

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, May 16, 2016 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).

Councilwoman Shutzer 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 DI BENEDETTO
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:

“Approval of Minutes: Supplemental Minutes April 18, 2016 and May 2, 2016; Council Meeting May 2, 2016.”

Councilman Kane offered a motion to accept the minutes and was seconded by Councilwoman Shutzer.

On roll call, Council Members DiBenedetto, Griffiths, Kane, Schnurr and Shutzer voted its adoption; opposed none; abstain Sims Supplemental and Council Minutes 5/2; 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 the Month of June Freehold First Aid Fund Drive Month.”

Councilwoman Shutzer welcomed the Freehold First Aid Squad leadership to join her. She announced the Proclamation declared the support and appreciation of the Mayor, Council and all of Freehold. Councilwoman Shutzer expressed it’s not until you need the First Aid, that you express what they do. She conveyed her personal experiences with them. Councilwoman Shutzer urged every resident to contribute to them as they are a 501(c)3. They raise all of their own funds with the exception of a small stipend from the Borough and Township Municipalities. The First Aid also maintains their equipment and property. Councilwoman Shutzer thanked the leaders and volunteers of the Freehold First Aid for everything they do for the residents of Freehold Borough.

Freehold First Aid President, Jim McAllister thanked Mayor and Council for the Proclamation. He reiterated the squad relies on community donations. Last year the squad answered over 4,100 calls, which were all answered by volunteers. The volunteers start with 150 hours of training and have continual training mandated by the state. If the donations aren't there, the First Aid cannot be there. Mr. McAllister thanked the Borough and Township for their financial support. He pleaded for people to get the word out as donations have dropped over the past few years.

Mr. McAllister explained a letter will be coming to each property owner in Freehold Borough and Freehold Township. If you don't receive a letter, you can donate by visiting their website at www.freeholdems.org and make a donation on line through Pay Pal.

Mayor Higgins asked Borough Attorney Kerry Higgins to address the concerns raised by First Baptist Church regarding Amazing Escape Room.

Ms. Higgins reported the Planning Board determined the use of the Amazing Escape Room was not a permitted use in the B-1 Zone at their meeting on April 27, 2016. The Use Variance portion of the application was scheduled to be heard at the May 11, 2016 Planning Board Meeting. The applicant asked for the Use Variance to be adjourned as they are appealing the denial of the interpretation. While this application was pending, a cease and desist order had been given and was stayed during the application hearing. Ms. Higgins stated as the application was denied, the cease and desist will proceed.

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

“Second reading and Public Hearing: Ordinance #2016/4 Amending Chapter 18.06 Special Improvement and Designation of a District Management Corporation.”

Mayor Higgins opened the meeting to the public.

Ms. Pilar Kwiatkowski, long term resident of the Freehold area. Ms. Kwiatkowski relayed her memories as a child of being told not to hang out in the Borough. She has raised her son in Freehold and never had to tell him that. She credits the SID for the improved perception. Ms. Kwiatkowski works for one of the people who was instrumental in starting it and has learned a lot about the history. She would like things to remain as they are. She would hate to see the downtown area jeopardized for any reason other than a true safety or public issue. Ms. Kwiatkowski asked the Mayor and Council to seriously consider the repercussions of any kind of action tonight that might jeopardize, for everyone, what the SID has accomplished.

Mr. Al Michenfelder, 30 Jackson Street, reported he has volunteered with the SID from the beginning, working with Fred Sanders. Mr. Michenfelder reported how Kruse Night helped fill the shelves at the Food Bank. Kruse Night helped people enjoy the Borough. Mr. Michenfelder would like a Kruse Night brought back for one time a year. He expressed his desire to have SID include Freehold High School Jazz Band play a concert.

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

“Memorial Day Parade.”

Councilman Schnurr reported there are five Veterans organizations in the area participating. The VFW is the lead group. They picked the theme, “Honoring Our Fallen Heroes”. The Grand Marshal is Walter Kowalski, a WWII Navy Veteran. Councilman Schnurr gave a brief bio on Mr. Kowalski.

Councilman Schnurr announced this is the 142nd parade and Freehold’s Memorial Day Parade is the state’s longest running parade of its kind and Monmouth County’s largest such parade with over 70 units participating. It is a signature event in our community. Councilman Schnurr announced each year a few streets are renamed to honor veterans. This year Hull Avenue, Lincoln Place, McLean and Murray Street will be renamed.

Councilman Schnurr detailed the day’s events. Elks Point Service of Reflection is at 8:30 AM. The parade begins at 9:45 AM at the corner of Brinkerhoff, led by a flag draped casket accompanied by active military from the various branches of service. The veterans groups will march down Main Street at 10:00 AM followed by the rest of the parade. There will also be a parade route flyover by Mr. Gerry Norkus, who will be flying his vintage aircraft.

Councilman Schnurr thanked Alice McCobb and her committee for all of their hard work throughout the year. Numerous fundraisers are held throughout the year at area restaurants. The last fundraiser prior to the parade is being held Monday, May 16 – Wednesday, May 17 at Federici’s Sweet Lew’s and the Court Jester. They will donate 20% of the pre-tax food bill to the Memorial Day Parade accompanied with the flyer. Flyers can be found on the parade website or at the Clerk’s Office. Councilman Schnurr thanked the downtown restaurants and merchants for their support.

Councilman Schnurr announced Especially For You Florist provides wreaths and flowers every year for the parade. In recognition of their continual support, the parade committee has selected Marlene Rogala, owner of Especially For You Florist, as the Reviewing Stand Master of Ceremonies.

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

“Introduction of and Authorization to Publish Ordinance #2016/4 Amending Chapter 18.06 Special Improvement District and Designation of a District Management Corporation.”

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 #2016/4 AMENDING CHAPTER 18.06 SPECIAL IMPROVEMENT DISTRICT AND DESIGNATION OF A DISTRICT MANAGEMENT CORPORATION”, 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 May 16, 2016 at 7:00 PM 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 reported the Land Use Committee has been reviewing the Special Improvement District Ordinance and feels the proposed changes will provide better communication with all stakeholders, increase transparency in decision making, more inclusion in director elections and greater financial accountability. This can be accomplished in three ways;

- a. The ordinance will reflect what the NJ State statute requires for Special Improvement Districts, that the Mayor and a Council liaison will be voting members of the Freehold Center Partnership Board of Directors. At some point the Freehold Center Partnership bylaws made them nonvoting members, which is a direct conflict of state law.
- b. This ordinance will clearly spell out the process for Freehold Center Partnership Board of Director elections. The current process has been the basis for law suits in the past.
- c. The ordinance requires financial reporting for tax payer money collected and spent which includes an audit, just like the one Freehold Borough undertakes every year.

Councilman Schnurr reported more details will be discussed at the May 16th meeting.

Councilwoman Shutzer reported she will be voting in favor of the introduction of this ordinance. She announced she is available to discuss this with any members of the Downtown

Partnership if they wish. Councilwoman Shutzer expressed her hope both parties can continue to work together and arrive at an amicable agreement.

Councilman Kane stated the Land Use Committee continues to meet with the executive management of the Downtown Center Partnership. The ordinance is an introduction tonight and the discussion will continue.

Councilman DiBenedetto reported he has attended every meeting he has been invited to and the meetings were sometimes overly aggressive and not constructive. Councilman DiBenedetto thanked Mr. Metz and Mr. Mehr for expressing their views constructively during these sessions. He confirmed there will be more discussions and he hopes both sides can meet in the middle.

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 Mayor and Council of the Borough of Freehold Honoring: Jerrilynn Acevedo, Jacquelyn Forsyth, Mike Kelly, Derek Underwood and Ed Pugh On Their Induction into the Freehold High School Hall of Fame.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING; JERRILYNN ACEVEDO, JACQUELYN FORSYTH, MIKE KELLY, DEREK UNDERWOOD AND ED PUGH ON THEIR INDUCTION INTO THE FREEHOLD HIGH SCHOOL HALL OF FAME.

Councilwoman Shutzer announced she, Councilman Griffiths and Councilman Sims presented the Resolutions to the Athletic Hall of Fame inductees and it was a lovely ceremony. Councilwoman Shutzer relayed the message of Derek Underwood, who attributed his success to his early years growing up on Bond Street. He is now in the special detail of Delaware State Troopers who guard the Delaware Governor. The Governor of Delaware attended the ceremony.

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 of the Borough of Freehold, County of Monmouth, State of New Jersey, Authorizing Compensation Payment to Gretchen Gilroy Upon Her Separation From Employment.”

Councilwoman Shutzer 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, AUTHORIZING COMPENSATION PAYMENT TO GRETCHEN GILROY UPON HER SEPARATION FROM EMPLOYMENT.

Councilwoman Shutzer announced this is a contracted benefit and represents a little more than \$800.

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 Confirming Personnel Actions/Appointments

- a. Appointment of Edward Cuzco as a Class II Special Police Officer, effective May 2, 2016, pending successful completion of pre-employment examinations.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS 11A.

Councilwoman Shutzer welcomed the addition of Officer Cuzco.

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 Approving the Following Applications:

- a. Life Chain Prayer Vigil, St. Rose of Lima Church c/o Jim Meyer, 5/22/16, 1:30 PM – 2:30 PM, along South Street sidewalk in front of St. Rose.**
- b. Sidewalk Café License, Main Street Falafel, 4 West Main Street.**
- c. Permanent Taxi Driver License, Isabel Saldivar, Freehold.**
- d. Permanent Taxi Driver License, Victor Gutierrez, Old Bridge**
- e. Permanent Taxi Driver License, Efren Morales, Freehold**
- f. Taxi Owner Licenses (7), Robert Livingston, t/a Leon’s Taxi”**

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

RESOLUTION APPROVING THE FOLLOWING APPLICATIONS 12A – 12F.

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:

“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 \$2,260,178.40 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. 14 on the Agenda as follows:

“Clerk – Late Communications.”

There were none.

Mayor Higgins read Item No. 15 on the Agenda as follows:

“Public Comments.”

Mr. Jeff Friedman, 3 Broad Street asked for Mayor and Council to participate in the 1st Freehold Borough Cook Book being put together by the Freehold Borough Arts Council. Some of the area restaurants are providing recipes and the Arts Council is seeking recipes from Mayor and Council. Mr. Friedman announced the Arts Council is launching a Passbook to the Arts for their summer concert series. The Passbook will list twenty-five different events, if ten events are checked off in the passbook, a prize can be won.

Mr. Friedman announced the downtown art gallery is going well. The current show represents 32 local artists. The next show opens May 14th and events are scheduled every week including lectures on art, music and photography. Mr. Friedman announced the Downtown Concert Series is opening May 14 with a performance by Public Quartet consisting.

Mr. Matthew Sockol, News Transcript asked why the Ordinance regarding the Special Improvement District is being changed now.

Mayor Higgins responded a review of the ordinance was done. Some changes were discussed for the reasons Councilman Schnurr previously outlined. Tonight was a just a First Reading, a Second Reading will take place at the next meeting on May 16th. Mr. Sockol asked what the changes in the ordinance will do? Borough Attorney,

Kerry Higgins, Borough Attorney, offered Mr. Sockol a copy of the ordinance.

Ms. Ann White, Bond Street relayed a greeting from Barbara Oliver.

Mayor Higgins offered best wishes from Mayor and Council to Ms. Oliver, who has been not been able to attend meetings for several months.

Ms. Elaine Zarr, 22 Ford Avenue reported there are no working lights between Mechanic Street to Ford Avenue. Ms. Zarr said it is dark and dangerous in that area due to the outages.

Borough Administrator asked Chief Roberts to check into the area. He reported typically a request will be placed to JCP&L, who are usually pretty quick in responding.

Ms. Zarr expressed a concern for the senior population in town who had a difficult time getting their sidewalks shoveled.

Councilman Griffiths responded the Human Relations Committee is beginning to look into a new program that will allow residents to call Borough Hall, report the work they need help with and adult and youth volunteers will be available to assist them. The resident will have to verify why the help is needed, such as age, physical condition, etc. Councilman Griffiths reported the Human Relations Committee will be meeting tomorrow and discussing this subject.

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

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 read Item No. 16 on the Agenda as follows:

“Council Comments.”

Councilman Schnurr reported the Legislative District 11 Representatives, Assemblyman Eric Houghtaling and Assemblywoman Joann Downey will hold mobile office hours at the Library, Wednesday, May 11th from 11:00 AM – 2:00 PM. The Monmouth County Master Gardener will be speaking at the Library on Thursday, May 26th at 7:00 PM to provide gardening tips. The free homework help is continuing on Wednesdays from 4:00 – 4:45 PM for students through the 7th Grade.

Councilman DiBenedetto had no comments.

Councilwoman Shutzer reported the Alliance Against Substance Abuse Golf Outing is June 6th. Golfers and sponsors are needed.

Councilwoman Shutzer announced that the McGackin Award Recognition Reception will be held May 20th. Reservations are closed. The winners being recognized are Volunteer Mary Randolph and Businessman Mike Page. Other community groups being honored are the Fire Department, Police Department, Little League, First Aid, Elks Lodge and Knights of Columbus.

Councilwoman Shutzer offered her congratulations to the Police Department for participating in the Operation Take Back this past Saturday. Usually they fill one container, this year three containers equaling 48 pounds of over the counter and prescription drugs were collected to be incinerated. The Police attribute the success to the email blasts that went out from the Borough. All residents were encouraged to get on the email notifications to be informed of all that is happening.

Councilman Kane reported on the sudden passing of former Freehold Township Administrator, Tom Antus. Councilman Kane expressed Mr. Antus was a great ally in Freehold Township in helping the two towns work together. Councilman Kane remembered his time as a grade school basketball player and Mr. Antus was a basketball coach at Eisenhower School. Condolences were expressed to the family.

Councilman Kane congratulated this years Freehold Borough High School Hall of Fame inductees. Councilman Kane announced the Central Jersey Irish Festival will be on May 14th at Lake Topanemus from 10:00 AM – 6:00 PM. It will be bigger and better this year.

Councilman Griffiths announced the Shade Tree Commission held an educational program at Park Avenue School and awarded Arbor Day Poster Contest winners. Thanks were given to Christine Gregory for doing a great job with the program. A similar program will be done at St. Rose in the near future. Councilman Griffiths announced May 7th from 9:00 AM – 12:00 PM in front of Borough Hall, seedlings will distributed at no cost to residents who wish to plant a tree in their yard. Care and planting instructions will be included.

Councilman Griffiths reported the HR Committee will be meeting tomorrow night. As mentioned earlier, the topic of Adopt A Neighbor will be discussed. Councilman Griffiths announced the Participatory Budget will be started soon. The program will provide residents with the opportunity to vote on projects to be completed with a portion of the capital budget. This program will engage the citizens and encourage people to vote.

Mayor Higgins announced hydrant flushing will begin Wednesday, May 4th. Residents can expect some discoloration in the water while this is being done.

Mayor Higgins announced the rededication of Gere Park will be Saturday, May 7 at 11:00 AM. Downtown Freehold and the Street Department were thanked for completing the improvements on the park. Everyone is welcomed to attend.

Mayor Higgins announced the annual community clean up day is scheduled for Saturday, May 21st. Locations at the Learning Center, Park Avenue School and Borough Yard will be set up for disposal of items. Mayor Higgins congratulated Christine Gregory for the Arbor Day Ceremony. Mayor Higgins encouraged everyone to get on the email list so residents can be informed of items in a timely manner.

Mayor Higgins called for a motion to adjourn.

Councilwoman Shutzer offered the motion to adjourn, seconded by Councilman DiBenedetto.

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.

The meeting was adjourned at 7:50 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:lc