

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, November 1, 2010 at 7:30 p.m. in the Municipal Building.

Mayor Wilson 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 MICHAEL WILSON
PRESENT	COUNCILMAN MICHAEL DIBENEDETTO
PRESENT	COUNCILMAN KEVIN KANE
PRESENT	COUNCILMAN JOHN NEWMAN
PRESENT	COUNCILMAN GEORGE SCHNURR
PRESENT	COUNCILWOMAN SHARON SHUTZER
PRESENT	COUNCILMAN JAYE SIMS

Councilwoman Shutzer offered a motion to accept the minutes from the Executive Sessions May 17, 2010 and June 7, 2010; Regular Meeting October 4, 2010, seconded by Councilman Sims.

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

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

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Officer Zandra Vega of the Freehold Borough Police Department.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING OFFICER ZANDRA VEGA OF THE FREEHOLD BOROUGH POLICE DEPARTMENT.

Councilman Sims stated that Mr. Smith contacted him regarding an accident that occurred at his home. Officer Vega responded and assisted Mr. Smith in an extremely professional way.

Councilwoman Shutzer stated that Mr. Smith walked into her home a few days after the accident and she was amazed that his eyes were not affected and that he survived this ordeal. Mr. Smith was quick to give all of the credit for his recovery to Officer Vega.

Councilman Kane and Councilman Sims presented the Resolution to Officer Vega.

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

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

“Introduction of and Authorization to Publish Ordinance #2010/17 of the Mayor and Council of the Borough of Freehold, County of Monmouth, State of New Jersey Amending and Supplementing Chapter 8.48 (Uniform Fire Safety) of the Revised General Ordinances.”

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

BE IT RESOLVED, by the Mayor and Council of the Borough of Freehold that an Ordinance entitled "ORDINANCE #2010/17 OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 8.48 (UNIFORM FIRE SAFETY) OF THE REVISED GENERAL ORDINANCES" 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 same shall be further considered for final passage after public hearing at a meeting held on December 6, 2010 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, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; abstain none; absent none. Mayor Wilson declared the motion adopted.

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

"Introduction of and Authorization to Publish Ordinance #2010/18 of the Borough of Freehold, County of Monmouth, State of New Jersey Amending Chapter 2.136, The Citizen Service Act."

Councilman Newman 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 #2010/18 OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING CHAPTER 2.136, THE CITIZEN SERVICE ACT" 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 same shall be further considered for final passage after public hearing at a meeting held on November 15, 2010 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 Newman stated this ordinance amends the previous ordinance in regards to the attendance of the committee members and the vacancies in each committee.

Mayor Wilson stated that failure to attend a committee meeting for a period of eight consecutive weeks or four consecutive regular meetings will be deemed a resignation from the committee.

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

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

Resolution of the Mayor and Council of the Borough of Freehold, County of Monmouth, New Jersey, Authorizing Temporary Trailer on Block 3.02, Lot 12, 23 Schanck Street."

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, COUNTY OF MONMOUTH, NEW JERSEY, AUTHORIZING TEMPORARY TRAILER ON BLOCK 3.02, LOT 12, 23 SCHANCK STREET.

Councilwoman Shutzer stated this resolution is the result of a fire in the home.

Councilman Schnurr stated that it is his understanding that this is going to be there for approximately four to five months.

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

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

“Resolution Approving Change Order Number 1 for the West Main Street Pedestrian Crosswalk and Sidewalk Improvements.”

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

RESOLUTION APPROVING CHANGE ORDER NUMBER 1 FOR THE WEST MAIN STREET PEDESTRIAN CROSSWALK AND SIDEWALK IMPROVEMENTS.

Councilman DiBenedetto stated this change order was a decrease of \$20,700.00 in the estimated bid.

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

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

“Resolution Confirming Personnel Actions:

- a. **Retirement of Police Chief Mitchell E. Roth, effective April 1, 2011.**
- b. **Disability Retirement of Denise Wilson, Police Department, effective September 1, 2010.**
- c. **Resignation of Carol J. Biddle, Fire Department Building Service Worker, effective October 18, 2010.**
- d. **Transfer of Robert Lithgow, Jr. from Building Service Worker, Fire Department, to Laborer, Water & Sewer Department, effective October 4, 2010.**
- e. **Resignation of Dana Gallo as Public Safety Telecommunicator, Freehold Police Department, effective October 23, 2010.**
- f. **Termination of Leon Holmes, Crossing Guard, effective October 25, 2010.**
- g. **Appointment of Elaine Patterson from Substitute Crossing Guard to full-time crossing guard, effective November 16, 2010.**
- h. **Approval of Nicholas Palumbo as a driver for the Freehold Fire Department Good Will Hook & Ladder Co. vehicles, effective November 1, 2010.”**

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

RESOLUTION CONFIRMING PERSONNEL ACTIONS 10A THROUGH 10H.

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

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

“Resolution Approving the Following Applications:

- a. **Raffle License No. 20-10, Congregation Agudath Achim, Year-round Pull Tabs for 2010.**
- b. **Bingo License No. 3-10, Women’s Club of Freehold Jewish Center, Tuesday nights for the year 2010.**
- c. **Bingo License No. 4-10, Congregation Agudath Achim, Wednesday nights for the year 2010.**
- d. **Temporary Taxi Driver License, Angelica Pantoja, Freehold.**
- e. **Temporary Taxi Driver License, Felipe Cachu Villegas, Freehold.**
- f. **Temporary Taxi Driver License, Efren Morales, Freehold.**
- g. **Permanent Taxi Driver License, Lawrence Goldberg, Manalapan.**
- h. **Permanent Taxi Driver License, Gabriel Flores Gonzales, Freehold.**
- i. **Permanent Taxi Driver License, Albert Clarke, Lakewood.”**

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

RESOLUTION APPROVING THE FOLLOWING APPLICATIONS NO. 11A THROUGH 11I.

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

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

“Approval of Bills.”

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

BE IT RESOLVED by the Mayor and Council of the Borough of Freehold that the bills on the attached list in the amount of \$3,245,600.32 be paid as presented.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr, Shutzer and Sims voted its adoption; opposed none; Councilman Sims abstained from PO #47652; absent none. Mayor Wilson declared the motion adopted.

Mayor Wilson opened the meeting to the public.

Ed Kuncken, 9 Bowne Avenue, stated at the last meeting he brought up the issue of the licensing for taxi drivers. He stated the police did not complete the job they attempted to do. Mr. Kuncken stated he was not checked, as well as, every night driver that he knows was never checked only day drivers were checked. He stated the majority of the illegal taxi drivers drive at night time.

Mayor Wilson stated this issue is still being investigated.

Mr. Kuncken stated he was told it would be discontinued.

Councilman Schnurr explained this is a work in process and he has read a few of the police reports and assured Mr. Kuncken that this would be handled.

Mr. Kuncken stated he also has a problem with the Code Enforcement Department. He lives on Bowne Avenue and there are four properties which are next to his that are very unkempt and he is tired of cleaning up these properties. He spoke with Matt Young who told him he would investigate this issue today. Mr. Kuncken said these properties have been abandoned for a long time and the house right next door has been abandoned for seven years. The steps are falling down, it is overgrown and there are many small animals living there.

Mayor Wilson stated that this is a code enforcement and health department issue.

Mr. Kuncken stated that 13, 17, 19 and 21 Bowne Avenue are owned by the same landlord, Family Realty. The grass is eight to ten inches high. The street is littered with old newspapers and is a mess.

Al Michenfelder, Jackson Street, stated the Racer’s Club is holding a self-esteem program where the members would be showing off their karate. He invited the governing body to stop by.

Keith Berman, 379 St. Andrews Place, Manalapan, owner of KB Taxi Service, stated the illegal taxis are a much bigger problem because for every legal taxi there are twice the amount of illegal taxis and this town is only 1.9 miles. He understands that controlling this issue is very difficult but he is willing to work with the police.

Councilman Schnurr stated he has already been in discussion with Kerry Higgins, Borough Attorney, and after the New Year they are considering having a taxi forum with the taxi owners and police department to try to get the feedback from them about amending the ordinance.

Joseph McAninch, 719-4 Zlotkin Circle, questioned what the procedures were when the police pull over a taxi driver to check their licenses. He was concerned because when he was stopped the police officer wrote his name in a little notebook.

Captain Roberts stated that the police officers have to do a report on everyone they stop so the officers jot down all the information in a little notebook.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

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

Mayor Wilson called upon the members of the council for their comments.

Councilman DiBenedetto congratulated Officer Vega for her terrific work. He thanked everyone for attending the meeting and encouraged the residents to vote on Election Day.

Councilman Kane thanked everyone for attending the meeting. He also congratulated Officer Vega for her quick response to a very dangerous situation. Councilman Kane thanked everyone involved with the Spooktacular events. These events had the highest attendance so far.

Councilman Sims thanked everyone for attending the meeting. He congratulated Officer Vega for her quick thinking. Councilman Sims reminded everyone that tomorrow is Election Day and urged them to vote.

Councilwoman Shutzer urged everyone to vote.

Councilman Newman gave a brief update on the Historic Preservation Commission. The News Transcript printed that there are a few applications in the works. The first being a Citco Gas Station which the commission voted in favor. The second is the downtown liquor store has asked for approval to fix-up the front of the store. They have been working with Rich Gatto, FCP, and from the looks of things, the new façade will be a great improvement.

Councilman Schnurr congratulated Officer Vega. He stated this is a good story with a happy ending. He stated the Freehold Borough girls Field Hockey team is doing very well this year. Councilman Schnurr stated the Memorial Day Parade Committee is having another fundraiser on November 16th at Chili's Restaurant. This fundraiser will be all day and Chili's Restaurant will donate 10% of the check back to the Memorial Day Parade Committee.

Councilman Schnurr stated the Spooktacular events were the "talk of the town" this week. The committee did a terrific job this year.

Mayor Wilson urged everyone to vote early and often.

The meeting was adjourned at 7:51 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:aj