

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, February 6, 2017 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 Sims 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
PRESENT	COUNCILMAN JAYE SIMS

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

“Approval of Minutes: Reorganization Meeting January 7, 2017 and Council Meeting January 17, 2017.”

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

On roll call Council Members DiBenedetto, Griffiths, Kane, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain Kane (1/17), absent none. Mayor Higgins declared the motion adopted.

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

“Second Reading and Public Hearing: Ordinance #2017/1 Amending Chapter 15 (Building and Construction), Sections 15.08.010, .030, .040, .050 (Construction Permit Fees) of the Revised General Ordinances of the Borough of Freehold.”

Mayor Higgins opened the meeting to the public.

There were no comments.

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

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.

Councilman Griffiths 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 an Ordinance entitled “ORDINANCE #2017/1 AMENDING CHAPTER 15 (BUILDING AND CONSTRUCTION), SECTIONS 15.08.010, .030, .040, .050 (CONSTRUCTION PERMIT FEES) OF REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD” be, and same is hereby approved on second reading.

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:

“Second Reading and Public Hearing: Ordinance #2017/2 of the Borough of Freehold, County of Monmouth, State of New Jersey, Amending Chapter 8.56 (Board of Health Regulations), and Rescinding Chapter 8.68 (Feeding of Unconfined Wildlife).”

Mayor Higgins opened the meeting to the public.

There were no comments.

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

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.

Councilman Sims 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 #2017/2 OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING CHAPTER 8.56 (BOARD OF HEALTH REGULATIONS), AND RESCINDING CHAPTER 8.68 (FEEDING OF UNCONFINED WILDLIFE)” be, and same is hereby approved on second reading.

Councilman Sims reported this ordinance clarifies the type of wildlife residents are able to feed and which types are prohibited.

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:

“Second Reading and Public Hearing: Bond Ordinance #2017/3 Providing for the Design and Construction of New Water Well No. 10, Appropriating \$1,350,000 Therefor and Authorizing the Issuance of \$1,300,000 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.”

Mayor Higgins opened the meeting to the public.

There were no comments.

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.

Councilman Schnurr 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 #2017/3 PROVIDING FOR THE DESIGN AND CONSTRUCTION OF NEW WATER WELL NO. 10, APPROPRIATING \$1,350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$1,350,000 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 second reading.

Councilman Schnurr reported this will ensure adequate water supply to the town moving forward.

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:

“Introduction of and Authorization to Publish Revised Ordinance #2017/4 of the Borough of Freehold, County of Monmouth, State of New Jersey to Regulate and Enforce Towing, Road Service and Storage of Private Vehicles in 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 “REVISED ORDINANCE #2017/4 OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO REGULATE AND ENFORCE TOWING, ROAD SERVICE AND STORAGE OF PRIVATE VEHICLES IN 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 shall be further considered for final passage after public hearing at a meeting held on February 21, 2017 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 stated the revisions clarify language the tow operators found confusing and where possible, made the rates for storage and towing the same as Freehold Township.

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 a Reduction in Performance Guarantee for On-Site Improvements made to the Property Known as Block 69, Lots 3, 4 and 5 (Freehold Area Habitat for Humanity).”

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

RESOLUTION AUTHORIZING A REDUCTION IN PERFORMANCE GUARANTEE FOR ON-SITE IMPROVEMENTS MADE TO THE PROPERTY KNOWN AS BLOCK 69, LOTS 3, 4 AND 5 (FREEHOLD AREA HABITAT FOR HUMANITY).

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 Borough of Freehold, County of Monmouth, State of New Jersey, Amending Temporary Appropriations for 2017.”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, AMENDING TEMPORARY APPROPRIATIONS FOR 2017.

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 of the Borough of Freehold, County of Monmouth and State of New Jersey Cancelling Tax Charges Regarding Block 84 Lot 65.08 – 81 Orchard St, Freehold, NJ.”

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

RESOLUTION OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY CANCELLING TAX CHARGES REGARDING BLOCK 84 LOT 65.08 – 81 ORCHARD ST, FREEHOLD, NJ.

Councilman Schnurr stated the total amount is \$156.66 for an unused portion of land.

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. Resignation of Michael T. Smith as Patrol Officer, Freehold Borough Police Department, effective January 18, 2017.**
- b. Appointment of William Anderson as a Member of the Municipal Alliance to Prevent Substance Abuse for a Term to Expire December 31, 2017, effective February 6, 2017.**
- c. Appointment of Evan Ciok as a member of the Freehold Fire Department’s Junior Firefighter Program, effective February 6, 2017.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS NOS. 12A – 12C.

Councilwoman Shutzer thanked Councilman Sims for the nomination of William Anderson to the Alliance. She stated he will be an asset to the committee. Councilwoman Shutzer reported Evan Ciok, has been involved in the Youth Government and it is not surprising he wants to find another way to serve the community.

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. Raffle License #4-17, Monmouth County Sherriff’s Officers PBA Local 314 Civic Association, Inc., Off-Premise Raffle, 7/26/17, 12:30 PM, 71 Monument St.
- b. Raffle License #5-17 & #6-17, Freehold Boro Music Parents Association, On Premise Draw Raffle, 3/2/17, 6:00 PM – 12:00 AM, 618 Park Avenue.
- c. Misc. License, Sal Aversano, Musician, playing guitar in front of the Freehold Borough Library (28 ½ West Main Street), April – October, Friday-Sunday, 10:00 AM to 7:30 PM & on the walkway in the Market Yard Parking Lot (between the Court Jester and American Hotel), April – October, Sunday – Thursday, 1:00 PM – 7:30 PM and Friday-Saturday, 10:00 AM – 10:30 PM.
- d. Juke Box License, American Legion Post 54, 62 West Main Street.
- e. Amusement Game Machine License, Pool Table, American Legion Post 54, 63 West Main Street.
- f. Massage Establishment License, Joann Kostyk, 90 West Main Street, #9.
- g. Denial of Precious Metal License, Buy N Sell, Inc., 14 West Main Street
- h. Precious Metal License, Cellwave, 10 W. Main Street.
- i. Precious Metal License, Joyeria Latina MP, LLC, 19 South Street.
- j. Permanent Taxi Driver License, Michael C. Wilson, Freehold.
- k. Temporary Taxi Driver License, Miguel Dinten, Manalapan.
- l. Temporary Taxi Driver License, Sergio Perez-Cuatelatl, Freehold.
- m. Temporary Taxi Driver License, Bernabe Pantoja, Freehold.
- n. Temporary Taxi Driver License, Charles Julius Laing, Toms River.
- o. Temporary Taxi Driver License, Jahswill Obinna Okorom, Freehold.
- p. Temporary Taxi Driver License, George Alma, Howell.
- q. Temporary Taxi Driver License, Harold W. Ribon, Middletown.
- r. Temporary Taxi Driver License, Patricio Idrovo, Freehold.
- s. Temporary Taxi Driver License, Maxima Phillips, Freehold.”

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

RESOLUTION APPROVING APPLICATIONS NOS. 13A – 13S.

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 \$2,266,312.58 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:

“Public Comments”

Mr. William Madden, 10 Vrendenburgh Avenue and Freehold First Aid Trustee, announced the squad answered 4,112 calls in 2016 with a total 24,348 volunteer hours for the year. Mr. Madden stated he is amazed at what the squad accomplishes. Last year 18,000 letters were sent out for the annual fund drive and received approximately 1,800 back with donations total \$112,000. Mr. Madden stated it takes \$300,000 annually just to meet expenses. He asked everyone to spread the word the squad needs assistance in both man hours and donations.

Councilwoman Shutzer made a motion to close Public Comments, seconded by Councilman Sims.

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. 17 on the Agenda as follows:

“Council Comments.”

Councilman Sims announced the passing of former Freehold High School Principal Charles Figg. Councilman Sims offered his condolences to the Woolford Family. Daffy Woolford passed away over the weekend.

Councilman DiBenedetto offered his deepest sympathy to the Woolford family and thanked everyone for attending tonight’s meeting.

Councilwoman Shutzer announced water meters must be replaced immediately. If the meter is not replaced, water will not be accessible to that location. Councilwoman Shutzer stated there is Health Coalition studying the health needs of the Greater Freehold area. The Coalition is meeting with different groups within the Freehold area. She reported on Thursday, February 16th at 10:00 AM at Hudson Manor, the Coalition will meet with any senior citizen from the Borough who would be interested in answering a few questions. Councilwoman Shutzer announced she has the senior bus schedule and highlighted there will be no senior bus on Monday, February 20th, President’s Day. If any senior is in need of bussing, call the number on the schedule and prearrange transportation.

Councilman Kane thanked everyone for attending the meeting. Councilman Kane thanked Mr. Madden and the Freehold First Aid Squad for the tremendous job they do.

Councilman Griffiths thanked the Freehold First Aid Squad on the great job they do. Councilman Griffiths stated if anyone wants a shade tree planted between the sidewalk and their home to please let The Shade Tree Commission know by calling Borough Hall. Plantings will start in the spring and over 100 trees will be planted. These are trees that will not uproot sidewalks or interfere with utility lines. Councilman Griffiths stated the trees are smaller and prettier. He added the urban canopy is being redone with the right tree in the right place.

Councilman Schnurr reported the Memorial Day Parade Committee is having a Fundraiser at Fireside Restaurant on Tuesday, February 21st. Councilman Schnurr announced the Library newsletter is available. The Library will hold programs for school age children on February 7-9 in the afternoon. The Sky’s the Limit program coincides with the Freehold Borough public schools early dismissal schedule. Councilman Schnurr announced Saturday, February 11th from 11:00AM – 2:30 PM the Knights of Columbus will hold their annual Kids Day Event. He stated kids can complete crafts from Home Depot, watch a magic show and other activities for free. The Knights of Columbus will hold their monthly breakfast the following day on February 12th.

Mayor Higgins called for a motion to enter into executive session.

Councilman Sims offered the following Resolution, seconded by Councilwoman Shutzer:

RESOLUTION TO MOVE INTO EXECUTIVE SESSION TO DISCUSS TO DISCUSS
PERSONNEL MATTERS.

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 7:31 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:lc