

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING  
TUESDAY, OCTOBER 20, 2009**

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, October 20, 2009 at 7:45 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 David G. 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:        Owen Drapkin  
   Thomas Perry  
   Fred Tagliarini  
   Vincent Vinci  
   Wilhelmina Gumbs  
   David G. Sobel

                                 Absent:        Joseph Raymond

                                 Also Present: Joe Criscuolo, Township Manager  
   Diane Dabulas, Township Attorney

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

**REPORTS**

Mr. Criscuolo stated on Lloyd Road and Route 34 Project, a meeting was set to begin staging out the project. Utilities are being moved and they are moving forward.

Mr. Criscuolo stated the Halloween party is on Thursday.

Diane Dabulas stated regarding the Liquor License transfers for Pulijal Associates, the license that is being transferred to Route 35. N.J.S.A. 33:1-76 prohibits sales within 20 feet of church or school. The question is whether or not the child care center qualifies as a school. The decision is subject to appeal. Council is requested to carry these transfers for further investigation.

Mr. Kalma, Attorney for Mr. Pulijal stated that a school is certified by the Commissioner of Education, it is a not for profit. The day care is not a school it is a business. This does not fall within the statute.

There were no further reports.

## **PROCLAMATION**

Mayor Sobel read the following Proclamations:

### **Halloween Proclamation**

**WHEREAS**, the time of Halloween is traditionally a period when children enjoy the pleasure of "Trick or Treat" and should have every protection in pursuit of this enjoyment; and

**WHEREAS**, the residents of Aberdeen Township should have the pleasure of contributing and enjoying their children's celebration; and

**WHEREAS**, the residents of Aberdeen Township at the same time should be assured that their properties and well being are protected.

**NOW, THEREFORE**, I, David G. Sobel, Mayor of the Township of Aberdeen, do hereby declare that for the evenings of Friday, October 30, 2009 and Saturday, October 31, 2009, a curfew extending to all children under the age of 17 be and is hereby established, beginning at 8:30 o'clock p.m. and ending at 6:00 o'clock a.m. the following morning, and that this curfew is subject in every other way to the provisions of enforcement contained in the adopted and amended curfew ordinance.

Councilman Drapkin made a motion to remove Resolution No. 2009-110 and Resolution No. 2009-111 and add Resolution No. 2009-113 to tonight's agenda.

Seconded by Councilman Tagliarini

ROLL CALL VOTE:

Ayes: Councilmen Drapkin, Perry, Tagliarini, 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. There being no one wishing to be heard Mayor Sobel declared the Hearing of the Citizens closed.

### **CONTINUED BUSINESS**

#### **ORDINANCE NO. 17-2009 - PUBLIC HEARING**

Mayor Sobel stated that Ordinance No. 17-2009, introduced and passed on first reading on October 6, 2009 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 issue of October 9, 2009 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. 17-2009: “ AN ORDINANCE PROVIDING FOR CLOTHING DONATION BINS WITHIN THE TOWNSHIP OF ABERDEEN.”

Mayor Sobel opens the meeting to the public for remarks or comments for or against the final adoption of this ordinance.

Julianne Schmidt  
Fordham Drive

Ms. Schmidt asked where they are proposed to be located.

Mayor Sobel stated purpose of this ordinance is to allow volunteer organization to have clothing bins on their property as Fire Department and EMS. They will be responsible to maintain bins.

There being no one else present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 17-2009.

Councilman Tagliarini made a motion that Ordinance No. 17-2009 be finally passed and adopted and that notice of its passage and adoption be published by title in the October 24, 2009 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: Councilman Tagliarini

## **NEW BUSINESS**

### **CONSENT AGENDA**

Councilman Drapkin made a motion to approve the Consent Agenda, all items listed under 8A.

Seconded by Councilman Tagliarini

ROLL CALL VOTE:

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

Nays: None

Abstain: None

1. RESOLUTION NO. 2009-108 – BE IT RESOLVED by the Township Council that it hereby approves Closeout Change Order and Pay Estimate No. 10 for 2006 Road Improvement Program.
2. RESOLUTION NO. 2009-109 – BE IT RESOLVED by the Township

Council that it hereby commits to the redevelopment of 100 Harrison Avenue.

3. RESOLUTION NO. 2009-112 – BE IT RESOLVED by the Township Council that it hereby awards a contract for 2009 Road Improvements to County Road Phase III.
4. EXECUTIVE SESSION RESOLUTION – BE IT RESOLVED that the general public shall be excluded from discussion held during executive session – Potential Litigation – Redevelopment
5. RESOLUTION NO. 2009-113 – BE IT RESOLVED by the Township Council that application is hereby made to the Commissioner of Transportation for an allotment of aid for the 2010 Reconstruction of Locust & Grove Streets.

### **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.

Julianne Schmidt  
Fordham Drive

Ms. Schmidt stated she has a question on Route 34 and Lloyd Road reconstruction. The newsletter that just came out had an outline of what roads at the intersection will look like. I went to see manager and we talked, he directed me to the County office who is the engineer. Currently at Columbia Bank there is a crosswalk, on the plan there no crosswalk. Why would you take away a crosswalk. The County Engineer stated cross Lloyd Road then Route 34 and then cross Lloyd Road again. That is ridiculous. It makes more sense to have two crosswalks. I also asked about a public meeting with residents, I was told there was most likely a meeting it was the Township's responsibility. Mr. Gillen was going to let me know when it was. I would have been here.

Ms. Schmidt stated one thing wrong with design, the stop line is up almost into the intersection. You have to know what is going on.

Mr. Gillen stated he spoke to County about the crosswalk issue. It is the intent of the signalization on Route 34 heading southbound that they will have the ability to make a right hand turn onto Lloyd Road and Lloyd Road to make a right hand turn onto Route 34 northbound. A crosswalk will have a pedestrian conflict. It will slow traffic down. This has been approved by NJDOT. They also looked at amount of pedestrian traffic relative to vehicle traffic they made determination that it is more important to move the traffic. The object is to move traffic. When they do improvements they are changing the radius so that buses and trucks don't have to pull as far. They are using a truck turning radius so they don't have to swing out. There was no public meeting in Aberdeen on this project it was at the County.

Ms. Schmidt stated she is trying to get the stop line moved back, the project isn't going to start for another year.

Mr. Gillen will follow through with the County.

Ms. Schmidt asked who updates the website. There are people who are no longer on the Boards listed.

Mr. Criscuolo stated he will check it out. We do our best to keep it up to date.

Michael Vail

64 Brookview Lane

Mr. Vail asked he heard Mr. Samuel talk about levels at South River Metals, should anyone who lives there be concerned.

Mr. Samuel stated he doesn't believe so, the big concern would be PCBs migrating off the site. They are contained in the ground in the soil and need to be removed.

Pedro Mirabel

141 Jersey Avenue

Mr Mirabel asked about the Road Grants, for Locust and Grove Street. Also, noted a small theater would be good for the citizen center. Why not ask senior citizens in the area for their input.

Mayor Sobel asked Mr. Criscuolo to put on the website and ask seniors for their input on what they would like to see.

Tom Aljian

12 Irongate Lane

Mr. Aljian stated he is running for Mayor position with Mr. Tagliarini. One item that comes up is a forum to meet the candidates.

Mayor Sobel stated in all years on Council I have never allowed the meeting to be used for politics. I am cutting off this discussion.

Mr. Aljian stated he agrees with asking the senior citizens for their input and hope in the future this continues to include the public in all aspects.

Vito Turchiano

863 South Concourse

Mr. Turchiano stated regarding Fun Time America's hall, what gives a person the right to bring their own liquor into the hall.

Councilman Perry stated it is a concern for this Council.

Mr. Turchiano stated the liquor store next to a daycare, he doesn't think the parents of the children going there would want this, we should ask them.

There being no one else wishing to be heard, Mayor Sobel closed the Hearing of the Citizens/Correspondence and Petitions.

**ADJOURNMENT**

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

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David G. Sobel, Mayor

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Karen Ventura, Municipal Clerk