Elks Lodge #1379, 91 Throckmorton Street.**
- i. **Amusement Game Licenses (2) American Legion Post 54, 62 West Main Street.”**

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

**RESOLUTION APPROVING APPLICATIONS NOS. 17A – 17I.**

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:

**“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 \$2,076,066.40 be paid as presented.

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

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

**“Clerk – Late Communications.”**

There were none.

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

## **“Committee Reports.”**

Councilman Schnurr stated in regards to the library, we just appointed Carl Schwarzler and he is a former member of Freehold Beautiful. There is a gardening project that is scheduled for the spring and the garden will be in front of the library.

Councilman Schnurr stated in regards to Land Use, tonight you heard about the Technical Assistance Panel, which is being done by Jamie Bennett and at our Reorganization Meeting, Ms. Bennett was appointed to the Planning Board. Danielle Sims was voted in as chairperson, Adam Reich was voted in as vice chairman, Joseph Bellina is the Administrative Officer and Toni Jones is the secretary. He thanked Mr. Bellina for all of his work on the planning board, a few years ago we had some issues and since Mr. Bellina has taken leadership, we have solved all of them. Councilman Schnurr stated that Frank Accisano who was the attorney for the Planning Board resigned and he read his letter of resignation. The new attorney is Ronald Cucchiaro who is very highly qualified.

Councilman Schnurr stated the Memorial Day Parade Committee has not met yet but they will be starting up again soon with their fundraisers.

Councilman DiBenedetto stated the Public Safety Committee has not met yet this year. He stated that Public Works Supervisor Harry Burt is retiring after 26 years of service on February 1<sup>st</sup>. The recreation YMCA basketball league is in full swing and is well attended at the Freehold Intermediate School.

Councilman DiBenedetto stated the Freehold Center Partnership holiday events were great and reminded the residents about the restaurant Dine-Around for St. Patrick’s Day will be in March.

Councilman DiBenedetto stated the Historic Preservation Commission has not met yet.

Mr. Bellina stated the Borough purchased a truck that distributes a liquid spraying system for snow and it will be out tomorrow morning in anticipation of the snow..

Councilman Sims had nothing to report.

Councilman Kane thanked everyone for attending the meeting. The finance committee meets next week. The Board of Health had their Reorganization meeting and Vicki Warnock was elected chairperson and Ellen Kane is vice chairperson. The Lake Topanemus Commission is a joint venture with Freehold Township and they’ve done a great job all year long and they have great events planned for this year.

Mayor Higgins stated Councilman Griffiths is out of town visiting family.

Councilwoman Shutzer stated she along with Mayor Higgins attended the Martin Luther King celebration at Bethel AME Church and while it was a long program, it was great seeing the town come together. As for Personnel, she welcomed Shelly Yee as a part-time clerk with us. She thanked Keith Bailey and Harry Burt and wished them a long and healthy retirement.

Councilwoman Shutzer stated as for the Council on Aging, the Western Monmouth County YMCA has partnered with “SCAN” Social Community Activities Network which is housed at Monmouth Mall and they are providing a program for our seniors for a one year training course to

help them become computer literate. There is an income requirement and each senior will be given a tablet and once a week they will meet at the YMCA and instructed on the use of the tablet.

Councilwoman Shutzer congratulated Mike Lichardi as being the new president of the Board of Education. The Knights of Columbus is sponsoring a free throw basketball contest for local children this weekend.

Councilwoman Shutzer stated the Freehold Alliance Against Substance Abuse met here at Freehold Borough earlier this month and they will be hosting a craft show on February 15<sup>th</sup> at the Freehold Township Senior Center.

Mayor Higgins asked for public comments.

Jim McAllister, President of the Freehold First Aid and Emergency Squad stated the first aid squad answered 5,121 calls last month and it was the first time in their history that they answered that many calls. This totaled 9,000 volunteer hours. In our 2014 fund drive only 11% were mailed back. He thanked public works for always helping clear out the first aid squad parking lot when the weather is bad.

Mayor Higgins recognized Bill Madden for all of his years of service to the squad.

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.

Mayor Higgins called for a motion to adjourn.

Councilwoman Shutzer offered the motion to adjourn, seconded by Councilman Kane:

MOTION TO ADJOURN.

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.

The meeting was adjourned at 7:50 PM.

Respectfully Submitted,

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TRACI L. DIBENEDETTO, RMC  
BOROUGH CLERK

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