

The Regular Meeting of the Mayor and Council of the Borough of Freehold was held on Monday, June 7, 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).

Councilwoman Shutzer 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

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

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Sidney Blacknall on his 50 Years of Service to the Memorial Day Parade Committee.”

Mayor Wilson read the resolution and presented it to Mr. Blacknall.

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

“Presentation of the Memorial Day Parade Awards (Alice McCobb).”

Alice McCobb, Sidney Blacknall and Councilman Schnurr presented the 2010 recipients with trophies. A list of the winners is on file in the Resolution Book in the Borough Clerk’s office.

Councilman Schnurr stated throughout the year the Memorial Day Parade Committee held various fundraisers. The first fundraiser for next years parade will be held on Tuesday, June 22, 2010 at The Cabin Restaurant, 20% of the proceeds will go towards the parade.

Councilman Sims offered a motion to accept the minutes from the Workshop Meeting March 15, 2010 and Supplement to Workshop Meeting May 17, 2010 and was seconded by Councilwoman Shutzer.

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

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

“Second Reading and Public Hearing: Ordinance #2010/10 Amending Chapter 2.48.090 (Fire Department – Junior Firefighter Auxiliary) of the Revised General Ordinances of the Borough of Freehold.”

Mayor Wilson opened the meeting to the public.

There was no comment.

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.

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 #2010/10 AMENDING CHAPTER 2.48.090 (FIRE DEPARTMENT – JUNIOR FIREFIGHTER AUXILIARY) OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD”, be, and same is hereby adopted on second reading.

Councilwoman Shutzer stated the age to become a junior firefighter was lowered to 15.

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:

“Second Reading and Public Hearing: Ordinance #2010/11 Amending Chapter 10 (Vehicles and Traffic) and Chapter 12 (Streets, Sidewalks and Public Places), of the Revised General Ordinances of the Borough of Freehold.”

Mayor Wilson opened the meeting to the public.

There was no comment.

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

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.

Councilman Sims 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 #2010/11 AMENDING CHAPTER 10 (VEHICLES AND TRAFFIC) AND CHAPTER 12 (STREETS, SIDEWALKS AND PUBLIC PLACES), OF THE REVISED GENERAL ORDINANCES OF THE BOROUGH OF FREEHOLD," be, and same is hereby adopted on second reading.

Councilman Sims stated this ordinance was amended so that fees associated with the ordinance can be adjusted.

Mayor Wilson stated now parking tickets can be paid without having to appear in court.

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:

"Introduction of and Authorization to Publish Ordinance #2010/12 of the Mayor and Council of the Borough of Freehold, County of Monmouth and State of New Jersey Establishing Rental Property Regulations and Licensing of Landlords."

Councilman Newman 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 #2010/12 OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY ESTABLISHING RENTAL PROPERTY REGULATIONS AND LICENSING OF LANDLORDS," 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 June 28, 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 will clear up some technicalities in the licensing provision. He explained the changes that are being made. Currently the fee structure is \$300 unless a violation is committed at the rental property and the fee would then rise to \$600. This ordinance will eliminate the \$600 rise and keep all rental units paying \$300 per year regardless of violations. It also has inspections go from 1 year to every 3 years and landlords no longer have to list children's names on the application.

Councilman Newman stated discussions with the Freehold Landlord Association are on-going. This ordinance just represents these changes, not anything that is still being negotiated with the association.

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 Accepting the Assessment Roll of the Special Improvement District of the Borough of Freehold.”

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

RESOLUTION ACCEPTING THE ASSESSMENT ROLL OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF FREEHOLD.

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 Accepting and Introducing the Budget of the Special Improvement District of the Borough of Freehold and Setting the Date for the Budget’s Public Hearing and Adoption.”

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

RESOLUTION ACCEPTING AND INTRODUCING THE BUDGET OF THE SPECIAL IMPROVEMENT DISTRICT OF THE BOROUGH OF FREEHOLD AND SETTING THE DATE FOR THE BUDGET’S PUBLIC HEARING AND ADOPTION.

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:

“Resolution Authorizing a Collective Bargaining Agreement Extension Between the Borough of Freehold and the Communication Workers of America, Local 1032.”

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

RESOLUTION AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT
EXTENSION BETWEEN THE BOROUGH OF FREEHOLD AND THE
COMMUNICATION WORKERS OF AMERICA, LOCAL 1032.

Councilwoman Shutzer stated that all departments have agreed to a one year pay freeze.

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. 13 on the Agenda as follows:

“Resolution Authorizing a Reduction in Performance Guarantee for On-Site Improvements Made to the Property Known as Block 93, Lots 29-42 and Part of Lot 57 (Freehold Area Habitat for Humanity).”

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

RESOLUTION AUTHORIZING A REDUCTION IN PERFORMANCE GUARANTEE
FOR ON-SITE IMPROVEMENTS MADE TO THE PROPERTY KNOWN AS BLOCK
93, LOTS 29-42 AND PART OF LOT 57 (FREEHOLD AREA HABITAT FOR
HUMANITY).

Councilman Schnurr stated Habitat for Humanity has completed all the required work and this resolution authorizes the release of the remainder of the guarantee bond.

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. 14 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Approving Renewal of Alcoholic Beverages Licenses, July 1, 2010 – June 30, 2011.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD
APPROVING RENEWAL OF ALCOHOLIC BEVERAGE LICENSES, JULY 1, 2010 –
JUNE 30, 2011.

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. 15 on the Agenda as follows:

“Resolution Awarding a Contract for the Purchase and Installation of a Proximity Access (Door Security) System, Fire Alarm System and Monitoring System for the Fire House.”

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

RESOLUTION AWARDING A CONTRACT FOR THE PURCHASE AND INSTALLATION OF A PROXIMITY ACCESS (DOOR SECURITY) SYSTEM, FIRE ALARM SYSTEM AND MONITORING SYSTEM FOR THE FIRE HOUSE.

Councilman Schnurr questioned if the security system included Borough Hall.

Mr. Bellina replied the security system is for the Firehouse and Borough Hall.

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. 16 on the Agenda as follows:

“Resolution Authorizing the Purchase of One (1) Utility Truck per the New Jersey State Contract – Fire Department.”

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

RESOLUTION AUTHORIZING THE PURCHASE OF ONE (1) UTILITY TRUCK PER THE NEW JERSEY STATE CONTRACT – FIRE DEPARTMENT.

Councilwoman Shutzer stated this vehicle will be used by the fire chief.

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. 17 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Nancy Forman.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING NANCY FORMAN.

Councilwoman Shutzer stated this resolution was presented to her at her retirement dinner.

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. 18 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring St. Rose of Lima Boy Scout Troop 18 on the Occasion of the Boy Scouts of America 100th Anniversary.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING ST. ROSE OF LIMA BOY SCOUT TROOP 18 ON THE OCCASION OF THE BOY SCOUTS OF AMERICA 100TH ANNIVERSARY.

Councilman Schnurr stated this was the 100th year anniversary of the Boy Scouts of America. He stated this is not Troop 18’s anniversary, but we wanted to commend and honor the St. Rose of Lima troop, scouts and leaders for making a difference in Freehold Borough.

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. 19 on the Agenda as follows:

“Resolution of the Mayor and Council of the Borough of Freehold Honoring Matthew Mosca, Bryan Forte and Joseph DeMarco on the Occasion of Their Attainment of the Rank of Eagle Scout.”

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

RESOLUTION OF THE MAYOR AND COUNCIL OF THE BOROUGH OF FREEHOLD HONORING MATTHEW MOSCA, BRYAN FORTE AND JOSEPH DEMARCO ON THE OCCASION OF THEIR ATTAINMENT OF THE RANK OF EAGLE SCOUT.

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. 20 on the Agenda as follows:

“Resolution Confirming Personnel Actions:

- a. Patricia Marone – Request for 90 Day Medical Leave of Absence effective June 1, 2010.**
- b. Resignation of Juan Reyes as a member of the Human Relations Committee, effective June 7, 2010.**

c. Resignation of James Wallace as a member of the Human Relations Committee, effective June 7, 2010.”

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

RESOLUTION CONFIRMING PERSONNEL ACTIONS 20A THROUGH 20C.

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. 21 on the Agenda as follows:

“Resolution Approving the Following Applications:

- a. Raffle License #9-10, Freehold Lodge No. 1454, B.P.O. Elks, Inc. Year round pull-tabs from 6/1/10 – 6/1/11.**
- b. Sidewalk Café License, Fanelli’s Italian Grille, 52 West Main Street.**
- c. Application for a Horse Drawn Carriage, Liz Ortiz Soden, 8/27/10 from 5:00 PM – 7:00 PM starting at 85 Parker Street and ending at the Main Street Bistro.**
- d. Block Party, Brinckerhoff Avenue and Berkeley Place, 8/8/10 from 7:00 AM – 6:00 PM. c/o Jonathan Myers**
- e. Temporary Taxi Drivers License, Fanny R. Rappleyea, Freehold.”**

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

RESOLUTION APPROVING THE FOLLOWING APPLICATIONS NO. 21A THROUGH 21E.

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. 22 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 \$2,021,438.79 be paid as presented.

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 opened the meeting to the public.

Al Michenfelder, 30 Jackson Street, asked if a date had been set for Olde Freehold Day and would it be published in the newspaper.

Councilman Kane stated Olde Freehold Day will be held on Saturday, August 21, 2010 and it will be published in the newspaper.

Jeff Friedman, owner of 1 Broad Street and 3 Broad Street, member of the Freehold Landlord Association:

“I would like to point out the Freehold Landlord Association has made every effort to address our concerns within the frame work set forth by the governing body, to no avail. Andy Kiely reached out and connected with the mayor in October and November to discuss the associations concerns. Andy was told by the mayor that he would get back to him and that never occurred either, unfortunately. Other council members were reached out to and we expressed our willingness to sit down with any member of the governing body. Only one member chose to meet with us regarding our concerns. Members of the Freehold Landlord Association met with the Borough Administrator, Borough Attorney and the head of code enforcement on multiple occasions to express our concerns and ideas to address the concerns that all responsible property owners have. Members of the landlord association have attended every rental advisory committee meeting this year to express our concerns and to discuss our suggestions. An open and direct dialogue took place between all of the people at the rental meetings which made us very happy. When the mayor referred the matter to the rental advisory committee and said in the March 29, 2010, Asbury Park Press article, “Let the rental board address their concerns. I do not want to see them by-passed.” The Freehold Landlord Association was very hopeful that constructive dialogue would ensue. At the one rental advisory meeting where the matters were formally before them, many issues were discussed and a number of recommendations were made by the board. Unfortunately, this matter was formally revoked from the rental advisory board. The recommendations seemingly ignored based on the proposed changes and the rental advisory board was by-passed. According to the Asbury Park Press article the Residential Rental Property makes up 1/5 of the Borough property. Rental property in general including commercial and residential, I am sure, makes up close to 50%, if not more. After 9 months of private and public meetings expressing our concerns and suggestions regarding the current ordinance, it is extremely disheartening that we became aware of these amendments only from the Borough website, not from any phone call or discussion. It is equally disheartening that the proposed changes do not address any of our concerns and that the new fee structure is essentially the same. The fees went up from \$100 to \$300 under the most recent changes of the ordinance. You are now removing the penalty for bad landlords, landlords who violate the rules. If you want to stop overcrowding and other issues that affect the quality of life for all residents, why are we letting the landlords who don't follow the rules off the hook, while continuing to increase fees for landlords who play by the rules? It is unfortunate. I don't have the exact figures, because the changes were not posted publicly prior to this meeting tonight. We as an association have made every effort to work with the Borough and we will continue to make every effort to work with the Borough to address these issues for the benefit of all property owners, residents and business owners. The proposed amendment is a 'kick in the gut' another attempt to grab money from many property owners before the fee is due on July 1st. The fact that no discussion took place between the Borough and the association regarding this proposed amendment implies, though I sincerely do not want to believe it, but it implies that the Borough has no interest in discussing our concerns that many of our members have. I am saddened that the burden has

blown off this important group of business people and property owners. I am saddened that the committee that the mayor did not want by-passed was by-passed. Most importantly, I am saddened that I have to stand here tonight making this statement because I believe that all of you care about this Borough and the actions tonight will only serve to hurt the Borough in the long run. Because our members, all we ever wanted, were the unconstitutional issues addressed that are in the amendment and to address the fee structure, which increased the fees 300% in one year and in these economic times increasing these fees 300% in one year is financially ruining. Landlords have worked very hard. It has come to our attention that landlords have been overcharged for the last 6 years, when it comes to the landlord's fees. All we every wanted was the change in the rules. We never wanted any back fees and if this continues we are going to want the back fees too. So, I appreciate your time and thank you for your courtesy. Have a good night."

Elizabeth Slade Vimbor, 32 Kingsley Way, asked if the Freehold Borough website could post agendas prior to the meetings and if the minutes could be posted in a more timely fashion. Ms. Vimbor asked why the proposed amended landlord ordinance shows inspections to rental properties going from once a year to every three years. She also questioned why the Borough is dropping the fee for landlords with violations.

Mr. Bellina stated agendas are made public on the Friday before each meeting and are posted on the Borough website Friday afternoon. The minutes have to be approved by the governing body first, before they can be posted.

Ms. Higgins stated there are different types of inspections that are done for rental properties. The Borough created the Quality of Life Task Force and they undertook systematic inspections. This task force tries to inspect every rental property in Freehold Borough on an annual basis and it is done alphabetically by street. What we found was that we were duplicating efforts because when tenants turned over, a new C.O. inspection was required. Now this rental unit has had a C.O. inspection and a systematic inspection and that is why the governing body has decided to go with a three year inspection cycle. This cycle will be more economically feasible and will accomplish the same goal.

Ms. Higgins stated the \$600 fee is not only for landlords who violate the ordinance it was also the initial fee. If there were no violations on the property, the fee went down to \$300. The Landlord Association protested the amount of the fee and the governing body listened to the association and decided it was a responsible request in light of what they were trying to accomplish in terms of operating a safe and secure rental properties.

Mike Burt, 13 Brookwood Drive, stated the following:

"First thing I would like to do is thank the administrator and the clerk for a timely manner in giving me a lot of information that I needed to get. The second thing I would like to do is inform you so that you don't get blind sided that I am heading up a committee out of the fire department to look at, as Mr. Kane said, a new way of doing business for the fire department. If you have any questions or anything that you need to know, I am the person to get in touch with on that. I just wanted you to know we are looking, number one, is it good for the tax payer and is it good for the fire department. We are open to all kinds of options and that is where my committee is going. I didn't want you to hear all kinds of rumors. I was just appointed a couple weeks ago after your last council meeting so I just wanted you to be informed that if you have any questions; I am free anytime for you to get a hold of me. My committee hasn't even met yet because we just got information.

Also, I wanted to say to you, I think over the years everybody just took for granted that our Streets & Roads Dept. did an excellent job this year on keeping our streets clear during the snow and wind storms. They did a terrific job in keeping our streets clear and safe. Thank you.”

Councilman Newman asked just for clarification he wasn't sure if it was made clear when Mr. Burt was speaking that was for an independent fire district correct?

Mr. Burt stated it is for anything we can set up to do and yes, Sharon, I have been sanctioned. The Chiefs are on my committee, by the way. It is to look at all aspects of a better way to serve the fire department. Fire district is one of the possibilities, yes.

Councilman Newman stated he will keep an open mind and he looks forward to hearing from Mr. Burt.

Chris Lopresti, 1 Grand Court, Colts Neck, landlord for 13 Haley, 11 Conover, etc.

“I just want to clarify something to make sure I heard it right. We have been discussing, on a diplomatic basis, resolving the issues of the Landlord Association. Jeff has pointed out the fact that we are not getting very far. I heard a couple things. I have been in the room during all of the meetings that have taken place, with Kerry, Joe and our attorney and others and I just want to clarify something that I heard. I am not sure I heard it right. We never asked for the fee to be put back to \$300. We asked that, or we knew from experience that from 2003 until the ordinance changed in 2009, \$100 was the charge that was assessed to the landlords for the privilege of renting their properties and we paid that fee and everybody was okay with it and when the fee changed by triple it was the flashpoint that got landlords here tonight. When I heard today that the fee was proposed to go back to \$300 and I think I heard Kerry say, as per our request that was not our request. Our request was to put it back where it was. I just want to make sure and I want to clarify it for the record. We wanted to see it put back to where it was for the last 6 or 7 years. It worked fine, the landlords were okay and we never want to do and still don't want to break down any walls or any of the good that was done. We realize that there were problems. We don't want to go back to the “wild west”. We still want to continue to enforce an action that the town put in place and that we support very much. We would just like to know that, as Jeff pointed out, there is a large rental stock in the town and we would like to be considered and our points heard. We feel that we started this process in October 2009 and worked very diligently to see to it that it was resolved in advance of the renewal cycle which we are at right now and I am very surprised that here we are addressing three points that needed to be addressed. Some of them were on our list, but I'm just shocked that we are proposing to amend the ordinance for three minor issues when there are major issues that we've been discussing and have taken so long not to have gotten a response back. If I were up there, I would say hey, why are we addressing three points? Why aren't we just stopping and addressing all the points before the registration renewal process, which is taking place very soon. So I am just personally shocked that we've worked so long, not to get much or any results. My question then becomes at the end to conclude is when can we expect to be told to go take a walk and file a lawsuit or we're going to work together to solve our problems.”

Mayor Wilson replied it is going to be one or the other very soon.

Mr. Lopresti said they just need to know because they are all ready, but they don't want go down the lawsuit avenue if they don't have to.

Councilman Schnurr stated the information he saw stated the association wanted the fee reduced to \$10.

Ms. Higgins agreed that was the initial request.

Mr. Lopresti stated the association was told by Ms. Higgins that this was not an acceptable offer and the association agreed and within 24 hours he called Mr. Bellina and asked if it was possible to put the fee back to where it was for the last 6 years. He stated what the association cannot understand is from 2003 through 2009 the fee was \$100 and it seemed to run the code enforcement department and everything else that was needed to address the landlord registration and licensing. Then something went wrong and the amount tripled. He stated in these tough financial times and poor economic conditions the landlords have been hit with a 300% increase.

Councilwoman Shutzer stated the governing body represents the residents of Freehold Borough who are concerned about the overcrowding, the conditions that some of the absentee landlords allow to exist. She stated just because you are not getting the answers that you want does not mean we haven't discussed this. The governing body has spent more time discussing this issue, probably more than anything we've discussed in recent months. We have heard everything the association has said. Councilwoman Shutzer said she never received an invitation to any of the landlord associations meetings and because the association is not getting the answers they want they are threatening us with a lawsuit.

Leroy Labarrie, 8 Hull Avenue, asked if the landlord association is where residents should call if they have a problem with their rental properties.

Tom Baldwin, 3 Vought Avenue, clarified some of his comments from the last meeting. He stated both Councilman Kane and Councilman DiBenedetto misconstrued what he said. Councilman Kane stated he wanted to get rid of the fire dispatchers and Councilman DiBenedetto stated that I criticized the dispatchers with the handling of the two deadly fires and that I have for several years. He wanted them to know that nothing could be further from the truth. He is in defense of the fire dispatchers and feels moving them to Monmouth County is a very bad decision.

Mr. Baldwin asked if the Borough is leaning on returning their funds for the legal department. He cannot understand why a town our size needs full-time legal representation. He stated we have an attorney who is a town councilman and why can't he represent the Borough.

Ted Miller, 13 Henry Street, stated that downtown parking is very limited. He recently noticed on the west bound side of West Main Street right before Throckmorton Street the three parking spots on that corner no longer exist because of the curb cut.

Mr. Bellina stated the curb cut and the spots in front of Especially For You Florist have been taken away. The Borough is working with Freehold Center Partnership to establish more parking spots in the Market Yard to make up for this loss. He stated what was done in front of the florist was done to correct something that was changed when West Main Street was resurfaced.

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 Sidney Blacknall and the Memorial Day Parade Committee, especially Alice McCobb. He also congratulated Nancy Forman on her retirement. She is a wonderful lady who did a terrific job for the people of Freehold Borough. He also congratulated Councilwoman Shutzer on her retirement. He thanked Mr. Baldwin and accepted his apology.

Councilman Kane thanked everyone for coming to the meeting tonight and for expressing their concerns. He congratulated Alice McCobb and the entire committee for a job well done on the parade. He stated every year he marches in the parade and it gets bigger and bigger. He congratulated Nancy Forman and Councilwoman Shutzer on their retirement.

Councilman Kane went to the New Jersey Business and Industry Association's luncheon with members of the Freehold Center Partnership. At the luncheon, the American Hotel received the association's Good Neighbor Award. This committee recognizes different businesses throughout the State and awards them for their construction and restoration of older buildings.

Councilman Sims thanked everyone for attending the meeting. He congratulated the parade committee and he also congratulated Sidney Blacknall. Councilman Sims stated he was never notified from the Freehold Landlord Association to attend a sit down discussion. He also congratulated Councilwoman Shutzer on her retirement.

Councilwoman Shutzer stated the Borough does not employ a full-time lawyer and Councilman Newman would not be able to serve as legal counsel because it would be a conflict of interest.

Councilwoman Shutzer responded to Mr. Burt and wanted to make sure the committee has been sanctioned by the fire chiefs and the board representatives.

Councilwoman Shutzer congratulated Sidney Blacknall and Alice McCobb. She stated she served on the Memorial Day Parade Committee for two years and it was the hardest working committee in town.

Councilman Newman asked Mr. Burt to clarify his statement about the fire department looking into independent fire districts.

Mr. Burt responded that yes it was for independent fire districts and it was sanctioned by the fire chiefs and board representatives.

Councilman Newman stated that he would keep an open mind and that he looked forward to hearing from Mr. Burt and the committee. He stated that none of his committees met since the last meeting so he had nothing new to report from them.

Councilman Newman just received the NJDOT study on pedestrian and bicycle and after it is reviewed and meets their approval, there will be a meeting with the public.

Councilman Schnurr congratulated the Memorial Day Parade Committee. He thanked the McCobb family, especially Alice McCobb for all of her hard work and dedication. He also congratulated Sidney Blacknall on his many years of service. He wanted Chief Roth to know about the exceptional job done by Patrolman Ronnie Steppat. Patrolman Steppat attended a lot of the meetings throughout the year and he was working during the parade and any issue that came up he easily resolved. Councilman Schnurr congratulated Nancy Forman and Councilwoman Shutzer on their retirement.

Councilman Schnurr stated this has been a very busy time for him as councilman. There has been many meetings with the Finance Committee over the municipal budget, school budgets, the fire and police dispatch and the issues regarding the landlords. He stated that he thought the changes that were made on the ordinance were based on the requests that were made from the Freehold Landlord Association.

Mayor Wilson thanked the McCobb family for all their work on the Memorial Day Parade. He commented on the statement made by Mr. Friedman. He stated that Mr. Friedman's statement had many inaccuracies. The governing body has spent countless hours discussing these landlord issues. The landlords in this town are going to find very little sympathy from him. Over the last 30 years a vast majority of landlords in this town almost ruined Freehold Borough.

The meeting was adjourned at 8:31 PM.

Respectfully Submitted,

TRACI L. DIBENEDETTO, RMC
BOROUGH CLERK

TLD:aj