

ORDINANCE NO. 1-2005 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 1-2005, introduced and passed on first reading by title on January 18, 2005 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of publication of this ordinance in the Courier Newspaper of January 20, 2005 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.

Thereupon the Clerk read the aforementioned ordinance by title, "BOND ORDINANCE TO AUTHORIZE THE ACQUISITION OF REAL PROPERTY FOR OPEN SPACE CONSERVATION AND RECREATION PURPOSES IN, BY AND FOR THE TOWNSHIP OF ABERDEEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY, TO APPROPRIATE THE SUM OF \$5,825,000 TO PAY THE COST THEREOF, TO AUTHORIZE THE ISSUANCE OF BONDS TO FINANCE SUCH APPROPRIATION AND TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES IN ANTICIPATION OF THE ISSUANCE OF SUCH BONDS"

Mayor Sobel opened the meeting to the public for remarks or comments for or against the final adoption of this ordinance and asked anyone wishing to be heard to come forward and state their name and address.

Phil Petrognani
178 Wilson Avenue

Mr. Petrognani asked why he wasn't told that a portion of his property was included in the Court Order the last three times he came and asked.

Mayor Sobel stated you asked that it be removed, discussion during the workshop, we have decided to include the property.

Mr. Petrognani asked why was he not told. How does this Court Order reflect upon Open Space. I never heard about this before.

Mr. Coren stated we never got to the level of discussion relative to the park development in the area. When the Court issued its order, one of the issue was providing recreational opportunities for the area. Not only for seniors, but the general area of Freneau. This Manager at the time made a commitment to the Court that either through grants and aids or through direct funding by this Council we will acquire those 19 acres. On the margin, if through discussions adjustments are made, they are made. The plan that is stated in the Court Order, at this point in time until we actually engineer things and see what the layout is so the Council can make an informed judgement as to how it wishes to proceed it is my recommendation that all properties listed before stay in the plan.

Mr. Petrognani stated my biggest concern is that I put a lot of improvement in the property, the septic system is on the portion to be acquired. It is 2/3 of my property that I own which leaves me with basically nothing. I moved to Freneau and stayed there was to have that piece of

property and have some privacy. As far as all the other properties that are in Freneau that are available for open space it strikes me odd that you would want a portion of mine that is one of the smallest lots.

Mr. Coren stated this plan goes back almost 19 years.

Mr. Petrognani asked why I was never notified. I am going through a variance for a garage. I have a pool up.

Mr. Coren stated this is the first opportunity that we had to implement that plan, that the prior Council saw and approved. This is a step towards a decision. What ultimately are the properties that are included to develop the prescribed plan. It doesn't mean it is final.

Mr. Petrognani asked where is the plan for the active ballfield, soccer fields.

Mr. Coren stated to come to his office and he will show it to Mr. Petrognani. Soccer field will be on the Monastery Lane portion and a ball field. Parking will be above that toward the Monastery. The five acres on the other side of Wilson Avenue will be preserved. The only thing envisioned is a picnic area. Maybe a tot lot.

Mr. Petrognani how does it factor in that you have one acre zoning.

Mr. Coren stated that issue will be resolved once development occurs and you get sewers put out there.

Mr. Petrognani ask we are getting sewers.

Mr. Coren stated sewer service is going to be extended to Freneau, should the development go forward for senior housing to meet our Mount Laurel obligations.

Mr. Petrognani stated according to the Planning Board where I live will not be getting sewers.

Mr. Coren stated he does not a force main will come down Monastery Lane. Whether or not a t can come off of that is engineering. Sewer service will be brought to the area along with enhanced water system improvements. These improvements are improving the quality of life for not only Freneau residents but the entire community.

Mr. Petrognani stated he does not wish to seel his property and he wants it removed from the plan. This is the fourth time he is requesting it.

Mark Theisman
127 Wilson Avenue

Mr. Theisman stated in previous public hearings that it would go before the Planning Board, the properties that were going to be required will be accessed by the Planning Board is that correct.

Mr. Coren stated the Planning Board did do a resolution dated the 19th of January, 2005 and voted unanimously by the members present. Individually when it comes time to improve the parcels there is a requirement of law that says any capital improvement by the Town must be reviewed by the Planning Board and at that time specific engineering will be reviewed.

Mr. Theisman stated there were request in the public hearings for properties to be removed and other properties to be considered. Was there any letter from the planner staying why he wouldn't remove or put it.

Mr. Coren stated at the second public hearing the Planner went on record and commented on each and every one of them. He did considered but did not find it to be meritorious. If you wish to know specifics I am sure we can have a conversation with the Planner.

Mayor Sobel stated he feels removing any properties at this time is premature. I feel it will weaken our application in getting favorable consideration from the state.

Fred Nolte
188 Wilson Avenue

Mr. Nolte stated he heard that none of the properties listed were developed. I have a 1200 square foot with telephone and electricity that is dead center in the middle of the property that you are taking. With what you are leaving me, you are taking 3/4 of my property, block 123, lot 4.

Mr. Coren stated we are not taking property in this point in time it is a proposal. I understand your concern, once it is engineered it may not be the whole portion of the property. He us out, allow us to put the plan together should be get State funding and see if we can't enhance the value of your property.

Mayor Sobel stated it may make sense and it may come to a point where it doesn't make sense to acquire any of these properties.

There being no one else present wishing to be heard, Mayor Sobel closed the public hearing on Ordinance No. 1-2005.

Councilman Perry made a motion that Bond Ordinance No. 1-2005 be finally passed and adopted and that notice of its passage and adoption be published by summary in the February 3, 2005 issue of the Courier as required by the local bond law.

Seconded by Councilman Raymond.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

Mr. Coren asked for the Council to reaffirm their directive to the staff to file the appropriate application with Green Acres to secure 50% funding of this ordinance through state monies.

A straw poll vote was unanimously in favor.

Mayor Sobel thanked everyone who called and sent e-mails supporting our staff. Rather than institute an open space tax decided to have a strong open space policy. The action taken this evening supports that notion.

NEW BUSINESS

ORDINANCE NO. 2-2005 - INTRODUCTION

Councilman Raymond made a motion to introduce Ordinance 2-2005 on first reading by title and to order the same to be published in full in the February 3, 2005 issue of the Courier, 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 15, 2005 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Vinci.

Thereupon, the Clerk read the aforementioned ordinance by title, "CALENDAR YEAR 2005 ORDINANCE TO EXCEED THE MUNICIPAL BUDGET APPROPRIATION LIMITS AND TO ESTABLISH A CAP BANK PURSUANT TO N.J.S.A. 40A:4-45.14"

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ORDINANCE NO. 3-2005 - INTRODUCTION

Councilman Minutolo made a motion to introduce Ordinance 3-2005 on first reading by title and to order the same to be published in full in the February 3, 2005 issue of the Courier, 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 15, 2005 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Deputy Mayor Drapkin.

Thereupon, the Clerk read the aforementioned ordinance by title, "AN ORDINANCE AMENDING AN ORDINANCE ENTITLED "REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, 1973" - SOIL REMOVAL AND STREET EXCAVATIONS"

ROLL CALL VOTE:

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

Nays: None

Abstain: None

Councilman Vinci made a motion to approve the Consent Agenda all items listed under 7C.
Seconded by Councilman Raymond.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

CONSENT AGENDA

1. RESOLUTION NO. 2005-27 - BE IT RESOLVED by the Township Council that it hereby awards a contract for Cleaning and Televising Sanitary and Storm Sewer Lines to Russel Reid, Keasby, NJ.
2. RESOLUTION NO. 2005-28 - BE IT RESOLVED by the Township council that it hereby authorizes transfers between the 2004 Water Fund Budget and 2004 Current Fund Budget.
3. EXECUTIVE SESSION RESOLUTION - BE IT RESOLVED that the general public shall be excluded from discussion held during closed Executive Session - Contractual.
4. RA - 851 - Raffle for St. Benedict PTA, Holmdel, NJ.
5. RA - 852 - Raffle for Middle Road PTO, Hazlet, NJ.
6. RA - 853 - Raffle for Middle Road PTO, Hazlet, 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.

Mike Lensack

610 Line Road, Hazlet

Mr. Lensack stated he appeared before the Council before regarding parking on Line Road. This is a quality of life issue, he can not get out of his driveway on Line Road because of commuter parking.

Mr. Coren stated we received a request from Hazlet Township to resolve this problem. The Police Department is presently reviewing it and once a recommendation comes from them, we will come back to you with recommendations. I will check on it tomorrow.

Mr. Lensack submitted pictures to the Council.

Mr. Coren stated we will check on it tomorrow.

There being no one else present wishing to be heard, Mayor Sobel closed the public portion.

Councilman Raymond made a motion to adjourn to executive session, seconded by Deputy

Mayor Drapkin and unanimously concurred by Council.

The meeting reconvened with all the same members in attendance.

Mr. Coren reported out of executive session. The first item is a developer's agreement between the Township and WaWa Inc.

RESOLUTION NO. 2005-29

WHEREAS, WaWa, Inc. received preliminary and final site plan approval by resolution by the Township Board of Adjustment dated May 28, 2003;

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that the Mayor and Clerk are authorized to execute the developer's agreement with Wawa, Inc. attached hereto and made a part of this resolution.

Deputy Mayor Drapkin made a motion to introduce Resolution No. 2005-29 and move its adoption.

Seconded by Councilman Raymond

ROLL CALL VOTE:

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

Nays: None

Abstain: None

Mr. Coren stated the next item a resolution is needed by COAH (Council on Affordable Housing) for third round if we wish to constitute our participation.

RESOLUTION NO. 2005-30

‘RESOLUTION REQUESTING TO REMAIN UNDER THE JURISDICTION OF THE COUNCIL ON AFFORDABLE HOUSING AND COMMITTING TO PETITION WITH A THIRD ROUND AFFORDABLE HOUSING PLAN FOR THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH’

Councilwoman Gumbs made a motion to introduce Resolution No. 2005-30 and move its adoption.

Seconded by Deputy Mayor Drapkin.

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

Nays: None

Abstain: None

Mr. Coren stated the third item from executive session has to do with production of Mount Laurel housing. Two actions need to be taken by the Council. First one is a resolution approving a redevelopment agreement between Greenwood Holdings, LLC and the Township of Aberdeen. Consistent with the redevelopment plan adopted by the Township Council and the approvals

given for the preliminary and final subdivision of the development.

RESOLUTION NO. 2005-31

“RESOLUTION APPROVING A REDEVELOPMENT AGREEMENT WITH GREENWOOD HOLDINGS, LLC, TO IMPLEMENT A RESIDENTIAL REDEVELOPMENT PROJECT IN THE FRENEAU REDEVELOPMENT AREA”

Councilman Perry made a motion to introduce Resolution No. 2005-31 and move its adoption.

Seconded by Deputy Mayor Drapkin

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

Nays: None

Abstain: None

Mr. Coren stated the last item is an ordinance for public hearing on February 15, 2005 authorizing a pilot agreement between Greenwood Holdings, LLC and the Township of Aberdeen.

ORDINANCE NO. 4-2005 - INTRODUCTION

Deputy Mayor Drapkin made a motion to introduce Ordinance 4-2005 on first reading by title and to order the same to be published in full in the February 3, 2005 issue of the Courier, 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 15, 2005 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Raymond.

Thereupon, the Clerk read the aforementioned ordinance by title, “AN ORDINANCE AUTHORIZING PILOT AGREEMENT BETWEEN GREENWOOD HOLDINGS, LLC AND THE TOWNSHIP OF ABERDEEN”

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ADJOURNMENT

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

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk