

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, March 2, 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 Schnurr opened the meeting with the Salute to the Flag, followed by a moment of silence for former Police Chief, Richard Hibbs, George Nimick who served as Captain of the Freehold First Aid Squad and Reverend Thorpe, who was a well known member of our local clergy; they all passed away this week.

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 Council Meeting February 17, 2015 and was seconded by Councilman Griffiths.

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:

“Proclamation of the Mayor and Council of the Borough of Freehold Declaring March 2015 as Colorectal Cancer Awareness Month in the Borough of Freehold.”

Councilwoman Shutzer read the Proclamation.

Mayor Higgins asked Mr. Ken Riley, CentraState Medical Center and Councilwoman Shutzer to stand up front with him while he presented the Proclamation. Mayor Higgins stated, “On behalf of Mayor and Council it is an honor and pleasure to present this to you in recognition of our designation of the month of March.

Mr. Riley thanked the governing body and stated he was please to accept the Proclamation on behalf of CentraState Medical Center, CentraState Healthcare Foundation and the members of the Colorectal Walk Committee. This Friday, March 6th is National Wear Blue Day.

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

“Introduction of and Authorization to Publish Ordinance #2015/2 of the Borough of Freehold Establishing and Adopting the Abandoned Property Rehabilitation Act (N.J.S.A. 55:19-78 ET. SEQ.) and Amending Chapter 8.40 (Property Maintenance), Section 8.40.050 (Maintenance of Vacant/Abandoned Properties) of the Revised General Ordinances of the Borough of Freehold.”

Councilman Schnurr 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 #2015/2 OF THE BOROUGH OF FREEHOLD ESTABLISHING AND ADOPTING THE ABANDONED PROPERTY REHABILITATION ACT (N.J.S.A. 55:19-78 ET. SEQ.) AND AMENDING CHAPTER 8.40 (PROPERTY MAINTENANCE), SECTION 8.40.050 (MAINTENANCE OF VACANT/ABANDONED PROPERTIES) 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 March 16, 2015 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 the current law only requires creditors to maintain the exterior of a vacant or abandoned residential property under foreclosure. This bill goes a little further and includes non-residential properties so that towns like us don’t have the burden of maintaining these properties when they go vacant.

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. 7 on the Agenda as follows:

“Introduction of and Authorization to Publish Ordinance #2015/3 Amending and Supplementing Chapter 5.64 (Peddlers and Solicitors), of the Revised General Ordinances of the Borough of Freehold.”

Councilman DiBenedetto 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 #2015/3 AMENDING AND SUPPLEMENTING CHAPTER 5.64 (PEDDLERS AND SOLICITORS), 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 March 16, 2015 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 DiBenedetto stated this is basically just cleaning up some of our peddlers and solicitors, commonly known as “canners”. This ordinance specifies the time of the day on the weekend that they are allowed to can, a new requirement that all canners must wear reflective clothing and some minor rules to make it safer not only for the canners but for the motorists.

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. 8 on the Agenda as follows:

“Introduction of and Authorization to Publish Ordinance #2015/4 Amending and Supplementing Chapter 13.04 (Water and Sewer Service Systems), of the Revised General Ordinances of the Borough of Freehold.”

Councilman DiBenedetto 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 #2015/4 AMENDING AND SUPPLEMENTING CHAPTER 13.04 (WATER AND SEWER SERVICE SYSTEMS), 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 March 16, 2015 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 DiBenedetto stated we are not raising the water bills. This is for connections that will be made from a residential home or a commercial business.

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. 9 on the Agenda as follows:

“Introduction of and Authorization to Publish Bond Ordinance #2015/5 Amending in Part Bond Ordinance No. 2013/6 Adopted on June 17, 2013, Providing for Various Road, Parking Lot, Sidewalk and Park Improvements in Order to Amend the Appropriation and Purpose, Authorized in and by the Borough of Freehold, in the County of Monmouth, New Jersey.”

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 a Bond Ordinance entitled “BOND ORDINANCE #2015/5 AMENDING IN PART BOND ORDINANCE NO. 2013/6 ADOPTED ON JUNE 17, 2013, PROVIDING FOR VARIOUS ROAD, PARKING LOT, SIDEWALK AND PARK IMPROVEMENTS IN ORDER TO AMEND THE APPROPRIATION AND PURPOSE, AUTHORIZED IN AND BY THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, NEW JERSEY,” 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 Bond Ordinance in the Asbury Park Press and that same shall be further considered for final passage after public hearing at a meeting held on March 16, 2015 and that during the week of said meeting copies of the Bond Ordinance shall be made available at the Clerk’s office to members of the general public who shall request same.

Councilman Sims stated this is just an amendment there will be no increase in the actual debt.

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. 10 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Kyle James Cannon, Nicholas James Osborne and Dan Stevens on the Occasion of Their Attainment of the Rank of Eagle Scout.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING KYLE JAMES CANNON, NICHOLAS JAMES OSBURNE AND DAN STEVENS ON THE OCCASION OF THEIR ATTAINMENT OF THE RANK OF EAGLE SCOUT.

Councilman Schnurr stated these Resolutions were presented to them on February 21, 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. 11 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring the Freehold Area Pop Warner Cheerleaders.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING THE FREEHOLD AREA POP WARNER CHEERLEADERS.

Councilman Sims stated he went to the Pop Warner Banquet on February 22nd and presented this to the organization on behalf of the mayor and council.

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 Authorizing Payment of Length of Service Award Program Benefits (Freehold Fire Department).”

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

RESOLUTION AUTHORIZING PAYMENT LENGTH OF SERVICE AWARD PROGRAM BENEFITS (FREEHOLD FIRE DEPARTMENT).

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

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

“Resolution Authorizing the Release of Performance Guarantee – (75 Bannard Realty).”

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

RESOLUTION AUTHORIZING THE RELEASE OF PERFORMANCE
GUARANTEE – (75 BANNARD REALTY).

Councilman Schnurr stated the work has been done; it was for the pumping station at Kingsley Square for the Route 9 car dealership.

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. 14 on the Agenda as follows:

“Resolution Approving Participation with the State of New Jersey Federal Grant Program Administered by the Division of Criminal Justice, Department of Law and Public Safety for the Safe and Secure Communities Program.”

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

RESOLUTION APPROVING PARTICIPATION WITH THE STATE OF NEW
JERSEY FEDERAL GRANT PROGRAM ADMINISTERED BY THE DIVISION
OF CRIMINAL JUSTICE, DEPARTMENT OF LAW AND PUBLIC SAFETY FOR
THE SAFE AND SECURE COMMUNITIES PROGRAM.

Councilman Griffiths stated it is an application for grant funding of \$272,000.00 of which they will be matching \$60,000.00.

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. 15 on the Agenda as follows:

“Resolution Approving Change Order Number 1 for the Repaving of Avenue A and Avenue C.”

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

RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE
REPAVING OF AVENUE A AND AVENUE C.

Councilman Griffiths stated the work came in at a lower rate so we are changing the contract amount to a lower figure.

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. 16 on the Agenda as follows:

“Resolution Memorializing the Mayor’s Appointment to the Freehold Borough Planning Board:

- a. Cornelius Begley, Alternate Number 3 – Term Expires December 31, 2016. New Appointment.”**

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

RESOLUTION MEMORIALIZING THE MAYOR’S APPOINTMENT TO THE FREEHOLD BOROUGH PLANNING BOARD.

Councilman Schnurr stated Mr. Begley is a West Point graduate and he is currently the principal of St. Leos and we welcome him aboard.

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. 17 on the Agenda as follows:

“Resolution Confirming Personnel Appointments/ Actions:

- a. Appointment of Joseph Floudas as Supervisor, Water & Sewer Department, effective February 1, 2015.**
- b. Appointment of Thomas LaSalle as Assistant Supervisor, Water & Sewer Department, effective February 1, 2015.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO. 17A – 17B.

Councilman Sims stated it is always nice to see our own employees being promoted from within.

Councilman DiBenedetto stated these are two very hard working gentlemen.

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. 18 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. **Vendor License, Operating an ice cream truck, Maria Sacramento, 3/1/15 – 11/1/15, Sunday through Saturday, 11:00 AM – 9:00 P.
No Sound can be amplified after 8:00 PM.**
- b. **Raffle License #3-15, Super 50/50, St. Rose of Lima Church, 6/20/15, 10:00 PM.**
- c. **Raffle License #4-15, 50/50, St. Rose of Lima Church, 6/16/15, 6/17/15, 6/18/15, 6/19/15 and 6/20/15 from 6:00 PM – 10:00 PM.**
- d. **Raffle License #5-15, Carnival Games, St. Rose of Lima Church, 6/16/15, 6/17/15, 6/18/15, 6/19/15 and 6/20/15 from 6:00 PM – 10:00 PM.”**

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

RESOLUTION APPROVING APPLICATIONS NOS. 18A – 18D.

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. 19 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 \$1,811,982.66 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. 20 on the Agenda as follows:

“Clerk – Late Communications.”

There were none.

Mayor Higgins asked for public comments.

Christine Gregory, 42 West Main Street, stated she is the chairperson of the Freehold Borough Shade Tree Commission and she wanted the residents to know that Arbor Day is Friday, April 24th, and the 5th grade students from St. Rose of Lima School and both public schools will be doing the annual poster contest. She wanted to thank Rich Gatto and Tina DeGulis because they've already donated three grand prizes for the winners of the poster contest.

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

Mayor Higgins asked for council comments.

Councilman Schnurr stated the Proclamation that was issued tonight is a "wake-up call" and he will definitely be scheduling a doctor's appointment. He stated spring is in the air and on March 6th is the first day that high school baseball players are allowed to play together and practice as a team. Councilman Schnurr stated he will be traveling to Los Angeles next week.

Councilman DiBenedetto offered his condolences to Bill Mehr and his family, Bill's mother passed away. He thanked everyone for attending the meeting.

Councilman Sims stated his mother is a 13 year survivor of colorectal cancer.

Councilman DiBenedetto stated there are flyers downstairs for all of the March festivities downtown. The St. Patrick's Day Parade is March 15th at 12:00 PM, starting at Borough Hall.

Councilman Kane thanked everyone for attending the meeting.

Councilman Griffiths stated the Human Relations Committee met and they will be hosting a Volunteer Day later in the spring.

Councilwoman Shutzer stated she attended a seminar with Mayor Higgins and Mr. Bellina this past week on drug use, specifically heroin and although we've heard a lot of the statistics before, this really brought it home even more. The Alliance Against Substance Abuse, which is a service we share with Freehold Township, is very active in trying to educate our youth.

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

Councilman Griffiths offered the motion to Executive Session, seconded by Councilman Sims:

MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS:

a. 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 7:25 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

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