

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING  
TUESDAY, MARCH 3, 2009**

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 3, 2009 at 7:37 p.m. in the Municipal Building at One Aberdeen Square and was called to order by Mayor David G. Sobel, who presided at the meeting.

Mayor Sobel 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: Fred Tagliarini  
Vincent Vinci  
Wilhelmina Gumbs  
David G. Sobel

Absent: Owen Drapkin  
Thomas Perry  
Joseph Raymond

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

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

**REPORTS**

There were no reports.

Mayor Sobel read the following Proclamation:

***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 1400 individuals with cognitive 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 60 years of service to families and individuals throughout Monmouth County.*

***NOW, THEREFORE, I, DAVID G. SOBEL,** Mayor of the Township of Aberdeen to hereby proclaim March, 2009 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.*

Councilman Tagliarini made a motion to Table Ordinance No. 7-2009 until the next scheduled council meeting. Seconded by Councilman Vinci

ROLL CALL VOTE:

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

Councilman Tagliarini made a motion to add Resolution No.2009-49, Waiving Estoppel Period for Ordinance No. 3-2009, to the Consent Agenda. Seconded by Deputy Mayor Gumbs

ROLL CALL VOTE:

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

Councilman Tagliarini made a motion to add Contract Negotiations to the Executive Session. Seconded by Deputy Mayor Gumbs.

ROLL CALL VOTE:

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs 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.

Ken Aitken

65 Juniper Place

Mr. Aitken asked what Resolution No. 2009-49 is.

Mayor Sobel read Resolution No. 2009-49

**BE IT RESOLVED** that the Township Council of the Township of Aberdeen hereby waives the twenty day waiting period following the final adoption of Ordinance No. 3-2009, and said ordinance shall become effective upon final adoption.

Mayor Sobel stated the reason is, an employee needs immediate help in this regard and we feel the need to waive the twenty day waiting period.

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

### **MINUTES**

Deputy Mayor Gumbs made a motion to approve the Workshop, Regular & Executive Meeting Minutes of February 17, 2009.

Seconded by Councilman Tagliarini

ROLL CALL VOTE:

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

### **CONTINUED BUSINESS**

#### **ORDINANCE NO. 3-2009 – PUBLIC HEARING**

Mayor Sobel stated that Ordinance No. 3-2009, introduced and passed on first reading by title on January 6, 2009 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 January 9, 2009 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. 3-2009: “AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, CHAPTER 10, PERSONNEL POLICIES”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 3-2009.

Councilman Vinci made a motion that Ordinance No. 3-2009 be finally passed and adopted and that notice of its passage and adoption be published by title in the March 6, 2009 issue of the Asbury Park Press.

Seconded by Councilman Tagliarini

**ROLL CALL VOTE:**

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 5-2009 – PUBLIC HEARING**

Mayor Sobel stated that Ordinance No. 5-2009, introduced and passed on first reading by title on February 17, 2009 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 20, 2009 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. 5-2009: “CALENDAR YEAR 2009 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A:4-45.14”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 5-2009.

Councilman Tagliarini made a motion that Ordinance No. 5-2009 be finally passed and adopted and that notice of its passage and adoption be published by title in the March 6, 2009 issue of the Asbury Park Press.

Seconded by Councilman Vinci

**ROLL CALL VOTE:**

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 6-2009 – PUBLIC HEARING**

Mayor Sobel stated that Ordinance No. 6-2009, introduced and passed on first reading by title on February 17, 2009 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 20, 2009 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. 6-2009: “AN ORDINANCE AMENDING AN ORDINANCE ENTITLED “AN ORDINANCE FIXING THE SALARIES AND WAGES AND FRINGE BENEFITS OF VARIOUS OFFICIALS, OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY”

Mayor Sobel opened the public hearing to the public for any remarks or comments for or against the final adoption of this ordinance.

Ken Aitken  
65 Juniper Place

Mr. Aitken stated my understanding is this ordinance is for the employees of the Township and not Councilmembers.

Mayor Sobel stated you are correct.

There being no one else present wishing to be heard Mayor Sobel closed the public hearing on Ordinance No. 6-2009.

Deputy Mayor Gumbs made a motion that Ordinance No. 6-2009 be finally passed and adopted and that notice of its passage and adoption be published by title in the March 6, 2009 issue of the Asbury Park Press.

Seconded by Councilman Vinci

ROLL CALL VOTE:

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

## **NEW BUSINESS**

### **CONSENT AGENDA**

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

Seconded by Councilman Vinci

ROLL CALL VOTE:

Ayes: Councilmen Tagliarini, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

1. RESOLUTION NO. 2009-43: BE IT RESOLVED by the Township Council that it hereby appoints Special Counsel for Tax Foreclosures and Tax Appeals for 2009.
2. RESOLUTION NO. 2009-44: BE IT RESOLVED by the Township Council that it hereby adopts the Hazard Mitigation Plan as recommended by the Federal Emergency Management Agency.
3. RESOLUTION NO. 2009-46: BE IT RESOLVED by the Township Council that it hereby calls on the Governor and Legislature to reduce the requirement for notices to be published in two newspapers to one newspaper and the municipality's website.
4. RESOLUTION NO. 2009-47: BE IT RESOLVED by the Township Council that it hereby agrees to become a member of the Central Jersey Health Insurance Fund.
5. RESOLUTION NO. 2009-48: BE IT RESOLVED by the Township Council that it hereby appoints Joseph Criscuolo as Fund Commissioner to the Central Jersey Health Insurance Fund.
6. EXECUTIVE SESSION RESOLUTION – BE IT RESOLVED that the general public shall be excluded from discussion held during executive session – Personnel and

Litigation (Tax Appeals) and Contract Negotiation.

7. RESOLUTION NO. 2009-49: BE IT RESOLVED that the Township Council hereby waives the 20 day waiting period for Ordinance No. 3-2009.

ROLL CALL VOTE:

Ayes: Councilmen Tagliarini, Vinci and Deputy Mayor Gumbs

Nays: None

Abstain: Mayor Sobel

1. RESOLUTION NO. 2009-45: BE IT RESOLVED by the Township Council that it hereby awards a contract for 2<sup>nd</sup> year Grass Cutting & Lawn Maintenance.

### **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.

Ken Aitken

65 Juniper Place

Mr. Aitken stated regarding the issue with the Lloyd Road School and the traffic. Mr. Aitken spoke to the Chief of Police on Aberdeen Day and they have been watching it. Mr. Aitken stated he goes there occasionally and drivers are not obeying the crossing guard, they are going around them. My hope is something will be done. Maybe a crackdown and issue violations to people. Buses are also coming in and out at the same time and causing the problem.

Mr. Criscuolo stated it is on the radar screen. The County has frowned against a light.

Mr. Aitken stated you just have to square off the road and install a light. A light that can be control by the crossing guard during school hours.

Mr. Vinci stated this is for the safety of the children.

Mr. Criscuolo stated the Chief has followed up with a letter to the County.

Anthony Garaguso

105 Atlantic Avenue

Mr. Garaguso asked if the Town knows what is going on with the Henry Hudson Trail between the ballfield and Matawan. They were cutting down the trees.

Mayor Sobel stated the cutting down of trees was JCP&L. When the apartments at the train station were first built they gave money to pay for the continuation of the trail and now it is up to the County to come up with the balance.

Mr. Tagliarini stated JCP&L came in with no regard and Matawan took a lot of heat from

it.

Mr. Garaguso asked about the proposed road from Route 79 to the train station.

Mayor Sobel stated he thinks it may be dead, he hasn't heard anything about it in years.

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

## **ADJOURNMENT**

Deputy Mayor Gumbs made a motion to adjourn, seconded by Councilman Vinci and unanimously concurred by Council.

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David G. Sobel, Mayor

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Karen Ventura, Municipal Clerk