

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING
TUESDAY, DECEMBER 18, 2007**

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, December 18, 2007 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 bulleting board in the Municipal Building and was published in the appropriate newspapers.

ROLL CALL

Present: Thomas Perry
Joseph Raymond
Vincent Vinci
Wilhelmina Gumbs
David G. Sobel

Absent: Owen Drapkin
Nicholas Minutolo

Also Present: Stuart Brown, Township Manager
Diane Dabulas, Township Attorney

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

REPORTS

Mr. Brown stated a couple of Council meetings ago the signage on Oxford and Cypress came up regarding the humps. We looked at State standards and recommendations. We are going to remove a number of signs. We will remove the signs that say "Hump Ahead", for exchange of one sign on each end of the street saying Humps on Street. Eight signs will be removed altogether.

Mr. Brown stated the Police Department is still looking at the No Left Turn signs. We do need to look into this better.

Mayor Sobel stated it works well on Oxford Lane.

Mr. Brown stated we are almost on our schedule for leaf pick-up. We had to salt a few times and had to pull the trucks off the road. We will be doing our final drive through over the next couple of weeks.

There were no further reports.

Councilman Raymond made a motion to add to the consent agenda Resolution No. 2007-

128, Appropriation Transfer and RA912- Raffle License for Basilian Fathers of Mariapoch. Seconded by Councilman Vinci.

ROLL CALL VOTE:

Ayes: Councilmen Perry, 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.

Janice Gallo

5 Woodbrook Drive

Mrs. Gallo asked if Fun Time America sanitize their equipment.

Mr. Brown stated he will check with the Health Department.

MINUTES

Deputy Mayor Gumbs made a motion to adopt the following:

Workshop, Regular & Executive Meeting Minutes of September 4, 2007

Workshop, Regular & Executive Meeting Minutes of September 18, 2007

Workshop, Regular & Executive Meeting Minutes of October 2, 2007

Workshop, Regular & Executive Meeting Minutes of October 16, 2007

Seconded by Councilman Raymond.

Minutes of September 4, 2007

ROLL CALL VOTE:

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

Nays: None

Abstain: Councilman Vinci

Minutes of September 18, 2007 and October 2, 2007

ROLL CALL VOTE:

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

Nays: None

Abstain: None

Minutes of October 16, 2007

ROLL CALL VOTE:

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

Nays: None

Abstain: Councilman Raymond

CONTINUED BUSINESS

ORDINANCE NO. 15-2007 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 15-2007, introduced and passed on first reading

by title on September 4, 2007 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of Publication of this ordinance in the Courier Newspaper and Asbury Park Press of September 7, 2007 will be submitted and it is noted that a copy of the ordinance has been posted on the bulletin board in the municipal building and that copies were available to the general public upon request.

The Clerk read Ordinance No. 15-2007: “AN ORDINANCE AMENDING AND SUPPLEMENTING THE “LAND DEVELOPMENT ORDINANCE”, OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY BY CHANGING SECTION 508 ENTITLED “FENCES AND WALLS”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 15-2007.

Councilman Vinci made a motion that Ordinance No. 15-2007 be finally passed and adopted and that notice of its passage and adoption be published by title in the December 21, 2007 issue of the Asbury Park Press.

Seconded by Deputy Mayor Gumbs

ROLL CALL VOTE:

Ayes: None

Nays: Councilmen Perry, Raymond, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Abstain: None

ORDINANCE NO. 17-2007 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 17-2007, introduced and passed on first reading by title on December 4, 2007 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of Publication of this ordinance in the Asbury Park Press of December 7, 2007 will be submitted and it is noted that a copy of the ordinance has been posted on the bulletin board in the municipal building and that copies were available to the general public upon request.

The Clerk read Ordinance No. 17-2007: “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 16-44.4, WATER CONNECTION FEES FOR CLASS 1 RESIDENTIAL”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 17-2007.

Councilman Raymond made a motion that Ordinance No. 17-2007 be finally passed and adopted and that notice of its passage and adoption be published by title in the December 21, 2007 issue of the Asbury Park Press.

Seconded by Deputy Mayor Gumbs

ROLL CALL VOTE:

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

Nays: None
Abstain: None

ORDINANCE NO. 18-2007 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 18-2007, introduced and passed on first reading by title on December 4, 2007 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of Publication of this ordinance in the Asbury Park Press of December 7, 2007 will be submitted and it is noted that a copy of the ordinance has been posted on the bulletin board in the municipal building and that copies were available to the general public upon request.

The Clerk read Ordinance No. 18-2007: “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 16-60 SEWER CONNECTION FEES FOR RESIDENTIAL DWELLING WITH KITCHEN FACILITY”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 18-2007.

Councilman Perry made a motion that Ordinance No. 18-2007 be finally passed and adopted and that notice of its passage and adoption be published by title in the December 21, 2007 issue of the Asbury Park Press.

Seconded by Deputy Mayor Gumbs

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ORDINANCE NO. 19-2007 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 19-2007, introduced and passed on first reading by title on December 4, 2007 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of Publication of this ordinance in the Asbury Park Press of December 7, 2007 will be submitted and it is noted that a copy of the ordinance has been posted on the bulletin board in the municipal building and that copies were available to the general public upon request.

The Clerk read Ordinance No. 19-2007: “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 16-48, PUBLIC WORKS, WATER RATES”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 19-2007.

Councilman Perry made a motion that Ordinance No. 19-2007 be finally passed and

adopted and that notice of its passage and adoption be published by title in the December 21, 2007 issue of the Asbury Park Press.

Seconded by Councilman Raymond

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ORDINANCE NO. 20-2007 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 20-2007, introduced and passed on first reading by title on December 4, 2007 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of Publication of this ordinance in the Asbury Park Press of December 7, 2007 will be submitted and it is noted that a copy of the ordinance has been posted on the bulletin board in the municipal building and that copies were available to the general public upon request.

The Clerk read Ordinance No. 20-2007: “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, CHAPTER V, ANIMAL CONTROL, FEES”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 20-2007.

Councilman Raymond made a motion that Ordinance No. 20-2007 be finally passed and adopted and that notice of its passage and adoption be published by title in the December 21, 2007 issue of the Asbury Park Press.

Seconded by Councilman Vinci

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ORDINANCE NO. 21-2007 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 21-2007, introduced and passed on first reading by title on December 4, 2007 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of Publication of this ordinance in the Asbury Park Press of December 7, 2007 will be submitted and it is noted that a copy of the ordinance has been posted on the bulletin board in the municipal building and that copies were available to the general public upon request.

The Clerk read Ordinance No. 21-2007: “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 25-9, FEES, GUARANTEES, INSPECTIONS AND OFF-TRACT IMPROVEMENTS”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 21-2007.

Councilman Vinci made a motion that Ordinance No. 21-2007 be finally passed and adopted and that notice of its passage and adoption be published by title in the December 21, 2007 issue of the Asbury Park Press.

Seconded by Deputy Mayor Gumbs

ROLL CALL VOTE:

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

Nays: None

Abstain: None

NEW BUSINESS

CONSENT AGENDA

Deputy Mayor Gumbs made a motion to approve the Consent Agenda, all items listed under 8A.

Seconded by Councilman Vinci

ROLL CALL VOTE:

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

Nays: None

Abstain

1. RESOLUTION NO. 2007-122 - BE IT RESOLVED by the Township Council that it hereby authorizes listed unexpended balances of the Water Fund be canceled.
2. RESOLUTION NO. 2007-123 - BE IT RESOLVED by the Township Council that it hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2007 budget.
3. RESOLUTION NO. 2007-124 - BE IT RESOLVED by the Township Council that it hereby authorizes the renewal of amusement license to Fun Time America, Inc.
4. RESOLUTION NO. 2007-125 - BE IT RESOLVED by the Township Council that it hereby awards a contract to J.H. Brothers, Inc. for Snow Removal for the Mass Transit Parking Lot.
5. RESOLUTION NO. 2007-126 - BE IT RESOLVED by the Township Council that it hereby awards a contract to Russell Reid Co. for Septic Tank Cleaning & Sewer Pumping.
7. EXECUTIVE SESSION RESOLUTION - BE IT RESOLVED that the general public shall be excluded from discussion held during executive session - Contractual.
8. RESOLUTION NO. 2007-128 - BE IT RESOLVED by the Township Council that it hereby authorizes the transfers made between the 2007 Sewer Operating Budget and 2007 Current Fund Budget.
9. RA-912 - Raffle License for Basilian Fathers of Mariapoch, Aberdeen,NJ

RESOLUTION NO. 2007-127 - BE IT RESOLVED by the Township Council that it hereby authorizes an agreement with CME Associates for engineering services

associated with the Redevelopment of the Former Zobel Property.

ROLL CALL VOTE:

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

Nays: None

Abstain: Councilman Perry

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.

Ben Defenbaugh

June Place

Mr. Defenbaugh asked about the Intersection of Route 34 and Lloyd Road, there are traffic markings with excellent safety zone. I see cars flying down to the left hand turn and he doesn't want to see anyone get hurt.

Mr. Brown stated the County will be making improvements in 2008.

Mayor Sobel stated he is correct, he has seen it happen many times.

Joe Pauciello

Cliffwood Beach

Mr. Pauciello asked when a contractor breaks a water pipe who pays for it. The contractor working on Hawthorne Street.

Mr. Brown stated in that case our engineer determined that the contractor did not cause the break in the pipe. So our crew fixed the break.

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

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

The meeting reconvened with all the same members in attendance.

Councilman Raymond made a motion to introduce Resolution No. 2007-129, Resolution Conditionally Designating Aberdeen-Wilson Associates LLC as Redeveloper for a Portion of the Freneau Redevelopment Area known as "Horizons Project Site" and move its adoption.

Seconded by Councilman Vinci.

Mayor Sobel asked if any member of the public had any questions on Resolution No. 2007-129.

Mark Teichman

127 Wilson Avenue

Mr. Teichman asked who is the redeveloper.

Mr. Brown stated the proposed redeveloper is Aberdeen Wilson Associates, owner of the majority of the property which was the former Kara site.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

Councilman Raymond made a motion to introduce Resolution No. 2007-130, Authorizing Township Manager to execute Memorandum of Understanding with the PBA, and move its adoption.

Seconded by Councilman Vinci

Mayor Sobel asked if any member of the public had any questions on Resolution No. 2007-130. There were no questions.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ADJOURNMENT

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

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk

**ABERDEEN TOWNSHIP COUNCIL WORKSHOP MEETING
TUESDAY, DECEMBER 18, 2007**

Present: Thomas Perry
Joseph Raymond
Vincent Vinci
Wilhelmina Gumbs
David G. Sobel

Absent: Owen Drapkin
Nicholas Minutolo

Also Present: Stuart Brown, Township Manager
Diane Dabulas, Township Attorney

Mayor Sobel called the meeting to order at 7:05 p.m. and stated that notice of this meeting has been posted and published in compliance with the Open Public Meetings Act.

Cancellation Resolution for Water Fund: The Water Fund budget has an appropriation balance of \$47,500 that remains unexpended. This resolution cancel this balance and credits it to surplus. A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

Chapter 159, Insertion of an Item of Revenue in the 2007 Budget: The Township received a grant for \$6,400.00 from the Division of Highway Traffic Safety for Bayshore DWI Saturation Patrol and this resolution as approval from the Director of the Division of Local Government Services to insertion this item in the 2007 Budget. A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

Amusement License for Fun Time America: Fun Time America has submitted their application and fees for renewal of their amusement license. A memo from Chief John Powers states of no objection to renewing said license. A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

Bid for Snow Removal for Mass Transit Parking Lot: Bids were received by the Township Manager on November 21, 2007. Two bids were received with J.H. Brothers, Inc. being the lowest responsible bidder. In a memo dated December 3, 2007, Jim Lauro, Public Works Director recommends accepting J.H. Brothers, Inc. bid. A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

Bid for Septic Tank Cleaning & Sewer Pumping: Bids were received by the Township Manager on November 21, 2007 for the aforementioned project. Russell Reid Company was the lone bidder. In a memo dated December 3, 2007, Jim Lauro, Public Works

Director recommends awarding a contract to Russell Reid Company for Septic Tank Cleaning & Sewer Pumping. A straw poll vote was unanimously in favor of bringing this resolution to tonight's public meeting.

Performance Guarantee Release: Linda Palmieri requested release of Performance Guarantees posted on Block 303, Lots 13.01 & 14.02, Raritan Street. In a memo dated December 5, 2007 Tim Gillen, CME Associates recommends said release subject to the posting of satisfactory maintenance bonds. A straw poll vote was unanimously in favor of bringing this resolution to the next public meeting.

Ordinance No. 15-2007, Fences and Walls: Ordinance No. 15-2007, Amending and Supplementing the "Land Development Ordinance" changing Section 508 entitled, "Fences and Walls" was introduced by Council on September 4, 2007. The Planning Board has reviewed said ordinance and in a memo dated December 6, 2007 Maxine Rescorl, Planning Board Secretary states that the Planning Board at its public meeting of December 5, 2007 voted to recommend that Council not proceed with the adoption of this ordinance. The Board will revisit the issue in January and discuss the fee for a variance application for a fence in a front yard area. A straw poll vote was unanimously in favor of bringing this ordinance to tonight's public meeting.

Seawall Park Project: The Township received a letter from the Board of Chosen Freeholders Municipal Open Space Grant Program awarding \$169,000.00 in funding for the Seawall Park Project. This is a matching grant and Mr. Brown stated he will have funds secured in our Capital Budget. We are also seeking funding from a Community Development block grant for \$94,000.00.

Mr. Brown stated he has two additions for tonight's meeting. One is a transfer resolution within the 2007 budgets for the Current Fund Budget and Sewer Operating Budget. The other is a raffle license for Basilian Fathers of Mariapoch.

Mr. Brown stated our newsletter and calendar received an award from Rutgers.

Councilman Perry asked about the correspondence from the family of Mrs. McGuire regarding her 100th Birthday next September and what Council can do special for Mrs. McGuire. The Council will consider something special to do.

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

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk