

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING
TUESDAY, MAY 4, 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, May 4, 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
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, he asked to remember a retired police officer, Frank Sigismondi, Sr., followed by the Pledge of Allegiance.

REPORTS

Mayor Tagliarini mentioned the Memorial Day Ceremony is at 10 a.m. At Town Hall.

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. There being no one 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 April 6, 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

NEW BUSINESS

CONSENT AGENDA

Councilman Cannon made a motion to approve the Consent Agenda, all items listed under 7A.

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. 2010-77 – BE IT RESOLVED by the Township Council that it hereby authorizes the Mayor and Clerk to execute an agreement between the Monmouth County Sheriff's Office and the Township of Aberdeen for Emergency 911 Communications services.
2. RESOLUTION NO. 2010-78 – BE IT RESOLVED by the Township Council that it hereby authorizes an Interlocal Services Agreement with the Matawan-Aberdeen Regional School Board of Education for the use of school buses for Summer Adventures Program.
3. RESOLUTION NO. 2010-79 – BE IT RESOLVED by the Township Council that it hereby authorizes release of maintenance bond for 243 Raritan Street.
4. RESOLUTION NO. 2010-80 – BE IT RESOLVED by the Township Council that it hereby authorizes release of performance bonds for 277 County Road.
5. EXECUTIVE SESSION RESOLUTION – BE IT RESOLVED that the general public shall be excluded from discussion held during executive session – Potential Litigation

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.

Joey Warren
7 Ithaca Court

Mr. Warren stated two weeks ago at the Planning Board Meeting, the Planning Board Attorney threatened police action against people in the audience, who wanted the opportunity to speak at a public meeting. I believe it is every citizens right to speak at a

public meeting. Has Mr. Leckstein offered an apology to the Council.

Mayor Tagliarini stated the following day he had a lengthy conversation with Mr. Leckstein in which he realized he was a bit out of line.

Mr. Warren stated at the last Council Meeting, Mr. McCarthy lead us to believe he was the only person from the Township present at the March 10th COAH meeting. At the time the Council took vote was that your impression as well.

Mr. Criscuolo stated the Council knew he attended as well.

Mr. Warren asked if they knew Ms. Dabulas was there as well.

Mr. Criscuolo stated yes.

Mr. Warren asked why was I under the impression that Mr. McCarthy was the only one there and that Council action was based entirely on his interpretation of events that transpired at that meeting. Why didn't anyone correct me at that time.

Mr. McCarthy stated no one could tell what your impression was.

Mayor Tagliarini stated first of all we rely heavily on Mr. McCarthy. I don't remember truly saying who was there and who was not there.

Mr. Warren stated Mr. McCarthy reported that he was threatened by Ms. Grifa, COAH and said if we did not approve the ordinance that night that two days later at the April 21st meeting we were at risk of losing our COAH certification. I contacted COAH, we were never on the April 21st agenda, RCM had withdrawn the petition. We could have been at risk at some future date but no possibility of losing our certification on April 21st. We you under the impression that we were going to lose our certification two days later if we did not approve that ordinance.

Mr. McCarthy stated all your facts are false. We were not on the agenda because the developer's conditional withdrew their order to show cause. The only reason why there was no action that was going to be taken at COAH because the developers intended for that to occur at April 21st meeting and COAH was going to deal with the Order to Show Cause issue at the April 21st meeting. The action of the developer in response to the agreement that we would go through and introduce and pass the ordinance was reason why it was off the agenda.

Mr. Warren stated you informed us that if we did not pass it that night we would lose our certification on April 21st. Was that the Council's understanding.

Mayor Tagliarini stated yes.

Mr. Warren stated Mr. McCarthy express Ms. Grifa threatened us.

Mr. McCarthy stated that is not what he said, he said what COAH had indicated to us and as a result that was an equivalent as putting a gun to the Township's head.

Mr. Warren stated for the record he spoke to Maria Connolly, COAH and Melissa Orson, Ms. Grifa's Chief of Staff, they both said Ms. Grifa could never threaten, she is one of seven votes, the petition had been withdrawn, there was no possibility of losing the COAH certification at the April 21st. Aberdeen does have a terrible track record with COAH. They were very upset Township had acted in bad fact with the Memorandum of Understanding. At what point did the Council vote to approved the Memorandum of Understanding.

Mr. McCarthy stated he doesn't recall the exact time frame. It was presented to the Council in the context of the Settlement of Litigation, it was not voted on in Executive Session. The consent of the Council as to the resolution of the issues raised in the COAH mediation was obtain and the Township Planner and Counsel proceeded accordingly in terms of the mediation.

Mr. Warren stated the Council isn't required to vote on a Memorandum of Understanding and not required to give the citizens an opportunity to comment on Memorandum of Understanding regarding a development of 200 units in the Township.

Mr. McCarthy stated that is not correct. The COAH plan is a public document and is on file in the Clerk's office and COAH. The Memorandum of Understanding simply memorialized certain public actions that would be taken, including the introduction and passage of the ordinance.

Mr. Warren stated the Memorandum of Understanding is the whole reason we were at risk of losing our certification when we withdrew from it. What we are saying is the community was not entitled to be aware of that nor was the Council required to vote on signing the memorandum. I am surprise. My understanding is an ordinance requires two readings.

Mr. McCarthy stated that is correct.

Mr. Warren stated the first reading of Ordinance No. 11-2010 was on April 6, 2010. Why wasn't it on the agenda.

Mr. McCarthy stated it was late start, which is permitted. This ordinance was a result of a meeting with the developer and tried to get a resolution of the issues. That is why it was introduced.

Mr. Warren stated he saw the preliminary budget and it calls for a 25% municipal tax increase.

Mr. Criscuolo stated we are currently working on the budget, it is a work in progress.

Councilman Cannon stated the Council feels that the 25% increase is unacceptable which is why we are working very hard to get it down. The introduction is not a final passage. There are many things to look it between introduction and adoption.

Mr. Warren stated as you know the school budget was rejected. The proposed budget for Aberdeen was about \$550,000 and voters rejected it. If they reject it from the school district they would reject an increase from the town budget as well.

Mayor Tagliarini stated it is an unacceptable amount. This morning two council members met with the auditor and went line by line through the budget. It is a work in progress.

Mr. Warren asked why Council gets a salary and school board members do not.

Mayor Tagliarini stated I really do not know.

Anthony Cassano
26 Beaver Place

Mr. Cassano stated we were promised our street was going to be finished, the B section is being done now and this is the last part of it being done. We have been waiting for 3 years. This year we were promised last year that we were going to be the first one done. Our street is falling apart, our kids can not ride their bicycles. We are very disappointed that we are not going to get this done. It is a small block, a dead end street with only 10 houses on the block. There is no reason why we weren't included.

Pat Hausser
Beaver Place

Ms. Hausser stated it seems strange why they could come in with all equipment and leave one tiny little street undone.

Mayor Tagliarini instructed the Manager to talk to the engineer.

Ray Gorman
4 Warren Drive

Mr. Gorman urged Council to not vote for the 2% increase in the School Budget. 73% of the voters rejected the budget. There should be no increase at all. The people have spoken very strongly.

Mayor Tagliarini stated we are in review and Matawan and Aberdeen will sit together.

Councilman Cannon stated we have to act by May 19, 2010. The standard is a thorough and efficient education. So the budget can not be cut to a level where a thorough and efficient can not be provided to the children of our community.

Bill Marinello
500 Lloyd Road

Mr. Marinello read a statement to Council that the voice of the people on the school budget should be respected. The teachers union, school board and local government should work together to reduce taxes while minimizing lay offs and program cuts. It is time to bring teacher and administrative salaries in line with economic realities. The anger is not with the teachers but the union. Superintendents are making more than the Commissioner of Education. Budget includes 4% increase for teachers, 25% increase in healthcare. If they refuse shared sacrifice concept, share wishes of community with them and cut \$876.037.00 for no tax increase.

Mr. Marinello stated he belongs to a group called Deerfield Park Neighbors. Many complaints were issued regarding the safety on Lloyd Road. Very little has changed, there were more accidents. He has been contacted by a lawfirm to testify against the Township but he refused. He is here once again to express his concern for safety on Lloyd Road.

Mr. Marinello stated at October 7, 2008 meeting I asked Governing Body to consider a pay to play ordinance that would set limits on political contributions. At December 16, 2008 meeting I asked if there was any progress. Mr. Criscuolo stated we are very close, most likely at second meeting in January. Mayor Sobel stated we will take action in February. It is over a year. What happened.

Mayor Tagliarini asked Mr. Criscuolo to check into.

Tom Ryan
Norwood Lane

Mr. Ryan stated he has a great concern of the future of the School Budget after the vote, when will your decision be publicized so it can be reviewed by the next session and there be a public discussion.

Councilman Cannon stated we have to pass a resolution at the next meeting certifying the amount we agreed to. If we can not agree with the School Board we may not have to pass a resolution, it would go immediately to the County Superintendents office. My advise is call our Municipal Clerk. It is a short amount of time, so it may be an emergency agenda item. All the information will be in the text of the resolution.

Mike Cannon
41 Beckstein Drive

Mr. Cannon stated after being on the Matawan Council for 10 years he does not envy this Council. I live on Beckstein Drive, they are redoing our road, I want to comment on the Contractor, who is the low bid contractor, they are excellent. They are doing a fantastic job, they clean up every day and working timely. In the winter, on South Atlantic Avenue around the bend was a disaster, it has been fixed you did a great job.

Mr. Criscuolo stated this is all a group effort between Public Works, Clerk, CFO and staff.

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

Mayor Tagliarini stated in closing this is Municipal Clerk's Week, in my short tenure you (Karen Ventura) have made it an easy job for me. I appreciate all the work you do, and the guidance and I would like to acknowledge you for a job well done.

ADJOURNMENT

Councilwoman Gumbs made a motion to adjourn, seconded by Councilman Cannon and unanimously concurred by Council.

Fred Tagliarini, Mayor

Karen Ventura, Municipal Clerk