

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING
TUESDAY, MAY 18, 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 18, 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
 Diane Dabulas, Township Attorney

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

REPORTS

Mr. Criscuolo stated he set up a meeting with the Department of Transportation to get a status on the Route 35 project. We want to make sure the project keeps moving.

Mayor Tagliarini stated we are honored to have the incredible art work in the lobby, and asked after the meeting for the public to take a look at the artwork done by the special education children of the Matawan Aberdeen Regional School District.

Councilman Cannon stated two weeks ago residents from Beaver Place came to the Council meeting regarding the condition of their street. Mayor Tagliarini and myself went to visit them and looked that the street, which was in bad shape. The costs to complete that road would be \$210,000 and we do not have the budget funds at this time to undertake that project. We explained in the book and the engineer's report they are due to be reconstructed in 2012 and they were not entirely happy they did accept our budgetary concerns at this time.

There were no further reports.

Councilman Lauro made a motion to remove the Executive Session from the Consent Agenda. Seconded by Councilman Drapkin.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

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.

Mike Abend

51 Chilton Lane

Mr. Abend asked regarding Resolution 2010-83, Matawan Aberdeen School District Budget Tax Levy to elaborate what accounts in the resolution mean. Who is the reduction to budgeted salary increase Acct. #11-000-291-270 and 11-000-291-260 for?

Mayor Tagliarini stated teachers.

Mr. Abend stated the calculation that was done, how did you come up with \$10,000 in Social Security Contribution when social security is 7.65% and on \$250,000 that is \$19,000 are you understating the savings by \$9,000.

Mayor Tagliarini stated the first 8 Line Item Reductions were given to us from the Board of Education.

Mr. Abend asked if the Council challenged any of these numbers. There is a \$10,000 number that is totally incorrect.

Mr. Criscuolo stated when the Committee, myself, and Matawan representatives went to meet with the Superintendent we asked him a series of questions and if he could come up with any changes to lower the tax levy. These items were provided to us by the Superintendent.

Mr. Abend asked the same question. This is a very simple calculation. Fica is 7.65% of salary up to a base of \$106,800. Has anyone checked these numbers. How can Council vote when number is incorrect.

Mr. Criscuolo stated the Superintendent volunteered this as a reduction area.

Mr. Abend asked why this number was not challenged.

Diane Dabulas stated we haven't had any discussion as to what the process was and the investigation this committee made and discussions they had with the Superintendent

regarding all these items and what efforts they did.

Mr. Abend stated he appreciates your comments but how do you vote on something that you haven't questioned the validity of the numbers.

Councilman Cannon stated these line items are suggestions from the Council based upon what the Superintendent told us he is able to do. These line items are not binding upon the Board of Education only the total number by New Jersey Law.

Mr. Abend stated he understands that, but the point he is trying to make if they give you specific line items and it is a calculated line item, how can you not question that number.

Mayor Tagliarini stated the Superintendent told the Committee that \$422,000 is nothing more than lines he made up and arrived at a number he can live with. The number we arrived at is the number we chosen. 80% is from the Superintendent.

Mr. Abend asked why line item numbers were given.

Councilman Cannon stated because it is required by New Jersey States Statute. Even though it is not binding. We have to comply with law.

Ken Aitken

65 Juniper Place

Mr. Aitken stated there is a budget review tonight.

Mayor Tagliarini stated we are still working on the budget now.

Diane Dabulas stated this is a purely required public hearing within days of introduction, it is not an amended budget.

Mr. Aitken stated when is the school budget resolution due.

Diane Dabulas stated May 19th.

Mr. Aitken stated this resolution was not on the website until after 3:00 this afternoon. According to Open Public Meetings Act we are suppose to have this documentation at least 48 hours in advanced. I am making an objection to it being on the agenda, in his view it violated the open public meetings act and removed from the agenda.

Diane Dabulas stated your objection is noted. The resolution was not done and that was one major reason why it was not posted. The requirement is that the agenda, which is not even required to be on the website, states to the extent known. We did not know whether or not if we were going to have a special meeting. We didn't, we posted it when it was done, and will be voting on it.

Mr. Criscuolo stated Council can also choose not to have a resolution and do nothing.

There is a possible of no item on the agenda.

Councilman Cannon stated the decision on the resolution was not reviewed by the attorney until this morning. This is a major decision. We did not come to a decision until last night. There is no requirement to post resolutions within 48 hours. The agenda must only be posted to the fullest extent known. The agenda was not fully known until about 9:30 a.m. The resolution was posted shortly thereafter. It was posted at 11:44 a.m. As soon as it was reviewed by our attorney and past onto the Municipal Clerk.

Mr. Aitken stated there was meetings with the School Board and it was known that it had to be done by May 19th . I have to say, I don't know the full extent. This year was the longest year I have seen between the School Board and the Town in resent memory. The past 5 or 6 years have gone fairly smooth. The school budget asked the number of the budget increase.

Councilman Cannon stated \$876,000.

Mr. Aitken stated \$876,000 was a 2% increase in the school budget for Aberdeen. Now with the \$571,000 cut there is \$300,000 increase left.

Marshall Gorman

Teacher/Matawan Aberdeen Middle School

Read following statement: As a teacher and member of the Matawan Regional Teacher Association's contractual negotiating team, I am asking the Council to minimize the reduction to the Matawan Aberdeen Regional school budget. Last year the towns passed the 2009-2010 budget with a 0% increase which still included a surplus to be used going forward to ease this year's tax levy. The State has taken that half million dollars for this years state budget shortfall and furthermore reduced the district's 2010-2011 state aid by almost 3 million additional dollars. Despite these large cuts in state aid, the district proposed a 2010-2011 budget with a 2% increase in the tax levy coming under Gov. Christie's newly proposed 2.5% cap. There is over \$5 million in cuts to this year's operating budget. The district has already voted to privatize our custodial staff a loss of 36 jobs, many of who are resident's of this community. An additional proposed cut of over 40 teaching and clerical staff hangs in the balance based on the budget put forward by the district. The MRTA's current contract expires in June thus affecting a freeze in current salaries as a negotiated settlement in pursued. One of the MRTA'a primary concerns in this negotiation process is the saving of as many teaching, clerical, bus and maintenance jobs as possible. The MRTA is prepared to make concessions to meet that end. However, despite the profligate spending by the Board on administrative salaries and increases for the 201-11 school year, it is a virtual certainty that the school district did not budget \$3.5 million in MRTA salary raises for this coming year which would be the amount necessary to save all the jobs that have been cut by the district. Thanks you for your time this evening.

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

PROCLAMATIONS

Mayor Tagliarini read the following proclamation:

WHEREAS, five hundred and thirty (530) children receive special education and related services in the Matawan Aberdeen Regional School district; and

WHEREAS, dozens of parents, teachers, child study team members and school administrators give generously of their time and energy to support the learning needs of special education students; and

WHEREAS, since 1985 the New Jersey School Boards Association has sponsored Special education Week in New Jersey, and

WHEREAS, the Matawan Aberdeen Regional School District has the ability to make major contributions to these exceptional persons by helping them grow and learn to participate as citizens of our community and as members of society.

NOW THEREFORE, I, FRED TAGLIARINI, MAYOR OF THE TOWNSHIP OF ABERDEEN, do hereby proclaim, on behalf of the Township Council, the week of May 17, 2010 through May 21, 2010 as Personal Best Week in Aberdeen and call upon all citizens to recognize the achievements of our district's special education students and the outstanding contributions made by educators, school board members, administrators and parents toward quality education for the exceptional students of our district.

MINUTES

Councilwoman Gumbs made a motion to adopt the Workshop, Regular & Executive Meeting Minutes of April 19, 2010. Seconded by Councilman Lauro.

Workshop Meeting Minutes

ROLL CALL VOTE:

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

Nays: None

Abstain: Councilmember Drapkin, Montone and Mayor Tagliarini

Regular & Executive Meeting Minutes

ROLL CALL VOTE:

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

Nays: None

Abstain: Councilman Drapkin

CONTINUED BUSINESS

2010 MUNICIPAL BUDGET – PUBLIC HEARING

Mayor Tagliarini opened the meeting to the public for remarks or comments for or against the 2010 Municipal Budget. There being no one present wishing to be heard Mayor Tagliarini closed the public hearing and reserved decision.

ROLL CALL:

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

Nays: None

Abstain: None

2010 SOLID WASTE COLLECTION DISTRICT BUDGET – PUBLIC HEARING

Mayor Tagliarini opened the meeting to the public for remarks or comments for or against the 2010 Solid Waste Collection District Budget. There being no one present wishing to be heard Mayor Tagliarini closed the public hearing and reserved decision.

ROLL CALL:

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

Nays: None

Abstain: None

NEW BUSINESS

CONSENT AGENDA

Deputy Mayor Vinci made a motion to approve the Consent Agenda, all items listed under 9A.

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. 2010-81 – BE IT RESOLVED by the Township Council that it hereby authorizes Block 313, Lot 8, 313 Orchard Street to be offered for sale at public auction.
2. RESOLUTION NO. 2010-82 – BE IT RESOLVED by the Township Council that it hereby extends parking for extended hours in specific designated areas on Lakeshore Drive for fisherman until June 30, 2010.

Councilman Cannon read **RESOLUTION NO. 2010-83**

WHEREAS, at the annual school election on April 20, 2010 the voters of the

Borough of Matawan (Borough) and the Township of Aberdeen (Township) rejected the 2010-2011 general fund tax levy approved by the Board of Education of the Matawan-Aberdeen Regional School District (Board), an amount which equaled \$ 44,677,896.00; and

WHEREAS, the voters of the Borough and the Township, during these historically unprecedented economic times, voiced their disapproval of the Board's proposed tax levy; and

WHEREAS, the Township governing body, as the duly elected representatives of the voters and the school-age children of the Township, sought to minimize the proposed tax levy's burden upon the voters of the Township, while at the same time, minimizing the effect of any proposed decrease in the tax levy upon the educational programs and opportunities provided by the Board to the school-age children of the Township, so that the Board may continue to provide a thorough and efficient system of schools in the district; and

WHEREAS, the Township governing body notes that the members of the Matawan-Regional Administrators Association (MRAA) are scheduled to earn a 4.6% increase in annual salaries during the 2010-2011 school year; and

WHEREAS, the Township governing body notes that the Board recently awarded the district's Superintendent a 6.9% increase in his annual salary, the district's Deputy Superintendent a 3.6% increase in his annual salary, and the district's Business Administrator a 9.2% increase in her annual salary; and

WHEREAS, the Township governing body notes that the Board hired a twenty-second administrator for the district, at a cost of approximately \$150,000.00, after the voters of the Township had rejected the 2010-2011 general fund tax levy approved by the Board; and

WHEREAS, the Township governing body notes that the Board's rejected budget for the 2010-2011 school year calls for the termination of approximately eighty district employees, while at the same time, maintaining the aforementioned salary increases for the Superintendent, Deputy Superintendent and Business Administrator, failing to contemplate any possible concessions or alternatives with the MRAA, and includes the approximately \$150,000.00 cost of employing a twenty-second administrator in the district for the 2010-2011 school year; and

WHEREAS, a special committee of the Township met with a special committee of the Board for the purpose of satisfying the statutory requirement for consultation, during which meetings, there occurred deliberations and communication between the parties in an attempt to reach a settlement satisfactory to all parties concerning the amount of tax levy necessary to provide a thorough and efficient system of schools in the district; and

WHEREAS, the special committee of the Board immediately proposed a

decrease in the tax levy of \$421,970.00, but would not deliberate or discuss any further decrease in the tax levy with the special committee of the Township regarding the district's administrative salaries; and

WHEREAS, the special committee of the Township finds the special committee of the Board would not discuss any further decrease in the tax levy, beyond the special committee of the Board's proposed \$421,970.00, which further decrease would be comprised solely of administrative salaries in the district and would not compromise the Board's ability or capability to provide a thorough and efficient system of schools in the district; and

WHEREAS, the Township governing body, pursuant to N.J.S.A. 18A:22-37, is charged with reviewing the Board's rejected 2010-2011 budget and certifying a reduced amount that would not compromise the Board's ability or capability to provide a thorough and efficient system of schools in the district, whether or not the Board agrees to any proposed decrease; and

WHEREAS, the special committee of the Township and the Township governing body have been able to develop a consensus as to the general fund tax levy for the school district which results in a reduction of \$571,970.00 from the original general fund tax levy rejected by the voters which would result in the certification by the governing body of the following funds to the Monmouth County Board of Taxation:

2010-2011 Board Proposed Tax Levy	\$44,677,896.00
Proposed Decrease in Levy	\$ 571,970.00
Proposed Tax Levy	\$44,105,926.00; and

WHEREAS, the Township governing body recommends said \$571,970.00 be effectuated by the reductions as set forth in Schedule A attached hereto and be made a part hereof from the Board's proposed general fund tax levy; and

WHEREAS, the recommended reduction of said \$571,970.00 includes the \$421,970.00 in reductions proposed by the special committee of the Board, and also includes a further proposed reduction of \$150,000.00, comprised solely of administrative salaries within the district; and

WHEREAS, the Township governing body recognizes that the Board is not bound by law to effectuate the recommended reductions in accordance with the Township governing body's recommendations, as set forth in Schedule A attached hereto, but that the Board may choose to effectuate \$571,970.00 in proposed reductions by needlessly reducing the educational programs and opportunities provided by the Board to the school-age children of the Township, instead of reducing the district's administrative salaries; and

WHEREAS, the Township governing body implores the Board to effectuate its recommended reductions through the \$421,970.00 in reductions proposed by the special

committee of the Board, and by reducing the district's administrative salaries by \$150,000.00; and

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that it does hereby certify the final general fund tax levy for the Matawan- Aberdeen Regional School District budget as follows:

For the base budget	\$44,105,926.00

Total Current Expense Tax Levy	\$44,105,926.00

BE IT FURTHER RESOLVED that the Township Council of the Township of Aberdeen certifies to the Monmouth County Board of Taxation the amount of \$44,105,926.00 as the general fund tax levy and the amount necessary to provide a thorough and efficient education in the Matawan-Aberdeen Regional School District for the school year commencing July 1, 2010 and terminating June 30, 2011.

BE IT FURTHER RESOLVED that the Township Clerk shall cause two certified copies of this Resolution to be delivered no later than May 19, 2010 to the Monmouth County Superintendent of Schools and to the Matawan-Aberdeen Regional School District Board of Education.

BE IT FURTHER RESOLVED that the Township Clerk promptly provide a certified copy of this Resolution to the Commissioner, New Jersey Department of Education, to the Monmouth County Board of Taxation and to the Tax Assessor of the Township of Aberdeen.

Schedule A

Recommended Specific Line-Item Reductions

<i>Line-Item</i>	<i>Account No.</i>	<i>Amount</i>
Reduction to Budgeted Salary Increase	Acct. No. 11-000-291-270	\$200,000.00
Reduction to Budgeted Salary Increase	Acct. No. 11-000-291-260	\$50,000.00
Utilities—Natural Gas	Acct. No. 11-000-262-621	\$37,500.00
Utilities—Electric	Acct. No. 11-000-262-622	\$37,500.00
Telecommunications	Acct. No. 11-000-230-530	\$25,000.00
Social Security Contribution TPAF	Acct. No. 11-000-291-220	\$10,000.00
General Supplies	Acct. No. 11-190-100-610	\$20,000.00
Grade 9-12 Salary Breakage on Retirements	Acct. No. 11-140-100-101	\$41,970.00
Reduction in Administrative Salaries	Acct. No. 11-000-240-103	\$150,000.00

Total: \$571,970.00

Councilman Cannon made a motion to introduce Resolution No. 2010-83 and move its adoption. Seconded by Councilman Lauro.

ROLL CALL VOTE:

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

Nays: None

Abstain: Councilmember Drapkin and Montone

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

ADJOURNMENT

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

Fred Tagliarini, Mayor

Karen Ventura, Municipal Clerk