

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING
TUESDAY, JANUARY 17, 2006**

A Regular Meeting of the Township Council of the Township of Aberdeen in the County of Monmouth and State of New Jersey was held on Tuesday, January 17, 2006 at 7:35 p.m. in the Municipal Building at One Aberdeen Square and was called to order by Mayor David G. Sobel, who presided at the meeting.

Mayor Sobel said that this meeting is being held in compliance with the Open Public Meetings Act, and that notice of same has been posted on the bulletin board in the Municipal Building and was published in the appropriate newspapers.

ROLL CALL Present: Nicholas Minutolo
Joseph Raymond
Vincent Vinci
Wilhelmina Gumbs
David G. Sobel

Absent: Owen Drapkin
Thomas Perry

Also Present: Stuart Brown, Township Manager
Colleen Paterson, Township Attorney

A Moment of Silence was offered by Mayor Sobel followed by the Pledge of Allegiance.

REPORTS

There were no reports made.

Councilman Minutolo made a motion that Resolution No. 2006-32 be added to the Consent Agenda. Seconded by Councilman Raymond.

ROLL CALL VOTE:

Ayes: Councilmen Minutolo, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

HEARING OF THE CITIZENS - Agenda Items only

Mayor Sobel asked anyone wishing to be heard on agenda items to come forward and state their name and address.

Phil Petrognani
178 Wilson Avenue

Mr. Petrognani asked to explain the garbage ordinance.

Mr. Brown stated right now there is no ordinance when you can put a garbage can out and bring it in. Most people put out the cans the night before garbage pickup and take them in the next

day. There are homes that simply do not take the garbage cans back in or leave them out for days. Those people who violate the ordinance will be subject to a fine. The hours will be 4pm the day before garbage pick up to 4 pm the day after garbage pick up. So you have a 48 hour time span.

Mr. Petrognani asked if there were complaints.

Mr. Brown stated yes and we also looked at surrounding towns and they all have this type of ordinance.

There being no one else present wishing to be heard, Mayor Sobel declared the Hearing of the Citizens on agenda items closed.

NEW BUSINESS

ORDINANCE NO. 1-2006 - INTRODUCTION

Deputy Mayor Gumbs made a motion to introduce Ordinance 1-2006 on first reading by title and to order the same to be published by summary in the January 19, 2006 issue of the Courier and Asbury Park Press, together with notice of its introduction and passage on first reading by title, and that it will be further considered for final passage after public hearing at a meeting of the Township Council to be held on February 7, 2006 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Vinci.

Thereupon the Clerk read the aforementioned ordinance by title, "ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT RESTRICTIONS ON THE PLACEMENT OF SOLID WASTE RECEPTACLES"

ROLL CALL VOTE:

Ayes: Councilmen Minutolo, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

ORDINANCE NO. 2-2006 - INTRODUCTION

Councilman Vinci made a motion to introduce Ordinance 2-2006 on first reading by title and to order the same to be published by summary in the January 19, 2006 issue of the Courier and Asbury Park Press, together with notice of its introduction and passage on first reading by title, and that it will be further considered for final passage after public hearing at a meeting of the Township Council to be held on February 7, 2006 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Deputy Mayor Gumbs.

Thereupon the Clerk read the aforementioned ordinance by title, "ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT STATE PARK RULES AND REGULATIONS IN ALL STATE PARKS"

ROLL CALL VOTE:

Ayes: Councilmen Minutolo, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

RESOLUTION NO. 2006-16

Councilman Minutolo made a motion to introduce Resolution No. 2006-16 and move its adoption. Seconded by Councilman Raymond.

**STATE OF NEW JERSEY
DEPARTMENT OF ENVIRONMENTAL PROTECTION
GREEN ACRES ENABLING RESOLUTION**

WHEREAS, the New Jersey Department of Environmental Protection, Green Acres Program (“State”), provides loans and/or grants to municipal and county governments and grants to nonprofit organizations for assistance in the acquisition and development of lands for outdoor recreation and conservation purposes; and

WHEREAS, the Township of Aberdeen desires to further the public interest by obtaining a grant of \$400,000.00 from the State to fund the “Aberdeen Land Acquisitions” project; and

WHEREAS, the State shall determine if the grant application is complete and in conformance with the scope and intent of the Green Acres Program, and notify the applicant of the amount of the funding award; and

WHEREAS, the applicant is willing to use the State’s funds in accordance with such rules, regulations and applicable statutes, and is willing to enter into an agreement with the State for the above names project.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that Stuart Brown, Township Manager is hereby authorized to:

- (a) make application for such a loan and/or such a grant
- (b) provide additional application information and furnish such documents as may be required
- (c) act as the authorized correspondent of the above named applicant; and

BE IT FURTHER RESOLVED by the Township Council:

1. That the Manager of the above named body is hereby authorized to execute an agreement and any amendment thereto with the State known as Aberdeen Land Acquisitions.
2. That the applicant has its matching share of the project, if a match is required, in the amount of \$400,000.00.
3. That, in the event the State’s funds are less than the total project cost specified

- above, the applicant has the balance of funding necessary to complete the project;
and
4. The applicant agrees to comply with all applicable federal, state and local laws, rules and regulations in its performance of the project.
 5. That this resolution shall take effect immediately.

ROLL CALL VOTE:

AYES: Councilmen Minutolo, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

NAYS: None

ABSTAIN: None

RESOLUTION NO. 2006-17

Councilman Raymond made a motion to introduce Resolution No. 2006-17 and move its adoption. Seconded by Councilman Vinci

**RESOLUTION
OF THE TOWNSHIP COUNCIL OF THE
TOWNSHIP OF ABERDEEN
MONMOUTH COUNTY, NEW JERSEY**

WHEREAS, the Township resolved on or about March 1, 2005 that the Township would purchase the lands, specifically Block 310, Lots 4-11, on the official tax map of the Township;
and

WHEREAS, the Township has determined that the purchase in connection with the Trust for Public Lands and the State of New Jersey, Department of Environmental Protection, of the lands can be had for the sum of \$1,250,000.00 and that said purchase is in the best interests of the Township and its citizens; and

WHEREAS, the Township, in conjunction with the Trust for Public Lands has applied for and was awarded a grant in the amount of \$400,000.00 from the State of New Jersey, Department of Environmental Protection, to be utilized solely for the purpose of purchasing the lands known as Block 310, Lots 4 through 11, in the Township of Aberdeen;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that counsel representing the Township and the Township Manager are hereby authorized and empowered to accept a grant from the State of New Jersey, Department of Environmental Protection, in the amount of \$400,000.00, and to execute any and all documents to accept said funding in connection with the purchase of the said lands and that counsel and the Township Manager shall undertake any and all necessary steps to implement such purchase.

ROLL CALL VOTE:

AYES: Councilmen Minutolo, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

NAYS: None

ABSTAIN: None

CONSENT AGENDA

Deputy Mayor Gumbs made a motion to approve the consent Agenda all items listed under 6E.
Seconded by Councilman Raymond.

ROLL CALL VOTE:

Ayes: Councilmen Minutolo, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

1. RESOLUTION NO. 2006-18 - BE IT RESOLVED by the Township Council that it hereby authorizes the amusement license for Fun Time America, Inc. for the year 2006.
2. RESOLUTION NO. 2006-19 - BE IT RESOLVED by the Township Council that it hereby authorizes Stuart Brown to execute all sewer and water utility state permit applications.
3. RESOLUTION NO. 2006-20 - BE IT RESOLVED by the Township Council that it hereby awards a contract to Quality Electrical Construction Co. for the Township Administration Building Generator Replacement Project.
4. RESOLUTION NO. 2006-21 - BE IT RESOLVED by the Township Council that it hereby rejects the bids for the Atlantic Avenue Pedestrian Crosswalk Improvements.
5. RESOLUTION NO. 2006-22 - BE IT RESOLVED by the Township Council that the Township Manager/Purchasing Assistant are authorized to make purchases from the attached list of vendors for the year 2006.
6. RESOLUTION NO. 2006-23 - BE IT RESOLVED by the Township Council the it hereby authorizes the reduction of performance guarantees for Ciaglia Custom Builders LLC for Cambridge Drive, Block 68, Lot 16.
7. RESOLUTION NO. 2006-24 - BE IT RESOLVED by the Township Council that it hereby appoints Daniel McCarthy, Esq., Rogut McCarthy Troy LLC as Township Attorney for year 2006.
8. RESOLUTION NO. 2006-25 - BE IT RESOLVED by the Township Council that it hereby appoints Allen E. Falk, Esq. as Municipal Prosecutor for the year 2006.
9. RESOLUTION NO. 2006-26 - BE IT RESOLVED by the Township Council that it hereby appoints Marc B. Schram, Esq. as Municipal Public Defender for the year 2006.
10. RESOLUTION NO. 2006-27 - BE IT RESOLVED by the Township Council that it hereby appoints Thomas P. Fallon as Municipal Auditor for the year 2006.
11. RESOLUTION NO. 2006-28 - BE IT RESOLVED by the Township Council that it hereby appoints Marc B. Schram, Esq, as Special Counsel for the year 2006.
12. RESOLUTION NO. 2006-29 - BE IT RESOLVED by the Township Council that it hereby authorizes the cancellation of property tax refunds or delinquent amounts less than \$10.00.
13. RESOLUTION NO. 2006-30 - BE IT RESOLVED by the Township Council that it hereby authorizes relief from payment of property taxes for disabled veteran.
14. RESOLUTION NO. 2006-31 - BE IT RESOLVED by the Township Council that the following are appointed to the Zoning Board of Adjustment.
15. EXECUTIVE SESSION RESOLUTION - BE IT RESOLVED that the general public shall be excluded from discussion held during executive session - Contractual

HEARING OF THE CITIZENS/CORRESPONDENCE AND PETITIONS

Mayor Sobel asked any member of the public wishing to be heard to come forward and to state their name and address.

Phil Petrognani
178 Wilson Avenue

Mr. Petrognani stated that we are doing a good job on the progress of the website.

Mr. Petrognani stated in regards to the skate park would it be beneficial for Matawan and Aberdeen to work together on this project. It may be something to think about.

Mayor Sobel stated if it was downtown Matawan may be interested.

Mr. Petrognani asked if there was any information on the Walter White property.

Mr. Brown stated a number of town and state officials are pursuing that property.

Mr. Petrognani stated the cars are still speeding on Wilson Avenue.

Mr. Brown state we will look into that.

Mr. Petrognani commented on the people walking at the train station, it is very dangerous.

Ed Fitzgerald
15 Bank Street

Mr. Fitzgerald stated he is a user of the Henry Hudson Trail and a couple of weeks ago an Officer of the Borough of Matawan was able to apprehend some young graffiti painter. There has been a bit of graffiti in that area. A lot on the Earl Swift property and Township property, which is South River Metals to the water tower.

Mr. Brown stated he agrees with Mr. Fitzgerald's concern and asked him to make a phone call if he sees any thing going on.

There being no one else present wishing to be heard, Mayor Sobel closed the public portion.

ADJOURNMENT

Councilman Raymond made a motion to adjourn, seconded by Councilman Minutolo and unanimously concurred by Council.

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk

