

The Meeting of the Mayor and Council of the Borough of Freehold was held on Tuesday, September 8, 2020 at 7:00 p.m. in the Municipal Building.

Mayor Kane 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).

Chief Dispenza opened the meeting with the Salute to the Flag, followed by a moment of silence in memory of Marian Higgins, mother of Borough Attorney Kerry Higgins; Robert Lithgow, Borough employee; John Mulholland, spouse of Librarian Kathy Mulholland and the daughter of Police Officer Pat Healey.

ROLL CALL

PRESENT	MAYOR KEVIN KANE
ABSENT	COUNCILMAN MICHAEL DIBENEDETTO
PRESENT	COUNCILWOMAN ANNETTE JORDAN
PRESENT	COUNCILMAN ADAM REICH
PRESENT	COUNCILWOMAN MARGARET ROGERS
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER

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

“Approval of Minutes: Council Meeting August 3, 2020.”

Councilwoman Rogers offered a motion to accept the minutes and was seconded by Councilman Reich.

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

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

“Proclamation of the Mayor and Council of the Borough of Freehold Declaring the Month of September as Hunger Action Month in the Borough of Freehold.”

Mayor Kane read the Proclamation and introduced Jim Kroeze, COO of Fulfill.

Councilwoman Shutzer described her personal experience with Fulfill and all the meals that were provided to residents during the pandemic. She thanked Fulfill for their continued efforts in Freehold.

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

“Second Reading and Public Hearing: Ordinance #2020/13 Amending in Part

Ordinance No. 2019/12 Fixing and Determining Salaries of Certain Officers, Positions and Employees of the Borough of Freehold.”

Mayor Kane opened the meeting to the public.

There were no comments.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled “ORDINANCE #2020/13 AMENDING IN PART ORDINANCE NO. 2019/12 FIXING AND DETERMINING SALARIES OF CERTAIN OFFICERS, POSITIONS AND EMPLOYEES OF THE BOROUGH OF FREEHOLD,” be and same is hereby adopted on second reading.

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

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

“Introduction of and Authorization to Publish Bond Ordinance #2020/14 Providing for the Acquisition and Retrofitting of Real Property, Appropriating \$5,000,000 Therefor and Authorizing the Issuance of \$4,760,000 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.”

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that a Bond Ordinance entitled “BOND ORDINANCE #2020/14 PROVIDING FOR THE ACQUISITION AND RETROFITTING OF REAL PROPERTY, APPROPRIATING \$5,000,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$4,760,000 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 fist 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 September 21, 2020 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 explained the benefits of purchasing 30 Mechanic Street, including consolidating all Borough Offices and Departments. He stated this allows the municipality to sell 51 West Main Street, a parking lot on Jackson Street and discontinue paying rent for the Police Department and Municipal Court.

Councilwoman Shutzer added the current Municipal Building is need of much repair, the municipality has outgrown the building and there is not adequate parking. She explained it is not adequately handicapped accessible. She stated this is the economical thing to do for Freehold Borough.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

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

“Public Hearing: Monmouth County Municipal Open Space Grant Application – Liberty Park Improvement Project.”

Stephen Gallo, Business Administrator, explained the basketball courts at Liberty Street Park were approved to be rehabilitated through the Participatory Budget Program. Mr. Gallo stated the County Open Space Program offers grants and requires a fund match. He explained the funds already approved for the basketball courts could be the required match and the additional grant money from the county would allow for more areas of the park to be rehabilitated. Mr. Gallo sited the positive results of Veterans Park which was renovating using the Monmouth County Open Space Program. Mr. Gallo explained the plans at Liberty Street Park would be updating the basketball courts, rehabilitate the shelter, provide parking lot, rehabilitate a walking trail around the perimeter of the park, install workout stations and install benches and tables. Mr. Gallo stated the goal is to update the entire park.

Mayor Kane opened the meeting to public comments.

Ms. Ronata Brand, 6 Diana Lane, asked what is the cost and how the cost is determined.

Mr. Gallo stated the initial cost of the basketball courts is approximately \$100,000. He explained the county offers grants of up to \$250,000. He stated they will seek the \$250,000 from the county and match that amount with the approved \$100,000 and seek \$150,000 in additional grant funding. If grants cannot be secured, the remainder of the funds will be through public money.

Councilman Schnurr stated residents in the Rug Mill Towers and Briarwood Condominiums have stated there is no access to the park except through breaks in the fence. Councilman Schnurr asked if that is something that can be addressed in the rehabilitation plan.

Mr. Gallo stated that is something that will be looked into.

Mayor Kane stated there is also preliminary discussion with the county to make further enhancements.

Mayor Kane read Item No. 9 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Authorizing the Submission of the Monmouth County Municipal Open Space Grant Application for Liberty Park Improvements Project.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD AUTHORIZING THE SUBMISSION OF THE MONMOUTH COUNTY MUNICIPAL OPEN SPACE GRANT APPLICATION FOR LIBERTY PARK IMPROVEMENTS PROJECT.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

Mayor Kane read Item No. 10 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Elisa Fuentes on the Occasion of Her Achieving the Girl Scouts Gold Award.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING JOSEPH DANIEL SCHANDALL AND ROBERT J LOMBARDI ON THE OCCASION OF THEIR ATTAINMENT OF THE RANK OF EAGLE SCOUT.

Councilwoman Rogers detailed Ms. Fuentes’ Gold Project in providing relief bags to the people of Puerto Rico after a recent hurricane and congratulated her on her award and continued involvement with Girl Scouts despite having aged out.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion

adopted.

Mayor Kane read Item No. 11 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Joseph Daniel Schandall and Robert J Lombardi on the Occasion of Their Attainment of the Rank of Eagle Scout.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING JOSEPH DANIEL SCHANDALL AND ROBERT J LOMBARDI ON THE OCCASION OF THEIR ATTAINMENT OF THE RANK OF EAGLE SCOUT.

Councilman Schnurr detailed the two Eagle Scout projects which were done at the Scout's former elementary schools. He stated another scout is hoping to complete is Eagle Scout requirements at the American Legion.

Councilwoman Jordan stated there is another Eagle Scout Project being completed at the Library.

Councilwoman Shutzer added the need for safety shades on school doors which was Mr. Schandall's Eagle Scout Project.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

Mayor Kane read Item No. 12 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Approving Change Order No. 1 for the Roadway Improvements for Bannard Street.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY APPROVING CHANGE ORDER NO. 1 FOR THE ROADWAY IMPROVEMENTS FOR BANNARD STREET.

Councilman Schnurr stated the change order is in the amount of \$50,211.48 to Seacoast Construction.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its

adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

Mayor Kane read Item No. 13 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Approving Final Payment for the Roadway Improvements for Bannard Street.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY APPROVING FINAL PAYMENT FOR THE ROADWAY IMPROVEMENTS FOR BANNARD STREET.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

Mayor Kane read Item No. 14 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey Approving Change Order No. 1. For Little League Lighting.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, NEW JERSEY APPROVING CHANGE ORDER NO. 1. FOR LITTLE LEAGUE LIGHTING.

Councilwoman Jordan explained the cost of the project was less than anticipated, therefore an additional \$2,000 will be returned.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

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

“Resolution Confirming Personnel Actions/Appointments:

- a. **Resignation of James W. Martin as a Laborer, Department of Public Works, effective September 4, 2020.”**

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

RESOLUTION CONFIRMING PERSONNEL APPOINTMENTS/ACTIONS: 15A.

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

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

“Resolution Approving the Following Applications:

- a. **Canning Application, Knights of Columbus Council 1672, 9/19/20, 9:00 AM to 1:00 PM at the intersection of East Main St/Center St/Spring St/Broadway and the intersection of Main St and South St.”**

Councilman Reich offered the following Resolution and moved its adoption, seconded by Councilwoman Rogers:

RESOLUTION APPROVING THE FOLLOWING APPLICATIONS: 16A.

Councilman Reich stated it is great fundraising opportunity for the Knights of Columbus and encouraged residents to drop in change from their cars.

On roll call, Council Members Jordan, Reich, Rogers and Shutzer voted its adoption: opposed none; abstain Schnurr; absent DiBenedetto. Mayor Kane declared the motion adopted.

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

“Approval of Bills.”

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

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$3,476,128.19 be paid as presented.

Councilman Schnurr noted the top bills:

1. \$933,884 – Freehold Borough Board of Education
2. \$718,320 – MRRSA
3. \$354,072 – Freehold Regional High School
4. \$327,695 – Payroll
5. \$314,867 – Payroll
6. \$206,140 – Coppola Services – Water Plant Construction

On roll call Council Members Reich, Rogers, Schnurr and Shutzer voted its adoption; opposed none; abstain Jordan (#01820); absent DiBenedetto. Mayor Kane declared the motion adopted.

Mayor Kane read Item No. 18 on the Agenda as follows:

“Clerk – Late Communications.”

There were none.

Mayor Kane read item No. 19 on the Agenda as follows:

“Items for Discussion:

a. Possible CORE Redevelopment Review Fee/Escrow and Technical Review Meeting Fee.

Business Administrator, Steve Gallo stated currently there is no source for paying professionals. He proposed the establishment of an escrow system for technical review meetings as well anything that comes before the Council acting as the Redevelopment Agency. Mr. Gallo stated he is seeking an Ordinance requiring escrow accounts be established for those two processes.

Councilman Schnurr asked if the costs could be recouped when the applicant comes before the Planning Board.

Borough Attorney, Kerry Higgins responded no. She added not all applications get to or are required to go to the Planning Board. She stated there should be an application fee and an escrow fee as the Borough Engineer reviews every application.

Councilman Schnurr asked what the fees might be.

Ms. Higgins stated it is up to the governing body but escrow could be between \$200 or \$500.

Mr. Gallo stated fees have to be within arm’s length of the actual cost. He stated additional money may be asked for depending on how technical the application is and how much time the professionals invest.

Ms. Higgins explained the Technical Review done at Planning Board and how this is different.

Mayor Kane stated it makes sense and the tax payers should not pay for legal and engineering expertise. He asked Mr. Gallo to move ahead with that.

b. Government Energy Aggregation.

Mr. Gallo reported the subcommittee met with members of Sustainable Jersey who gave a presentation on the process and then met with the liaison from South Orange Village Trustee Walter Clark, which is part of the Essex RGEA.

Councilman Schnurr, chairman of the subcommittee, explained how municipalities can

work together to get electricity from a third party provider to get energy more economically. He stated Red Bank is the lead municipality and feels it is something that should be looked at. He did state the town could drop out at any time if they did not like what was presented.

Mr. Gallo stated South Orange reported a 10% savings in their service and doubled the amount of renewable energy. He added this is just one way greenhouse gases can be reduced and the town can receive points from Sustainable Jersey. Mr. Gallo stated any savings is a good savings. He stated a consultant will be brought in to present to the governing body and residents, provide mailings and field questions that arise.

Councilwoman Jordan stated she was initially hesitant, but after talking to different sources she feels this is positive in not only saving the residents money, but also decreasing the carbon footprint. She stated she would like to move forward and make sure there is enough education for the residents.

Councilman Schnurr stated the program is contracted for a specific time and the contract does not need to be renewed if the new bid is not acceptable.

Mr. Gallo stated citizens can opt out at any time as well.

Councilwoman Rogers stated the service will be transparent to the residents. She stated South Orange had a robust communication process which makes it easier to get the information out to everyone. Councilwoman Rogers explained it will not be done unless it is a good savings for the community.

Councilwoman Shutzer stated she is still opposed to it, because although she is favor of saving money and reducing the carbon footprint, she does not like the fact that residents are automatically enrolled and have to opt out if they wish to not participate.

Councilman Schnurr agreed it is tough getting information to residents, especially during these troubling times. He feels it is something that should be pursued.

Councilman Reich stated it is a great program and we should start getting information out. He added the marketing campaign needs to be strong to reach as many people as possible.

Mayor Kane stated this creates value for the town and increasing property values. He agreed its worth looking into and thanked everyone involved on the subcommittee.

Mr. Gallo reported the next steps is passing a Resolution and name Red Bank as the lead agency of the consortium. He stated the towns currently committed are Bradley Beach, Red Bank, Asbury Park, Shrewsbury and Tinton Falls is considering joining.

Mayor Kane read Item No. 20 on the Agenda as follows:

“Public Comments.”

Christine Gregory, West George Street, thanked everyone for having in person meetings.

She thanked the mayor for all his robo-calls and keeping the residents informed. She thanked Councilwoman Jordan for reaching out to her and following up with an incident in her neighborhood. Ms. George thanked the Clerk's Office for getting her information and Dominica Napolitano for letting her know about the COVID tests. Ms. Gregory expressed concern with the amount of litter on the streets and the people riding bikes on the sidewalk. She asked if there could be a police foot patrol to monitor the streets. She asked if the signs can be placed in the crosswalks to remind drivers to stop for pedestrians.

Chief Dispenza responded they tend to cause more of a hazard and are a problem when the streets have to be plowed.

Ronata Brand, 6 Diana Lane had questions regarding her recycling and voting locations. It was explained to her that she needed to contact her town, Freehold Township.

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

On roll call, Council Members Jordan, Reich, Rogers, Schnurr and Shutzer voted its adoption: opposed none; abstain none; absent DiBenedetto. Mayor Kane declared the motion adopted.

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

“Council Comments.”

Councilwoman Jordan reported there are twenty approved projects for the Participatory Budget and voting will take place in November with the winners being announced on November 20th. Councilwoman Jordan offered her condolences to Kathy Mulholland, she announced the library newsletter is out and to please visit the restaurants downtown. She announced Freehold Raceway Mall is kicking off their Feed a Million campaign, to help feed Freehold. She announced the Recreation Committee is providing exercise videos to keep people moving.

Councilman Reich stated it was great to see everyone in person. He announced the Historic Preservation Committee completed a survey on properties which categorizes buildings in the Core Redevelopment area and can be used by developers and the public. He encouraged everyone to support our downtown businesses and restaurants and reminded everyone to use masks and adhere to all distancing regulations. He wished everyone returning to school good luck.

Councilwoman Rogers stated she is happy to be back. She announced the Court Street School will be hosting a Friends and Family BBQ on 9/26 which will include Census assistance. She thanked the DPW for all of their help during the last storm. Councilwoman Rogers announced the next Shade Tree meeting will be 9/17. She wished everyone well.

Councilman Schnurr offered condolences to the families who lost loved ones. He announced the 2020 budget status reflects Municipal Court and Uniformed Construction Code Fees being down, as expected. Councilman Schnurr praised Millennium Strategies for their

grant work. He thanked the Historic Preservation Committee for their informative survey and said it was very well done and should be distributed to Planning Board applicants. Councilman Schnurr reported the Freehold Borough Education Foundation is meeting virtually. He recognized Mayor Kane and Administrator Gallo on their leadership during COVID and the recent storm which caused a lot of damage.

Councilwoman Shutzer reported the senior bus is running and appointments must be scheduled. She stated she was appalled by JCP&L's response to the recent storm and it is being addressed. Councilwoman Shutzer offered condolences to the Higgins, Lithgow, Mulholland and Healey families. She announced the Farmers Market will take place Friday. She congratulated the DPW and all Borough employees for their work during the recent storm's aftermath. She stated she is very proud of the Police Department and their response to various situations.

Mayor Kane welcomed everyone back to Borough Hall, but stressed masks are still needed and it's important to keep the numbers down. He thanked Administrator Gallo for his skills and the great job he's done. He also thanked Mike Sweetman and Joe Floudas, as well as the Police Department, for their work during and after the storm. Mayor Kane announced there will be service on 9/11, although it will be scaled down. He congratulated the Participatory Budget Committee for having 23 project submissions. Mayor asked everyone to be well and stay safe.

Councilwoman Shutzer offered a motion to adjourn, seconded by Councilman Schnurr.

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

The meeting was adjourned at 8:20 PM.

Respectfully Submitted,



TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:lc