

**MINUTES FOR THE APRIL 19, 2010 WORKSHOP MEETING
HELD AT 7:00 PM
51 WEST MAIN STREET
FREEHOLD, NJ 07728**

ROLL CALL:

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

Absent: Councilman Jaye Sims

Also present were Business Administrator Joseph B. Bellina, Borough Attorney Kerry E. Higgins, Police Chief Mitchell E. Roth and Borough Clerk Traci L. DiBenedetto.

2. PUBLIC COMMENTS

Barbara Oliver, 71 Center Street, made another complaint about the tree that has come down in her neighbor's yard. It has not been removed and there are still termites.

Mr. Bellina stated it was not a Borough tree but the code enforcement officers have been trying to reach the property owner.

On another matter, Ms. Oliver stated the house that she reported at the last meeting on West Main Street still has Christmas lights up.

Mr. Bellina stated that they were issued a violation notice.

Reggie Sims, 120 Broadway, questioned Item No. 8 on the supplemental agenda. The ordinance states "acquisition of vehicles" for the Fire Department. He questioned if more than one vehicle was being purchased.

Mr. Bellina stated there is only one vehicle being purchased. This is just the general term used in the title of the ordinance.

Tom Baldwin, 3 Vought Avenue stated that at the previous council meeting, the attorney for the Freehold Landlord Association spoke regarding various changes they would like to see made to the landlord ordinance. Mr. Baldwin stated he completely disagrees with the attorney. The landlords should be fined and sited for violations. It is the landlord's responsibility to maintain the property.

Christine Gregory, 42 West George Street, asked if the police department will be doing more to enforce the crosswalk ordinance.

Chief Roth replied yes.

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

RESOLUTION TO CLOSE PUBLIC PORTION.

On roll call Council Members DiBenedetto, Kane, Newman, Schnurr and Shutzer voted its adoption, opposed none, absent Councilman Sims, abstain none. Mayor Wilson 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. YMCA SUMMER CAMP PRESENTATION.

Mel O'Neal, Director, presented mayor and council with a video of some of the activities that go on at the YMCA.

Mr. O'Neal explained the summer program is for children between the ages of 5 and 13. This program becomes a spring board for all of the other programs that the YMCA offers. The young people that come to the summer program and have a good experience usually come back to the YMCA and pursue some of the other programs that we have. Mr. O'Neal thanked mayor and council for the support they have given.

As liaison to the Recreation Commission, Councilman DiBenedetto stated he has seen first hand some of the great things the YMCA has done. It is a wonderful thing to see kids come back and give to the community. Councilman DiBenedetto thanked Mel and Cynthia Joy, CEO of the YMCA.

Councilwoman Shutzer stated that Mel O'Neal is a wonderful leader, role model, gentleman and an example for these kids. Councilwoman Shutzer also congratulated Mel on the birth of his daughter.

Mayor Wilson stated the YMCA along with Freehold Borough are lucky to have Mel O'Neal.

Cynthia Joy, CEO of the YMCA, stated she is very proud to be part of the Freehold Borough family. Ms. Joy thanked Mayor Wilson and Mel O'Neal. She stated that they will be hiring over 25 young people from Freehold Borough this summer for the program.

5. REGIONAL HIGH SCHOOL DISTRICT PRESENTATION.

James Wasser, Superintendent of the Freehold Regional High School District, handed out a power point presentation to mayor and council.

Mr. Wasser thanked mayor and council for allowing him to attend the meeting. He stated that Freehold High School recently went through a Middle States evaluation. These people come from outside the State and spend about four days in the building evaluating everything. On last day they give an exiting report and the chair of the committee stated the detailed report will be put together in writing. The chair gave his assessment of Freehold High School after being there for four days; if a stranger walked into Freehold and talked to the administration, teachers, students, parents, etc. they would leave at the end of the day saying they just saw a perfect school. Mr. Wasser stated that Freehold High School is one of the top high schools, not only the State, but in the nation.

In reference to the Freehold Regional High School District budget, 13 million dollars in cuts in State aid was devastating. When you have to cut 13 million dollars, you are going across the board and cutting 81 positions was never fun. That is with this current budget. Should the budget be defeated, there will be more layoffs because 80% of the budget is people and benefits. Right now there is an attack on public school education that I have never seen in my 38 years in this profession. The educational program has not been minimized even with these cuts. We did cut some staff members, the summer school program and the adult education program. We did not cut our main programs and we consolidated electives. The extracurricular programs will stay but we are looking at consolidating them. We are not eliminating freshman sports. We will be consolidating our bus runs because we are reducing bus drivers. We are reducing the number of maintenance and custodial staff. Mr. Wasser stated there is no money for capital improvements so for a year we might get away with this. His worry is 2 or 3 years down the road. Mr. Wasser stated you will not find 6 better buildings in the State than in the Freehold Regional High School district.

Mr. Wasser stated they are consolidating administration. This year any positions that became vacant were not filled. We are letting go of an assistant principal, a supervisor and a chief medical inspector.

The tax rate in Freehold Borough went up \$1.70 on a home assessed at \$100,000.00. When you look at a \$300,000.00 assessed home you are looking at \$5.00 for the year. The highest town in the region wound up being Manalapan. We think we did a good job to maintain the integrity of the program without destroying the school district and putting the burden on the tax payer. Mr. Wasser stated this budget will support the children.

Councilman Kane stated that two of his daughters graduated from Freehold High School. The experience that both of them had in the high school was phenomenal. It is a great school.

Mr. Wasser stated Linda Jewell, Principal of Freehold High School, is a wonderful principal who has a great staff under her. The children that come through

Freehold High School work hard and enjoy education. On a lighter note, Mr. Wasser announced that this November, the Thanksgiving Day football game will be back to Freehold Borough vs. Freehold Township.

Councilman Newman asked Mr. Wasser if the handout was on-line.

Mr. Wasser stated it is on the web-site.

6. BUDGET ADVISORY COMMITTEE PROPOSAL. (SEE ATTACHMENT II.)

Councilman Newman stated this is something he is asking the council to consider. It can be formed any way but the main goal is that the committee gets together and meets throughout the year to discuss the services and programs in the Borough and to make recommendations to council about how they are spending money and any savings that can be incurred. Councilman Newman drafted a rough resolution that states each council member will select one person to be on the committee for one year.

Mayor Wilson stated he sees this as a positive step and something we have not done before. The only changes he would consider would be to have the number of citizens at 3 instead of 6 and they would meet on a quarterly basis. They would have to meet with the Finance Committee, which would have to be incorporated into an ordinance which Kerry would draft.

Councilman Kane agreed this was a good idea. It goes hand in hand with public education. What we want to do on our web-site is show the public where the tax dollars are spent. This committee will be great if it works in conjunction with the Finance Committee.

Councilman Schnurr would like to make this part of the Finance Committee so they are actually part of the process. Councilman Schnurr would prefer this be done by ordinance instead of a resolution and this would have to be for next year.

Council agreed that Kerry will prepare an ordinance for review.

7. 2010 CAPITAL PROJECTS OVERVIEW. (SEE ATTACHMENT III.)

Mr. Bellina stated he has met with the residents of the streets scheduled for road improvements and went over the projects. There will be more to report probably by June. We are going through the design phase now.

Councilman DiBenedetto asked if the drainage issues on Sheriff Street will be addressed.

Mr. Bellina replied that will be addressed.

Councilman Kane asked if Schiverea Avenue would be done anytime in the near future.

Mr. Bellina stated he does believe that it is on the list.

8. FREEHOLD LAND USE BOARD ISSUES. (SEE ATTACHMENT IV.)

Councilman Schnurr explained over the past several months, the Planning Board has been looking at some items that he would like to go over with council:

RPO/Home Office Ordinances: Leave the way it is. If you want to apply for a variance you have to come before the Planning Board.

Conversion of Permitted Uses to Conditional Uses: For example, right now in the business or commercial zone if you want to open up a gas station, it is a conditional use. You have to come before the planning board. The planning board wanted to revise that so there would be other uses that would be conditional uses. One of those would be grocery stores. We felt that grocery stores are more of an intense use and we wanted all grocery store applications to come before the planning board. The other one that we wanted was taxi cab/limousine services primarily because they have to have a place to park their taxi cabs.

Garages in the R-5 Zone: If a homeowner can provide adequate, on-site parking, they shouldn't be required to provide a garage in the R-5 zone. Councilman Schnurr explained a concern that was brought before the planning board was some of the construction being done on Center Street where when you look at the house, you see the front of the house, a garage, an entrance and a window. The planning board can't dictate design styles but we have had people complain to us about the way some of the houses look. We felt that by requiring garages in the R-5 zone we are actually creating our own problem. The garage requirements would remain the same for the R-7 and R-10 zones.

Informal Review: The planning board adopted a resolution that called for informal, non-binding reviews of certain applications and the planning board wanted to defer to the governing body as to whether this rule should be adopted into the Borough land use ordinance.

Parking Waiver Fees: The planning board gives out parking waivers because of the downtown parking situation. One of the things that the planning board would like to suggest to the council is that we consider an ordinance requiring a fee for the parking waiver under the land use ordinance. The fee would be up to the governing body. Councilman Schnurr asked Councilman Kane to discuss this with the Freehold Center Partnership.

Master Plan Re-examination: The planning board wanted to call the governing body's attention to the fact that the last re-examination of the Master Plan was adopted in April of 2005 and the law requires us to complete it every 6 years.

Kerry Higgins suggested the council should have the planning board incorporate these proposed changes into their Master Plan review. That makes it much easier to adopt the zoning ordinance.

“Time of filing” rule: The Monmouth County Planning Board opposed legislation that would change this “time of filing” rule under the municipal land use law and the Freehold Borough Planning Board wanted to recommend to the governing body that we should oppose that. Councilman Schnurr explained, for example, if there is a tract of land that is zoned recreation and someone wants to build a theme park there and we decide that we want to change it to residential, the applicants who want the theme park can put in their application and it “freezes” the zone until the people have their application ready, which could take years. Neither the Monmouth County Planning Board nor the Freehold Borough Planning Board agrees with this so we are opposing this “time of filing” rule.

Kerry Higgins suggested the council should direct the planning board to begin their Master Plan re-examination now and these changes that they have proposed to the zoning would be part of that master plan review.

Mr. Bellina stated there is no money in the operating budget to cover the master plan. However, the law provides for an emergency appropriation for that purpose and allows you to pay for that expenditure over time.

Councilman Schnurr stated the planning board was looking for something a little more immediate on these issues.

Kerry Higgins explained that it is a lengthy and costly process to change the zoning ordinance and to do these changes. It is a lot easier if you do it by way of a master plan review. Ms. Higgins stated she will contact Pat Accisano, attorney for the planning board, and see what route he would like to go.

Councilman DiBenedetto asked for some concrete numbers regarding the parking waiver.

Kerry Higgins explained there are certain formulas that the governing body along with the engineers will need to take a look at.

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

9. 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 Councilman Sims, abstain none. Mayor Wilson declared the Resolution adopted.

10. ADJOURNMENT.

There being no further business to discuss, Councilman Kane moved to adjourn the meeting at 9:10 PM, seconded by Councilwoman Shutzer, with All in Favor.

Respectfully Submitted,

Traci L. DiBenedetto, RMC
BOROUGH OF FREEHOLD

