

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING  
TUESDAY, AUGUST 16, 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, August 16, 2005 at 7:35 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  
   Thomas Perry  
   Vincent Vinci  
   David G. Sobel

                                 Absent:        Nicholas Minutolo  
   Joseph Raymond  
   Owen Drapkin

                                 Also Present: Mark Coren, Township Manager  
   Colleen Paterson, Township Attorney

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

**REPORTS**

Councilman Perry reported that on Monday the Aberdeen CERT Team had a trauma event. They will also be at Aberdeen Day.

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.

Christine Balint  
127 Wilson Avenue

Ms. Balint had a question regarding the Stormwater Ordinances. She was wondering about composting and wood that is split or waiting to be split.

Mr. Coren stated it is a timing issue. Storing on your property is no issue. The stormwater ordinances are a matter of run off of junk and debris from your property.

Ms. Balint asked about the Harboring and Keeping of Animals.

Mr. Coren stated what they are talking about is feeding pigeons. If you have chickens that are properly kept and maintained there is no issue. Someone was going and feeding the pigeons at the Stop and Shop and that becomes an issue.

Phil Petrognani  
178 Wilson Avenue

Mr. Petrognani asked about if someone is storing heavy equipment on their property.

Mr. Coren stated it has to be stored and maintained properly.

Mr. Petrognani stated there are pigeons on Wilson Avenue.

Mr. Coren stated if I have a coop and manage it properly that is okay. If it is proven there is a discharge coming from your property you have to take care of it.

Edward Fitzgerald  
15 Bank Street

Mr. Fitzgerald asked if the ordinance on pigeons have provision for pigeon proofing of structures.

Mr. Coren stated if it can be proven that the pigeons are causing a discharge the answer is yes. If a discharge is coming from your property you have to take care of it and if that mean pigeon proofing your building, that is what you have to do.

Mr. Fitzgerald stated the reason why we have pigeons in Aberdeen, is their native habitat in Europe is Rocky cliff base. They don't know the difference between a rocky cliff base or a masonry building. That is why you see them around shopping centers. With new buildings the structure design can discourage these birds.

Mr. Coren stated that is a good suggestion.

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

Councilman Perry made a motion to remove Resolution No. 2005-106 from tonight's consent agenda. Seconded by Councilman Vinci.

ROLL CALL VOTE:

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**NEW BUSINESS**

**ORDINANCE NO. 18-2005 - INTRODUCTION**

Councilwoman Gumbs made a motion to introduce Ordinance 18-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT SECTION 25-5.24, STORMWATER CONTROL"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel  
Nays: None  
Abstain: None

**ORDINANCE NO. 19-2005 - INTRODUCTION**

Councilwoman Gumbs made a motion to introduce Ordinance 19-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 4-4, REMOVAL OF GRASS, WEED, BRUSH AND OTHER DEBRIS"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel  
Nays: None  
Abstain: None

**ORDINANCE NO. 20-2005 - INTRODUCTION**

Councilwoman Gumbs made a motion to introduce Ordinance 20-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 4-15, LITTER"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 21-2005 - INTRODUCTION**

Councilwoman Gumbs made a motion to introduce Ordinance 21-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 7-1, HARBORING, KEEPING AND MAINTAINING CERTAIN ANIMALS"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 22-2005 - INTRODUCTION**

Councilwoman Gumbs made a motion to introduce Ordinance 22-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 17-10, WILDLIFE FEEDING"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**BOND ORDINANCE NO. 23-2005 - INTRODUCTION**

Councilwoman Gumbs made a motion to introduce Bond Ordinance 23-2005 on first reading by title and to order the same to be published in full in the August 18, 2005 issue of the Courier and 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 September 6, 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, "BOND ORDINANCE TO AMEND SECTIONS 4,7,8,9 AND 12 OF THE BOND ORDINANCE (ORD. NO. 9-2005) ENTITLED: "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", ADOPTED APRIL 19, 2005."

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 24-2005 - INTRODUCTION**

Councilman Perry made a motion to introduce Ordinance 24-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT SECTION 25-5.26- ILLICIT CONNECTION ORDINANCE"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 25-2005 - INTRODUCTION**

Councilman Perry made a motion to introduce Ordinance 25-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT SECTION 25-5.25- IMPROPER DISPOSAL OF WASTE"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 26-2005 - INTRODUCTION**

Councilman Perry made a motion to introduce Ordinance 26-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 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, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT PARKING RESTRICTIONS ALONG CANFIELD LANE IN THE TOWNSHIP OF ABERDEEN"

**ROLL CALL VOTE:**

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 27-2005 - INTRODUCTION**

Councilman Perry made a motion to introduce Ordinance 27-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 2005 at 7:00 p.m. in the Municipal Building of the

Township of Aberdeen at One Aberdeen Square.  
Seconded by Councilwoman Gumbs.

Thereupon, the Clerk read the aforementioned ordinance by title, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT PARKING RESTRICTIONS ALONG CAMPBELL COURT IN THE TOWNSHIP OF ABERDEEN"

ROLL CALL VOTE:

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**ORDINANCE NO. 28-2005 - INTRODUCTION**

Councilman Perry made a motion to introduce Ordinance 28-2005 on first reading by title and to order the same to be published by summary in the August 18, 2005 issue of the Courier and 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 September 6, 2005 at 7:00 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilwoman Gumbs.

Thereupon, the Clerk read the aforementioned ordinance by title, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN TO IMPLEMENT PARKING RESTRICTIONS ALONG HIGHFIELD AVENUE IN THE TOWNSHIP OF ABERDEEN"

ROLL CALL VOTE:

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**CONSENT AGENDA**

Councilman Perry made a motion to approve the Consent Agenda all items listed under 6L.

Seconded by Councilman Vinci.

ROLL CALL VOTE:

Ayes: Councilmember Gumbs, Perry, Vinci and Mayor Sobel

Nays: None

Abstain: None

**CONSENT AGENDA** - All items listed under 6L. are considered to be routine by the Township Council and will be enacted by one motion. There will be no separate discussion on these items. If discussion is desired, that item will be removed from the Consent Agenda and will be considered separately.

1. RESOLUTION NO. 2005-107 - BE IT RESOLVED by the Township Council that it

hereby condemns the inclusion of Fort Monmouth on the base closure list submitted by the Department of Defense.

2. EXECUTIVE SESSION RESOLUTION - BE IT RESOLVED that the general public shall be excluded from discussion held during closed executive session - negotiations & litigation

### **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.

Ann Marie Mazzie

14 Weston Place

Mrs. Mazzie stated in the newspaper on Saturday Marlboro Township approved 654 new homes which are adjacent to our property. Marlboro Council met on Friday night.

Mayor Sobel said we had representation at the meeting and made our voice known.

Mr. Coren stated we were told to mind our own business.

Mrs. Mazzie asked which plan they are approved.

Mr. Coren stated this is an amendment to an existing plan. We were told it is a reduction to the number of units. There is very little that we can do to challenge this.

Mrs. Mazzie asked what Aberdeen can do about it.

Mr. Coren stated we can ask the attorney and planner to review the decision and come back to us with an opinion, to see if there an avenue of appeal.

Mrs. Mazzie stated the original plan installs a traffic light on Lloyd Road. What plan are they using.

Mr. Coren stated the attorney and planner needs to review the decision.

Theresa Reggo

12 Weston Place

Ms. Reggo stated we all know what Lloyd Road is like, so from a traffic point of view this is not good.

Mr. Coren stated the State of New Jersey committed \$2.3 million to improve the intersection of Lloyd Road and Route 34. These improvements will allow service to year 2025 even with planned development in the area.

Nancy Zavoluk

20 Linda Circle

Mrs. Zavoluk stated part of her backyard is in Marlboro and I would hope that we could get some help with a buffer and fence. There is a huge drainage problem. There is standing water from the new development. As part of the development someone should be taking care of it.

There is suppose to be three basins in the development and this is the first basin.

Mr. Coren stated we will look into the issue of the drainage.

Ed Fitzgerald

15 Bank St

Mr. Fitzgerald asked about 100 Church Street, South River Metals Property.

Mr. Coren stated he is meeting on Thursday with appraisers to talk about the value of the property.

Mr. Fitzgerald asked when the building is coming down.

Mr. Coren stated it is part of negotiations with the developers.

Phil Petrognani

178 Wilson Avenue

Mr. Petrognani asked the Council stand on the MOM Train Line.

Mayor Sobel stated the Council has not adopted a position. His opinion is he wants to do what's good for the Township. It has not been proved that the MOM will solve any problems that we have. There are other options available. We have had discussions with New Jersey Transit and expressed our concerns of added noise, property values, things of that nature.

Mr. Petrognani asked the status of the Senior Center.

Mr. Coren stated he may be coming to the Council to ask for permission to demolish and rebuild. The amount of money we have may be sufficient to build a new structure.

Mr. Petrognani asked about the Manzo and Walter White Property.

Mr. Coren stated both are before the Courts.

Mr. Petrognani ask if Mr. Coren can get back to him on the trucks going up and down Wilson Avenue over the speed limit.

Mike Ouben

51 Chilton Lane

Mr. Ouben stated Chilton Lane just was resurfaced and they did a lousy job. There have been multiply water main breaks and patches were put on the street. No one was told that this was going to happen. Something happen again this weekend, they laid asphalt. Why not tell the

residents we are going to be working on your street. Now they are laying pipe. We were never told. We ride these roads and should be notified. It is a sub-contractor of New Jersey American Water. We have to be more forceful with these people. The C section is scheduled to have the roads done in a year or two. NJAWC patched the roads, why not take the money and use it to do the street properly.

Mr. Coren stated his conversation with NJAWC he convey Mr. Ouben thoughts. We expressly said we do not want that sub-contractor. It is not unreasonable to ask for notification to residents.

Mayor Sobel stated the last couple of years we have had issued with New Jersey American Water with water main breaks.

Mr. Coren stated the water main break issues have gotten better.

Mayor Sobel asked to bring in NJAWC to discuss the issues.

Mr. Ouben suggested the Council look at the work on Chilton Avenue.

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 Vinci and unanimously concurred by Council.

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David G. Sobel, Mayor

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Karen Ventura, Municipal Clerk