

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, June 20, 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).

Councilman Kane 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
PRESENT	COUNCILMAN JAYE SIMS

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

“Approval of Minutes: Council Meeting June 6, 2016.”

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

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

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

“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Authorizing an Amendment to the 2016 Municipal Budget.”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AUTHORIZING AN AMENDEMENT TO THE 2016 MUNICIPAL BUDGET.

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. 6 on the Agenda as follows:

“Resolution of the Borough of Freehold, County of Monmouth, State of New Jersey, Approving Self-Examination of the Budget.”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, APPROVING SELF-EXAMINATION OF THE BUDGET.

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:

“Resolution Adopting the 2016 Annual Budget of the Borough of Freehold.”

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

RESOLUTION ADOPTING THE 2016 ANNUAL BUDGET OF THE BOROUGH OF FREEHOLD.

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:

“Resolution of the Mayor and Council of the Borough of Freehold Approving Renewal of Alcoholic Beverage Licenses, July 1, 2016 – June 30, 2017.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD APPROVING RENEWAL OF ALCOHOLIC BEVERAGE LICESSES, JULY 1, 2016 – JUNE 30, 2017.

Councilman Schnurr asked if there were any current licenses not listed for renewal.

Borough Administrator, Joseph Bellina responded Metropolitan Café (KMK Hospitality) had not satisfied their tax clearance with the State of New Jersey and the annual renewal fee has not been paid.

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:

“Resolution Authorizing 2016 Professional Services Projects with Abbington Engineering for Borough Engineering Services.”

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

RESOLUTION AUTHORIZING 2016 PROFESSIONAL SERVICES PROJECTS WITH ABBINGTON ENGINEERING FOR BOROUGH ENGINEERING SERVICES.

Borough Administrator, Joseph Bellina reported this is for Schiverea Avenue in conjunction with the DOT Grant. It will hopefully be out for bid in August, allowing the work to get done before the winter shut down.

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, County of Monmouth, New Jersey Authorizing a Preliminary Developers Agreement RE: Exquisite Caterers, LLC and DDYB LLC, Block 77, Lot 16, Block 62, Lot 44.”

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, COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING A PRELIMINARY DEVELOPERS AGREEMENT RE: EXQUISITE CATERERS, LLC AND DDYB LLC, BLOCK 77, LOT 16, BLOCK 62, LOT 44.

Councilman Schnurr reported with large scale projects such as this, there is normally a developer’s agreement between the Borough and the applicant.

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. 11 on the Agenda as follows:

“Resolution Authorizing Tax Appeal Settlement RE: Block 24.02, Lot 7; 10 Frances Drive.”

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

RESOLUTION AUTHORIZING TAX APPEAL SETTLEMENT RE: BLOCK 24.02, LOT 7; 10 FRANCES DRIVE.

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. 12 on the Agenda as follows:

**“Resolution Confirming Personnel Appointments/Actions:
a. Approving Resignation of Deborah Pizzuti-Still as School Crossing Guard, effective June 10, 2016.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS - 12A.

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. 13 on the Agenda as follows:

**“Resolution Approving the Following Applications:
a. License – African Diaspora Arts and Jazz Festival, Lafayette Street Parking Lot, August 27, 2016, 8:00 AM – 5:00 PM, C/O Adrienne Nesby.”**

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

RESOLUTION APPROVING THE FOLLOWING APPLICATIONS - 13A.

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. 14 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 \$792,435.81 be paid as presented.

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. 15 on the Agenda as follows:

“Clerk – Late Communications.”

There were none.

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

“Items for Discussion:

a. Amendments to Freehold Center Core Revitalization Plan.

Borough Attorney, Kerry Higgins reported there were problems with the Freehold Center Core Revitalization Plan which was developed to address parking concerns downtown. Ms. Higgins described previous amendments and reported Dave Roberts, who wrote the original plan reviewed the plan. A grandfather clause and off-site parking within 1,000 feet was added. Also stated is non-residential uses, such as stores for retail and places of assembly including catering halls, unless covered elsewhere, would follow the off street parking requirements in the zoning ordinance. There are still instances where an owner will have to come before Council if there is a deficiency of more than ten parking spaces.

Borough Administrator, Joseph Bellina stated it would be introduced at a future council meeting, referred to the Planning Board and back to Council. A meeting with Freehold Center Partnership should be scheduled for their review and input.

Councilman Schnurr asked that the whole document be sent to the FCP Board of Directors.

Ms. Higgins confirmed a copy will be sent to the Partnership for their input. They will then be invited to the Planning Board Meeting.

b. Water Treatment Plant Analysis Hatch Mott MacDonald.

Mr. Brian Dougherty of Mott MacDonald gave a presentation on the water treatment plant assessment. Topics covered were; Plant Background and Overview, Deficiencies and Needed Upgrades, Recommended Improvements and Alternative Construction of a New Facility. The entire presentation is on file in the Freehold Borough Clerk’s Office.

Questions from the governing body:

Councilman Sims asked if security improvements were looked at and if any federal grants were available through Homeland Security or any other department.

Mr. Dougherty responded construction of a new facility would address increased security. He added there are not many grants available. Loans and other options will be explored.

Councilman Griffiths asked if Mr. Dougherty has worked with any private industry groups.

Mr. Dougherty replied his firm has not typically done so. He has worked with utilities that have contract operations in place such as Jersey City.

Councilman Griffiths confirmed there is 6 months difference in the timeline between making improvements or building new. But improvements leave the building still in the flood plane and would not meet all of the DEP Standards because of the open tanks.

Mr. Dougherty replied some of the DEP concerns can be addressed. The concern is the equipment is still old.

Councilwoman Shutzer asked if the \$1.2 million difference to construct the new facility will address all of the issues. She also asked what soft costs are.

Mr. Dougherty said soft costs are permit fees, legal fees, construction inspection fees, etc. The soft fees are not included with the estimate. They are usually between 20 – 25% of the project.

Councilman Schnurr expressed concern over security and the programmable logic cards. He asked what kind of security is there for employees or vendors that need to access the systems, especially remotely.

Mr. Dougherty stated there are a number of security measures in place including background checks and levels of security clearance. There is currently a dial-out system for emergencies. A new system can send emails or text messages with specific information.

Mayor Higgins asked if the estimated capacity is consistent with existing capacity. He questioned if Nestle expanded would there be sufficient capacity.

Mr. Dougherty responded that would be addressed in the design process by looking ahead to any business expansions in the next ten years.

Mayor Higgins stated we can get water from Freehold Township if needed and questioned if it works the opposite way as well. He asked if there is potential to sell water to anyone else.

Mr. Dougherty confirmed it does.

Kerry Higgins, Borough Attorney stated Freehold Borough sells allocation to American Water and Nestle. Typically Freehold does not use all of its allocation. Nestle does purchase water from Freehold, but it is untreated water that does not go through the treatment plant.

Mayor Higgins asked how far can this be bonded.

Mr. Bellina suggested 20-25 years. After 10-15 more capital money will have to be put into it.

Councilman Kane reported there were numerous finance options available that were discussed at the Finance Meeting.

Mr. Bellina strongly recommended building a new plant.

Councilman Griffiths asked if the current water is safe.

Mr. Dougherty responded absolutely. The operators do a tremendous job in doing what needs to be done to deliver safe drinking water. The issue is not if nonworking equipment makes the water unsafe, the issue is if at some point the equipment fails, there is no water and you have to purchase water from other sources and then pay for emergency repairs.

Councilman DiBenedetto asked if the WTP capacity would be the same with a new plant.

Mr. Dougherty answered it will be the same at 3.3. But any future development or potential increase in demand would be accounted for and the plant would be sized accordingly.

Questions from the Public:

Mr. Robert Taylor, Kiawah Avenue, asked if the water source is looked at.

Mr. Bellina reported the water source is fine. It is tested daily, weekly and monthly which is required.

Mr. Dougherty was thanked for his presentation.

Mr. Bellina stated if Freehold was going to continue to be in the business of making water, he suggests building the new plant. He reported more discussions would be needed to determine the financing side.

Councilman Schnurr asked when the racetrack parking lot would be on the agenda.

Mr. Bellina stated it will be discussed at the next meeting, with appropriate parties present.

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

“Public Comments.”

Mr. Al Michenfelder, 30 Jackson Street announced the Racers Club will not be attending Olde Freehold Day because of the problems he had last year when it rained. He suggested notification be sent out to the vendors with weather updates. Mr. Michenfelder asked that a letter from Mr. Kane asking him back. He stated there has not been a lot of advertisement for Olde Freehold Day and would appreciate notice nine months prior to the event.

Councilman Kane stated Olde Freehold Day is July 23rd and it is going to be a beautiful day. He told Mr. Michenfelder that he and the Racers are always welcome.

Mr. Robert Taylor, Kiawah Avenue, reported he is still witnessing the landscaper for Wells Fargo Bank, dump their clippings into the road. It happened again today. He asked why the town hasn't done anything about it. This is against the ordinance.

Mayor Higgins reported he has addressed this issue with the bank after the last meeting and will visit them again tomorrow. He will also instruct Code Enforcement to go out and take a look.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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. 18 on the Agenda as follows:

“Council Comments.”

Councilman Schnurr reported the Memorial Day Parade Committee has a fundraiser on June 21st at TGI Fridays. He congratulated Freehold High School Baseball Coach John Block on his 300th win. Councilman Schnurr reported a school crossing guard and child were struck by a vehicle at Jackson Street and Main Street. He knows Monmouth County has this intersection on their list to have a light installed and this accident underscores the need for that. Councilman Schnurr reported the American Red Cross is short on blood and encouraged everyone to donate. Councilman Schnurr announced some accomplishments of the Freehold Borough Education Foundation.

Councilman DiBenedetto stated the downtown is thriving. The concerts are well attended and he encouraged everyone to enjoy the events. Councilman DiBenedetto stated the Road Department does not have brush pick up on their agenda and residents are leaving brush in the streets. Brush can be taken to the DPW on Center Street the first Saturday of each month from 8:00 AM – 12:00 PM.

Councilwoman Shutzer announced every Wednesday is Freehold Idol and every Thursday are the free concerts and the attendance is increasing. She stated Jazz will be played at the Gazebo every Sunday. Councilwoman Shutzer reminded everyone the fireworks and concert will be July 3rd at the Racetrack and July 4th will be reading of the Declaration of Independence at 9:00 AM at Borough

Hall. The Seniors meeting will be held tomorrow, Hudson Manor at 10:00 AM. This is the last meeting until September. Representatives from the County Department of Aging, Disabilities and Veterans Services will be in attendance to answer any questions or concerns.

Councilman Kane thanked everyone for attending and congratulated Freehold High School Coach John Block for his accomplishments in the Shore Conference. He announced Olde Freehold is Saturday, July 23rd featuring Mission Dance. It is the 40th Anniversary of the first Olde Freehold Day and it's going to be a great event.

Councilman Griffiths reported the Human Relations Committee will be organizing a memorial service in front of Borough Hall on September 11th. It is going to be a nice tribute and more information will follow. Councilman Griffiths reported he recently attended the New Jersey League of Municipalities Conference with the Borough Administrator and CFO. He learned that if a tree is doomed hazardous or dangerous, the utility company may be responsible for its removal. This could save the Borough approximately \$2,000 per tree depending on its size and age. He also reported up to 80% savings can be had with LED lighting on dimmers and motion control sensors.

Councilman Sims reported that his brother, Reggie sat up and starting to communicate. He is beginning to recover from the transplant.

Mayor Higgins announced he, Councilwoman Shutzer and Councilman Griffiths attended 8th Grade Graduation at Freehold Intermediate School. The graduates were wished well.

Mayor Higgins called for a motion to adjourn.

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

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.

The meeting was adjourned at 8:35 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:lc