

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, April 6, 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 Kane opened the meeting with the Salute to the Flag, followed by a moment of silence for Kenny Mount, former Freehold Borough police officer.

ROLL CALL

PRESENT	MAYOR J. NOLAN HIGGINS
ABSENT	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 March 16, 2015 and was seconded by Councilman Sims.

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

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

“Proclamation Designating April 24, 2015 as “Arbor Day” in the Borough of Freehold.”

Councilman Griffiths read the Proclamation.

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

“Proclamation Designating April 11, 2015 as Danny Lewis Day in the Borough of Freehold.”

Councilwoman Shutzer read the Proclamation and she will be presenting it to the family on Saturday, April 11, 2015.

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

“Second Reading and Public Hearing: Ordinance #2015/6 To Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45:14).”

Mayor Higgins opened the meeting to the public.

There were no comments.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

Councilman Griffiths 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 #2015/6 TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4-45:14),” be, and same is hereby adopted on second reading.

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

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

“Introduction of and Authorization to Publish Bond Ordinance #2015/7 Providing for Road Design, Paving Repairs, and Restoration, Appropriating \$915,000 Therefor and Authorizing the Issuance of \$697,000 Bonds and Notes to Finance a Portion of the Costs Thereof, 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 Griffiths:

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that a Bond Ordinance entitled “BOND ORDINANCE #2015/7 PROVIDING FOR ROAD DESIGN, PAVING REPAIRS, AND RESTORATION, APPROPRIATING \$915,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$697,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, 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 April 20, 2015 at 7:00 PM 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 will be for ongoing road restoration projects.

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

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

“Introduction of and Authorization to Publish Bond Ordinance #2015/8 Providing for the Acquisition of Various Capital Equipment and Improvements to Municipal Buildings, Appropriating \$305,000 Therefor and Authorizing the Issuance of \$289,000 Bonds and Notes to Finance a Portion of the Costs Thereof, Authorized in and by the Borough of Freehold, in the County of Monmouth, New Jersey.”

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 a Bond Ordinance entitled “BOND ORDINANCE #2015/8 PROVIDING FOR THE ACQUISITION OF VARIOUS CAPITAL EQUIPMENT AND IMPROVEMENTS TO MUNICIPAL BUILDINGS, APPROPRIATING \$305,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$289,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, 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 April 20, 2015 at 7:00 PM 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 Schnurr stated this bond ordinance will be for a dump truck, a leaf machine, lawn mower, court security camera, firehouse painting and also improvements to Borough Hall, such as carpeting, door replacement, exterior building lighting, improvements to the offices and security enhancements.

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

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

“Resolution Endorsing the Submission of a Recycling Tonnage Grant Application to the New Jersey Department of Environmental Protection.”

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

RESOLUTION ENDORSING THE SUBMISSION OF A RECYCLING GRANT APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION.

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

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

“Resolution Certifying a Submission of Expenditures for Recycling Taxes Paid in 2014.”

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

RESOLUTION CERTIFYING A SUBMISSION OF EXPENDITURES FOR RECYCLING TAXES PAID IN 2014.

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

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

“Resolution Authorizing Submittal of Application for Funding from the North Jersey Transportation Planning Authority (NJPTA).”

Councilman Schnurr stated we concluded that seeking a transit village designation will provide another land use strategy for us to help our downtown.

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

RESOLUTION AUTHORIZING SUBMITTAL OF APPLICATION FOR FUNDING FROM THE NORTH JERSEY TRANSPORTATION PLANNING AUTHORITY (NJPTA).

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

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

“Resolution Confirming Personnel Appointments/ Actions:

- a. **Appointment of Patrolman Eduardo Santana as a Provisional Sergeant, Freehold Borough Police Department, effective April 6, 2015.**
- b. **Retirement of Detective Sergeant Andrew DeMuth, as a member of the Freehold Borough Police Department, effective May 1, 2015.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO. 13A – 13B.

Mr. Bellina explained that a provisional appointment of the sergeant is unique. Civil Service notified Mr. Bellina that we had to designate one because we do not have a current list, we do not know when the next test is going to be offered, so they required us to do it. It provides Mr. Santana no “leg-up” on the testing process.

Councilwoman Shutzer stated she will be voting with regrets to accept the retirement of Sergeant DeMuth, he has been a long time member of our police department and he will certainly be missed.

Mayor Higgins also recognized Sergeant DeMuth, he has been an absolutely outstanding member of our department on many levels, and he is also one of our most active officers involved with the community.

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

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

“Resolution Approving the Following Applications:

- a. **Vendor License, Francisco L. DeJesus, Operating an ice cream truck, 4/6/15 –11/1/15, Sunday through Saturday, 1:00 PM – 9:00 PM, No Sound can be amplified after 8:00 PM.**
- b. **Vendor License, Mayra A. Maduro, Operating an ice cream truck, 4/6/15 – 11/1/15, Sunday through Saturday, 1:00 PM – 9:00 PM, No Sound can be amplified after 8:00 PM.**
- c. **Vendor License, Bruce E. Winland, Operating an ice cream truck, 4/6/15 - 11/1/15, Sunday through Saturday, 11:00 AM – 9:00 PM. No Sound can be amplified after 8:00 PM.**
- d. **Vendor License, Robbie and Shopon Mowla, Operating a Food Truck on private property at Freehold Tire, Builders General, Accurate Auto Body and Bill Wagner Plumbing, Monday through Saturday, 7:00 AM – 5:00 PM.**
- e. **Massage Establishment and Therapist License, Lisa Koodray, Freehold Family Massage, 57 West Main Street.**
- f. **Sidewalk Café License, Main St. Falafel, 4 West Main Street.**
- g. **Sidewalk Café License, Oyako Tso’s Hibachi, 6 West Main Street.**
- h. **Sidewalk Café License, Federici’s Restaurant, 14 East Main Street.**
- i. **Sidewalk Café License, CAFÉ 360, 34 East Main Street.**
- j. **Sidewalk Café License, Sweet Lew’s Café, 6 East Main Street.**
- k. **Sidewalk Café License, Court Jester, 16 East Main Street.**
- l. **Sidewalk Café License, Market Yard Grille, 18-20 East Main Street.**
- m. **Sidewalk Café License, A Little Bit of Cuba Dos, 2 East Main Street.**
- n. **Sidewalk Café License, Gola Indian Restaurant, 5 West Main Street.**
- o. **Raffle License #9-15, 50/50, St. Rose of Lima School, 5/15/15, 6:00 PM –**

- 12:00 AM, 51 Lincoln Place.
- p. Raffle License #10-15, Gift Baskets, St. Rose of Lima School, 5/15/15, 6:00 PM –12:00 AM, 51 Lincoln Place.
 - q. Raffle License #11/15, Grand Prize, St. Rose of Lima School, 5/15/15, 6:00 PM – 12:00 AM, 51 Lincoln Place.
 - r. Taxi Owner Licenses (2), Eagle Taxi.
 - s. Taxi Owner License, (1), Omega Taxi.
 - t. Taxi Owner License, (1), Regional Taxi.
 - u. Taxi Owner Licenses, (12), Leon’s Taxi.
 - v. Temporary Taxi Driver License, Juan Hingosa, Freehold.
 - w. Temporary Taxi Driver License, Angelo Diaz Bernal, Freehold.
 - x. Temporary Taxi Driver License, Magnolia Castaneda, Freehold.
 - y. Temporary Taxi Driver License, Elba Pantoja, Freehold.
 - z. Permanent Taxi Driver License, Efren Morales, Freehold.
 - aa. Permanent Taxi Driver License, Rafael Urioste Flores, Trenton.
 - ab. Permanent Taxi Driver License, Stephen Buda, Freehold.
 - ac. Permanent Taxi Driver License, Jorge Lazaro, Freehold.
 - ad. Permanent Taxi Driver License, Perla Pantoja, Freehold.
 - ae. Permanent Taxi Driver License, Ana Lilia Ventura Rodriquez, Lakewood.
 - af. Permanent Taxi Driver License, Angel Cruz, Freehold.
 - ag. Permanent Taxi Driver License, Juan Gonzalez, Freehold.
 - ah. Permanent Taxi Driver License, Michael Beierschmitt, Freehold.
 - ai. Permanent Taxi Driver License, Mohinder Singh Braich, Freehold.
 - aj. Permanent Taxi Driver License, Gloria Hernandez, Lakewood.
 - ak. Permanent Taxi Driver License, Mynor Rodriguez, Freehold.
 - al. Permanent Taxi Driver License, Michael Nwachukwa, Freehold.
 - am. Permanent Taxi Driver License, Maxima Phillips, Freehold.
 - an. Permanent Taxi Driver License, Guadalupe Hinojosa, Freehold.
 - ao. Permanent Taxi Driver License, Robert Renaud, Sayreville.
 - ap. Permanent Taxi Driver License, Ronald Phillips, Freehold.
 - aq. Permanent Taxi Driver License, Vincenta Pantoja, Freehold.”

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

RESOLUTION APPROVING APPLICATIONS NOS. 14A – 14AQ.

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

Mayor Higgins read Item No. 26 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 \$1,792,331.05 be paid as presented.

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

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

“Clerk – Late Communications.”

There were none.

Mayor Higgins asked for public comments.

Al Michenfelder, 30 Jackson Street, stated the Racer's Club now meets at the Borough Library. He stated on May 5th they will be presenting the Court Jester Award; it is for children ages K-3rd grade.

Carol Lida, 27 Bennett Street, questioned the amount of taxi drivers listed on the agenda.

Ms. Higgins replied, first the taxi drivers are issued a temporary driver's license and after their background check is complete, a permanent license is issued.

Tom Baldwin, 3 Vought Avenue, asked when the next meeting was for Olde Freehold Day.

Councilman Kane stated he will let Ms. DiBenedetto know.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

Mayor Higgins asked for council comments.

Councilman Schnurr stated now that the weather has broken he urged residents to be aware of pedestrians and bicyclists. He also congratulated Councilman Sims on his trip to Washington DC.

Councilman Schnurr acknowledged Sergeant DeMuth, he played a vital role with the Youth Police Academy and he will be sorely missed. The Knights of Columbus will be hosting an "all you can eat" roast beef dinner on Friday, April 10th from 6:00 PM – 10:00 PM with the proceeds going to charity.

Councilman Schnurr stated he is a notary and will help with those services, free of charge to Borough residents.

Councilman Sims thanked everyone for attending the meeting. The Youth Government Program is leaving Saturday, April 11th for their trip to Washington DC. One of the highlights will be a tour of the White House, as well as, the Capitol Building.

Councilman Sims offered his condolences to the Mount family. He also congratulated Detective DeMuth on his retirement.

Councilman Kane thanked everyone for coming out to the meeting. The nice weather is starting to come around. He also offered his condolences to the Mount family. Kenny Mount was a longtime police officer in the Borough.

Councilman Kane acknowledged Detective Andy DeMuth, he has been such a great asset to the police department and he will be greatly missed. He also congratulated Councilman Sims on the Washington DC trip.

Councilman Griffiths offered his condolences to the Mount family. He also offered his best wishes to Sergeant DeMuth, one of things he also did for the police department was run their IT department.

Councilman Griffiths stated the Human Relations Committee is working on a Volunteer Day on June 13th. The idea behind the Volunteer Day is to generate members for our first responders. The first aid and fire department are both in need of members.

Councilman Griffiths stated the Shade Tree Commission is holding their Arbor Day Poster Contest on April 24, 2015. The commission is beginning to work on spring planting. Anyone who wants a tree in the area between your sidewalk and curb should call 732-462-4200 and let them know. We will also be planting trees that the Shade Tree Commission has maintained. On April 15th there is a County sponsored Earth Day Seminar. They will also be inventorying all of the Borough's trees and putting them on a database.

Councilwoman Shutzer stated that April is Alcohol Awareness Month and that is a time to learn about alcohol and the health and social problems from drinking too much. There is an estimated 16.6 million Americans have alcohol use disorder. Excessive drinking affects all

Americans. Alcohol problems cost the United States \$224 billion dollars in 2006, primarily from a loss of productivity, but also from healthcare and property damage loss.

Councilwoman Shutzer stated as liaison to the Municipal Alliance Against Substance Abuse, she sent out an email blast describing a program that is being presented on April 15th, 6:30 registration, the program is from 7:00 PM – 8:00 PM at the Barkalow Middle School, called “Nip it in the Bud” , it will discuss evolving marijuana trends and learn how to have productive, impactful conversations with kids about this drug. On June 16th they are having their annual golf outing, which is one of their major fundraisers.

Councilwoman Shutzer stated on May 9th from 9:00 AM – 12:00 PM, the annual Peanut Holloway Walk-a-thon will be going on and it will benefit the YMCA program. She thanked the YMCA and Recreation Commission for such a delightful Easter Egg Hunt, as well as, the Colonial Basketball League. The championships were held at Brookdale Community College.

Councilwoman Shutzer offered her condolences to the Mount Family, Kenny Mount was a gentleman and he gave his heart and soul to the Borough. Opening Day of the Freehold Boro Little League is April 18th and we hope to see everyone then.

Mayor Higgins stated we received a notice from the NJDOT announcing a Route 9 construction project which will commence in May and continue through October of this year. Although the project is primarily on Route 9 it will affect traffic in the Borough. They will be closing some ramps and parts of Park Avenue will be closed.

Mayor Higgins walked along Main Street today and he was very happy to see the outdoor seating at the restaurants. Our annual Mayor’s Clean-up Day will be held on May 16th, there will be an email blast.

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

Councilwoman Shutzer offered the motion to go into Executive Session, seconded by Councilman Sims:

MOTION TO ENTER INTO EXECUTIVE SESSION TO DISCUSS:

- A. CONTRACTS
- B. LITIGATION

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

The council meeting was adjourned at 7:35 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:aj