

Abstain: Deputy Mayor Gumbs

CONTINUED BUSINESS

ORDINANCE NO. 14-2008 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 14-2008, introduced and passed on first reading by title on October 21, 2008 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 October 24, 2008 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. 14-2008: “ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN - VACATION OF GRAND AVENUE”

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. 14-2008.

Councilman Drapkin made a motion that Ordinance No. 14-2008 be finally passed and adopted and that notice of its passage and adoption be published by title in the November 7, 2008 issue of the Asbury Park Press.

Seconded by Councilman Vinci

ROLL CALL VOTE:

Ayes: Councilmen Drapkin, Perry, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

ORDINANCE NO. 15-2008 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 15-2008, introduced and passed on first reading by title on October 21, 2008 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 October 24, 2008 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. 15-2008: “AN ORDINANCE PROVIDING FOR THE APPROVAL AND ADOPTION OF A MAP DEPICTING THE LOCATION AND BOUNDARIES OF DRUG-FREE SCHOOL ZONES AND MAKE AN OFFICIAL FINDING AND RECORD OF THE LOCATION AND BOUNDARIES OF SUCH ZONES”

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. 15-2008.

Councilman Vinci made a motion that Ordinance No. 15-2008 be finally passed and adopted and that notice of its passage and adoption be published by title in the November 7, 2008 issue of the Asbury Park Press.

Seconded by Councilman Drapkin

ROLL CALL VOTE:

Ayes: Councilmen Drapkin, Perry, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

NEW BUSINESS

ORDINANCE NO. 13-2008 - INTRODUCTION

Councilman Perry made a motion to introduce Ordinance No. 13-2008 on first reading by title and to order the same to be published by summary in the November 7, 2008 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 November 17, 2008 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. 13-2008: "ORDINANCE AMENDING AND SUPPLEMENTING THE "LAND DEVELOPMENT ORDINANCE", OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH, STATE OF NEW JERSEY WITH SPECIFIC REFERENCE TO SATISFYING THE REQUIREMENTS OF THE NEW JERSEY COUNCIL ON AFFORDABLE HOUSING (COAH) BY AMENDING SECTION 25-9.4 ENTITLED "DEVELOPMENT FEES FOR AFFORDABLE HOUSING"

ROLL CALL VOTE:

Ayes: Councilmen Drapkin, Perry, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

CONSENT AGENDA

Deputy Mayor Gumbs made a motion to approve the Consent Agenda, all items listed under 8B.

Seconded by Councilman Drapkin

ROLL CALL VOTE:

Ayes: Councilmen Drapkin, Perry, Vinci, Deputy Mayor Gumbs and Mayor Sobel

Nays: None

Abstain: None

1. RESOLUTION NO. 2008-117 - BE IT RESOLVED by the Township Council that it

hereby authorizes transfers between the 2008 budgets.

2. RESOLUTION NO. 2008-118 - BE IT RESOLVED by the Township Council that it hereby opposes the third round affordable housing rules as adopted by the Council on Affordable Housing.

3. RESOLUTION NO. 2008-119 - BE IT RESOLVED by the Township Council that it hereby appoints Joseph Criscuolo as Insurance Fund Commissioner.

4. RESOLUTION NO. 2008-120 - BE IT RESOLVED by the Township Council that it hereby authorizes the release of a maintenance bond for Block 104, Lots 1.01 & 1.02, Lloyd Road.

5. RESOLUTION NO. 2008-121 - BE IT RESOLVED by the Township Council that it hereby authorizes the Mayor and Clerk to execute a Parking License Agreement with AMF Bowling Center, Inc.

6. EXECUTIVE SESSION RESOLUTION - BE IT RESOLVED that the general public shall be excluded from discussion held during executive session - Personnel

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.

Deborah Whalen
59 West Aspen Way

Ms. Whalen asked what exactly was the COAH Development Fees Ordinance all about.

Mr. Criscuolo stated we are allowed to charge development fees to escrow funds. These escrow funds are necessary to build affordable housing and achieve the numbers that COAH says we have to have for affordable housing. This escrow account can be used to acquire land to build affordable housing on, to subsidize a firm that will build affordable housing for the Township, various professional fees or clean up of sites. At this point in time the Township is required to have about 448 affordable housing units in the Township. This fund is paid for by developers when they are going to build houses or commercial sites. It is required by State law.

Jeanette Smith
62 West Aspen Way

Ms. Smith asked what the process is and what is happening with the land across from Aspen Woods on Route 34.

Mayor Sobel stated we did pass a resolution tonight objecting to the 3rd Round of COAH because of expenses to the Townships and the number of units to each municipality. We are required to put into place a plan that calls for the creation of approximately 440 affordable housing units. Before anyone gets scared, affordable housing puts ideas in people's minds. There is all sorts of affordable housing. Young professionals fall into the income limits in Monmouth County for affordable housing. I don't think that affordable housing has any impact on housing. You are talking about teachers, police officers, young lawyers, I think they are professionals.

Diane Dabulas stated presently we have a COAH committee with members of the Planning Board and Council and Professionals. We have to develop a COAH plan, what are we going to tell the State that we are doing to try to address building those 448 units. Once that plan is put together, which has to be done immediately because it is due by the end of the year. When the plan is finished it will go to the Planning Board, and they will have hearings. Watch the website agendas for this. After the Planning Board approves the plan the Township Council needs to approve it as well. After it is complete, it has to be approved by COAH with no objections. Once the COAH plan is finally approved, a developer will have to go through the normal process which will be before the Planning Board to get the approvals to build any development on any piece of property.

Mayor Sobel stated this is in the absence of the lawsuits from the municipalities to COAH and also the League of Municipalities.

Sandi Echelle
21 West Aspen Way
Ms. Echelle asked are these apartments.

Diane Dabulas stated there is no set description of what would be built. The only thing COAH plan describes is how many units. Could be single family, townhouses, rentals, apartments. Any housing stock.

Ms. Echelle stated it is subsidized housing.

Mayor Sobel stated no.

Diane Dabulas stated there is low income, senior housing, workforce housing, moderate housing. It could be for any of those. Workforce housing if \$56,000 yearly income for a family of four. We are talking about a police officer with two small children.

Ms. Echelle stated that would be housing that would be considerably less than market value of a comparable residence on the open market.

Diane Dabulas stated yes that is the idea.

Ms. Echelle stated by my definition, it is subsidized, even though technically and legally it is not.

Mayor Sobel stated it is not subsidized.

Diane Dabulas stated the definition of subsidy is the State would pay a portion.

Ms. Echelle stated it is a discounted price.

Diane Dabulas stated it is less than market value.

A resident asked why do they call it low income.

Mayor Sobel stated it is not low income it is affordable housing.

Mr. Criscuolo stated out of the 440 units, 25% is senior only which is 110 units of age restricted, the remaining 330 units would have to have a mix. No more than 20% of one bedroom, no more than 20% of three bedrooms and the other 60% would be two bedroom units. A rental unit have the power to interview people, deed restricted so they can only rent to low and moderate income people. Also, when you buy a house you can sell to only a low or moderate income people and can make only a certain amount of profit.

A resident asked if you have to qualify to buy a house.

Mr. Criscuolo stated yes you have to qualify. There are charts and you would be surprised what is considered low and moderate income housing in the State of New Jersey. You can make \$60,000 and still qualify, because that person in the current market could not afford a home.

Mayor Sobel stated affordable housing gives all kinds of thoughts in people's minds. This is a long process. We are in a recession with major developers holding off on projects. We are trying to make our voices heard and so should you. Your voices are needed to be heard.

Ms. Echelle asked regarding percentages, we have low income, moderate, senior, workforce. These are being called affordable. Affordable says it can be anyone of these.

Mr. Criscuolo stated there is 20% that has to be low income.

Ms. Echelle stated it is being presented as affordable when a percentage is low income and a percentage is moderate income. Which takes on a different picture as affordable which is your police officer or starting teacher. Now we are talking about low income.

Mayor Sobel asked what do you think low income it.

Ms. Echelle stated she doesn't have a figure. You are presenting it as someone who is making \$30,000, \$40,000, \$50,000 when in fact it may be different.

Mayor Sobel stated it will be percentage of each. We don't know where those units will be. The difference between moderate and low isn't very much, it could be \$5000 - \$7000.

Diane Dabulas stated the COAH site is very informative.

Mayor Sobel stated on COAH site it will define for you what all these words mean.

Ms. Asked what are the other areas that are being looked at.

Mayor Sobel stated we have Route 34, Train Station area, Freneau Area, County Road, and Anchor Glass.

Councilman Perry stated we also get credit for the existing group homes.

Mr. Criscuolo stated we are just following the State mandated laws.

Mayor Sobel stated if we don't have a plan by the end of the year we will be sued.

Ms. Whalen asked are any of these locations zoned for residential.

Mayor Sobel stated they are redevelopment zones, which are mixed use.

Gail Spock

37 West Aspen Way

Ms. Spock asked when was the property (Route 34) put on the list where affordable housing may be built.

Mayor Sobel stated it would have been done when we were required to inventory the town within the last few years.

Ms. Spock stated would there have been a way to have know this.

Diane Dabulas stated there was public hearings, checking the agendas are always helpful.

Mr. Criscuolo stated be cautious if you push too hard on the developer they can go to the Appellate Division, they could come in and change their plan and we would have to live with their plan. We have to make sure we abide by all the rules.

Anthony Garaguso

105 Atlantic Avenue

Mr. Garaguso asked who monitors the COAH housing, I know people that have low income housing that rent it.

Councilman Perry stated if you are aware of it right now you have an obligation to report it. You may want to talk to the police department.

Mr. Criscuolo stated if you have it come to the detective bureau in the daytime.

Diane Dabulas stated it is fraud. Aberdeen Police Department, State of New Jersey, Attorney General Office, everyone is responsible to monitor. Developers who own unit if rental.

Mr. Garaguso stated there are places you can buy and then you can rent it out. They

know how to work the system. It is a concern.

Josey Warren

7 Ithaca Court

Mr. Warren stated it is my understanding that the COAH obligations include projections from the Anchor Glass development is that correct.

Mayor Sobel stated it is one of the properties that will be part of our plan.

Mr. Warren stated right now the Anchor Glass development is in hiatus. It was in the paper that Somerset Development was involved in Holmdel and has financing issues.

Mayor Sobel stated don't believe everything you read in the paper. We have met with them recently and we are going forward.

Diane Dabulas stated we are in negotiations on what they can do and what a plan can look like.

Mr. Warren stated why do we include that in the COAH obligations.

Mr. Criscuolo stated we need those numbers to make our obligations.

Councilman Perry stated projections are something COAH develops. They based projections on the available area in Aberdeen.

Mr. Warren stated in the report we submitted, COAH said because of our projections we were above and beyond what their projections would have been they are going to use our projections.

Mayor Sobel stated no that is wrong.

Diane Dabulas stated call me and I will talk to you. COAH developed their projections for the last round, we submitted a plan in response to that and then that was thrown out and COAH came up with new rules and new projections and we have to respond to that.

Mr. Warren stated he will email Ms. Dabulas.

Brian Pfeuffer

243 Lennox Road

Mr. Pfeuffer stated Mayor Sobel mentioned about coming up with a pay to play ordinance, is anything progressing.

Mr. Criscuolo stated he did some research and received nine ordinance from communities and we are looking at them now to see what our best approach is. I have also been on the State websites where all the pay to play ordinances are listed. When I am at the League conference I will also be looking at seminars that will be on pay to play and bringing it

back to the Council and making a recommendation.

Mr. Pfeuffer asked if everything is okay with Councilwoman Gallo.

Mayor Sobel stated we have not heard from her.

Mr. Criscuolo stated she was in to see me a couple of times.

Mr. Pfeuffer asked has it been 3 or 4 meetings.

Mayor Sobel stated three. Mayor Sobel asked Karen Ventura, Municipal Clerk to remind Council when you can not attend a meeting to please call her and make her aware of it.

Mr. Garaguso asked if Councilwoman Gallo notified you she wasn't attending the last council meeting or the one before that.

Karen Ventura stated she was advised for the first meeting Councilwoman Gallo missed.

Councilman Perry stated our Matawan Husky Midget Football Team, 12 - 15 year old division, won the Shore Division II Championship this past Sunday beating Holmdel. They will be playing in Pennsylvania, versus the Delaware Dogs.

Councilman Drapkin stated we had a great turnout for the 5K run. There was 225 runners, the weather was good.

Mr. Warren asked to explain Appropriation Transfers.

Mayor Sobel stated you will find this in the last two months of the year. We review the budget and might be over in some account and under in others and we would transfer between accounts.

Mr. Warren stated the budget as a whole, are we spending less overall.

Mr. Criscuolo stated we are not doing a complete budget analysis so it is hard to say. We are running into a critical time where gasoline is used to go leaf pickup. When I came in we were out of money in gasoline because of the price of gas being so high. The price of diesel is still high and most of our trucks run on diesel.

Mayor Sobel stated we have revenue and expenses. Our revenue is the rate of tax collection is where it should be. Our expenses, we do not spend more than was budgeted.

Mr. Criscuolo stated my first week we went through the budget and we knew we needed money in gasoline, the price of electric when up, healthcare is always an issue, we are self insured and you can never project.

Mayor Sobel stated we are having a private firm come in and look at our energy usage.

We also went to a seminar on going green. We are trying to control expenses.

Mr. Warren stated is this years pension contributions the reasons for the increase. Would the market turmoil effect the increase next year.

Mayor Sobel stated it depends where the pension money is invested.

Mr. Criscuolo stated whatever the State comes in and tells us.

ADJOURNMENT

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

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk