

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, August 1, 2016 at 7:00 p.m. in the Municipal Building.

In the absence of Mayor Higgins, Council President Sims 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 Griffiths opened the meeting with the Salute to the Flag followed by a moment of silence.

ROLL CALL

ABSENT	MAYOR J. NOLAN HIGGINS
ABSENT	COUNCILMAN MICHAEL DI BENEDETTO
PRESENT	COUNCILMAN RONALD GRIFFITHS
PRESENT	COUNCILMAN KEVIN KANE
ABSENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER
PRESENT	COUNCILMAN JAYE SIMS

Council President Sims read Item No. 4 on the Agenda as follows:

“Approval of Minutes: Executive Sessions October 5, 2015 – April 18, 2016; Council Meeting July 18, 2016.”

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

On roll call, Council Members Griffiths, Kane, Shutzer and Sims voted its adoption; opposed none; abstain Sims Executive 11/2/15, 12/7/15 and Council 6/29/16; absent DiBenedetto and Schnurr. Council President Sims declared the motion adopted.

Executive Minutes from November 2, 2015, December 7, 2015 and Council Minutes from June 29, 2016 will be held over to next meeting.

Council President Sims read Item No. 5 on the Agenda as follows:

“Second Reading and Public Hearing: Ordinance #2016/8 Amending and Supplementing Chapter 10 (Traffic) Section 10.12.030 (Parking Prohibited at All Times on Certain Streets) Chapter 10.44, (Traffic Schedules), Schedule II, (No Parking) of Revised General Ordinances of the Borough of Freehold, County of Monmouth and State of New Jersey.”

Council President Sims opened the meeting to the public.

Mr. Robert Taylor, Kiawah Avenue asked what streets are included in the Ordinance.

Borough Attorney, Kerry Higgins reported the ordinance is for Monmouth Avenue, near the Throckmorton end. Commuters are parking on Monmouth Avenue and using the bus stop located on Throckmorton Street.

Councilwoman Shutzer added this was a direct result of residents' request to study the parking in that area.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled "ORDINANCE #2016/8 AMENDING AND SUPPLEMENTING CHAPTER 10 (TRAFFIC) SECTION 10.12.030 (PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) CHAPTER 10.44, (TRAFFIC SCHEDULES), SCHEDULE II (NO PARKING) OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY," be, and same is hereby adopted on second reading.

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

Council President Sims read Item No. 6 on the Agenda as follows:

"Second Reading and Public hearing: Ordinance #2016/9 Amending Chapter 8 (Garbage, Trash and Refuse Collection and Disposal), Section 8.24.030 (Collection) of the Revised General Ordinances of the Borough of Freehold."

Councilwoman Shutzer reported this is an issue that was left out of the original contract.

Borough Attorney, Kerry Higgins stated trash cannot be placed on the street before 6:00 PM the night prior to pick up. This restriction was not included in original contract.

Council President Sims opened the meeting to the public.

There were no comments.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled "ORDINANCE #2016/9 AMENDING CHAPTER 8 (GARBAGE, TRASH AND REFUSE COLLECTION AND DISPOSAL), SECTION 8.24.030 (COLLECTION) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD" be, and same is hereby approved on first reading.

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

Council President Sims read Item No. 7 on the Agenda as follows:

"Introduction of and Authorization to Publish Ordinance #2016/10 Amending Chapter 18 (Zoning), Section 73 (Minimum Off-Street Parking Spaces), of the Revised General Ordinance of the Borough of Freehold."

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled, "ORDINANCE #2016/10 AMENDING CHAPTER 18 (ZONING), SECTION 73 (MINIMUM OFF-STREET PARKING SPACES), OF THE REVISED GENERAL ORDINANCE OF THE BOROUGH OF FREEHOLD." Be, and same is hereby approved on the 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 the same shall be further considered for final passage after public hearing at a meeting held on September 6, 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 Griffiths reported these are recommendations by the Land Use Committee which takes care of the downtown businesses off street parking, shared parking and grandfathering in existing parking.

Borough Attorney, Kerry Higgins added it also includes parking requirements for catering halls.

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

Council President Sims read Item No. 8 on the Agenda as follows:

“Introduction of and Authorization to Publish Ordinance #2016/11 Amending Chapter 18.07 (Freehold Center Core Redevelopment Plan) and “Visioning and Revitalization Plan for the Freehold Center Core Redevelopment Plan Area.”

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 an Ordinance entitled, “ORDINANCE #2016/11 AMENDING CHAPTER 18.07 (FREEHOLD CENTER CORE REDEVELOPMENT PLAN) AND “VISIONING AND REVITALIZATION PLAN FOR THE FREEHOLD CENTER CORE REDEVELOPMENT PLAN AREA,” 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 the same shall be further considered for final passage after public hearing at a meeting held on September 6, 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 Kane reported the ordinance is for any deficiencies of 10 or more parking spots, existing businesses will be grandfathered in.

Borough Attorney, Kerry Higgins added this mirrors the previous ordinance in terms of minimum off-street parking required. It establishes the number and grandfathers existing businesses who may be deficient in their required spaces. It also allows for businesses to meet the requirement through off-street parking via valet, etc.

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

Council President Sims read Item No. 9 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Birthday Milestones of; Samuel Kagel 103, Mollie Feldman 102, Dorothy Smith 100, Yetta Cohen 101 and Ruth Katzenstein 101.”

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 BIRTHDAY MILESTONES OF; SAMUEL KAGEL 103, MOLLIE FELDMAN 102, DOROTHY SMITH, 100, YETTA COHEN 101 AND RUTH KATZENSTEIN 101.

Councilwoman Shutzer reported she and the Mayor presented the Resolutions at Brookside during their combined birthday celebration.

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

Council President Sims read Item No. 10 on the Agenda as follows:

“Resolution in Support of a Finding of Excess Property for Block 53, Lot 20.01 in the Borough of Freehold by the New Jersey Transit Corporation, and the Renewal of a Lease Agreement by the County of Monmouth with New Jersey Transit Corporation for the Use and Extension of the Freehold Branch Railroad Right-Of-Way for Public Trail Purposes.”

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

RESOLUTION IN SUPPORT OF THE FINDING OF EXCESS PROPERTY FOR BLOCK 53, LOT 20.01 IN THE BOROUGH OF FREEHOLD BY THE NEW JERSEY TRANSIT CORPORATION, AND THE RENEWAL OF A LEASE AGREEMENT BY THE COUNTY OF MONMOUTH WITH NEW JERSEY TRANSIT CORPORATION FOR THE USE OF EXTENSION OF THE FREEHOLD BRANCH RAILROAD RIGHT-OF-WAY FOR PUBLIC TRAIL PURPOSES.

Councilman Kane reported this is in response to a Monmouth County Resolution to extend the Henry Hudson Trail further into the Borough by expanding it down the railroad tracks, behind the rug mill and end at the Stavola property.

Council President Sims stated he is employed by Monmouth County, but as this is a Federally Funded study, he will be voting on the resolution.

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

Council President Sims read Item No. 11 on the Agenda as follows:

“Resolution Awarding a Contract for Various Roadway Repairs.”

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

RESOLUTION AWARDING A CONTRACT FOR VARIOUS ROADWAY REPAIRS.

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

Councilman Sims read Item No. 12 on the Agenda as follows:

“Revised Resolution Authorizing an Agreement with Nestle USA for the Temporary Transfer of Water Diversion Rights.”

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

REVISED RESOLUTION AUTHORIZING AN AGREEMENT WITH NESTLE USA FOR THE TEMPORARY TRANSFER OF WATER DIVERSION RIGHTS.

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

Council President Sims read Item no. 13 on the Agenda as follows:

“Resolution Waiving the Fee for the Borough Wide Yard Sale.”

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

RESOLUTION WAIVING THE FEE FOR THE BOROUGH WIDE YARD SALE.

Councilwoman Shutzer reported the date is October 1 with a rain date of October 2. Participants must register by calling 732-462-4200. There will be information on the website.

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

Council President Sims read Item No. 14 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. Temporary Taxi License, Sergio Perez-Cuatlatl, Freehold.**

b. Permanent Taxi License, Pedro Cisneros-Lara, Freehold.”

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

RESOLUTION APPROVING APPLICATIONS 14A-14B.

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

Council President Sims read Item No. 15 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 \$3,168,921.01 be paid as presented.

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

Council President Sims read Item No. 16 on the Agenda as follows:

“Clerk – Late Communications.”

There were none.

Council President Sims read Item No. 17 on the Agenda as follows:

“Public Comments.”

There were no comments.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

Council President Sims read Item No. 18 on the Agenda as follows:

“Council Comments.”

Councilwoman Shutzer congratulated Councilman Kane and the Olde Freehold Day Committee on a wonderful day. It was a multi-cultural, multi-generational day and it was a wonderful experience and celebration of the 40th Anniversary of the first one. Councilwoman Shutzer reported the concerts downtown are on going with the schedule extended into August and Freehold Idol will have their finale on Wednesday, August 10th. Councilwoman Shutzer offered support and appreciation to Chief Roberts for the all of the law enforcement officers and what they do everyday.

Councilman Kane thanked everyone for coming to the meeting. He reported the Olde Freehold Day Committee is a great committee. Olde Freehold Day started in 1976 and the idea behind it was to take the entire community, bring them together and engage in with each other. Some Freehold High School classes even have class reunions there. Councilman Kane stated Lee Deedmeyer and his high school band reunited and played for the first time in 40 years. He thanked co-chairs; Judi Guy and Billy Anderson and the entire committee on a spectacular day. It was a tremendous day.

Councilman Griffiths congratulated everyone involved in Olde Freehold Day. The Human Relations Committee will be running Senior Appreciation Day downtown with lots of vendors and entertainment. There will be a service commemorating the 15th anniversary of 9/11 on September 11th at 6:00 PM in front of Borough Hall. It is vital that we remember that date and all those that paid the supreme price on that date.

Council President Sims thanked everyone for attending and wished everyone the best for the remainder of the summer.

Council President Sims called for a motion to adjourn.

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

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

The meeting was adjourned at 7:20 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:lc