

we will ask the editor to do that. We are presently looking for the clerk typist, an ad in the Asbury Park Press for this one position is almost \$1,000. I understand your concern for the public's right to know, but the Courier meets the requirements of law.

Councilwoman Gumbs asked if we have to use the Courier because most people in town do not read that paper.

Mr. Coren stated it is an economic issue.

Mayor Sobel stated it is a valid point the Mr. Petrognani made and we should take into consideration using the Asbury Park Press for some things and the Courier for other things. Mayor Sobel stated we also have meetings listed on our calendar and our web-site.

Frank Huza
43 Beacon Lane

Mr. Huza stated he didn't know there was a public hearing on the open space plan. He called the Clerk's office to find out. In all his years in Aberdeen, he has never seen a Courier newspaper. Mr. Huza requested the Township use the newspaper the residents read.

Mayor Sobel thanked Mr. Huza.

There being no one else present wishing to be heard, Mayor Sobel declared the Hearing of the Citizens on agenda items closed.

PUBLIC HEARING - OPEN SPACE AND RECREATION PLAN

Mayor Sobel stated this is the continuation of the Open Space and Recreation Plan public hearing from the last meeting of December 21, 2004.

Richard Coppola, Township Planner stated a question was raised at the public hearing regarding land at the southeast corner of Monastery Lane and Wilson Avenue. The comment was that the land was good land and should be included in the plan. The environmental mapping based upon the Department of Environmental Data showed that land to be significantly high wetlands. We went back and checked the source of data at the State and it appears that the mapping is accurate and it is wetlands. It can always be added to the inventory as land to acquire in the future. This document can always be modified.

Mayor Sobel stated for the people who were not hear at the last meeting can you summarize the process.

Mr. Coppola stated the Open Space and Recreation Plan, this is a document under the Department of Environmental Protection Green Acres Program and is defined by the Green Acres as local governments vision of open space and recreation and should establish a justification of protection and preservation of open space for recreational opportunities. This plan has been prepared in accordance with the guidelines and requirements of NJ Green Acres

Program and includes goals and objectives, inventory of existing open space, needs analysis, resource assessment of Township's natural resources and an action plan with an identification map of the potential land for acquisition. The goal and objective of this document is to facilitate the highest quality of life for the residents in all age groups so that the Township can provide ample open space and preserve habitats, parks, recreational field for residents of all ages, passive and active recreation facilities. The plan documents the amount of land already owned by the Township, approximately 420 acres (11% of Township) is open space. The document also points out there are no recreation facilities in the Freneau section of the Township. The Freneau area being separated by the rest of the Township by Matawan Borough, the plan sets that area as a high priority. The plan notes there are a great deal of naturally habitat lands owned by the Town. We already zoned our conservation land. The document also talks about land that will be acquired and preserve as a result of development activities. The purpose of this is to get grant money from the State to facilitate implementation of the plan. The next step will be an application to the Green Acres program bringing forth the plan on adoption of the Council. This will serve as a blanket application.

Mr. Coren stated one of the things that implement the plan and needs to be done concurrent with the application is a funding ordinance so as to fund the Council commitment to jointly with Green Acres funds up to 50% of the costs of acquisition through the operating budget, either through debt services or contributions. There are many resources available to the Town.

Mr. Coppola stated this is the beginning of a process.

Mayor Sobel stated in essence it is a planning tool and should be sent to the Planning Board for review.

Mr. Coppola stated we can adopt it at any time, It should be sent to the Planning Board for there endorsement. This Open Space and Recreation Plan fits very well into the fabric of the Master Plan of the Township of Aberdeen.

Mr. Coren stated this is one specify part of the law that does not require for the application to be reviewed by the Planning Board.

Mr. Coppola stated not the application, but Green Acres does like the endorsement of the Planning Board.

Mayor Sobel opened the public hearing and asked anyone wishing to be heard to come forward and state their name and address.

Phil Petrognani
178 Wilson Avenue

Mr. Petrognani stated the property Mr. Coppola was talking about is at Block 127, Lot 13. He contacted DEP the property now will have to be screened and refilled. There is no hazardous waste documentation on that site.

Mr. Coppola stated again we used the environmental mapping based upon the Department of Environmental Data. On-Site investigation can be done at any time, but it should not hold up the adoption of this plan. There is the possibility, when an on-site investigation is gather from the site it can be added later, if needed. It states wetlands now, so the Town would not want to buy that land for recreation. No active recreation can be on wetlands. The bottom line is this property shows to be a large wetlands area.

Mr. Petrognani asked about Block 122, Lot 7 which is listed as landlocked property. Was it brought with green acres money.

Mr. Coren stated no it was acquire many many years ago on tax sale. It is on Green Acres inventory because the Township acquired the land and we designated that land as protected land and will never be used for anything other than recreation.

Mr. Petrognani asked about properties that are listed on private lands, as condo developments.

Mr. Coppola stated they are deed restricted lands. All common lands are deed restricted.

Mr. Petrognani asked about Strathmore Swim Club.

Mr. Coppola stated that is deed restricted. It is not privately owned. The list states whether it is owned by the municipality, privately owned, school owned, etc.

Mr. Coren stated that we are to identify recreational opportunities that are available to the residents of the town, for public and private use.

Mayor Sobel stated Mr. Coppola inventoried the Town in terms of public and private recreational facilities and identified other properties that may be acquired for the same purpose in the future.

Mr. Coppola stated exactly.

Mr. Petrognani asked Mr. Coppola how long has he been a planner.

Mr. Coppola state 30 years.

Mr. Petrognani asked why hasn't Aberdeen Forge been acquired for open space.

Mr. Coppola stated because it is part of a Mount Laurel lawsuit.

Adeline Arnold

Chairman, Environmental & Shade Tree Advisory Board

Mrs. Arnold suggested that the Council preserve the stream corridors and congratulated on the greenways. Mrs. Arnold questioned Happy Meadows be designated in the Monmouth County Park, Recreation & Open Space Plan.

Mr. Coren stated he believes it is the Harbor Greenway and the Henry Hudson Trail that is being developed.

Mr. Coppola will check on it.

Frank Huza
43 Beacon Lane

Mr. Huza questioned in the document a “Township Open Space Committee” , who are the members.

Mr. Coren stated it should be the Environmental and Shade Tree Advisory Board.

Mr. Huza recommended the headwaters of Mohingson Brook which would be Block 114, Lot 7,8,9 be included in the plan.

Mr. Coren stated we will look at it.

Mr. Huza stated the Township of Old Bridge gave the waterfront to Middlesex County. The County with the help of DEP has complete a revitalization of the waterfront. The seawall at Cliffwood Beach which is used as a footpath. On October 13, 2004, the Environmental Board received a letter from Congressman Pallone stated sorry we don't meet the criteria to fix the seawall. This should be addressed in the Recreation Plan.

Mr. Coren stated the seawall is a complicated system. He requested the Board of Chosen Freeholders to study the acquisition of the seawall from the Town along with the park as a County Park. I still received no answer.

Mr. Huza complimented the Council and Mr. Coppola for the work done on behalf of the Environmental Board.

Mr. Allen
51 New Brunswick Ave, Matawan

Mr. Allen stated in this document it talks about census data, it projects Aberdeen Township to have a population of 18,200 people in the year 2020. Currently the population is 17,454. I find strange that the Freneau developments are not taken into account.

Mayor Sobel stated Aberdeen Township is changing. The first time owners are moving out of the Township that had families. Replacing are single, couples or small families. The Town is changing.

Mr. Coren stated the source data is the best available data we have to work with. These are estimates, projections. We are working with the best data we can.

Mr. Allen stated this data was available to the Council and Planning Board prior to giving approval to the development in the Freneau section.

Mr. Coren stated this is not a public hearing on the Freneau development.

Richard Samaha

Lloyd Road

Mr. Samaha stated he did not receive notice for this meeting.

Mr. Coren stated there is no requirement under law to give you direct notice. Mr. Samaha, you met with me to discuss the potential acquisition of your property. At that time I stated the Town would probably include you land in the plan.

Mr. Samaha stated he has an obligation to be advised of open space on his property.

Mr. Coren stated under this program we don't, if we go for acquisition, yes.

Mr. Samaha asked how that process works.

Mr. Coppola stated this plan is a comprehensive potential wish list of properties. Properties that would make sense to acquire. It does not mean that any or all of them would be acquired. Any property that would be put forth has to go through a on-site specific documentation. Individual property owners would need to be contacted, appraisals. It is a very formal process. The Town has the right to acquire land through eminent domain, I don't think that is an option. Just because a property is on the plan doesn't mean anything. A whole other process has to be followed. The notice right now is the notice required by law, which is the notice of any master plan document.

Mr. Coren stated didn't you have an application before the Planning Board for 15 - 18 homes to be constructed on this site.

Mr. Samaha stated yes, but the application was denied.

Mr. Coren stated if the Council passes an Ordinance there will be formal notice of that ordinance and a listing of specific properties in the newspapers. At which time funding will be set aside for specific actions and authorizing negotiation with property owners. At that time formal notice will be given to you.

Mr. Samaha stated would the Town be paying me with what I am in contract with.

Mr. Coren stated we would pay the fair market value based upon appraisals. On this particular property there is sentiment in the community that it should be preserved. What the value is is a matter of discussion for a later time.

Mr. Samaha stated I don't care who gets the land, I just want to know if I will get a fair price for this.

Mr. Coren stated absolutely.

Mr. Samaha stated than I will get what the developer is giving me.

Mr. Coren stated that may not be the fair price, he may be overpaying you.

Mr. Samaha stated I have a price that I am willing to part with it, if I don't get that price I'm not parting.

Mr. Coren stated than the Council may choose to take other actions that are available under law.

Mr. Samaha asked what do you plan on doing with it if you take it over.

Mr. Coren stated leaving it alone at this point in time. Maybe asking the current farmer to continue to farm it.

Mr. Samaha stated I was not selling all of my farm.

Mr. Coppola stated we are not taking anything. There are no actions tonight that take any land. There is no decision on what the Council may want to take or not take. It will all be discussed at a later date.

Mr. Samaha stated if I do not wish to sell the property, do I have to and will you let me do what I want with the property.

Mayor Sobel stated no one is stopping you from doing what you want with this property.

Mr. Coren stated this is all a matter of discussion for a later date.

Mr. Len Rubinstein

5 Paddock Ct., Marlboro

Mr. Rubinstein stated the problem is because of this plan and the property being included, any potential buyers obviously will be steered away. So when you say you can do what ever you want with your property that is not necessarily true.

Mr. Coren stated that is a matter for appraisers to deal with.

Mr. Coppola stated what this Township is doing is exactly as it is prescribed by the State Department of Environmental Protection Green Acres program. This Town is not doing anything to try to hurt any property owners, what it is trying to do, is to follow the rules, by the State, to preserve property and offset the taxpayers expense of the community with government bonds. This is the only way they can do it. This is a planning document. We are following a process and you have the right to do what you want.

Mr. Coren stated the legislature put forth a program stating that acquisition of lands is an important public policy. The follow up to this is an ordinance and that ordinance is extremely important and what is in it. That is what this Council is willing to put its money at.

Christine Balint
127 Wilson Avenue

Ms. Balint stated in reading the plan I admire that one of the goals is the greenways and streamways. Ms. Balint asked about a part of the Henry Hudson Trail.

Mr. Coren stated that is a County designation and part of the County's Open Space Plan and not for consideration in this plan.

Ms. Balint stated in looking at the map she understands Aberdeen has passed an ordinance building near stream banks, could there be 100 foot buffer.

Mr. Coppola stated the lines are the map are a lot wider.

Ms. Balint stated within Aberdeen Forge there is wet lands, the developer is to give land to the town.

Mr. Coppola stated we do not own it yet.

Mr. Coren stated wet lands does not automatically become property of the Township.

Ms. Balint stated there is a little tree farm in the Township that is another working farm in Aberdeen. You may want to look into that.

Mr. Coren stated that is relatively a new addition to the community. We have had our eye on acquiring that even before it was a tree farm.

Ed Fitzgerald
15 Bank Street

Mr. Fitzgerald concurs with Mr. Huza on the headwaters at Mohingson Brook. That would be an excellent area of Town to look into.

Mr. Coren stated for not active recreation.

Mr. Fitzgerald agreed, maybe passive.

Mr. Fitzgerald listed under OTHERS, the old lakebed, is not underwater it is very attractive property with wildlife.

Mr. Coren believes we did acquire it.

Mr. Fitzgerald stated he may be able to provide us with Book and Pages numbers and deeds. Going upstream up Graveling Brook the Township owns the east bank, behind Brookview Lane. The Township now owns both sides of the stream because of South River Metals acquisition. Are there plans to tie in with the Senior Citizen housing.

Mr. Coren stated it is the Towns intent not to let go of any land that is environmentally sensitive. There are only 5 or 6 acres that are developable. For the record, the Township as part of the Mount Laurel obligation is meeting a portion of it requirements on the South River Metals site with 63 units.

Fred Nolte
188 Wilson Avenue

Mr. Nolte asked how are these areas designated in the plan for prospective parks been determined.

Mr. Coppola stated in the plan there is an existing land use survey that we conducted. We walked the Town, took aerial photos, went through data that was gathered, natural resources inventory.

Mr. Nolte stated he has two acres of land on Wilson Avenue that has been flagged.

Mr. Coppola stated it has been always part of the plan.

Mr. Nolte stated I think that if you approve the plan and tomorrow I go to sell my house and they see it is part of the plan. I think I will not get the fair market value of my property at this point.

Mr. Coren stated municipalities are empowered to do these things. The Council can make an adjustment at any point in time.

Alex Smith
857 Lakeshore Drive

Mr. Smith congratulated Council on this plan. Mr. Smith asked the definition of active recreation.

Mr. Coppola stated it is recreation that requires facilities to be constructed as fields, tennis courts, tot lots. Passive recreation is paths and trails.

Mr. Coren stated we are working to preserve to fragile lands. As we see them becoming vulnerable we act.

There being no one else wishing to be heard, Mayor Sobel closed the public hearing on the Open Space and Recreation Plan.

Mr. Coren requested the Township Council direct the Township Manager, Planner and Attorney to draft a memorialization resolution adopting the plan and prepare an application to Environmental Protection Green Acres in there next round of certification and appropriate ordinances implementing the plan be put forward.

Mr. Coppola stated there were a lot of constructive comments. One is the potential inclusion of land on the southern part of Township along Route 34. They are showed on your existing land

use map as treed areas. I would be appropriate to include in this plan. The other correction would be reference to Happy Meadows and Open Space Committee changed to Environmental Shade Tree Advisory Board. It should also be stated we have the right to change this document.

Councilman Raymond made a motion to authorize Township Manager to draft a memorialization resolution accepting the plan as set forth with the modifications of the Township Planner and prepare an application to Green Acres, seconded by Councilman Minutolo.

ROLL CALL VOTE:

Ayes: Councilmember Gumbs, Minutolo, Perry, Raymond, Vinci and Mayor Sobel

Nays: None

Abstain: None

Absent: None

NEW BUSINESS

Councilman Raymond made a motion to adopt the Consent Agenda.

Seconded by Councilman Minutolo.

ROLL CALL VOTE:

Ayes: Councilmember Gumbs, Minutolo, Perry, Raymond, Vinci, and Mayor Sobel

Nays: None

Abstain: None

Consent Agenda:

2. RESOLUTION NO. 2005-2: BE IT RESOLVED that it hereby appoints a Municipal Prosecutor for the year 2005.

3. RESOLUTION NO. 2005-3: BE IT RESOLVED that it hereby appoints a Municipal Public Defender for the year 2005.

4. RESOLUTION NO. 2005-4: BE IT RESOLVED that Thomas P. Fallon, Registered Municipal Accountant No. 465, is hereby appointed as Municipal Auditor for the year 2005.

5. RESOLUTION NO. 2005-5: BE IT RESOLVED that it hereby appoints a Special Counsel on an as-needed basis for the year 2005.

6. RESOLUTION NO. 2005-6: BE IT RESOLVED that the following appointments are hereby made to the Aberdeen Township Planning Board.

7. RESOLUTION NO. 2005-7: BE IT RESOLVED that the following appointments are hereby made to the Aberdeen Township Zoning Board.

8. RESOLUTION NO. 2005-8: BE IT RESOLVED that the Courier and Asbury Park Press are hereby designated as the official newspapers of the Township of Aberdeen for the year 2005.

9. RESOLUTION NO. 2005-9: BE IT RESOLVED that the following procedures for compliance with the Open Public Meetings Act are hereby adopted.

10. RESOLUTION NO. 2005-10: BE IT RESOLVED that the schedule of Council meetings for the year 2005 is hereby established.

11. RESOLUTION NO. 2005-11: BE IT RESOLVED that the Municipal Clerk is designated as the person who shall make official certificates of searches for municipal improvements.

12. RESOLUTION NO. 2005-12: BE IT RESOLVED that depositories, accounts custodian and authorized signatures are hereby designated for Township accounts.

13. RESOLUTION NO. 2005-13: BE IT RESOLVED that official depositories are hereby

designated by this Rider.

14. RESOLUTION NO. 2005-14: BE IT RESOLVED that Columbia Savings Bank is designated as the depository for funds of the Municipal Court, and authorized signatures are hereby designated.

15. RESOLUTION NO. 2005-15: BE IT RESOLVED that the interest rate for delinquent taxes, assessments, municipal charges and water and sewer rents is hereby established.

16. RESOLUTION NO. 2005-16: BE IT RESOLVED that a fee of \$25 will be charged for each Redemption Certificate and a fee of \$100 will be charged for each duplicate Tax Sale Certificate.

17. RESOLUTION NO. 2005-17: BE IT RESOLVED that Mark Coren is designated as the Monmouth County Community Development Representative for Aberdeen Township and Angela Morin is designated as Alternate for the year 2005.

18. RESOLUTION NO. 2005-18: BE IT RESOLVED that Ann T. Barker is hereby appointed Deputy Municipal Clerk for the calendar year 2005.

19. RESOLUTION NO. 2005-19: BE IT RESOLVED that recreation fees be fixed for the Township of Aberdeen recreation programs.

20. RESOLUTION NO. 2005-20: BE IT RESOLVED that the Township Council hereby approves the 2005 Temporary Budget.

21. EXECUTIVE SESSION RESOLUTION: BE IT RESOLVED that the general public shall be excluded from discussion held during closed Executive Session - Personnel

Councilwoman Gumbs made a motion to introduce Resolution No. 2005-1 and move its adoption, seconded by Councilman Minutolo.

ROLL CALL VOTE:

Ayes: Councilmember Gumbs, Minutolo, Raymond, Vinci and Mayor Sobel

Nays: None

Abstain: Councilman Perry

WHEREAS, there exists a need for a Municipal Attorney for the Township of Aberdeen, New Jersey.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that Daniel McCarthy, Esq. of the firm Rogut McCarthy Troy LLC be and is hereby appointed Township Attorney for the year 2005.

This appointment is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law because he is a person authorized by law to practice the legal profession.

BE IT FURTHER RESOLVED that this Resolution shall be subject to the Township Manager’s certification of the availability of funds.

BE IT FURTHER RESOLVED that a copy of this Resolution be published in the official newspaper of the Township of Aberdeen within ten days of its passage as required by law.

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. There being no member of the public wishing to be heard, Mayor Sobel declared the Hearing of the Citizens closed.

Councilman Raymond made a motion to adjourn, seconded by Councilman Minutolo and unanimously concurred by Council.

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk