

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING  
TUESDAY, MARCH 2, 2010**

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, March 2, 2010 at 7:30 p.m. in the Municipal Building at One Aberdeen Square and was called to order by Mayor Fred Tagliarini, who presided at the meeting.

Mayor Fred Tagliarini 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: Gregory Cannon  
Wilhelmina Gumbs  
James Lauro  
Margaret Montone  
Vincent Vinci  
Fred Tagliarini

Absent: Owen Drapkin

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

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

**REPORTS**

There were no reports.

Mayor Tagliarini read the following Proclamation:

***PROCLAMATION  
IN RECOGNITION OF  
ARC AWARENESS MONTH***

*Whereas, intellectual and developmental disabilities are conditions which affect more than 7 million Americans and their families; and*

*Whereas, public awareness and education enhance a community's understanding of the issues affecting people with intellectual and developmental disabilities; and*

*Whereas, people with intellectual and developmental disabilities can be vital and vibrant members of our communities, improving the quality of life for all of us; and*

*Whereas, the month of March has been designated Arc Awareness Month by the State of New Jersey with 20 Chapters of The Arc undertaking public awareness, educational and fundraising initiatives; and*

*Whereas, The Arc of Monmouth serves over 1700 individuals with intellectual disabilities throughout Monmouth County and advocates for and with people with intellectual and developmental disabilities and their families; and*

*Whereas, The Arc of Monmouth is celebrating 61 years of service to families and individuals throughout Monmouth County.*

***NOW, THEREFORE, I, FRED TAGLIARINI,*** Mayor of the Township of Aberdeen to hereby proclaim March, 2010 as ARC AWARENESS MONTH in the Township of Aberdeen and urges the citizens of Aberdeen to give full support of efforts towards enabling people with intellectual and developmental disabilities to live full and productive lives of inclusion in our communities.

#### **HEARING OF THE CITIZENS - Agenda Items only**

Mayor Tagliarini 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 Tagliarini declared the Hearing of the Citizens closed.

#### **MINUTES**

Councilwoman Montone made a motion to adopt the Workshop, Regular & Executive Meeting Minutes of February 16, 2010.

Seconded by Deputy Mayor Vinci.

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

Ayes: Councilmember Cannon, Lauro, Montone, Deputy Mayor Vinci and Mayor Tagliarini

Nays: None

Abstain: None

#### **CONTINUED BUSINESS**

##### **ORDINANCE NO. 3-2010 - PUBLIC HEARING**

Mayor Tagliarini stated that Ordinance No. 3-2010, introduced and passed on first reading by title on February 16, 2010 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 February 19, 2010 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. 3-2010 - "AN ORDINANCE AMENDING THE

REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN,  
SECTION 16-20.23 "SEWER USER CHARGES" EXHIBIT A

Mayor Tagliarini opens the meeting to the public for remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Tagliarini closed the public hearing on Ordinance No. 3-2010.

Councilwoman Gumbs made a motion that Ordinance No. 3-2010 be finally passed and adopted and that notice of its passage and adoption be published by title in the March 6, 2010 issue of the Asbury Park Press.

Seconded by Deputy Mayor Vinci

**ROLL CALL VOTE:**

Ayes: Councilmember Cannon, Gumbs, Lauro, Montone, Deputy Mayor Vinci and Mayor Tagliarini

Nays: None

Abstain: None

**NEW BUSINESS**

**ORDINANCE NO. 4-2010 - INTRODUCTION**

Deputy Mayor Vinci made a motion to introduce Ordinance No. 4-2010 on first reading by title and to order the same to be published by summary in the March 6, 2010 issue of the 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 March 16, 2010 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Lauro

Thereupon the Clerk read Ordinance No. 4-2010: AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, CHAPTER IV GENERAL LICENSING AND BUSINESS REGULATIONS"

**ROLL CALL VOTE:**

Ayes: Councilmember Cannon, Gumbs, Lauro, Montone, Deputy Mayor Vinci and Mayor Tagliarini

Nays: None

Abstain: None

**ORDINANCE NO. 5-2010 - INTRODUCTION**

Councilman Cannon made a motion to introduce Ordinance No. 5-2010 on first reading by title and to order the same to be published by summary in the March 6, 2010 issue of the 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 March 16, 2010 at 7:00 p.m.

in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilwoman Gumbs

Thereupon the Clerk read Ordinance No. 5-2010: AN ORDINANCE GRANTING MUNICIPAL CONSENT FOR THE OPERATION OF A CABLE TELEVISION SYSTEM WITHIN THE TOWNSHIP OF ABERDEEN, NEW JERSEY TO CSC TKR, LLC.”

**ROLL CALL VOTE:**

Ayes: Councilmember Cannon, Gumbs, Lauro, Montone, Deputy Mayor Vinci and Mayor Tagliarini

Nays: None

Abstain: None

### **CONSENT AGENDA**

Councilman Lauro made a motion to approve the Consent Agenda, all items listed under 9C.

Seconded by Councilman Cannon

**ROLL CALL VOTE:**

Ayes: Councilmember Cannon, Gumbs, Lauro, Montone, Deputy Mayor Vinci and Mayor Tagliarini

Nays: None

Abstain: None

1. RESOLUTION NO. 2010-41 – BE IT RESOLVED by the Township Council that it hereby agrees to become a member in the new Jersey Sustainable Energy Joint Meeting.
2. RESOLUTION NO. 2010-52 – BE IT RESOLVED by the Township Council that it hereby appoints Joseph Criscuolo as the Public Agency Compliance Officer.
3. RESOLUTION NO. 2010-53 – BE IT RESOLVED by the Township Council that it hereby affirms Memorandum of Understanding dated February 23, 2010 with Managerial Level Police Officers.
4. RESOLUTION NO. 2010-54 – BE IT RESOLVED by the Township Council that it hereby authorizes Mayor and Clerk to execute an agreement with the Monmouth County Mosquito Extermination Commission for 2010
5. RESOLUTION NO. 2010-55 – BE IT RESOLVED by the Township Council that it hereby authorizes release of performance guarantees posted at Block 41, Lot 1, Lake Boulevard.
6. RESOLUTION NO. 2010-56 – BE IT RESOLVED by the Township Council that it hereby authorizes release of performance guarantees posted at Block 34, Lots 3 & 4, Bank Street.
7. RESOLUTION NO. 2010-57 – BE IT RESOLVED by the Township Council that it hereby awards a contract for the purchase of non-leaded gasoline and diesel fuel.
8. EXECUTIVE SESSION RESOLUTION – BE IT RESOLVED that the general public

shall be excluded from discussion held during executive session – Potential Litigation; Negotiation – DPW and Clerical Unions.

### **HEARING OF THE CITIZENS/CORRESPONDENCE AND PETITIONS**

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

Lisa Vasil

48 Halleran Court

Ms. Vasil presented to Council a petition and photographs regarding Tab Ramos Sports Center. The Petition requested enforcement of the Zoning Board approval given to Julius Ausch for the property located at 17 Blair Road, which is now Tab Ramos Sports Center which was subject to 45 off-site parking spaces. Since Tab Ramos was unable to negotiate a new parking lot lease with the contiguous property owner resident have been greatly affected by the extensive street parking of the Tab Ramos' patrons on Blair Court, Halleran Court, Hyer Court and Heather Glen Road. Patrons are parking in front of homes, mailboxes, fire hydrants and near stop signs. It is difficult to access driveways and there is additional noises from car alarms, doors slamming, groups in the streets talking, illegal u-turns and racing around cul de sacs and down the streets. Twenty seven homes are being affected and property values going down.

Joe Criscuolo stated police have been notified and have responded. There have been numerous citations given. We have issued a violation to Tab Ramos, they have come in with concept plans for parking with three different options. They did file a development application to the Zoning Board. There are 43 parking spaces on the plans. I believe the property owner raised the rent on the parking area for Tab Ramos which caused the problem. The police will continue patrolling the area.

Anna DeNardo

50 Halleran Court

Ms DeNardo stated there has always been a problem, the garbage and speeding. It has gotten 10 times worst. My kids can not play outside my house. They need to resolve the issue of the parking spaces. Parking on both sides of the street restricts sight and proper lighting is also needed.

Joseph Manzo

Mr. Manzo stated the problem is people coming in and out, the lighting is horrible. The parking is not the main issue. We are not here to fight, we need to resolve it.

Ron Nuzzulo

10 Heather Glen Drive

Mr. Nuzzulo stated there is a tree line that separates Heather Glen from Tab Ramos. There are people loitering, kids are pool hopping in the middle of the night, cars racing, people talking at 2:00 in the morning, music blasting, people smoking pot. I can't have my kids in the cul de sac because of the cars coming in and out. Everyone is taking a

beating. Tab Ramos is good to us, it is the patrons. We need more lighting and more signage, speed bumps and speed limit signs. Kids are racing in to get to a game or a birthday party.

Joe Lioi  
48 Halleran Court

Mr. Lioi stated the Township Manager said an order was issued that Tab Ramos had to get into compliance and they submitted papers and now there is a stay.

Mr. Criscuolo stated correct. We sent a violation, they filed a development application and the Zoning Officer states that stays all action on behalf of the zoning officer because they are trying to rectify the problem.

Mr. Lioi stated is there a time limit on that stay.

Mr. McCarthy stated the question is the enforcement. He will talk to the Zoning Officer and Township Manager on this. Clearly there is an issue and we will address concerns.

Wayne Jordan  
46 Hyer Court

Mr. Jordan stated there should be a stop sign at the entrance to the parking lot. Cars do not stop coming out of the lot. We would like a time frame when something will be put into place.

Joseph Manzo asked when the roads are scheduled for paving, the roads are horrible.

Councilman Lauro stated to give Bob Brady and call and he will tell you.

Tom Eosso  
12 Heather Glen

Mr. Eosso stated this is months away and someone is going to get hurt. He has two children that can not go out and play. The plan they are looking at, there is no way all those cars will be off the street.

Tony Chierchino  
40 Hyer Court

Mr. Chierchino stated he has no children, but he has a block full of neighbors with children. Trying to get out of Hyer Court is like trying to get out of 42<sup>nd</sup> Street in New York. Maybe one side of the street parking will work.

Rebecca Loniewski  
54 Halleran Ct

Ms. Loniewski stated she agrees about the safety of her children. I want to make sure I can park and not be ticketed.

Mayor Tagliarini stated there are a multitude of issues, we have a decent neighbor in Tab

Ramos. This has to be resolved, I don't think in two weeks it will be resolved. Certain people grow their business and the parking needs to grow. You have to give us some time.

Jerry Marks, Represent Tab Ramos Sports Complex

Mr. Marks stated he spoke with Mr. Freul the owner of the property that rented the parking spaces and made the suggestion. The rent had tripled. We agreed to have the matter mediated and/or have the matter resolved by an appraiser as to the value of the space for times we need it. I would work with the Council to bring parties together to a resolution. We are moving quickly with plans. Enforcement issues will be addressed with our patrons. We are here tonight to listen and understand the concerns of the citizens and will do what we have to.

Mr. McCarthy suggested they sit down with Police Chief to have police presence during peak hours.

Mr. Marks will follow up tomorrow.

Mayor Tagliarini stated maybe we can tackle some quality of life issues now, as security, noise and litter.

Mr. Marks agreed and stated they will double their efforts.

Mike Bruno

RCM Properties

Mr. Bruno stated RCM Properties own two properties in the Township's Affordable Housing Plan. We have an agreement with the Town that requires the action by the middle of March to rezone the properties to let the affordable housing move forward. In February the Town reacted to Governor Christies' Executive Order and indicated they would not be taking action under direction was given to the Town on their affordable obligation. Since, the Appellate Division ruled that the stay if no in effect, COAH is back in busy and we are back before you to get the rezoning done in accordance with the MOU. We worked hard with the Town, but the Town is forcing our hand to take action with COAH to get our agreement enforced. We are here out of frustration to let you know we don't want to be adversarial. We filed a motion with COAH for an order to show cause. Our position is let's work it out. We understood there is questions about affordable housing obligations and we are more than willing to have a developer's agreement pursuant to which affordable component will be on hold and you will let us know if you wanted it built or whatever. The last thing we want is to be in battle with the Township.

Mr. McCarthy stated we are in a adversarial position. You have threaten the Township and filed legal proceedings. It would not be appropriate to have any dialogue. This is about the good of Aberdeen and overall best interest of the community. The stay is not lifted, there will be a hearing on March 16<sup>th</sup>.

Vito Turchiano

863 South Concourse

Mr. Turchiano stated the Council does a great job. As stated by a resident, in the 26 years I have lived here, not one police officer ignored a phone call.

Joe Manzo stated there is a safety problem on Ivy Hill Drive and Lloyd Road. When school lets out, cars are parking too close to the corner. Maybe lines can be painted on curbs. It is parents in the car waiting for children to get out of school. I'm looking for the safety, back them up 10 feet from the intersection.

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

### **ADJOURNMENT**

Councilman Lauro made a motion to adjourn, seconded by Councilwoman Montone and unanimously concurred by Council.

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Fred Tagliarini, Mayor

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Karen Ventura, Municipal Clerk