

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, August 3, 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.

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
ABSENT	COUNCILMAN JAYE SIMS

Mayor Higgins read Item No. 4 on the Agenda as follows:

“Scudder Hall Mural Dedication.”

Mayor Higgins stated this evening we mark the dedication of Scudder Hall.

Mayor Higgins stated the following:

“Members of the governing body, Freeholder Curley, Administrator Bellina, Borough Attorney Higgins, members of the Freehold Historic Preservation Committee and friends. It is with great pleasure and pride that we gather this evening outside our meeting room, now dedicated to Dr. Nathaniel Scudder. Dr. Scudder was a Freehold resident, who with many others, pursued the dream of people represented by their peers in government. Dr. Scudder ultimately laid down his life for this cause during the founding days of this nation. After this dedication we will move into Scudder Hall and hold the town council meeting, which is a meeting of the people and their government. A meeting which Dr. Scudder and the people of his generation would be very pleased to know that they’ve still helped these many generations later. Dr. Scudder’s contributions to Freehold, to Monmouth County and that new nation may have gone overlooked, if not for the residents who recognized the significance of this person in our colonial American history. Please join me in recognizing our Historical Preservation Commission who joined the cause in providing this dedication to Dr. Scudder. To Kevin Coyne, Borough Historian, Muriel Smith who kept this project moving forward, Nelson Kuperberg for his vision and talents in designing this mural, Tony Santoriello and Tim McKutchen for their expert services, Joseph Bellina and Dan Megill who supported this project and worked to make it happen. Our Borough Historian, Kevin Coyne will now share a bit of history about Dr. Scudder.”

Mr. Coyne stated he stumbled across Nathaniel Scudder when he was preparing information to present to a 4th grade class. He was astonished to find out that someone who signed the Articles of Confederation was the only member of Congress to die in valor. He died three days before the Battle of Yorktown. He lived where the Freehold Firehouse stands today. He was a Princeton University graduate and a doctor who gave up everything to fight for the Revolution. There is no picture of him and that is why Nelson's creativity was so important, we needed something to represent him. He thanked Muriel Smith and Nelson Kuperberg for all of their work.

Mr. Kuperberg explained his thoughts on the design. What was difficult was that we don't have any pictures of Nathaniel Scudder; we also don't have any pictures of his home or anything specific from him except the letter that he signed that showed he was a delegate to the Provincial Congress of New Jersey. That is the background of the mural. He gave his life at the Battle of Monmouth so that is why there is a panel with the seal of the Continental Congress.

Councilwoman Shutzer offered a motion to accept the minutes from Council Meetings June 22, 2015 and July 20, 2015, seconded by Councilman DiBenedetto.

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

Mayor Higgins introduced Freeholder John P. Curley.

Freeholder Curley thanked Mayor Higgins for his kind invitation to be here tonight in Scudder Hall. Freehold is the center of history in this County. He came tonight because he appreciates the governing body for passing Resolution No. 123-15, which asked the Monmouth County Board of Freeholders support financially the first aid squad. He came tonight to support the Resolution and presented a check from himself personally to the mayor in the amount of \$250.00 as a donation to the Freehold First Aid and Emergency Squad.

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

“Resolution Authorizing an Extension of the Interest-Free Grace Period for the Payment of Taxes Due August 1, 2015.”

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

RESOLUTION AUTHORIZING AN EXTENSION OF THE INTEREST-FREE PERIOD FOR THE PAYMENT OF TAXES DUE AUGUST 1, 2015.

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

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

“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Providing for the Insertion of Special Items of Revenue in the 2015 Budget of the Borough of Freehold Pursuant to N.J.S.A. 40A:4-87 (Chapter 159). (Library)”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, PROVIDING FOR THE INSERTION OF SPECIAL ITEMS OF REVENUE IN THE 2015 BUDGET OF THE BOROUGH OF FREEHOLD PURSUANT TO N.J.S.A. 40A:4-87 (CHAPTER 159). (LIBRARY)

Councilman Schnurr stated this is a \$1,000.00 private contribution from the Freehold Borough Education Foundation.

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

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

“Resolution Awarding a Contract for Various Roadway Repairs.”

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

RESOLUTION AWARDING A CONTRACT FOR VARIOUS ROADWAY REPAIRS.

Councilman DiBenedetto stated this is to pave various roads in the Borough that were damaged during the winter. The contract was awarded to Earle Asphalt Company for \$375,113.13.

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

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

“Resolution Awarding a Contract for the Water Treatment Plant and Related Facilities Assessment.”

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

RESOLUTION AWARDING A CONTRACT FOR THE WATER TREATMENT PLANT AND RELATED FACILITIES ASSESSMENT.

Councilman DiBenedetto stated the contract was awarded to Hatch Mott McDonald for \$23,850.00.

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

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

“Resolution Authorizing Execution of Rights-of-Way Use Agreement with Cross River Fiber, Inc.”

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

RESOLUTION AUTHORIZING EXECUTION OF RIGHTS-OF-WAY USE AGREEMENT WITH CROSS RIVER FIBER, INC.

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

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

“Resolution Confirming Personnel Appointments/Actions:

- a. Appointment of Kenneth Volkmann as Freehold Borough Fire Inspector, effective August 3, 2015.**
- b. Appointment of Jayson Jacot as a member of the Freehold Fire Department, Engine & Hose Company No. 1, effective August 3, 2015.**
- c. Appointment of Maximillian Von Sauers as a member of the Freehold Fire Department, Engine & Hose Company No. 1, effective August 3, 2015.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NO. 11A – 11C.

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

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

“Resolution Approving the Following Applications:

- a. **Canning, World Cup All Stars Cheerleading, Freehold, 8/29/15-8/30/15 and 9/12/15-9/13/15 from 1:00 PM – 5:00 PM at the intersection of Main Street and South Street.**
- b. **Canning, Freehold Council 1672, Knights of Columbus, Freehold, 9/12/15 from 9:00 AM – 1:00 PM at the intersection of Main Street and South Street and the intersections of East Main Street/Center Street/Spring Street and Broadway.**
- c. **Raffle License #14-15, off-premise raffle, Habitat for Humanity in Monmouth County, 12/8/15, 6:00 PM – 9:00 PM.**
- d. **Raffle License #15-15, 50/50, Freehold Boro Music Parents Association, FHS home football games, 9/12/15-11/7/15.”**

RESOLUTION APPROVING APPLICATIONS NOS. 12A – 12D.

On roll call Council Members DiBenedetto, Kane, Griffiths, Schnurr and Shutzer voted its adoption; opposed none; abstain none; Councilman Sims absent. 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 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 \$2,510,152.15 to be paid as presented.

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

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

“Clerk – Late Communications.”

There were none.

Mayor Higgins asked for comments from the public.

Sandy Taylor, Kiawah Avenue, asked if anything has been done since the last council meeting about the bus.

Chief Roberts stated that Sergeant Santana and Matt Young are working on this diligently and they will either stop by your home or call you tonight.

Mr. Bellina stated that Sergeant Santana came to your home once before but you weren't there.

Tom Baldwin, 3 Vought Avenue, asked if a fallen tree could be removed from the Clark property on Vought Avenue. The tree is in the driveway and it is not in the street but it is an eyesore.

Ms. Higgins, Esq., stated she would notify the bank and have them remove it.

Mr. Baldwin stated that he hopes everyone attends the next Board of Education meeting. The board is always asking for more money which in turn will raise our taxes. He is for education and top notch schools, but as a senior citizen living on modest means he cannot afford to have an increase in his taxes. The bulk of our taxes go to the schools.

Mr. Baldwin asked why it was necessary to hire a police director. He feels the police department, under the direction of Chief Roberts, is functioning very well. He has heard no complaints or anything negative about the police department.

Ms. Barbara Oliver, Center Street, agreed with Mr. Baldwin regarding the hiring of a police director. She doesn't feel it is necessary to hire a police director.

Councilman Kane 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 voted its adoption; opposed none; abstain none; Councilman Sims absent. Mayor Higgins declared the motion adopted.

Mayor Higgins asked for council comments.

Councilman Schnurr thanked the Historic Preservation Commission, the mayor and everyone who helped in creating the Scudder Hall mural. Borough Hall looks fantastic as compared to what it looked like a few years ago.

Councilman Schnurr stated we passed a Resolution about the interest free grace period for the payment of taxes. Taxes and water can now be paid online. Just go to the new Borough website freeholdboroughnj.gov and click on the links.

Councilman Schnurr stated we had a Resolution awarding a contract for the water treatment plant and facility study. Some of the oldest parts of our water plant were built in 1890 and the newest portion of our water plant was built in 1950.

Councilman Schnurr stated the library has quite a few summer programs.

Councilman DiBenedetto thanked Kevin Coyne and the HPC for the work they did on Scudder Hall. This is a busy time for Downtown Freehold; the town is alive in the summer time. We have the Wednesday and Thursday night bands and the farmer's market is open on Fridays.

Councilman DiBenedetto asked for your prayers for the Jackson Family on the loss of their mother, she was the wife of the late Jimmy Jackson who was a 50 year member of the fire department. He also expressed his deepest condolences on the lost of Bill Madden's wife, Marilyn.

Councilman Kane thanked everyone involved with the Scudder Hall dedication. Councilman Kane stated the first time he ran for council he ran with Kevin Coyne and they went out and talked to a lot of residents in town and he learned more information about this town in those four months than he had his entire life living here. He also thanked Mayor Higgins for all of his work on this.

Councilman Kane also offered his condolences to the Jackson and Madden families. Both of these people are longtime residents of the town and were both tremendously involved in the town.

Councilman Kane stated Tuesday, August 4th is the PBA National Night Out at the Hall of Records Parking Lot from 6:00 PM – 9:00 PM.

Councilman Griffiths offered his condolences to the Jackson and Madden families. He also thanked Mayor Higgins, the HPC, Kevin Coyne and everyone who worked on the Scudder Hall panels.

Councilman Griffiths stated the following regarding tax bills:

“This is the time of year when you are going to get your tax bill and I always like to at this point to give you a little bit of information. Councilman Schnurr mentioned you have a 30 day grace period in August before you have to pay your third quarter bills. I would like to let you know if your property taxes increased; it's not for a lack of effort by our professionals in our finance office, our business administrator's office or your governing body. As a member of the finance committee that prepared the budget, I'm disappointed whenever there is an increase, but I understand the process. Your household budget is a combination of income, revenue and expenses. You depend on your income from your salary, pension, commissions, and investments to pay your bills. You try to keep your expenses from exceeding your income. The Borough's revenue comes from several sources, but primarily from local taxes and the State. Those revenue sources have been reduced by the bursting of the housing bubble in 2009 which reduced property values. Our expenditures were increased by natural disasters such as Hurricane Irene, Hurricane Sandy, the Supercell and the Halloween snowstorm and the un-natural disaster of the County mandated revaluation program. However, the most negative impact has been the State of New Jersey. The State has denied us more than \$5 million dollars during the past five years. These were utility taxes dedicated by law to your town. The State acts as the tax collector of these taxes. For the most

recent year we were denied \$1.2 million dollars. The State has taken this local revenue to balance their budget. Yes, they can legally do this but morally it is reprehensible.

We act as the tax collector for the town, the school systems, the County and the open space program. Unlike the State we forward all taxes we receive and collect to the entities they belong to. A large portion of your property tax bill, as Mr. Baldwin mentioned, is to fund our K-8th grade and our regional school systems. In 2008 the State passed the School Funding Reform Act (SFRA) that law meant that certain amounts of money were to be appropriated to municipalities. The education law center stated the facts regarding Freehold Borough. They wrote, "Freehold Borough K-8th grade can expect to receive \$9.6 million dollars in State aid in the coming year, while a fully funded SFRA would provide the district with \$11.5 million dollars. If the SFRA were fully phased in and not limited to growth caps the district would receive over \$21 million dollars. The district is now spending \$550 less per pupil than they did in 2008-2009. However, the State has ignored the law that they passed and our school system is being denied at least \$1.9 million dollars a year in operating costs. By the way SFRA only addresses operations not construction. Who pays the price when the State's diverting the money they take to balance their budget. It's you and it's me.

Together Freehold Borough and our K-8th grade schools are being denied over \$3 million dollars annually by the State of New Jersey. These taxes were dedicated by law to municipalities and school systems; however, they've reneged on their promise to disperse the money to us. Yet you still want a police department to protect you, you want your trash collected and your streets to be paved. Someone has to pay for these services. Your property taxes would be lower if the State delivered the \$3 million dollar plus they are supposed to send us annually.

Over a year ago I wrote to all three of our District 11 legislatures asking for support for legislation that would return that money to us. One legislature replied, "She would support the bill if someone would show her how the State can replace the \$100's of millions of dollars they are taking to balance their budget." Actually, I have some answers for her. Start by eliminating the corporate welfare of \$6 billion dollars that is going to 1% of the largest companies in this State. Seventy percent of who are active political contributors. They could eliminate the \$1 million dollars plus in the governor's security as he travels around the country trying to become a presidential candidate. There are many, many others I can name you, but I can only tell you this, if your taxes went up, look at where the cause is and look at a dysfunctional State of New Jersey. Thank you."

Councilwoman Shutzer stated she did the research and wrote that speech for him. Councilman Griffiths has written 2 or 3 letters to the Asbury Park Press and the News Transcript and these letters have never been published.

Councilwoman Shutzer stated she got her tax bill today and she also lives on a fixed income and is a widow and she did chuckle when her bill came because every time that tax bill came her husband used to look at that tax bill and say, he would have to speak to a councilperson about these increases. So today she said to herself, "I have to speak to someone about these tax increases."

Councilwoman Shutzer offered her sincere condolences to the Jackson and Madden families. Both of these families are families who were deeply entrenched in our community and who volunteered and gave back to this community tremendously.

Councilwoman Shutzer stated she was asked a question about the \$250 veteran's deduction. The veterans in town were asked to complete a large packet with extensive paperwork that needs to be filled out in order to get the deduction. She found out today that this is a State run program and we are being audited by the State of New Jersey. These papers are from the State of New Jersey

and they must be in place when we are audited. That's why our veterans are being asked. Some of the deductions have been going on for so many years, that we don't even know where the paperwork is. Years ago things were not done the way they are done today.

Councilwoman Shutzer also reminded the residents about the "National Night Out" on Tuesday, August 4th from 6:00 PM – 9:00 PM at the Hall of Records. Councilman DiBenedetto mentioned the Downtown events that we have during the summer, all of these things are free. At the last meeting she had the Asbury Park Press with her and they did an article entitled, "A night out and you don't have to break the bank", and the article named the Freehold Thursday night concerts.

Councilwoman Shutzer reminded the residents about the dine around on October 13th and October 14th and these proceeds will go to the Freehold Municipal Alliance Against Substance Abuse.

Mayor Higgins extended his condolences to the Madden and Jackson families. They are both families with a long tradition of service to our community. He hopes to be at the National Night Out and he is looking forward to seeing everyone there.

Mayor Higgins stated the improvements that were made to Borough Hall over the past couple of years. He asked Nelson Kuperberg to stand and he was given a round of applause.

Councilman Griffiths offered the motion to Adjourn, seconded by Councilwoman Shutzer:

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

The council meeting was adjourned at 7:45 PM.

Respectfully Submitted,



TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:aj