



roadway, construction of the Cliffwood Beach Sea Wall pedestrian project, refurbish two water lines that run under Route 35 and construction of a sewer pump station in Freneau section of town to allow for sewers. Mr. Criscuolo has prepared letters to our Senators and Legislators to help us obtain funding in the municipality.

Mr. Criscuolo stated there has been no movement in COAH, we have not advertise yet because we were not instructed by the State to do so.

There were no further reports.

Councilman Drapkin made a motion to Table Ordinance No. 3-2009 until the next scheduled council meeting. Seconded by Councilman Tagliarini.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

Councilman Drapkin made a motion to remove Resolution No. 2009-26 from the agenda. Seconded by Councilman Vinci.

ROLL CALL VOTE:

Ayes: Councilmen Drapkin, Perry, Tagliarini, Vinci 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.

Frank Huza  
43 Beacon Lane

Mr. Huza thanked the Council for the writing and introduction of Ordinance No. 4-2009, No glass containers at the beach and public parks. This ordinance will go a great way in keep our parks and beaches safer.

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

### **MINUTES**

Councilman Perry made a motion to approve the Workshop, Regular & Executive Meeting Minutes of November 17, 2008 and December 2, 2008.

Seconded by Councilman Drapkin.

Minutes – November 17, 2008

ROLL CALL VOTE:

Ayes: Councilmen Perry, Vinci and Mayor Sobel

Nays: None

Abstain: Councilmen Drapkin and Tagliarini

Minutes – December 2, 2008

ROLL CALL VOTE:

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

Nays: None

Abstain: None

## **NEW BUSINESS**

### **ORDINANCE NO. 4-2009 - INTRODUCTION**

Councilman Tagliarini made a motion to introduce Ordinance No. 4-2009 on first reading by title and to order the same to be published by summary in the January 23, 2009 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 February 3, 2009 at 7:00 P.M. in the municipal building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Vinci.

The Clerk read Ordinance No. 4-2009: “ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, CHAPTER VII, PARKS AND RECREATION AREAS”

ROLL CALL VOTE:

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

Nays: None

Abstain: None

### **CONSENT AGENDA**

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

Seconded by Councilman Drapkin

ROLL CALL VOTE:

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

Nays: None

Abstain: None

1. RESOLUTION NO. 2009-22: BE IT RESOLVED by the Township Council that it hereby authorizes the renewal of Fun Time America Amusement License.
2. RESOLUTION NO. 2009-23: BE IT RESOLVED by the Township Council that it hereby calls on the Governor and Legislature of the State of New Jersey to institute a reduction of 50% or better on sales tax for purchasing new automobiles.
3. RESOLUTION NO. 2009-24: BE IT RESOLVED by the Township Council that it hereby appoints Daniel McCarthy, Rogut McCarthy LLC as Township Attorney,

- Labor Attorney and Litigation Counsel for the year 2009.
4. RESOLUTION NO. 2009-25: BE IT RESOLVED by the Township Council that it hereby appoints the firm Rogut McCarthy LLC as Bond Counsel for the year 2009.
  5. RESOLUTION NO. 2009-27: BE IT RESOLVED by the Township Council that it hereby appoints Allen E. Falk, Esq as Municipal Prosecutor for the year 2009.
  6. RESOLUTION NO. 2009-28: BE IT RESOLVED by the Township Council that it hereby appoints Marc B. Schram, Esq. As Municipal Public Defender for the year 2009.
  7. RESOLUTION NO. 2009-29: BE IT RESOLVED by the Township Council that it hereby appoints Thomas P. Fallon as Municipal Auditor for the year 2009.
  8. RESOLUTION NO. 2009-30: BE IT RESOLVED by the Township Council that it hereby complied with the promulgation of the Local Finance Board for the 2007 Annual Audit.
  9. RESOLUTION NO. 2009-31: BE IT RESOLVED by the Township Council that it hereby authorizes the Corrective Action Plan be adopted in response to the 2007 audit findings.
  10. RESOLUTION NO. 2009-32: BE IT RESOLVED by the Township Council that it hereby authorizes the Memorandum of Understanding between the Superior Officers Association and the Township Manager.
  11. EXECUTIVE SESSION RESOLUTION – BE IT RESOLVED that the general public shall be excluded from discussion held during executive session – Contract Negotiations, Potential Litigation.
  12. RA-925 – Raffle License for Christian Brothers Academy, Lincroft, NJ
  13. RA-926 – Raffle License for Christian Brothers Academy, Lincroft, NJ

### **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.

Paul Rinear  
109 Wilson Avenue

Mr. Rinear asked to explain the COAH.

Mr. Criscuolo stated the COAH plan went to Trenton on December 29, 2008. COAH received 248 submissions that time. COAH has to review our plan and give us consent that our plan meets the rules. If it doesn't we have to modify the plan and resubmit. Once COAH approves plan the Township Clerk has to advertise that we submitted the plan and it has been accepted by COAH. At that point there is a review period of 45 days for the public and people who own land in the Town. We are following guidelines in the State law. Some towns didn't submit will be subject to builder remedy. We don't have to worry about that because we submitted a plan.

Michelle Devanny  
11 Warren Drive

Ms. Devanny stated she received a letter from the State and it mentioned the Towns should take a stronger force to limit building so we don't have a higher number in the future. Are we looking into that?

Mr. Criscuolo stated the new formula looks at what you can build going forward within ten years. The calculation is based on how much open buildable space you have. In some cases we go back and say this lot is not buildable and we get credit for it. We have gone through all properties and maps two months ago, he believes the number will meet our criteria.

Ms. Devanny stated after the ten years if we allow people to build on smaller lots or allow more building and come up with a new plan in ten years, we are really pushing it.

Mr. Criscuolo stated in some cases a builder will be responsible to build affordable units. If they build 5 units they have to build a 6<sup>th</sup> one that would be affordable. So they are responsible as well.

Ms. Dabulas stated COAH determines the amount of affordable units based on vacant land and growth. The size of house has nothing to do with it.

Councilman Tagliarini asked if Ms. Devanny was talking about the subdivision of land that is increasing the number of buildable units in town that will affect COAH.

Ms. Devanny stated yes.

Councilman Tagliarini stated excellent point. Subdivisions aren't as simply as you think because they are adding to the amount of units to be built.

Mayor Sobel stated because of COAH's third round rules we are careful with applications because it is adding to our future obligations.

Councilman Tagliarini stated we can not reject an application based upon COAH.

Mr. Criscuolo stated if the builder is going to build a COAH unit, it would be extremely hard to reject.

Anthony Garaguso  
105 Atlantic Avenue

Mr. Garaguso stated if COAH reject the plan is there a specific time limit to amend plan.

Ms. Dabulas stated this initial review is for completeness only. We have 45 days to complete deficiencies and once we enter into the merit portion we have ample time.

Mr. Garaguso asked if your missing something does it hurt you.

Mr. Criscuolo stated no.

Paul Dawson  
69 Ivyhill Drive

Mr. Dawson stated recently new parking signs went up on Ivyhill Drive. He spoke to neighbors and they are opposed to signs. They didn't care about commuter parking. He spoke of Officer Sigismondi and his cut off point was strictly arbitrary. The signs says 9 am to 5 pm, 2 hour parking, it doesn't say Monday through Friday.

Mayor Sobel stated we received a petition from neighbors. A majority of the people that park are not Aberdeen residents, letters were placed on their cars telling them of the spaces on Route 34, Bowling Alley. We have restrictions because of the noise, litter and parking problems, blocking driveways and the quality of life.

Mr. Criscuolo stated the basic rule of thumb when you are picking how far to do the restriction is to send out traffic unit and ask them to make an educated guess. We tried to find a location where people would say I am not willing to walk this. We put letters on the cars telling them they can park at the Bowling Alley, \$500 Non-residents and \$100 for residents annually. We have to pay the Bowling Alley rent for these spaces. We do provide ample parking in Town.

Mr. Dawson stated what about the times.

Mr. Criscuolo stated he talked to the Chief today and make a comprehensive review of all the signs in the areas of restricted parking.

Mayor Sobel stated these signs should be consistent. It should be 6a.m. To 10a.m. Monday through Friday.

Ms. Dabulas will make sure the ordinance is correct. The intention was Monday through Friday.

Mr. Criscuolo stated we will get the correct information to Public Works Director.

Michell Devanny  
11 Warren Drive

Ms. Devanny stated if I was buying a home and saw a parking sign I would run in the other direction. My husband doesn't do to work until late.

Mayor Sobel stated our Police Department is sensitive to residents.

Ms. Devanny asked about resident decal.

Mayor Sobel stated we can't do that. If it feeds into a State highway or County road, we can't do that. We are addresses one population only, buses commuter, buses run from before 6 am to 8:15 am.

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

**ADJOURNMENT**

Councilman Tagliarini made a motion to adjourn, seconded by Councilman Drapkin and unanimously concurred by Council.

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David G. Sobel, Mayor

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Karen Ventura, Municipal Clerk