

**MINUTES FOR THE NOVEMBER 15, 2010 WORKSHOP MEETING
HELD AT 7:00 PM
51 WEST MAIN STREET
FREEHOLD, NJ 07728**

ROLL CALL:

Present: Councilman Michael DiBenedetto, Councilman Kevin Kane, Councilman John Newman, Councilman George Schnurr, Councilwoman Sharon Shutzer and Councilman Jaye Sims.

Absent: Mayor Michael Wilson

Also present were Business Administrator Joseph B. Bellina, Borough Attorney Kerry E. Higgins, Lt. Craig Dispenza and Borough Clerk Traci L. DiBenedetto.

2. PUBLIC COMMENTS

Al Michenfelder, 30 Jackson Street, stated the Racers Club has an award that goes out for the first marking period and this year they have over \$300.00 worth of prizes. He stated they will be meeting at Court Street School from 12:00 – 1:00 PM and invited the council to attend.

Dorothy Wright, 89 Barkalow Avenue, welcomed Councilmen Kane and Sims back.

Bob Taylor, Kiawah Avenue, stated there is a problem in town with people riding their bikes in the dark. They ride with dark clothes on, no lights or reflectors and nothing is being done.

Councilwoman Shutzer responded that we have put out everything we could possibly think of. We offered free vests and conducted a seminar on this.

Lt. Dispenza stated the midnight shift comes off the road at 7:00 AM and he will notify them.

Barbara Oliver, Center Street, welcomed Councilmen Kane and Sims back. Ms. Oliver made a complaint regarding the pedestrians who are not crossing the street at the proper crosswalks. They are walking in between cars and someone is going to get hit.

Kerry Higgins, Borough Attorney, stated that vehicles do have to stop for people in the crosswalk and a non-regulated crosswalk.

Ms. Oliver stated these people are just walking in between cars and you can't see them.

Councilman Schnurr stated one of the things that he stresses to his children, who are young drivers, to be extra vigilant when driving in this community.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

3. ROUTINE TRANSACTIONS-SUPPLEMENTAL AGENDA (See Attachment I).

See the permanent minute book for the minutes and the resolution book for the attachments.

4. FREEHOLD ALLIANCE PRESENTATION. (SEE ATTACHMENT II.)

John McGeehan, Chairman, Freehold Community Alliance to Prevent Alcoholism and Drug Abuse and Margaret B. Jahn, Director, Freehold Community Alliance to Prevent Alcoholism and Drug Abuse gave a presentation regarding the Alliance.

Mr. McGeehan explained that alliance memberships are spelled out by municipal ordinance from the Township and Borough. To qualify for some of the grants which are federal, as well as State, we need to make minor changes in levels of alliance membership. Mr. McGeehan requested that when the Township presents the ordinance to the Borough, they review it and make the same changes to their ordinance. Mr. McGeehan also made mention that there are a good number of members who haven't attended a meeting in a number of years and they are looking to open those positions up for some new bodies. The Township will submit a list of names to be taken off the roster and some suggestions for the governing body to appoint new members.

Ms. Jahn explained the Freehold Alliance started about twenty years ago when the Governor's council had made money available to communities if they wanted to grow their own prevention program. This program is geared towards our youth in both Freehold Township and Freehold Borough. The idea is making the community more aware of potential for substance abuse and also to bring programming to the schools. A couple of years ago we have re-vamped our group. Originally there were 26 members and most members stopped coming. There are grant funds available that pay for the entire amount. A few years ago Freehold Borough and Freehold Township had an agreement to provide counseling services and prevention. The Township has dropped the counseling and is not offering that level of service. Dennis Makarowski no longer works

with that program and Ms. Jahn requested to take the alliance into her department. As the program has re-grouped, they have been able to really connect with many of the schools in the Borough. Ms. Jahn explained the grant requires that there is a cash match. The alliance is a fund raising component. We do a golf outing and various fundraisers and that is the cash match. The only thing we are required to do is 25% in kind contribution. All we are asking from the Borough is to bring your community in and help us raise the money and get people involved. Ms. Jahn stated there will need to be some minor changes to the by-laws and the Borough does need to appoint an assistant vice-chair and the alliance would like to continue to work with the Freehold Borough community.

Council President Sims asked if we still have the SAC counselor from Freehold High School on the committee.

Ms. Jahn replied that there is a SAC at the high school and Freehold Intermediate School.

Mr. McGeehan stated the SAC counselor at the high school is Eva Carella, who is a former alliance coordinator. The counselor at the Intermediate School is working closely with one of our coordinators, Jennifer, on the life skills program with the middle school students. The high schools are very active and the SAC counselors at both high schools merged their clubs in with SADD club. We also just sent four students from the high school away this summer to leadership training.

Mr. Bellina asked Ms. Jahn to send him Freehold Township's ordinance that include the new changes.

Councilman DiBenedetto asked if the alliance has its own by-laws and how many meetings a member is required to attend.

Ms. McGeehan stated if a member were to miss three consecutive meetings without an excuse, they would probably be removed. He stated the alliance does not have any authority to remove anyone. That would have to be the role of the governing body.

Councilwoman Shutzer explained a member who is representing Freehold Borough would fall under our Citizen Service Act.

Mr. Bellina asked when the alliance meets.

Mr. McGeehan stated they meet on the second Wednesday of the month and they alternate between Borough Hall, Township Hall and the two high schools.

Councilwoman Shutzer stated one of the issues for members of the alliance could be that they meet during the day.

Mr. McGeehan stated they seem to get better attendance during the day because the school students were able to participate.

Ms. Jahn stated once we get an established group, we will see what works best for everyone.

5. TREE PLANTING INITIATIVE AND OTHER SHADE TREE ISSUES.

Councilman Schnurr stated on the Shade Tree Commission one of the ways we determine where we are going to plant trees is that residents will call up and say they would like a tree in front of their house. Typically, the funds that are used for the planting of trees come from a State grant. One of the things we are seeing is that there are gaps in the coverage of trees. When our Shade Tree representatives go about town, they notice some streets that have very little tree coverage. One of the things we have discussed is targeting certain streets and send the residents on those streets a letter to see if they would like a tree. If these residents do not want a tree in front of their house, they would just need to let us know by a certain date. That is what this particular tree planting initiative is about. Councilman Schnurr stated he would like the council's opinion on this because it is different than what is being done today.

Councilman Newman stated Fulton Street is a nice tree lined street and it gives a nice appearance when streets look like that. Councilman Newman wanted to make sure we would be getting the permission of the residents.

Councilman Schnurr stated that in front of his house he has three beautiful trees on Park Avenue. In his opinion, the value of his property would probably decrease by \$15,000.00 without those trees there. A tree lined street really makes a neighborhood, although, he can understand residents not wanting a tree in front of their house.

Councilman DiBenedetto questioned the root growing of these trees, especially with the curbs and sidewalks.

Councilman Schnurr stated they have taken a look at the distance between the curb and the sidewalk and there will be appropriate trees planted in those areas. The other issue is if there are wires up above. For example, we are not going to put oak trees underneath the telephone poles and the wires.

Councilman DiBenedetto stated the water/sewer lines should also be taken into consideration.

Mr. Bellina stated a few years ago the Shade Tree Commission prepared a list that addressed the issues of the height of the trees and the roots. There are no guarantees but they have addressed a lot of those issues.

Councilwoman Shutzer explained that several years ago we made a decision that residents, in conjunction with the Shade Tree Commission, could raise the block of the sidewalk and with the permission of the Shade Tree Commission, shave the root.

Councilman Schnurr explained when a homeowner makes a complaint about a tree; a form is filled out at Borough Hall and submitted to the Shade Tree Commission. There are full time employees, such as Pat Ruegger and Dan Megill who are fluent with this process. If the form doesn't get filled out we don't have all of the information we need to facilitate a smooth process. The most cost effective way to manage our trees is to collect information on the trees to be removed or trimmed throughout the course of the year and put the work out to bid in October or November. The contract is usually awarded in November and the trees are trimmed or removed based on budgetary constraints that the council controls starting in January. The reason we do that is because if we did this every time one of these came in and we had a tree removal expert to come in and deal with a tree each time, it would be cost prohibitive. We do it all at once and we get a much better price when you have someone go in and bid on having 30 trees removed rather than one at a time. If someone informs us of a dead tree in front of their house in March, the earliest that tree would be removed is January. In this regard, the Shade Tree Commission in the Borough is no different than any other Shade Tree Commission.

The second misconception is the basis for the trees to be removed is not subjective at all. The Shade Tree Commission was created by ordinance which prescribes the commission scope. It is in accordance with the State of New Jersey's forestry management program. With all of the storms this year, we have heard a lot of the residents who want the trees removed because they think the tree is going to fall on their house. This is not a reason to remove a healthy tree. This is not my rule. This is not the Shade Tree Commission's rule. It would be in violation of the State of New Jersey's forestry management program that our ordinance is crafted from. The last misconception is liability. If a Borough tree falls on someone's fence, car or house, the Borough is only liable for the homeowner's deductible if we had prior notice of the tree problem to begin with. That is why it is so important to make sure one of these forms gets filled out. Under Title 59, a municipality is only liable only if it had notice of the defect or dangerous condition.

Council President Sims asked for council comments at this time.

Councilman DiBenedetto thanked everyone for attending the meeting. He congratulated the girls Field Hockey and Gymnastic teams from Freehold High School. He also congratulated the Freehold High School football team for making it to States.

Councilman Kane thanked the voters for allowing Councilman Sims and himself to come back for another term. Councilman Kane congratulated the Field Hockey and Gymnastic teams from Freehold High School.

Councilwoman Shutzer congratulated Councilmen Sims and Kane. Councilwoman Shutzer announced the Senior Holiday Party will be held on Saturday, December 4, 2010. The reservations will be taken on Monday, November 22nd.

Councilman Newman stated another sign application came before the Historic Preservation Committee for a place called Second Hand Rose and was approved. Councilman Newman stated he did attend the Board of Education meeting that same night to learn about the recent grades on the no child left behind. It is a very interesting meeting and they had some great information there that is on their web-site.

Councilman Schnurr thanked everyone for attending the meeting.

Council President Sims thanked the voters for re-electing Councilman Kane and himself back to office.

Councilwoman Shutzer offered to enter into Executive Session, seconded by Councilman DiBenedetto:

- 6. EXECUTIVE SESSION.**
 - A. PERSONNEL MATTERS.**
 - B. LITIGATION.**
 - C. CONTRACT NEGOTIATIONS.**

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

7. ADJOURNMENT.

There being no further business to discuss, Councilman Kane moved to adjourn the meeting at 9:45 PM, seconded by Councilwoman Shutzer, with All in Favor.

Respectfully Submitted,

Traci L. DiBenedetto, RMC
BOROUGH OF FREEHOLD

