

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING
TUESDAY, APRIL 19, 2005**

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, April 19, 2005 at 7:30 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 bulletin board in the Municipal Building and was published in the appropriate newspapers.

ROLL CALL Present: Wilhelmina Gumbs
 Nicholas Minutolo
 Vincent Vinci
 Owen Drapkin
 David G. Sobel

 Absent: Thomas Perry
 Joseph Raymond

 Also Present: Mark Coren, Township Manager

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

REPORTS

Mr. Coren stated that a resident from the Freneau section brought up the issue why wasn't there the inclusion of all the listed properties in the Open Space Plan. The answer that Mr. Coren clearly check was there is no requirement, we only put on the list those which we reasonable saw could be funded and implemented within the 10 year cycle.

Mayor Sobel asked Mr. Coren if there was any discussion from any member of Council that wish to change our Open Space Plan.

Mr. Coren stated no.

There were no further reports made.

HEARING OF THE CITIZEN - Agenda Items Only

Mayor Sobel asked anyone wishing to be heard on agenda items to come forward and state their name and address. There being no one present wishing to be heard, Mayor Sobel declared the Hearing of the Citizens on agenda items closed.

Deputy Mayor Drapkin made a motion to add Resolution No. 2005-66, RESOLUTION RESCINDING THE DESIGNATION OF THE MICHAELS DEVELOPMENT COMPANY AS REDEVELOPER AND DESIGNATING THE PRC GROUP AS REDEVELOPER FOR THE PROPERTIES LOCATED WITHIN THE TOWNSHIP OF ABERDEEN, FORMERLY OCCUPIED BY THE SOUTH RIVER METAL PRODUCTS COMPANY, INC., AND DESIGNATED AS A REDEVELOPEMTN AREA, FOR THE DEVELOPMENT OF THE ABERDEEN RESIDENTIAL SENIOR CENTER, to the Consent Agenda.

Seconded by Councilman Minutolo.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

CONTINUED BUSINESS

RESOLUTION NO. 2005-48 - PUBLIC HEARING - 2005 MUNICIPAL BUDGET

Mayor Sobel opened the public hearing for any comments for or against the adoption of the 2005 Municipal Budget.

There being no comments from the public, Mayor Sobel closed the public hearing on the 2005 Municipal Budget.

Mr. Coren stated it should be noted that consistent with law the Municipal Budget in summary was published in a newspaper of general circulation on the 17th of March, 2005. Mr. Coren requested that the public hearing be closed and final decision reserved until we are notified from the State regarding Extraordinary Aid.

Councilmember Gumbs made a motion to close the public hearing and reserve final decision, seconded by Councilman Minutolo.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

RESOLUTION NO. 2005-49 - PUBLIC HEARING - 2005 SOLID WASTE COLLECTION DISTRICT BUDGET

Mayor Sobel opened the public hearing for any comments for or against the adoption of the 2005 Solid Waste Collection District Budget.

There being no comments from the public, Mayor Sobel closed the public hearing on the 2005 Solid Waste Collection District Budget.

Mr. Coren stated it should be noted that consistent with law the Municipal Budget in summary was published in a newspaper of general circulation on the 17th of March, 2005. Mr. Coren requested that the public hearing be closed and final decision reserved until we are notified from the State regarding Extraordinary Aid.

Deputy Mayor Drapkin made a motion to close the public hearing and reserve final decision, seconded by Councilman Vinci.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ORDINANCE NO. 8-2005 - PUBLIC HEARING

Mayor Sobel stated that Ordinance No. 8-2005, introduced and passed on first reading by title on April 5, 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 April 7, 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, "AN ORDINANCE OF THE TOWNSHIP OF ABERDEEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING A SPECIAL EMERGENCY APPROPRIATION IN THE AMOUNT OF \$24,000 FOR THE PREPARATION OF A HOUSING PLAN ELEMENT AND FAIR SHARE PLAN (PART OF THE TOWNSHIP'S MASTER PLAN)"

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 Ave

Mr. Petrognani asked exactly what is this for.

Mr. Coren stated it is \$30,000 in total to accomplish the fair share plan, 20% is being paid out of the affordable housing fund and \$24,000 will be paid out of the general fund. This is to prepare a fair share plan based upon the regulations for Round Three of the COAH requirements. Round two was adopted some 4/5 years ago. If the Freneau Development, RCAs and South River Metals goes through we will comply with Round 2. This ordinance is directed at future obligations that the Town will have in Round 3.

Mr. Petrognani asked what area of the Town is this going to be designated for.

Mr. Coren stated there is none. Coah now gives a general statement that any development, commercial, residential will generate a need for affordable housing. If someone comes to Town

and brings 200 jobs that 8 affordable units put forth. If someone wants to build 10 houses, they have to build 2 affordable units. It doesn't effect commitments in Round 2, but future developments. This is effective January 1, 2005.

Mr. Petrognani stated basically the Anchor Glass project will generate more affordable housing.

Mr. Coren stated any project.

Christine Balint
127 Wilson Ave

Ms. Balint stated she wanted to confirm the Round 3 plan is for 2004 development to when.

Mr. Coren stated 12 years from 2004 to 2016.

There being no one else present wishing to be heard, Mayor Sobel closed the public hearing on Ordinance No. 8-2005.

Councilman Vinci made a motion that Ordinance No. 8-2005 be finally passed and adopted and that notice of its passage and adoption be published by title in the April 21, 2005 issue of the Courier.

Seconded by Deputy Mayor Drapkin.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

BOND ORDINANCE NO. 9-2005 - PUBLIC HEARING

Mayor Sobel stated that Bond Ordinance No. 9-2005, introduced and passed on first reading by title on April 5, 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 April 7, 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 MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, NEW COMMUNICATION AND SIGNAL SYSTEMS EQUIPMENT AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE TOWNSHIP OF ABERDEEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$2,963,002 TO PAY THE COST THEREOF, TO APPROPRIATE A STATE GRANT, TO MAKE A DOWN PAYMENT OR FULLY FUND APPROPRIATIONS FROM THE CAPITAL IMPROVEMENT FUND, 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.

There being no one present wishing to be heard, Mayor Sobel closed the public hearing on Bond Ordinance No. 9-2005.

Councilman Minutolo made a motion that Bond Ordinance No. 9-2005 be finally passed and adopted and that notice of its passage and adoption be published by summary text in the April 21, 2005 issue of the Courier Newspaper, as required by the Local Bond Law.

Seconded by Deputy Mayor Drapkin.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

BOND ORDINANCE NO. 10-2005 - PUBLIC HEARING

Mayor Sobel stated that Bond Ordinance No. 10-2005, introduced and passed on first reading by title on April 5, 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 April 7, 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 MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE WATER UTILITY OF THE TOWNSHIP OF ABERDEEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$1,020,000 TO PAY THE COST THEREOF, TO FULLY OR PARTIALLY FUND APPROPRIATIONS FROM THE WATER UTILITY CAPITAL IMPROVEMENT FUND, 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 Ave

Mr. Petrognani asked what is \$1,000,000 used for.

Mr. Coren stated \$950,000 of it is to bring 300 Aberdeen Road homes into the water system presently served by Matawan Borough.

There being no one else present wishing to be heard, Mayor Sobel closed the public hearing on Bond Ordinance No. 10-2005.

Councilwoman Gumbs made a motion that Bond Ordinance No. 10-2005 be finally passed and adopted and that notice of its passage and adoption be published by summary text in the April 21, 2005 issue of the Courier Newspaper, as required by the Local Bond Law.

Seconded by Councilman Minutolo.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

BOND ORDINANCE NO. 11-2005 - PUBLIC HEARING

Mayor Sobel stated that Bond Ordinance No.11-2005, introduced and passed on first reading by title on April 5, 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 April 7, 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 MAKING OF VARIOUS PUBLIC IMPROVEMENTS AND THE ACQUISITION OF NEW ADDITIONAL OR REPLACEMENT EQUIPMENT AND MACHINERY, AND NEW AUTOMOTIVE VEHICLES, INCLUDING ORIGINAL APPARATUS AND EQUIPMENT, IN, BY AND FOR THE SEWER UTILITY OF THE TOWNSHIP OF ABERDEEN, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, TO APPROPRIATE THE SUM OF \$268,500 TO PAY THE COST THEREOF, TO FULLY OR PARTIALLY FUND APPROPRIATIONS FROM THE SEWER UTILITY CAPITAL IMPROVEMENT FUND, 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.

There being no one present wishing to be heard, Mayor Sobel closed the public hearing on Bond Ordinance No. 11-2005.

Deputy Mayor Drapkin made a motion that Bond Ordinance No. 11-2005 be finally passed and adopted and that notice of its passage and adoption be published by summary text in the April 21, 2005 issue of the Courier Newspaper, as required by the Local Bond Law.

Seconded by Councilman Vinci.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

NEW BUSINESS

ORDINANCE NO. 12-2005 - INTRODUCTION

Councilman Vinci made a motion to introduce Ordinance 12-2005 on first reading by title and to order the same to be published in full in the April 21, 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 May 3, 2005 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Minutolo.

Thereupon, the Clerk read the aforementioned ordinance by title, "ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT A DISTANCE REQUIREMENT FOR ALL LIQUOR LICENSES"

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ORDINANCE NO. 13-2005 - INTRODUCTION

Councilman Minutolo made a motion to introduce Ordinance 13-2005 on first reading by title and to order the same to be published in full in the April 21, 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 May 3, 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, "ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT PARKING RESTRICTIONS ALONG LINE ROAD IN THE TOWNSHIP OF ABERDEEN"

ROLL CALL VOTE:

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

Nays: None

Abstain: None

Councilwoman Gumbs made a motion to approve the Consent Agenda all items listed under 7C.
Seconded by Deputy Mayor Drapkin.

ROLL CALL VOTE:

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

Nays: None

Abstain: None

1. RESOLUTION NO. 2005-58 - BE IT RESOLVED by the Township Council that it hereby calls for support for the full and fair funding in the TEA-21 reauthorization.
2. RESOLUTION NO. 2005-59 - BE IT RESOLVED by the Township Council that it hereby authorizes and Mayor and Township Manager to sign an application for funding for the Municipal Alliance Program for year 2005.
3. RESOLUTION NO. 2005-60 - BE IT RESOLVED by the Township Council that it hereby designates certain parts of municipal roads as No Parking Bus Stop zones.
4. RESOLUTION NO. 2005-61 - BE IT RESOLVED by the Township Council that it hereby awards a contract for Non-Leaded Gasoline to Mobil located on Highway 34 & Cambridge Drive.
5. RESOLUTION NO. 2005-62 - BE IT RESOLVED by the Township Council that it hereby awards a contract for Maintenance and Repair of Heating and Cooling System to Coastal Air Conditioning.
6. RESOLUTION NO. 2005-63 - BE IT RESOLVED by the Township Council that it hereby opposes proposed changes to the Community Development Block Grant Program.
7. RESOLUTION NO. 2005-64 - BE IT RESOLVED by the Township Council that it hereby authorizes the Township Attorney to withdraw the pending Complaint in the Tax Court of New Jersey.
8. RESOLUTION NO. 2005-65 - BE IT RESOLVED by the Township Council that it hereby authorizes bus stop locations.
9. EXECUTIVE SESSION RESOLUTION - BE IT RESOLVED that the general public shall be excluded from discussion held during closed executive session - contractual.
10. RA-860 - Raffle License for Raritan Valley School PTO, Hazlet, NJ
11. RA-861 - Raffle License for Raritan Valley School PTO, Hazlet, NJ
12. RESOLUTION NO. 2005-66 - BE IT RESOLVED by the Township Council that it hereby rescinds Resolution 2004-132 and designated PRC Group as redeveloper for the Redevelopment Area known as South River Metal Products Company, Inc.

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.

Christine Balint
127 Wilson Ave

Ms. Balint requested a Speed Limit sign be placed on Wilson Avenue.

Mr. Coren stated we have it and will get it out there.

Mayor Sobel asked what has been the problem.

Ms. Balint stated speeding, really flying down the street.

Mr. Petrognani stated by Monastary Lane.

Phil Petrognani
178 Wilson Ave

Mr. Petrognani stated in addition to the speeding are the over weight vehicles.

Mr. Coren stated the problem is the law that says you have to have a structural reason to limit the overweight vehicles. Mr. Coren stated the bridge has a weight limit but not the road. Maybe the way to enforce it is to have a car checking to see if they are registered and have proper paperwork.

Mr. Petrognani stated that will work.

Mr. Petrognani stated in the beginning of the meeting you brought up the Open Space Plan, so the request I made at the last meeting, nothing is going to happen.

Mr. Coren stated the Mayor asked a question and I stated no, no member of the Council brought the issue up. The piece you are talking about may not be necessary. But at this point in time I don't want to prejudge any discussions. We it gets to that level you will be brought directly in.

Mr. Petrognani stated within the next two months he will be putting up a garage.

Mr. Coren stated it makes the property that much more valuable. Right now I can't say yes or no.

Mr. Petrognani stated I may not want to sell it.

Mr. Coren stated this Council in the future will have to deal with that issue. They may want to amend the Plan.

Eddie Sanders
18 Gulden Ave

Mr. Sanders asked if the Master Plan is open to the public.

Mr. Coren stated yes, it is presently under revision.

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

ADJOURNMENT

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

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk