

FREEHOLD TOWNSHIP COMMITTEE MINUTES

WORKSHOP MEETING

April 12, 2022

At 6:40 p.m., the Township Committee met in room 214 of the municipal building. Mayor Fasano read the following statement:

“In accordance with the Open Public Meetings Law, (c. 231 P.L. 1975), this meeting was announced on January 10, 2022 by: 1.) posting a notice on the bulletin board in the Municipal Building reserved for that purpose, 2.) by mailing such notice to the offices of the official newspapers of the Township and 3.) by filing such notice with the Township Clerk”.

In Attendance: Committeeman Ammiano, Committeeman Cook, Committeeman Preston, Committeeman Walker, Mayor Fasano

Absent: None

Also in attendance: Mr. Valesi, Township Administrator; Mrs. Mladinov Executive Secretary, Mr. Ball, Esq. Township Attorney; Mrs. Abouzeina, Municipal Clerk, Mrs. Bartolomeo, Deputy Clerk

Mr. Cook read the following resolution:

WHEREAS, N.J.S.A. 10:4-13 of the Open Public Meetings Act permits the exclusion of the public from meetings of public bodies in certain circumstances which are set forth in N.J.S.A. 10:4-12 (b); and

WHEREAS, the Township Committee of the Township of Freehold is of the opinion that such circumstances currently exist.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Freehold as follows:

1. The public shall be excluded from the discussion of any action upon the hereinafter specified matters.
2. The nature of the subject matter to be discussed is as follows

1. PERSONNEL

- 1A. Interview with Board Membership Candidates
- 1B. Planning Board Member for Environmental Commission

2. ATTORNEY-CLIENT PRIVILEGE

- 2A. Construction Code Ordinance Issues
- 2B. Liquor Licenses
- 2C. Baldachino Property

- 2D. Willow Brook & Halls Mill Rd
- 2E. Reed & Perrine Contract

- 3. It is anticipated at this time the above-stated subject matter will be made public approximately thirty (30) days or at such time as any litigation discussed is resolved

The foregoing resolution was moved by Mr. Cook and seconded by Mr. Walker

VOTE:

AYES: Mr. Ammiano Mr. Cook, Mr. Preston, Mr. Walker and Mayor Fasano

NAYS: None

ABSENT: None

ABSTAIN: None

At 6:42 p.m. the Township Committee adjourned to executive session.

Executive Session adjourned at 8:02 pm.

At 8:04p.m. the Workshop Meeting was called to order.

Mayor Fasano re-read the following statement:

“In accordance with the Open Public Meetings Law, (c. 231 P.L. 1975), this meeting was announced on January 10, 2022 by: 1.) posting a notice on the bulletin board in the Municipal Building reserved for that purpose, 2.) by mailing such notice to the offices of the official newspapers of the Township and 3.) by filing such notice with the Township Clerk”.

Moment of silence for Ukrainians who have lost their lives during war

Pledge of Allegiance to the Flag

In Attendance: Committeeman Ammiano, Committeeman Cook, Committeeman Preston, Committeeman Walker, Mayor Fasano

Absent: None

Also in attendance: Mr. Valesi, Township Administrator; Mrs. Mladinov Executive Secretary Mr. Ball, Esq. Township Attorney; Mrs. Abouzeina, Municipal Clerk and Deputy Clerk Bartolomeo

MINUTES

None

Report – Escondido Cinco De Mayo – 5/5/22 from 11:30 a.m. to 12:00 a.m.
Freehold Township Day – 7/9/22 from 12:00 p.m. to 11:59 p.m. at
Michael J. Tighe Park; Rain Date 7/17/22
Olde Freehold Day – 8/6/22 from 11:00 a.m. to 6:00 p.m. at Lake
Topanemus Park - 252 Pond Road

Mrs. Abouzeina stated the social affair permits were in order and were approved by the Chief of Police

OLD BUISNESS

O-22-5 –Calendar Year 2022 An Ordinance to Exceed the Municipal Budget Appropriations Limits and Establish a Cap Bank (N.J.S.A. 40A:4-45.14)

Mayor Fasano opened Ordinance O-22-5 for public hearing and asked for any comments or questions.

There being no comments from the public.

Mr. Ammiano moved to close the public hearing, seconded by Mr. Preston

Vote:

AYES: Mr. Ammiano, Mr. Cook, Mr. Preston, Mr. Walker, Mayor Fasano

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Preston made motion to adopt Ordinance O-22-5 seconded by Mr. Cook

Vote:

AYES: Mr. Ammiano, Mr. Cook Mr. Preston, Mr. Walker, Mayor Fasano

NAYS: None

ABSENT: None

ABSTAIN: None

O-22-6 – An Ordinance Amending Salaries and Compensation of Certain Offices, Positions and Employees in the Township of Freehold, County of Monmouth, State of New Jersey, for the Year 2022 and Thereafter Known by its Short Term as: “The 2022 Salary Ordinance”

Mayor Fasano opened Ordinance O-22-6 for public hearing and asked for any comments or questions.

There being no comments from the public.

Mr. Preston moved to close the public hearing, seconded by Mr. Cook

Vote:

AYES: Mr. Ammiano, Mr. Cook, Mr. Preston, Mr. Walker, Mayor Fasano

NAYS: None

ABSENT: None

ABSTAIN: None

Mr. Preston made motion to adopt Ordinance O-22-6 seconded by Mr. Walker

Vote:

AYES: Mr. Ammiano, Mr. Cook Mr. Preston, Mr. Walker, Mayor Fasano

NAYS: None

ABSENT: None

ABSTAIN: None

NEW BUSINESS

R-22-83- Resolution Approving Consolidated Bills List

Mr. Cook read Resolution R-22-83, the Consolidated Bills List in the amount of \$10,653,741.20 and moved it for adoption, seconded by Mr. Ammiano

Vote:

AYES: Mr. Ammiano, Mr. Cook, Mr. Preston, Mr. Walker and Mayor Fasano

NAYS: None

ABSENT: None

ABSTAIN: None

CONSENT AGENDA RESOLUTIONS

Matters listed under the items of “Consent Agenda” are required to conduct the day to day operations of the Township, and will be enacted by one (1) motion in the form listed below. There will be no separate discussion of these items. If discussion is desired of any item, that item will be considered separately.”

R-22-84 – Resolution Cancelling Taxes

R-22-85 – Resolution Cancelling Taxes and Disbursing Overpayments of Taxes

R-22-86 – Resolution Authorizing the Award of a Contract for the Purchase of an Electric Check Valve for the Jackson Mills WTP – Northside, Well No. 9 for the Utilities Department

R-22-87 – Resolution Amending Resolution R-22-19 Constituting an Agreement with Certain State Contract Vendors

Mr. Walker read the Consent Agenda resolutions and moved them for adoption, seconded by Mr. Preston

Vote:

AYES: Mr. Ammiano, Mr. Cook, Mr. Preston, Mr. Walker and Mayor Fasano*

NAYS: None

ABSENT: None

ABSTAIN: Mayor Fasano Abstained on R-22-85*

MOTION

Mayoral Appointments to Planning Board:

Mayor Fasano made a motion to appoint

Apryl Kurtz – Moved from Alternate 1 to Class IV Member
thru 12/31/23

Jason Levy – Moved from Alternate 2 to Class IV Member
thru 12/31/25

Michael Pucci – Moved from Alternate 3 to Alternate 1 thru
12/31/22

Christopher Marion - as Alternate 2 thru 12/31/22

John Krok- as Alternate 3 thru 12/31/2023

There being no further business, Mayor Fasano asked for any comments or questions from the public.

Leah Vera, 31 Pittenger Ct, said that for 17 years- South Gate Manner has a pavilion and veranda that is operating out of compliance.

The neighbors and I have complained at previous Planning Board Meetings and Township Committee Meetings. We have called the police and we have been trying to enforce the resolution that was adopted from the Planning Board since 2005 but nothing has been done to stop them. She said the owner of South Gate Manner has an application in front of the Planning Board to legalize the use of the pavilion and veranda for loud music. Ms. Vera is requesting that the Township Committee enforces the resolution. Ms. Vera also complained that when the police are called by the residents, the police officers are not enforcing and blaming the residents for buying a house near a venue that has parties and weddings.

Mr. Valesi responded that the Police Department can enforce the resolutions approved by the Planning Board, the former Zoning Board or the Township Committee. Our ordinance states that everyone must comply with the details of Planning Board's resolutions.

Mrs. Vera said that the Police Department are not enforcing or stopping the loud noise.

Mr. Valesi agreed that the Police Department should be issuing summons and fines. The police officers are permitted to use their own judgement and the Township Committee cannot intervene in their judgement.

Mr. Valesi added that he spoke to the owner of the South Gate Manner to inform him that there are complaints regarding the loud music and noise.

Mrs. Vera asked if the Township Committee is aware of any officers issuing any summons for the past 15 years?

Mr. Valesi said that he is not aware of any summons and added that the Township Committee has no authority to force any officer to write a summons; only the Chief of police has the power and authority to direct the police officers.

Mrs. Vera stated that since we have been complaining for the past 15 years and the owner has been out of compliance for those 15 years, the Planning Board should not consider his variance application.

Mr. Cook answered there were two variance applications at the Planning Board Meeting, the first one was regarding the interpretation of the resolution that was adopted 2005, which was voted on and confirmed that it was the correct interpretation. The second application will be considered by the Planning Board meeting on 4/21/2022.

Mrs. Vera asked if any of the Township Committee Members officiated a wedding on the veranda at South Gate Manner?

Mr. Ammiano said he did officiate a wedding there it was at 12:00pm and there wasn't any music at this wedding.

Mrs. Vera asked Mr. Ammiano, how could you officiate a wedding while the Township Resolution states that no meetings will be conducted on the veranda? She read part of the Planning Board resolution from 2005, which states that the additions approved hereunder, shall be employed solely as supplemental facilities to the existing banquet rooms in the subject premises and shall not be employed as additional dining or meeting facilities. The maximum occupancy load for the building shall remain the same as though the additions approved hereunder did not exist.

Mr. Valesi said that the resolution does not state that you cannot have a wedding on the premises.

Mrs. Vera responded and said a wedding is a meeting.

Mr. Valesi said it is up to the interpretation of the resolution and therefore, the owner of South Gate Manor is in front of the Planning Board to clarify the terms of the resolutions. At this time since this is an issue being discussed at the Planning Board, the police cannot write summons.

Mrs. Vera said the owner of the facility admitted in front of the Planning Board that he has conducted 400 weddings on the veranda and there is no enforcement, why is the owner applying to change the resolution?

Mr. Valesi said that he doesn't have an answer, and the Planning will make the final decision. If it is prohibited to conduct any weddings on the veranda, then I will send this information to the Chief of Police and I will make sure that the officers follow the resolution.

Mrs. Vera stated that she was treated rudely and poorly at the Planning Board Meeting and that she was not allowed to speak. She was told by the Board that she was complaining She was told that she was only allowed to say the two words - veranda and music. Mrs. Vera was told by the Planning Board that she was being circuitous.

She stated that the Planning Board resolutions and minutes from 2005 were very clear that the veranda was supposed to be utilized for cocktail hour without the use of music, dinners, events or ceremonies.

Michael Cunha, 44 Moreau Ave, stated that he has been complaining for the past 17 years and nothing has been done. He said if I conducted a party in my back yard of my house with loud music, I would have received a warning first, then a fine, and then imprisoned if I did not obey the rules of the Township. He said the owner of South Gate Manor does not care or have any concerns for the neighbors.

He said that Mr. Ammiano told him previously that you bought your house next to a catering hall. Mr. Cunha feels that the Township should assist the residents who lived there for the past 30 years instead of supporting one business owner. He said if the Planning Board passes this resolution, it will have a significant impact on his quality of life.

There being no further comments from the public, Mayor Fasano asked for any comments from the dais.

Mr. Preston congratulated the student at Marshall Ericson School for raising \$10,000 for Ukrainians by doing a fund collecting pennies.

Mayor Fasano said that we had a successful fundraising to help Ukrainian people and we are going to do another one soon.

The Mayor adjourned the meeting at 8:40 pm

Sanabel Abouzeina, Township Clerk