

The Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, March 20, 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 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 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: Supplemental Minutes, Executive Session and Council Meeting March 6, 2017.”

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

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

“Introduction of and Authorization to Publish Ordinance #2017/5 of the Borough of Freehold, County of Monmouth, State of New Jersey to Exceed the Municipal Budget Appropriation Limits and to Establish a Cap Bank (N.J.S.A. 40A:4-45.14).”

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 #2017/5 OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK (N.J.S.A. 40A:4045.14)” 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 April 3, 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.

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:

“Introduction of the 2017 Municipal Budget Notice for the Borough of Freehold Establishing the Date for Public Hearing and Authorizing Publication of Required Notices.”

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

INTRODUCTION OF THE 2017 MUNICIPAL BUDGET NOTICE FOR THE BOROUGH OF FREEHOLD ESTABLISHING THE DATE FOR THE PUBLIC HEARING AND AUTHORIZING PUBLICATION OF REQUIRED NOTICES.

Councilman Schnurr reported the public hearing is scheduled for May 1, 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. 7 on the Agenda as follows:

“Resolution Authorizing the Transfer of Appropriations in the Fiscal Year 2016 Budget. (Current Fund & Water-Sewer Utility Operating Fund).”

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

RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS IN THE FISCAL YEAR 2016 BUDGET. (CURRENT FUND & WATER-SEWER UTILITY OPERATING FUND).

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 Authorizing the Transfer of Appropriations in the Fiscal Year 2016 Budget. (Police – S&W to Contribution to Accumulated Absences).”

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

RESOLUTION AUTHORIZING TRANSFER OF APPROPRIATIONS IN THE FISCAL YEAR 2016 BUDGET. (POLICE – S&W TO CONTRIBUTION TO ACCUMULATED ABSENCES).

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 the Transfer of Appropriations in the Fiscal Year 2017 Budget. (Road Repair & Maintenance, S&W and Other Expenses to Reserve for Storm Recovery Trust).”

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

RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS IN THE FISCAL YEAR 2017 BUDGET. (ROAD REPAIR & MAINTENANCE, S&W AND OTHER EXPENSES TO RESERVE FOR STORM RECOVERY TRUST).

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 Councilwoman Shutzer:

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 Mayor and Council of the Borough of Freehold Honoring Daniel M. Garcia.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING DANIEL M. GARCIA.

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 of the Mayor and Council of the Borough of Freehold Honoring Lillie Ham Hendry President Emeritus of the Court Street School Education Community Center.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING LILLIE HAM HENDRY PRESIDENT EMERITUS OF THE COURT STREET SCHOOL EDUCATION COMMUNITY CENTER.

Councilwoman Shutzer reported she, Mayor Higgins and Councilman Griffiths honored Ms. Lillie Saturday, March 18th at the installation of the new officers. She stated it was a lovely affair. Councilwoman Shutzer added Chief Roberts and Sgt. Santana were also in attendance.

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 Authorizing Professional Engineering Services with Abbington Engineering for Emergency Generator Project.”

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

RESOLUTION AUTHORIZING PROFESSIONAL ENGINEERING SERVICES WITH ABBINGTON ENGINEERING FOR EMERGENCY GENERATOR PROJECT.

Councilman DiBenedetto reported this is an amendment to site improvements on Birch Drive pumping station.

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:

“Resolution of the Mayor and Council of the Borough of Freehold Granting Permission to Verizon Wireless to Locate and Operate in the Right-of-Way in the Borough of Freehold by Attaching to Existing and New Utility Poles.”

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 GRANTING PERMISSIN TO VERIZON WIERLESS TO LOCATE AND OPERATE IN THE RIGHT-OF-WAY IN THE BOROUGH OF FREEHOLD BY ATTACHING TO EXISTING AND NEW UTILITY POLES.

Councilman Schnurr reported this allows Verizon to install boxes on utility poles to provide service to their customers.

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:

“Resolution Authorizing a Shared Services Agreement with the Township of Freehold for Code Enforcement, Building Inspection and Plan Review Services.”

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

RESOLUTION AUTHORIZING A SHARED SERVICES AGREEMENT WITH THE TOWNSHIP OF FREEHOLD FOR CODE ENFORCEMENT, BUILDING INSPECTION AND PLAN REVIEW SERVICES.

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. 16 on the Agenda as follows:

“Resolution Authorizing License Agreement with FR Park Racing, LP RE: 2017 Fireworks Display.”

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

RESOLUTION AUTHORIZING LICENSE AGREEMENT WITH FR PARK RACING,
LP RE: 2017 FIREWORKS DISPLAY.

Councilman DiBenedetto reported the fireworks display will be on July 2nd with a rain date of July 9th.

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:

“Resolution Approving the Mayor’s Nomination for Appointment to the Memorial Day Parade Committee:

- a. Karen Ketcham – term expires December 31, 2017.”**

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

RESOLUTION APPROVING THE MAYOR’S NOMINATION FOR APPOINTMENT
TO THE MEMORIAL DAY PARADE COMMITTEE: 17A.

Councilman Schnurr reported the Memorial Day Parade Committee has been operating without a Treasurer. He stated Ms. Ketcham will fill the Treasurer roll.

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:

“Resolution Confirming the Following Personnel Appointments/Actions.”

- a. Appointment of Jeanne Vigeant as Substitute School Crossing Guard, Freehold Police Department, pending successful completion of pre-employment testing, effective March 20, 2017.**

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

**RESOLUTION CONFIRMING THE FOLLOWING PERSONNEL
APPOINTMENTS/ACTIONS: 18A.**

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. 19 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. **Memorializing St. Patrick’s Day Parade License, Freehold Borough Arts Council, 3/12/17, beginning at Borough Hall down Main Street to the Hall of Records, 12:00 PM – 12:30 PM.**
- b. **Raffle License #9-17, Freehold Jewish Center, Casino Night, 4/29/17, 7:00 PM – 12:00 AM.**
- c. **Raffle License #10-17, St. Rose of Lima Sports Association, Year Round Pull Tab, 4/1/17 to 3/31/18.**
- d. **Raffle License #11-17, Park Avenue Elementary PTO, Basket Raffle/Gift Auction, 4/29/17, 6:00 PM – 11:00 PM.**
- e. **Vendor License, Maria Sacramento, Jazmin Ice Cream, Monday through Sunday, 10:00 AM - 9:00 PM.**
- f. **Vendor License, Francisco DeJesus, Mayra’s Ice Cream, Monday through Saturday, 1:00 PM – 8:00 PM.**
- g. **Vendor License, Mayra Maduro Rosario, Snoopy’s Ice Cream, Monday through Saturday, 1:00 PM – 8:00 PM.**
- h. **Canning License, Freehold Borough Youth Government, 3/26/17 & 4/2/17, 11:00 AM – 3:00 PM at the intersection of Main and South Street.**
- i. **Parade License, Freehold Borough Little League Opening Day, 4/8/17, beginning at the Freehold Fire House to the Little League Complex, 9:00 AM – 10:00 AM. (Rain date: 4/9/17)**
- j. **Sidewalk Café License, Oyako Tso’s, 6 West Main Street.**
- k. **Sidewalk Café License, Federici’s Restaurant, 14 East Main Street.**
- l. **Sidewalk Café License, Court Jester, 16 East Main Street.**
- m. **Sidewalk Café License, Aarzu Indian Bistro, 30 East Main Street.**
- n. **Temporary Taxi Driver License, Boris Knopov, Monroe.**
- o. **Temporary Taxi Driver License, Victoria Aguilar, Freehold.**
- p. **Temporary Taxi Driver License, Leonel Zaavendra Gil, Freehold.**
- q. **Permanent Taxi Driver License, Frank Ciccone, Colts Neck.”**

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

RESOLUTION APPROVING APPLICATION NOS. 19A – 19Q.

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

Mayor Higgins read Item No. 20 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 \$364,560.02 be paid as presented.

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

Mayor Higgins read Item No. 21 on the Agenda as follows:

“Clerk – Late Communications.”

There were none.

Mayor Higgins read Item No. 22 on the Agenda as follows:

“Public Comments”

Mr. Robert Hubela, 46 Schiverea Avenue, detailed a sewer issue he is having. He has seven clean outs and an ejector pump which pumps diagonally to the apron and goes 350 feet up the street before turning right and going back into the sewer. Mr. Hubela presented a diagram to Mayor and Council showing the sewer path. He called Roto-Rooter, who cleared the clog and inserted a camera into the line to ensure the line is clear. Mr. Hubela stated he was informed by Roto-Rooter the pitch is going the wrong way, and there are waves in the pipeline that collect matter.

Mr. Hubela presented receipts showing the thousands of dollars spent on trying to fix this problem. He feels the Borough should be responsible and would appreciate any help in this matter. Mr. Hubela stated the design is flawed and antiquated. He added he has only owned the property for 18 months. Mr. Hubela was informed by a tenant that a hub cap blew off this morning and he will have to call Roto-Rooter to come back again after they were there over the weekend. Water is spewing out of the clean-up caps into his neighbor’s driveway. Mr. Hubela asked if the Borough could assist him in obtaining a more direct line and hopes it can be fixed prior to any scheduled maintenance to Schiverea Ave.

Borough Administrator, Joseph Bellina asked if Mr. Hubela could meet with him during the day. He stated the engineers are finishing the design on the roadway. If there is anything the Borough could do, it should be incorporated into construction drawings of the roadway construction. Mr. Bellina or the engineer will be in contact in the next few days.

Mr. Hubela thanked everyone for their time and patience.

Mr. Reimer Leuth, One Ann Street, expressed his concern for the car dealers that continue to race their cars up Ann Street. He stated he has called the police and informed Mayor and Council in the past. Mr. Leuth stated the cars are from several dealers and they are speeding down neighboring streets as well. He explained there are no sidewalks on Ann Street, which forces residents to walk in the street and he is very concerned for all of the children that walk down the street.

Chief Roberts stated he will put the radar trailer there and have officers enforce radar on the street. Chief Roberts added the dealerships have been spoken to in the past and he will speak to them again.

Councilwoman Shutzer made a motion to close public portion, seconded by Councilman Griffiths.

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. 23 on the Agenda as follows:

“Council Comments.”

Councilman Sims had no comments.

Councilman DiBenedetto thanked everyone for attending the meeting.

Councilwoman Shutzer reported the Seniors Meeting scheduled for Tuesday has been cancelled because there is a group traveling to Newark regarding the school funding issue. Councilwoman Shutzer congratulated the Innovation Committee on the excellent work being done on the Participatory Budgeting. She stated she attended a town hall meeting and was impressed with the presentation and ideas expressed. Councilwoman Shutzer thanked the Freehold Borough Arts Council for a wonderful St. Patrick’s Day Parade. It was a great event that grows each year. Councilwoman Shutzer reported she attended a recent Office of Emergency Management Meeting and was very impressed with the department heads and level of preparation they exhibited for the recent storm.

Councilman Kane thanked everyone for attending and reminded everyone to get a free ice at Rita’s for the first day of spring.

Councilman Griffiths reported the Human Relations Committee is working on a beautification program in coordination with the Mayor's cleanup program the week before Memorial Day. Councilman Griffiths stated the Shade Tree Commission will be planting 175-200 new trees in the Borough in the spring through a grant the Borough received. The commission has worked with a certified forester to ensure the plantings will be the right trees in the right place. Councilman Griffiths hopes the new plantings will reinvigorate the town's urban canopy. Councilman Griffiths reported the Participatory Budgeting has held two town halls and received some great project ideas and anticipates more to be presented. Councilman Griffiths explained the program and stressed it will not increase the budget or taxes.

Councilman Schnurr reported the Memorial Day Parade Committee will hold a fundraiser at Perkins on Tuesday, March 21st. Councilman Schnurr reported a meeting was held with veteran groups to discuss adding a marker to Elks Point for Colonel Nathaniel Scudder, who was killed in the Revolutionary War and Sergeant Milton Jackson who was killed in WWII. Both of those names were accepted. Councilman Schnurr congratulated Lillie Hendry on her recent honor at the Court Street School Education Community Center and fondly remembered their time together on the Planning Board. Councilman Schnurr reported Downtown Freehold passed a resolution stating their acceptance of the TAP Program.

Mayor Higgins called for a motion to adjourn.

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

MOTION TO ADJOURN.

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 7:30 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:lc