

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, December 7, 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 the victims of the shooting in San Bernardino, California.

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

Councilman DiBenedetto offered a motion to accept the minutes Council Meeting October 5, 2015 and November 2, 2015, seconded by Councilwoman Shutzer.

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

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

“Resolution of the Mayor and Council of the Borough of Freehold Honoring June Vawter.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING JUNE VAWTER.

Councilman Schnurr reported the resolution was presented to June Vawter who served 21 years on the Freehold Borough Planning Board. She also served 34 years on the Library Commission, worked at the St. Peter’s Thrift Shop and conducted classes at a minimum security facility off of Rahway Prison. The Resolution was presented to June Vawter on December 1, 2015.

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

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

“Introduction of and Authorization to Publish Bond Ordinance #2015/16 Providing for the Acquisition of a Fire Truck and Police Department Equipment Appropriating \$850,000 Thereof and Authorizing the Issuance of \$807,500 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 Griffiths:

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that a Bond Ordinance entitled “ BOND ORDINANCE #2015/16 PROVIDING FOR THE ACQUISITION OF A FIRE TRUCK AND POLICE DEPARTMENT EQUIPMENT APPROPRIATING \$850,000 THEREOF AND AUTHORIZING THE ISSUANCE OF \$807,500 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 December 21, 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 reported this is for the Monmouth Hose Fire Truck and also replacement firearms for the Police Department.

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

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

“Introduction of and Authorization to Publish Ordinance #2015/17 Amending Chapter 8.40: Property Maintenance 8.40.050, Maintenance of Vacant/Abandoned Properties “8.40.050-5.4 “Registration Requirements” of the Code of the Borough of Freehold.”

Councilman Schnurr 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 an Ordinance entitled, “ORDINANCE #2015/17 AMENDING CHAPTER 8.40: PROPERTY MAINTENANCE 8.40.050, MAINTENANCE OF VACANT/ABANDONED PROPERTIES “8.40.050-5.4 “REGISTRATION REQUIREMENTS” OF THE CODE 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 December 21, 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 reported the Code Enforcement Office recommended the registration run annually from the date of the registration instead of by calendar year.

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

Mayor Higgins read Item No. 8 on the agenda as follows

“Introduction of and Authorization to Publish Ordinance #2015/18 Fixing and Determining Salaries of Certain Officers, Positions and Employees of the Borough of Freehold, in the County of Monmouth, and Repealing Any and All Other Ordinances Heretofore Adopted Which are Inconsistent Herewith.”

Councilwoman 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 a Bond Ordinance entitled, “ORDINANCE #2015/18 FIXING AND DETERMINING SALARIES OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE BOROUGH OF FREEHOLD, IN THE COUNTY OF MONMOUTH, AND REPEALING ANY AND ALL OTHER ORDINANCES HERETOFORE ADOPTED WHICH ARE INCONSISTENT HERWITH”, 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 December 21, 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.

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

Mayor Higgins read item No. 9 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).”

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, 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).”

Councilman Kane explained \$4,300 is available from the State Attorney General’s Office from the Drunk Driving Enforcement Fund.

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

Mayor Higgins read item No. 10 on the agenda as follows:

“Resolution Authorizing Tax Appeal Settlement RE: Block 9, Lots 14 & 15; Throckmorton Street and Block 9, Lot 16; Rhea Street.”

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

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT RE: BLOCK 9, LOTS 14 & 15; THROCKMORON STREET AND BLOCK 9, LOT 16; RHEA STREET.

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

Mayor Higgins read item No. 11 on the agenda as follows:

“Resolution Authorizing Application for the Governor’s Council on Alcoholism and Drug Abuse Fiscal Grant Cycle July 2014 – June 2019.”

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

RESOLUTION AUTHORIZING APPLICATION FOR THE GOVERNOR’S COUNCIL ON ALCOHOLISM AND DRUG ABUSE FISCAL GRANT CYCLE JULY 2014 – JUNE 2019.

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

Mayor Higgins read item No. 12 on the agenda as follows:

“Resolution Authorizing a Contract for Tree Removal and Trimming.”

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

RESOLUTION AUTHORIZING A CONTRACT FOR TREE REMOVAL AND TRIMMING.

Councilman Griffiths reported this contract is done at the end of the year when the leaves are off the trees and lower bids can be obtained. Falkinburg is the lowest bidder by \$6,000 and \$30,000 lower than the highest bidder. They have come to the town’s rescue after the Super Cell and Sandy. We have worked with them in the past and are pleased to have them as low bidder.

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

Mayor Higgins read item No. 13 on the agenda as follows:

“Resolution Approving Personnel Appointments/Actions:

- a. Appointment of Peter Laurina, Substitute School Crossing Guard, effective December 7, 2015.”**

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

RESOLUTION AUTHORIZING PERSONNEL APPOINTMENTS/ACTIONS 13A.

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

Mayor Higgins read item No. 14 on the agenda as follows:

“Resolution Approving the Following Applications:

- a. Our Lady of Guadalupe Procession, St. Rose of Lima Church, 12/11/15, 10:00PM – Midnight, starting in the McLean Street parking lot to Randolph Street to Lincoln Place ending in the Chapel. c/o Rev. James Conover”**

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

RESOLUTION APPROVING APPLICATION 14A.

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

Mayor Higgins read item No. 15 on the agenda as follows:

“Correspondence:

- a. Notification from Richard J. Gartz, Chief Financial Officer, Borough of Freehold – Certificate of Determination and Award of General Obligation Bonds of the Borough of Freehold, in the County of Monmouth, New Jersey.”**

Mr. Bellina reported the note sale was held a few weeks ago. The Finance Officer is required by law to notify the governing body of the best bid. The interest rate is very favorable. This is a matter of protocol. No action is required.

Mayor Higgins read item No. 16 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 \$1,636,673.04 be paid as presented.

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

Mayor Higgins read Item No. 17 on the Agenda as follows:

“Clerk – Late Communications”.

There were none.

Mayor Higgins opened the floor for Public Comments:

Reimer Leuth, 1 Anne Street appreciates all of the Fire Department does, especially this time of year with Santa coming through the town. Last year the truck got stopped in front of Mr. Leuth’s home and continuously laid on the horn for a good five minutes. The sound scared his dogs. He does not feel there is a need for the excessive horn/siren blowing.

Mayor Higgins assured Mr. Leuth that the fire chief will be advised.

Mr. Carl Steinberg, 2 Monmouth Avenue respectively requested to have 2 Monmouth Avenue removed from the SID. In 1994 the SID taxes were \$234. Improvements to the property were made and the taxes for 2006 were \$1,300 and in 2016 they are \$1,800 and with the increase this year and new assessment it will be over \$2,000.

Mr. Steinberg believes he receives the same benefits as other businesses in town that are not in the SID, such as Foodtown, Beacon Metal and Builders General. His property is on Monmouth Avenue; it doesn’t receive any benefits and he can’t control the increasing taxes. In the past, Mr. Steinberg has tried to help the Partnership in any way he can. Mr. Steinberg does not believe he has a Main Street, Center Core business and he does not receive the same benefits of the Main Street businesses.

Mr. Steinberg explained he installed his own parking lot, pays for his own snow removal and lighting. With the muster zone right down the street, it is not a desirable area, but he does what he can to improve the area and make it a gateway to the town. Mr. Steinberg likened this to taxation without representation. Mr. Steinberg feels the \$2,000 he pays to the SID could be better spent. Mr. Steinberg donates his time and money to various organizations in Freehold, but would like to be removed. There is no benefit to being in the Downtown Partnership in his current location.

Mayor Higgins reported the letter expressing Mr. Steinberg’s concerns was received and shared with the governing body.

Kerry Higgins, Borough Attorney, added the Land Use committee has been and will continue to discuss this. The committee will take Mr. Steinberg’s request under advisement.

Richard Gatto, Downtown Freehold (Freehold Center Partnership), reported the total SID assessment has not risen in the last six years. In general the assessment has gone down per individual because the taxable base has increased. Mr. Gatto reported on the improvements to Throckmorton Street including; landscaping the park across from Pepe’s Deli, the lights have been changed to one continuous row and new banner poles have been installed. Also, new Christmas decorations were installed and the rehabilitation of Gere Park.

Mr. Steinberg agreed with Mr. Gatto that the poles were moved and are now closer to downtown. But only one side of Throckmorton is lit and Main Street is lit on both sides. Mr. Steinberg believed Special Improvement District meant new lights created all over the district, not just the core area. Mr. Steinberg referenced the map and the lack of long standing businesses not included. Mr. Steinberg challenged anyone to tell him how he is benefitting from the SID. There are no lights or

improvements on Monmouth Avenue. Pepe's Deli benefits from more improvements and does get taxed.

Mr. Steinberg expressed his feelings that a map should include all of the businesses in the Freehold Center Partnership.

Mayor Higgins clarified the map Mr. Steinberg is referencing is a promotional map provided by the Freehold Center Partnership, not the official map designating the SID boundaries. Mayor Higgins continued by stating the concerns regarding the map have been shared with Mr. Metz and are being addressed.

Mr. Steinberg asked that the facts be examined. All of the restaurants are listed and they do a good job. Mr. Steinberg suggested that one district (Main Street) pays the full amount and businesses off the main district pay 50% because they don't share the same revenue or benefit.

Mr. Gatto explained the intention of the map is not to list all 400 businesses, but to provide points of reference for directions. The map is updated every Spring to reflect whichever businesses have come and gone. This is the first time there have been any issues raised about the map.

Mr. Gatto thanked Freehold Borough for the recent improvements to the Market Yard. It was the town that completed those improvements, not Downtown Freehold. Mr. Gatto stated many of the concerns raised are not Downtown Freehold issues. If there are issues with the Downtown, Mr. Gatto encouraged anyone to attend their meeting to discuss the concerns. Meetings are not closed and are held once a month.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

Mayor Higgins asked for council comments.

Councilman Schnurr stated the Special Improvement District Ordinance changes will be discussed at the 12/21 Land Use meeting. Freehold has been a receiving community under the Regional Contribution Agreements, along with Howell, Marlboro and Freehold Twp. Freehold has never filed or had a Fair Share Housing Plan approved by COAH and this makes the town vulnerable to a builders remedy law suit. The committee will come up with a Fair Share Housing Plan.

Councilman Schnurr congratulated William Madden and thanked Councilwoman Shutzer on another successful Seniors Holiday Party. It is one of the December highlights.

Councilman Schnurr reported John Bosco passed away on 11/23. He was a member of the Marine Corp. League and served on the Memorial Day Parade Committee. His service to the veterans and parade committee will be greatly missed. Councilman Schnurr reported Wreaths Across America will take place at Noon on Saturday, December 12th at Elks Point. This is the fifth year in a row that Freehold has participated and is sponsored by the Freehold Mason Olive Branch Lodge 16.

Councilman DiBenedetto offered his condolences to the Bosco Family. Mr. Bosco was not only a friend, but a customer. Congratulations were given to Councilwoman Shutzer on another

successful celebration and to Bill Madden on his honor. Christine Gregory was thanked for planting a tree in memory of Councilman DiBenedetto's father and everyone was wished a Happy Hanukah.

Councilman Kane thanked everyone for attending. He expressed the people of San Bernardino are in our thoughts and prayers. Councilman Kane encouraged everyone to be vigilant and help the police department. If you see something, say something. We must be aware of our surroundings at all times and we must work with our police to help them keep us safe.

Councilman Kane acknowledged the wonderful job of Councilwoman Shutzer on her recent Seniors Holiday Party. If not for this party, many of our senior residents would not have a holiday celebration. Every year it gets bigger and bigger. Congratulations to William Madden and Happy Hanukah for those celebrating.

Councilman Griffiths congratulated Bill Madden and Councilwoman Shutzer on a successful party. Hanukah wishes were given to all celebrating. Councilman Griffiths reported the committee and commission are preparing their end of the year reports which will be received by the next meeting. There has been good progress in a lot of areas for both Shade Tree Commission and Human Relations Committee.

Councilwoman Shutzer congratulated Bill Madden on the EMS Counsel of NJ Lifetime Achievement Award and highlighted his years of service. Freehold is proud to call you ours!

Councilwoman Shutzer relayed a recent broadcast she heard on NJ 101.5. A show host mentioned that he had attended the company party in Marlboro and the directions he was given to get home took him through the most enchanting, wonderful little Main Street that he has ever seen. He did not know how this town had escaped him. He was speaking about Freehold Borough. The other host spoke about how wonderful Freehold was, all of the activities that occur. Councilwoman Shutzer thanked Downtown Freehold for making all of those activities happen.

Councilwoman Shutzer remarked the Seniors Party is one of the hardest things that she does, but is definitely the most rewarding. Thanks were given to everyone who makes the party possible; the citizens of Freehold Borough, Freehold Elks who provide the location at cost, Wegmans who generously donated all of the food and flowers for the party and Mayor Higgins, Councilmen Kane and Schnurr for attending. Nothing gives the seniors more pleasure than having Mayor and Council waiting on them.

Councilwoman Shutzer thanked Kyle Kane and his sons for providing the music, James McAllister for transporting the seniors, Traci and Lynn from the Clerk's Office for taking the reservations. Pat Ruegger was thanked for making the copies of the flyer, the 2nd Graders from St. Rose of Lima who prepared decorated gift bags which were handed out to our senior residents and the First United Methodist Church who provided a bag of candy for each senior. Additional thanks were given to all of our adult and children volunteers.

Councilwoman Shutzer congratulated June Vawter. A reminder was given the Freehold PBA Santa Train is Saturday on December 12th, the Jolly Trolley is happening and the Menorah lighting is this Thursday evening. Happy Hanukah to everyone.

Mayor Higgins recognized Councilwoman Shutzer for the Senior Holiday Party and thanked her for everything that was done. Mayor Higgins announced the St. Rose of Lima Concert was held Sunday with a 30 piece orchestra and including Councilman Griffiths in the choir. Habitat for Humanity broke ground this past Saturday on another home in the Borough.

Mayor Higgins stopped into the former Foodtown location and was surprised to see the shelves were stocked and cases were getting ready. It is great news to have a supermarket back in Freehold and looks forward to the reopening of the former Foodtown within the next week or two.

Mayor Higgins asked Police Chief to extend best wishes back to the Police Department. While watching the coverage in California and seeing the first responders deal with the situation like this, a

Lt. spoke about the roles first responders have to take. Mayor Higins stated we are thankful for all that the police, fire and first aid do. He stated they have our respect and our thanks for keeping the community safe.

Councilwoman Shutzer offered a motion to adjourn, seconded by Councilman DiBenedetto, with all in favor and Councilman Sims absent.

The council meeting was adjourned at 7:50 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:lc