

The Meeting of the Mayor and Council of the Borough of Freehold was held on Tuesday, February 17, 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).

Councilman Griffiths 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

Councilwoman Shutzer offered a motion to accept the minutes from the Reorganization Meeting January 4, 2015; Special Meeting January 5, 2015; Council Meeting January 20, 2015 and Council Meeting February 2, 2015 and was seconded by Councilman DiBenedetto.

On roll call Council Members DiBenedetto, Griffiths, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; Councilman Griffiths abstained from the Council Meeting of January 20, 2015; absent none. Mayor Higgins declared the motion adopted.

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

“Resolution Endorsing New Jersey Legislature Bill S2701, S2702 Requiring Creditors to Maintain Abandoned Non-Residential and Residential Properties.”

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

RESOLUTION ENDORSING NEW JERSEY LEGISLATURE BILL S2701, S2702
REQUIRING CREDITORS TO MAINTAIN ABANDONED NON-RESIDENTIAL
AND RESIDENTIAL PROPERTIES.

Councilman Schnurr stated the current law only requires creditors to maintain the exterior of the vacant or abandoned residential properties under foreclosure and these bills go further and includes also non-residential properties so municipalities don't have the burden of maintaining these properties when they go vacant.

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. 6 on the Agenda as follows:

“Resolution Approving Change Order Number 1 for the Repaving of West George Street, Stillwell Place, Court Street Parking Lot, Douglas Road, and Various Roadway Repairs.”

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

RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE REPAVING OF WEST GEORGE STREET, STILLWELL PLACE, COURT STREET PARKING LOT, DOUGLAS ROAD, AND VARIOUS ROADWAY REPAIRS.

Councilman Griffiths stated most change orders require us to fund more money. This one was a decrease of over \$52,000.00 on the original contract.

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

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

“Resolution Authorizing Waiver of Building Permit Fees for the Freehold First Aid.”

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

RESOLUTION AUTHORIZING WAIVER OF BUILDING PERMIT FEES FOR THE FREEHOLD FIRST AID.

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 Borough of Freehold, County of Monmouth, State of New Jersey, Amending Temporary Appropriations for 2015.”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF
MONMOUTH, STATE OF NEW JERSEY, AMENDING TEMPORARY
APPROPRIATIONS FOR 2015.

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:

“Resolution Confirming Personnel Appointments/Actions:

- a. Appointment of William S. Thompson as Laborer, Water and Sewer Department, pending successful completion of pre-employment testing.**
- b. Termination of Michael Ulikowski as a member of the Freehold Fire Department, Monmouth Hose Company, effective February 17, 2015.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO. 9A
AND 9B.

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. 10 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. Misc. License, Sal Aversano, Musician, playing guitar in front of the Freehold Borough Library from 4/1/15–11/1/15, Friday–Sunday, 1:00 PM –9:00 PM.**
- b. Raffle License #2-15, 50/50, Congregation Agudath Achim, Freehold Jewish Center, 3/21/15, 8:00 PM – 11:00 PM.**
- c. Bingo License #1-15, Congregation Agudath Achim, Freehold Jewish Center, 3/21/15, 8:00 PM – 11:00 PM.**
- d. Parade Application, Freehold Borough Arts Council, 3/15/15, 11:30 AM – 12:30 AM, from Borough Hall to the corner of Main & Court Streets.”**

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

RESOLUTION APPROVING APPLICATIONS NOS. 10A – 10D.

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. 11 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 \$849,102.35 be paid as presented.

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:

“Clerk – Late Communications.”

There were none.

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

“Capital Projects Review.”

Mr. Bellina listed some of the past work that was recently completed. Tonight we just voted on the West George project. Jackson and McElwaine which was done earlier this year will be completed in the spring. The project on Avenue A and Avenue C has been completed. Throckmorton Street is substantially complete; we have to meet with Earle in a few weeks to go over the punch list items that need to be done this spring. Well No. 3 is a project where we’ve already allotted design money in order to get the wetlands permits from the NJDEP. The estimated cost to design a well is \$1.1 million dollars.

Mr. Bellina stated any day now we should be getting the final estimates for the emergency generator project which we funded the design last year and hopefully we will go out to bid in the spring. The plans have been finalized for Veterans Park. The NJDOT grant for Marcy Street and the design is going well and hopefully we can go to bid soon. Mr. Bellina said he might ask to amend last years Capital Budget to include the funds for the balance of it.

Mr. Bellina passed out a copy of the preliminary Capital Budget for 2015 to the governing body a copy of it is on file in the Resolution book. We are contemplating this year on doing Ford Avenue, Lloyd Street, Bennett Street, Hudson Street (engineering only), and we are awaiting word from the NJDOT on Murray Street.

Mr. Bellina stated there are some equipment purchases such as Court security cameras, painting of the Fire House, another dump truck with brine system, leaf machine, lawn mower, retrofitting downtown with LED lighting and some improvements to Borough Hall.

Councilwoman Shutzer stated she has seen terrible ponding at the corner of Throckmorton Street and Monmouth Avenue since the paving has been done.

Councilman Griffiths saw it and talked with Dan Megill and he had public works pump it out on one occasion.

Mr. Bellina stated he will look into this.

Councilman Schnurr asked if we could reach out to the County to put the light on Jackson and Main.

Mr. Bellina stated he spoke with the County just before Christmas and he asked what is going on with that. Mr. Bellina feels another letter from the mayor might be necessary.

Councilman Schnurr asked about having a light or four-way stop at the intersection of Broad Street and Manalapan Avenue.

Mayor Higgins replied the County engineers studied that intersection and the intersection did not meet the score needed for a traffic light.

Mr. Bellina stated he doesn't recall getting a final word on their most recent study and he will get in touch with the County.

Chief Roberts stated he wasn't sure and had to check.

Councilman DiBenedetto questioned the fire department painting, is it the exterior.

Mr. Bellina replied yes.

Councilman DiBenedetto stated we should look at addressing a new roof for Borough Hall, maybe not this year but the flat roof has been giving us problems for years.

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

“Committee Reports.”

Councilman Schnurr stated the library has a program that gives homework help on Tuesday's for grades one through seven from 3:45 PM – 4:45 PM. The Freehold Borough Education Foundation is funding \$1,500 to the library for a teen book nook at the library.

Councilman Schnurr stated the Memorial Day Parade Committee is meeting and they are in the beginning phase.

Councilman DiBenedetto stated as for public safety he spoke to the new fire chief and he has put some things in place and he is trying to build relationships with neighboring fire departments. We've looked into accreditation for the police department. Councilman DiBenedetto asked Chief Roberts to comment on that.

Chief Roberts stated we are in the last phase of the accreditation process. Both lieutenants are working very hard on this and we are hoping to have our inspection in April.

Councilman DiBenedetto stated the towing ordinance is being reviewed by Kerry Higgins, Borough Attorney. We are looking to hire 3-4 new towing companies.

Mr. Bellina stated we are meeting on Friday to go over this.

Councilman DiBenedetto stated there was some discussion of revamping some of our intersections during power outages. Maybe having some of them being supplied by a generator which would not only have the lights up and operating but it also allows us to have our police department attending to other duties.

Councilman DiBenedetto stated as for public works, they have been very busy. The brine is working great. The Recreation Commission will be hosting the Easter Egg Hunt; he will have more details at the next meeting. The downtown will be having the St. Patrick's Day Parade on March 15th, the "Flavor of Freehold" will be held on March 18th and 19th from 5:30 PM – 8:00 PM and the pub crawl on March 20th.

Councilman DiBenedetto stated the Historic Preservation Commission has not met this year due to the snow.

Councilman Sims had nothing to report.

Councilman Kane stated the Finance Committee will be meeting next week on Monday morning. The Board of Health meeting was cancelled in February.

Councilman Kane stated the Lake Topanemus Commission is made up of four Freehold Borough residents and four Freehold Township residents and they work together to take care of Lake Topanemus Park. This is the third year that they've been doing a weed eradication program. The local fishermen are saying there are no fish and the chemicals are killing the fish. The company doing the treatments is swearing the chemicals are not bothering the fish. But what it is doing is taking away all of the growth on the bottom of the lake. So what they suggested was to try and create manmade reefs, protective barriers so the small fish can hide and breed. So the commission got together with Mr. Bellina and the employees of Public Works so when everyone threw their Christmas trees out after this past holiday season, the DPW brought them to the pond and they attached a cement block to the tree and pushed them out onto the ice and when the ice melts these trees are going to sink and create a natural reef which will improve the fishing.

Councilman Griffiths thanked the code enforcement office for their help with the abandoned property ordinance that we are creating and for the information regarding the old police department building. The Human Relations Committee is working on a Volunteer's Day with the hope of building up our first responders and a pool of volunteers for a lot of other organizations. As for the Innovation Committee the website will be coming up soon. There isn't much going on with the

Shade Tree Commission right now but they are planning for the spring with new plantings, the tree inventory and the Arbor Day poster contest.

Councilwoman Shutzer stated this year she has attending the Colonial Basketball League games and this is a great program, very well run. As for Personnel, we welcome William Thompson to the Water and Sewer Department. The Advisory Council on Aging had to cancel their meeting due to snow. The SCAN program which is bringing tablets and technology to seniors is underway. Councilman Griffiths, Mayor Higgins and I were there for the opening day and there were 25 seniors and some coaches helping them. If they attend the entire 20 week program they get to keep the tablets. The Freehold Alliance Against Substance Abuse craft show was cancelled due to lack of crafters. She stated that Jeff Friedman worked with Rich Gatto and the FCP and they have agreed that the Alliance will be the recipients of the proceeds from the dine-a-round in October.

Mayor Higgins thanked the Freehold Fire Department for their service in East Freehold. Our members were there helping to fight a house fire that burnt down in a matter of minutes. He also thanked St. Peter's Church who presented the Borough with an afghan which shows scenes of Freehold Borough on it.

Mayor Higgins asked for public comments.

John Chiaia, attorney from Lyndhurst, NJ, stated he was introducing his client, Future Sanitation. A couple of months ago, Future Sanitation was hired as Freehold Borough's solid waste hauler. They are very committed to doing a good job but with most new contracts it is sometimes a bumpy road. When the contract was started, we ran into holidays, and there was guess work with regard to having one truck doing the town which we realized wasn't feasible. We have now switched to two trucks and we have worked very closely with your Borough attorney and Borough administrator, who are both very dedicated professionals. They've given us all of the information and tools necessary to do what we think is an excellent job. We won't settle for anything else.

Mr. Chiaia introduced the owner of Future Sanitation, Bryan Aloia. He has built this company in seven years; they have over 80 trucks and service 16 municipalities in New Jersey. He also introduced Michael Burgan, dispatcher, who speaks with Pat Ruegger on a daily basis.

Mayor Higgins stated it is no secret that we've had many, many complaints and issues which are being recorded by Mrs. Ruegger. Our administrator and attorney are keeping a daily record of the complaints and I know they've been in touch with you. The service that you provide reflects, not only on the governing body, but on our professionals and on our community. We certainly want an improved level of service.

Ms. Higgins stated she has met with them, along with Mr. Bellina, on January 22nd. The complaints have diminished, however they still exist.

Mr. Chiaia stated we realize our work is not done and we intend to continue to improve throughout the life of the entire contract. We do apologize for the rough start in the beginning.

Mr. Bellina stated that they need to know it was a very rough start.

Councilman Schnurr stated he's been on the council for 7½ years and there is probably not one thing more than this that I've heard constantly from our residents. They don't even complain about taxes anymore because they are complaining about trash pick-up. This is a big problem.

Councilwoman Shutzer stated she's been on council for 23 years and this has been the worst thing she has ever gone through in the Borough. Your job so far has been horrible and cannot be tolerated. Under no circumstances will this continue for three years, you need to improve your service immediately.

Mr. Chiaia stated we certainly take this to heart. Since the meeting we've had with Mr. Bellina, not only did we add a second truck, we also have a supervisor in town, which follows behind the garbage truck and picks up anything that may be missed.

Councilwoman Shutzer stated that just this past week a resident followed the garbage truck in her car to tell them they missed her trash and after an unpleasant conversation with the driver, the garbage truck backed up to get the trash and almost hit her.

Councilman DiBenedetto stated it was very unprofessional during a holiday to solicit tips, whose policy is this.

Mr. Aloia stated he is at a loss for words on this, we pay these guys very well and for them to go outside and harass a resident for tips is horrible. We've taken care of this.

Councilman Griffiths stated there is an issue where recycling was not picked up on one day and the next day the trash was and they took the recycling along with the trash and co-mingled it which means we lose revenue.

Mr. Aloia stated that some of the residents were using the recycling cans and mixing it with garbage which can't be recycled.

Mr. Chiaia stated that we are staying on this and we will meet up with Ms. Higgins next week to follow up.

Christine Gregory, 42 West Main Street, thanked Councilman Griffiths for checking on her when she didn't attend the last council meeting. She questioned the snow removal because when the plows come down the street they block the driveway and she asked if there was a better way to do the snow removal. She also asked who is responsible for shoveling the sidewalk that goes down to the street.

Councilman DiBenedetto stated it is the responsibility of the homeowner.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

Mayor Higgins called for a motion to go back into Executive Session.

Councilwoman Shutzer offered the motion to Executive Session, seconded by Councilman DiBenedetto:

MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS:

- a. PERSONNEL
- b. CONTRACTS

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.

The council meeting was adjourned at 7:51 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

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