



*WHEREAS, in the State of New Jersey this year 99 Posts and 64 Auxiliaries received over 5,800 entires with the Department of New Jersey awarding 21 District Winners; and*

*WHEREAS, Victoria Devino, an Aberdeen resident and 8<sup>th</sup> grade student at the Matawan Aberdeen Middle School, was the winner of District 6 – Guadalcanal Post 4745; and*

*WHEREAS, the Township of Aberdeen wishes to honor Victoria Devino for her accomplishment.*

**NOW, THEREFORE, I, DAVID G. SOBEL, MAYOR OF THE TOWNSHIP OF ABERDEEN, do hereby proclaim, on behalf of the Township Council, our most sincere congratulations to Victoria Devino for her outstanding achievement and do hereby express all our best wishes for continued success in the future.**

There were no further reports made.

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

#### **NEW BUSINESS**

##### **ORDINANCE NO. 5-2007 - INTRODUCTION**

Deputy Mayor Gumbs made a motion to introduce Ordinance 5-2007 on first reading by title and to order the same to be published in summary in the March 22, 2007 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 April 5, 2007 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Drapkin.

Thereupon the Clerk read the aforementioned ordinance by title, "AN ORDINANCE AMENDING AND SUPPLEMENT THE "LAND DEVELOPMENT ORDINANCE" OF THE TOWNSHIP OF ABERDEEN (1981, AS AMENDED) COUNTY OF MONMOUTH, STATE OF NEW JERSEY AND SPECIFICALLY AMENDING THE "BUILDING HEIGHT" AND "STORY" DEFINITIONS IN SECTION 200, SUBSECTIONS 401C3. AND 401C.4 REGARDING SETBACKS AND HEIGHT OF ACCESSORY BUILDINGS, SUBSECTIONS 401D.4 AND 401D.7 REGARDING NON-CONFORMING USES STRUCTUREES AND LOTS, SECTION 403 D. REGARDING MAXIMUM BUILDING HEIGHT IN THE SINGLE-FAMILY RESIDENTIAL ZONING DISTRICTS, SUBSECTIN 803B.12 REGARDIDNG DETAILS REQUIRED FOR MINOR SUBDIVISION PLATS AND MINOR SITE PLANS AND SUBSECTIN 1003B. REGARDING ZONING PERMITS."

#### **ROLL CALL VOTE:**

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

Nays: None  
Abstain: None

**RESOLUTION NO. 2007-50 – INTRODUCTION  
2007 MUNICIPAL BUDGET**

Councilman Drapkin made a motion to introduce Resolution No. 2007-50, 2007 Municipal Budget.

Seconded by Councilman Vinci.

ROLL CALL VOTE:

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

**RESOLUTION NO. 2007-51 – INTRODUCTION  
2007 SOLID WASTE COLLECTION DISTRICT BUDGET**

Councilman Vinci made a motion to introduce Resolution No. 2007-51, 2007 Solid Waste Collection District Budget.

Seconded by Councilman Raymond

ROLL CALL VOTE:

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

**CONSENT AGENDA**

Councilman Minutolo made a motion to approve the consent Agenda all items listed under 6D.

Seconded by Councilman Drapkin.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

1. RESOLUTION NO. 2007-52 – BE IT RESOLVED by the Township Council that it hereby endorses the submission of the recycling tonnage grant application and designates Robert Brady as Recycling Coordinator.
2. RESOLUTION NO. 2007-53 – BE IT RESOLVED by the Township Council that it hereby authorizes the transfers in the 2006 Current Fund Budget.
3. RESOLUTION NO. 2007-54 – BE IT RESOLVED by the Township Council that it hereby authorizes the emergency temporary appropriation for the 2007 budgets.
4. 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. There being no one present wishing to be heard, Mayor Sobel closed the public portion.

Deputy Mayor Gumbs made a motion to adjourn to executive session, seconded by Councilman Vinci and unanimously concurred by Council.

The meeting reconvened with the same members in attendance.

Mr. McCarthy stated out of executive session the Council will vote on four resolutions.

**RESOLUTION NO. 2007-55**

**WHEREAS**, the Township Council of the Township of Aberdeen has reviewed the Land Development Ordinance of the Township of Aberdeen; and

**WHEREAS**, the Township Council has the power to adopt or amend a zoning ordinance relating to the nature and extent of the uses of the land and of the buildings and structures thereon; and

**WHEREAS**, this Ordinance amends and supplements the Land Development Ordinance of the Township of Aberdeen to set forth parameters for the maximum height for buildings, accessory structures, and non-conforming uses, except as otherwise set forth within the Land Development Ordinance; and

**WHEREAS**, the Township Council has introduced Ordinance No. 2007-5, entitled "An Ordinance Amending and Supplementing the Land Development Ordinance of the Township of Aberdeen (1981, as Amended) County of Monmouth, State of New Jersey and specifically amending the 'Building Height' and 'Story' Definitions in Section 200, Subsections 401C.3 and 401C.4 regarding Setbacks and Height of Accessory Buildings, Subsections 401 D.4 and 401D.7 regarding Non-Conforming Uses, Structures and Lots, Section 403D regarding Maximum Building Height in the Single Family Residential Zoning Districts, Subsection 803B.12 regarding details required for Minor Subdivision Plats and Minor Site Plans, and Subsection 1003B regarding Zoning Permits for the purpose of setting a maximum height on buildings and accessory structures within the Township of Aberdeen."

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Aberdeen that it hereby refers proposed Ordinance 2007-5 to the Township Planning Board for review and recommendation pursuant to N.J.S.A. 40A:55D-65; and

**BE IT FURTHER RESOLVED**, the Township Planning Board shall issue a report detailing its recommendation on the proposed Ordinance; and

**BE IT FURTHER RESOLVED**, that upon receipt of the recommendation of the Planning Board, the Township Council will notice a hearing on the proposed Ordinance regarding its adoption.

Councilman Minutolo made a motion to introduce Resolution No. 2007-55 and move its adoption.

Seconded by Councilman Vinci.

**ROLL CALL VOTE:**

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

Nays: None

Abstain:None

**RESOLUTION NO. 2007-56**

**RESOLUTION AUTHORIZING EXECUTION OF MEMORANDUM OF UNDERSTANDING WITH PRC DEVELOPMENT AT ABERDEEN, LLC, REGARDING PROPERTIES LOCATED WITHIN THE TOWNSHIP OF ABERDEEN, FORMERLY OCCUPIED BY THE SOUTH RIVER METAL PRODUCTS COMPANY, INC.,**

**WHEREAS**, the Township of Aberdeen (the "Township") has been seeking the redevelopment of the lands formerly occupied by the South River Metal Products Company, Inc, located within the Township, as a Redevelopment Area; and

**WHEREAS**, the subject land was acquired by the Township via foreclosure on July 12, 2001; and

**WHEREAS**, on December 9, 2004, the Township Council adopted Resolution 2004-131 designating the subject land as an area in need of redevelopment and authorized the Township Planner to prepare a redevelopment plan for the Redevelopment Area which is intended to implement the local objectives of the Township regarding appropriate land uses, density of population, and improved traffic improvements, public utilities, recreational and community facilities, and other public improvements; and

**WHEREAS**, PRC Development at Aberdeen, LLC, ("PRC") proposes to redevelop the South River Metals Redevelopment Area; and

**WHEREAS**, the Township Council wishes to engage PRC as a potential redeveloper for the South River Metals Redevelopment in accordance with the terms and conditions of a Memorandum of Understanding; and

**WHEREAS**, the Township Council acting in accordance with the Redevelopment Law and in its capacity as the Redevelopment Entity for the Township of Aberdeen, has determined

that it is in the best interests of the Township of Aberdeen to enter into the Memorandum of Understanding with PRC; and

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Council of the Township of Aberdeen is authorized to execute a Memorandum of Understanding in a form to be agreed to and approved by counsel and the PRC Group, as attached hereto; and

Councilman Minutolo made a motion to introduce Resolution No. 2007-56 and move its adoption.

Seconded by Councilman Vinci.

ROLL CALL VOTE:

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

Nays: None

Abstain:None

**RESOLUTION NO. 2007-57**

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

**WHEREAS**, Kara of Monmouth, LLC, is the developer of the Aspen Woods project in Aberdeen Township; and

**WHEREAS**, Kara of Monmouth, LLC, has failed to adequately perform certain work at Aspen Woods and has failed to respond to requests made by the Township Engineer to correct deficiencies at the site; and

**WHEREAS**, the Township Engineer has placed Kara of Monmouth, LLC, on notice of its failures relating to this project; and

**WHEREAS**, Kara of Monmouth, LLC, by virtue of its failure to respond to the Township Engineer's request for repairs and/or completion of the project, has defaulted; and

**WHEREAS**, the work of Kara of Monmouth, LLC, was secured by certain Performance Surety Bonds issued by Greenwich Insurance Company;

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Aberdeen that the Township Council directs the Township Attorney to place Greenwich Insurance Company on notice of its obligations under the Performance Surety Bond for the Aspen Woods project; and

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Aberdeen that the Township Council directs the Township Attorney, Engineer and Administrator to take all necessary steps permitted by law to secure Greenwich Insurance Company's participation in and/or funding of certain work at the Aspen Woods project; and

**BE IT FURTHER RESOLVED** by the Township Council of the Township of Aberdeen that the Township Council authorizes the Township Attorney to negotiate with Greenwich Insurance Company.

Councilman Minutolo made a motion to introduce Resolution No. 2007-57 and move its adoption.  
Seconded by Councilman Vinci.

**ROLL CALL VOTE:**

Ayes: Councilmen Drapkin, Perry, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: Councilman Minutolo

#### **RESOLUTION NO. 2007-58**

**WHEREAS**, the Township Council of the Township of Aberdeen passed Resolution 2006-154; and

**WHEREAS**, the Township Council now seeks to rescind Resolution 2006-154 which set forth the retention of professional services required by the Township in connection with the Anchor Glass Redevelopment.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Council of the Township of Aberdeen that it Resolution 2006-154 is hereby rescinded.

Councilman Minutolo made a motion to introduce Resolution No. 2007-58 and move its adoption.  
Seconded by Councilman Vinci.

**ROLL CALL VOTE:**

Ayes: Councilmen Minutolo, Perry, Vinci and Deputy Mayor Gumbs

Nays: Councilmen Drapkin, Raymond and Mayor Sobel

Abstain: None

#### **ADJOURNMENT**

Councilman Raymond made a motion to adjourn, seconded by Deputy Mayor Gumbs and unanimously concurred by Council.

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David G. Sobel, Mayor

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Karen Ventura, Municipal Clerk

**ABERDEEN TOWNSHIP COUNCIL WORKSHOP MEETING  
TUESDAY, MARCH 20, 2007**

Present: Owen Drapkin  
Nicholas Minutolo  
Thomas Perry (7:40 pm)  
Joseph Raymond  
Vincent Vinci  
Wilhelmina Gumbs  
David G. Sobel

Absent: None

Also Present: Stuart Brown, Township Manager  
Daniel McCarthy, Township Attorney  
Colleen Paterson, Township Attorney  
Tom Fallon, Township Auditor

Mayor Sobel called the meeting to order at 7:00 p.m. and stated that notice of this meeting has been posted and published in compliance with the Open Public Meetings Act.

2007 Municipal Budget & Solid Waste Collection District Budget: Mr. Brown and Mr. Fallon gave a overview of the 2007 budget and answered questions from Council. Mr. Brown stated the budget process starts with the Chief Financial Officer takes the easy to read budget and prepares the State Budget Form and it is than submitted to the Auditor for review. There were several comments. Revisions were made and there is a zero tax increase.

Mr. Fallon stated his comments on the budget were technical accounting in nature with regards to the unaudited financial statements and some directly affected the budget, which have been addressed by the Manager. A big issue is the State Legislation set for next year, we will be faced with a 4% cap.

Mayor Sobel stated if we present as the budget is now with no tax increase because of the cap the most we could raise taxes is 3 cents. Mr. Fallon stated 3 ½ cents. There are exceptions to the cap but we would have to go the the Local Finance Board.

Mr. Brown stated the actual revenue is increasing that will be reflected in the reserve and not the Budget. For example, Court revenue is up nearly 25 – 30% compared to last year.

Mayor Sobel stated his concern is the 4% cap. What kind of pressure does that place on the budget.

Mr. Fallon stated next year you will continue to be faced with pressures on the pension costs. Next year we will be at 100% of your actually Police & Fire Pension and 80% in PERS. That

increase alone with be \$240,000. Salary and wages increase. Mr. Fallon stated management has done a great job of controlling other expense items.

Mayor Sobel asked about surplus regeneration.

Mr. Fallon stated that is an issue, are we going to be able to generate surplus.

Mr. Brown stated which means that we need to generate more income than the year before to grow the surplus. We have seen growth on the credit card acceptance, on Court, we see growth on the investment side from aggressive management and growth on code regulations and license fees.

With a zero budget increase Council opted not to apply for extraordinary aid.

Mayor Sobel stated tonight we will be introducing the 2007 Municipal and Solid Waste Collection District Budgets. Before we adopt changes can be made. The Public Hearing will be scheduled for April 19, 2007.

A straw poll vote was unanimously in favor of approving these budgets at tonight's public meeting.

Scale/Height of Buildings: The Planning Board in a memo dated March 8, 2007 from Maxine Rescorl, Planning Board Secretary and a memo dated March 7, 2007 from Coppola & Coppola Associates recommends the Council adopt an ordinance amendment to control the heights of new buildings and additions so there will be no negative impact to adjacent properties.

William Shenton, Planning Board Chairman addressed Council regarding the structures that are being built in town that are very tall and have a negative impact on the homes in the neighborhood.

A straw poll vote was unanimously in favor of introducing this ordinance at tonight's public meeting.

Recycling Tonnage Grant: This is a yearly resolution that appoints Robert Brady as Recycling Coordinator and endorses submission of the recycling tonnage grant.

Mayor Sobel stated he was asked if the Township will be helping the residents with the recycling.

Mr. Brown stated with the responsible budget and tax rate we will not be able to purchase receptacles. Possibly we could get a sponsor. We can get the bins for \$6 - \$7 a bin times 8000 homes.

A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

Appropriation Transfer – 2006 Budget: This resolution authorizes transfers between accounts in the 2006 budget. A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

2007 Temporary Appropriation: This resolution authorizes temporary appropriations in the 2007 budget being the budget has not been adopted yet. A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

Performance Guarantee Release: Juan Medina, Juanedy Corp. in a letter dated March 12, 2007 requested release of performance guarantee posted on Block 192, Lot 13, Lincoln Avenue. Tim Gillen, CME Associates recommended said release in a memo dated February 27, 2007. A straw poll vote was unanimously in favor of bringing this resolution to the next public meeting.

Councilman Perry stated he apologized for being late and asked for a brief synopsis of what transpired from the Budget discussion.

Mr. Brown stated issues have been address and there is an amended budget in front of you with a recommendation of a zero dollar increase. We had a discussion about whether to apply for financial aid and whether we should increase taxes in preparation for next years 4% cap legislation. We also talked about the reserve.

Councilman Perry stated he understands certain members of the council met with Mr. Fallon over the weekend, who were those members?

Mayor Sobel stated Councilman Drapkin and myself.

Councilman Perry stated is there any reason you met with Mr. Fallon as opposed to the finance committee.

Mayor Sobel stated we didn't make a decision to exclude anyone, we just met with him.

Councilman Perry stated what is the roll of the finance committee.

Mayor Sobel stated taking an interest in the budget throughout the year and perhaps understanding the impact of contracts.

Councilman Perry stated he see his roll as being included in any meeting conducted with Mr. Fallon over the weekend. This was a meeting that you arranged as Mayor of this community and excluded a committee that you appointed.

Mayor Sobel stated he disagree with you.

Councilman Minutolo stated he is on the committee, he met with Stuart Brown in the past when there were issues. I didn't know there was meeting. The only thing I could stay it would have been appropriate at least to tell the committee, talk about the issues and sit down with Tom Fallon.

Mayor Sobel asked if anyone had a problem with the budget.

Councilman Minutolo stated if any member of Council had a issue with the budget they should have been phone calls and a discussion on the issues. The Council could sit down with Mr. Fallon.

Mayor Sobel stated it was a last minute meeting. Everyone had a opportunity to bring any questions they had to Stuart Brown. Only one person had questions. I apologize if you think I violated some protocol and it will not happen in the future.

Councilman Minutolo stated we are all working for a common goal. I stated what I thought would be an appropriate method.

Councilman Vinci asked how it came about to have this meeting.

Mayor Sobel stated he knew Owen was going to meet with Mr. Fallon.

Councilman Drapkin stated I had some questions and that was it. It had nothing to do with anything. The revenues did not meet the expenditures. I called Tom Fallon and he said to come in.

Mr. Brown stated that was one of the technical errors. The excel worksheet which is easy to read was transferred to the state budget form and there were technical errors.

Councilman Perry stated driving down South Atlantic, he saw a sign posted for seven townhomes. In review my notes, it was represented there were four townhomes. There does not seem to be any communication between the Zoning Board and the Planning Board and the Council. He would like to know the applications that are being heard by the boards. We should be aware if we are asked. Is there any way we can get the information.

Mr. McCarthy stated his recommendation is to get a list of all pending applications and deemed complete applications on a monthly basis.

Councilman Perry asked the Municipal Clerk to supply the agendas to the Council.

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

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David G. Sobel, Mayor

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Karen Ventura, Municipal Clerk

