

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING  
TUESDAY, APRIL 6, 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, April 6, 2010 at 8:00 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  
   Owen Drapkin  
   Wilhelmina Gumbs  
   James Lauro  
   Margaret Montone  
   Vincent Vinci  
   Fred Tagliarini

Absent:            None

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

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

**REPORTS**

Mr. Criscuolo updated Council and residents on Tab Ramos Sports Complex on Blair Road. We have been meeting with the owners of Tab Ramos and their engineers and at this point they are discussing options with the Fire Officials. I believe the manager of the facility met with the residents. Their engineers is preparing drainage plans and our engineer will be in tomorrow to go over the drainage. They are preparing the plans and moving this along. Last evening 6 summons were issued on Blair Road for parking violations. There were issues with the scheduling of the hockey players due to broken glass in the arena, which caused a situation. We monitored speed, the results from March 26 - March 31, 95% were going 30 mph or less, 75% were going 25 mph or less, 5% doing 31 - 35 mph. We will continue monitoring Blair Road and continue working with everyone.

There were no further reports.

**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.

Frank Huza  
43 Beacon Lane

Mr. Huza stated he is the hair of Environmental and Shade Tree, he is trilled to here of the proposal of preservation of land in the Freneau area. In the Town's Recreation and Open Space Plan we are still 60 acres shy of where we should be. The Freneau area is part of our critical areas ordinance due to its unique and natural features. Mr. Huza urged the Council to take the next step in preserving the land.

Mayor Tagliarini thanked Mr. Huza for all his work in the Township.

Larry Sterling  
102 Irongate Lane

Mr. Sterling thanked Council for the ordinance on the parking limit on Irongate Lane and Inner Way.

There being no one else wishing to be heard Mayor Tagliarini declared the Hearing of the Citizens closed.

#### **MINUTES**

Councilman Lauro made a motion to adopt the Workshop, Regular & Executive Meeting Minutes of March 16, 2010. Seconded by Councilman Drapkin.

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

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

Nays: None

Abstain: None

#### **CONTINUED BUSINESS**

#### **ORDINANCE NO. 6-2010 - PUBLIC HEARING**

Mayor Tagliarini stated that Ordinance No. 6-2010, introduced and passed on first reading by title on March 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 March 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. 6-2010 - "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, CHAPTER FOUR, GENERAL LICENSING AND BUSINESS REGULATIONS"

Mayor Tagliarini opened 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. 6-2010.

Councilwoman Montone made a motion that Ordinance No. 6-2010 be finally passed and adopted and that notice of its passage and adoption be published by title in the April 9, 2010 issue of the Asbury Park Press.

Seconded by Councilman Lauro

ROLL CALL VOTE:

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

Nays: None

Abstain: None

## **NEW BUSINESS**

### **ORDINANCE NO. 7-2010 - INTRODUCTION**

Deputy Mayor Vinci made a motion to introduce Ordinance No. 7-2010 on first reading by title and to order the same to be published by summary in the April 9, 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 April 19, 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. 7-2010: "CALENDAR YEAR 2010 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A:4-45.14"

ROLL CALL VOTE:

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

Nays: Councilman Cannon

Abstain: None

### **ORDINANCE NO. 8-2010 - INTRODUCTION**

Councilwoman Gumbs made a motion to introduce Ordinance No. 8-2010 on first reading by title and to order the same to be published by summary in the April 9, 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 April 19, 2010 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Deputy Mayor Vinci

Thereupon the Clerk read Ordinance No. 8-2010: “ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT PARKING RESTRICTIONS ALONG IRONGATE LANE AND INNER WAY IN THE TOWNSHIP OF ABERDEEN”

ROLL CALL VOTE:

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

Nays: None

Abstain: None

**ORDINANCE NO. 9-2010 - INTRODUCTION**

Councilman Drapkin made a motion to introduce Ordinance No. 9-2010 on first reading by title and to order the same to be published by summary in the April 9, 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 April 19, 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. 9-2010: “ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, VACATION OF BANK STREET”

ROLL CALL VOTE:

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

Nays: None

Abstain: None

**ORDINANCE NO. 10-2010 - INTRODUCTION**

Councilwoman Montone made a motion to introduce Ordinance No. 10-2010 on first reading by title and to order the same to be published by summary in the April 9, 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 April 19, 2010 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 Ordinance No. 10-2010: “ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, VACATION OF LAKE BLVD”

ROLL CALL VOTE:

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

Nays: None

Abstain: None

**ORDINANCE NO. 11-2010 - INTRODUCTION**

Councilman Cannon made a motion to introduce Ordinance No. 11-2010 on first reading by title and to order the same to be published by summary in the April 9, 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 April 19, 2010 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Deputy Mayor Vinci

Thereupon the Clerk read Ordinance No. 11-2010: "AN ORDINANCE SUPPLEMENTING AND AMENDING "THE LAND DEVELOPMENT ORDINANCE OF THE TOWNSHIP OF ABERDEEN" WITH SPECIFIC REFERENCE TO EXISTING SECTION 25-3.1, "ZONING DISTRICTS", TO EXISTING SECTION 25-3.2, "ZONING MAP", AND TO A NEW SECTION 25-4.17 TO CREATE A NEW "IH" INCLUSIONARY HOUSING OVERLAY ZONE"

**ROLL CALL VOTE:**

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

Nays: None

Abstain: Councilman Drapkin

**RESOLUTION NO. 2010-64 - 2010 MUNICIPAL BUDGET**

Deputy Mayor Vinci made a motion to introduce Resolution No. 2010-64 and move its adoption. Seconded by Councilman Drapkin.

**ROLL CALL VOTE:**

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

Nays: Councilman Cannon

Abstain: None

**RESOLUTION NO. 2010-65 - 2010 SOLID WASTE COLLECTION DISTRICT BUDGET**

Councilwoman Gumbs made a motion to introduce Resolution No. 2010-65 and move its adoption. Seconded by Deputy Mayor Vinci.

**ROLL CALL VOTE:**

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

Councilman Drapkin made a motion to add Resolution No. 2010-74, Sale of Township Property to tonight's Consent Agenda.

Seconded by Deputy Mayor Vinci.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

### **CONSENT AGENDA**

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

Seconded by Councilman Lauro

ROLL CALL VOTE:

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

Nays: None

Abstain: None

1. RESOLUTION NO. 2010-66 – BE IT RESOLVED by the Township Council that it hereby authorizes the emergency temporary appropriation for year 2010.
2. RESOLUTION NO. 2010-67 – BE IT RESOLVED by the Township Council that it hereby authorizes Joseph Criscuolo, Township Manager to represent the Township of Aberdeen in all matters relating to Freneau/Woodfield Area Sanitary Sewerage System & Pump Station.
3. RESOLUTION NO. 2010-68 – BE IT RESOLVED by the Township Council that it hereby authorizes Joseph Criscuolo, Township Manger to represent the Township of Aberdeen in all matters relating to Cliffwood Avenue Water Improvements – Garden State Parkway Directional Drill.
4. RESOLUTION NO. 2010-69 – BE IT RESOLVED by the Township Council that it hereby awards a contract for Grass Cutting & Lawn Maintenance to Above the Mark Landscaping.
5. RESOLUTION NO. 2010-70 – BE IT RESOLVED by the Township Council that it hereby adopts the Township of Aberdeen Employee Manual effective April 6, 2010.
6. RESOLUTION NO. 2010-71 – BE IT RESOLVED by the Township Council that it hereby approves Change Order No. 2 for the 2008 Road Improvement Program in the amount of \$6,611.25.
7. RESOLUTION NO. 2010-72 – BE IT RESOLVED by the Township Council that it awards a contract to Environmental Management Associates, Inc. for the Remediation of Abandoned 15,000 Gallon

- Underground Storage Tank.
8. RESOLUTION NO. 2010-73 – BE IT RESOLVED by the Township Council that it hereby authorizes release of performance guarantees posted on Block 66, Lot 5.
  9. EXECUTIVE SESSION RESOLUTION – BE IT RESOLVED that the general public shall be excluded from discussion held during executive session – Potential Litigation
  10. RESOLUTION NO. 2010-74 - BE IT RESOLVED by the Township Council that it hereby authorizes the sale of Block 354, Lot 4, in the Township of Aberdeen.

### **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.

Ryan Nuzzolo  
10 HeatherGlen Drive

Ryan stated he can not ride his bike or play basketball on the weekends because of all the cars parking by his driveway. His parents pay taxes and he doesn't want to have to move and leave his friends. This has to change.

Mary Denardo  
50 Halleran Ct

Mary wants the owners of Tab Ramos and the parking lot to know since these cars have been parking on the street she does not feel safe anymore. The cars do not slow down they just want to find a parking spot. At night, they leave Tab Ramos and they are so loud. I hope you understand how it is effecting the neighborhood.

Emily Loniewski  
54 Halleran Court

Emily stated she use to be able to ride her bike and play basketball. She doesn't feel safe anymore with people speeding. I really want us to have a difference.

Joe Lioi  
48 Halleran Court

Mr. Lioi thanked the Council to allow having the young residents speak. We saw some results after coming to the Council. The Sports Center did not live up to their promises, garbage is all over, no one is outside directing traffic only on Friday night, should be Saturday and Sunday too. We still have the problem. We were told it is going to ease up in the summer, does the town offer fields with lights.

Council stated yes.

Mr. Lioi stated Tab Ramos website is offering adult party with liquor and offering slumber parties for kids. Can they do this? Mr. Lioi explained how the parking is

effecting the residents that live in Heather Glen. The Town has done some things for us, Tab Ramos has not. The costs to rent the parking lot is low in comparison to what the Township charges people to park. We would like to see more results. They are allowed to operate under the condition of the back parking lot for parking. The Township has the ability to fine them \$1000 a day.

Mr. McCarthy stated the Zoning Board Attorney stated to fine them on a daily basis when they submitted an application would not get us anywhere. They are in violation of their condition of approval. They submitted plans which are now before the Zoning Board. The public is invited to attend the Zoning Board meeting. We can not legally get involved between Tab Ramos and the owner of the parking lot. We can not guarantee that no cars will park in front of your house because it is a public street. We did issue a citation and they came in with a plan.

Mayor Tagliarini stated we will look into their business model to see what they can and can not do.

Ron Nuzzolo

10 Heather Glen Drive

Mr. Nuzzolo stated at 2:00 in the morning, people are coming out of there drunk. It is an incident waiting to happen. It is not good.

Lisa Vasil

48 Halleran Ct.

When will they be on the Zoning Board. We can't live like this.

Joseph Manzo

8 Heather Glen

Mr. Manzo stated he received a letter on a special meeting with Ramos. Where are the plans now.

Mr. Criscuolo stated they are being reviewed by the Fire Official. Mr. Gillen, CME Associates will be here tomorrow to review the drainage plan.

Mr. Manzo asked if Council saw the plans.

Mr. McCarthy stated this Council could be asked to review an action taken by the Zoning Board. It is my advise to the Council not to get involved in the board application in any respect. The Council can not be tainted in anyway. They shouldn't review the plan.

Ann Denardo

50 Halleran Ct

Ms. Denardo stated I was hoping to get a resolution tonight. Nothing is resolved from two months ago. We have a beautiful neighborhood. Our lives are getting destroyed. Legally you should fine them.

Mayor Tagliarini stated he would fine them and see what happens. Maybe if he gets enough fines he would negotiate with the parking lot owner. I think we should fine them and have them answer for it. We need your quality of life to be restored.

Council stated they are with Mayor Tagliarini.

Helene Weeks  
44 Hyer Court

Ms. Weeks stated what would you do if this was your house.

Councilman Cannon stated to hire a lawyer.

Mr. McCarthy stated the Council is extremely supportive of you. Parking is not the only issue, you brought up many issues. There are certain things we can not do that are beyond our control.

Wayne Jordan  
46 Hyer Court

Mr. Jordan asked where we are in the process of fixing the potholes in our development.

Mr. Criscuolo stated we have several crews out now doing potholes. We have 70 miles of roads in town. We are working as fast as we can.

Councilman Lauro stated to call Mr. Brady, Director of Public Works.

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 Councilman Cannon and unanimously concurred by Council.

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Fred Tagliarini, Mayor

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Karen Ventura, Municipal Clerk