

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING
TUESDAY, OCTOBER 18, 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, October 18, 2005 at 7:11 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: Nicholas Minutolo
 Vincent Vinci
 Owen Drapkin
 David G. Sobel

 Absent: Wilhelmina Gumbs
 Thomas Perry
 Joseph Raymond

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

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

REPORTS

Mayor Sobel read the following proclamation:

HALLOWEEN PROCLAMATION

***WHEREAS**, the time of Halloween is traditionally a period when children enjoy the pleasure of "Trick or Treat" and should have every protection in pursuit of this enjoyment; and*

***WHEREAS**, the residents of Aberdeen Township should have the pleasure of contributing and enjoying their children's celebration; and*

***WHEREAS**, the residents of Aberdeen Township at the same time should be assured that their properties and well being are protected.*

***NOW, THEREFORE**, I, David G. Sobel, Mayor of the Township of Aberdeen, do hereby declare that for the evenings of Sunday,*

October 30, 2005 and Monday, October 31, 2005, a curfew extending to all children under the age of 17 be and is hereby established, beginning at 8:30 o'clock p.m. and ending at 6:00 o'clock a.m. the following morning, and that this curfew is subject in every other way to the provisions of enforcement contained in the adopted and amended curfew ordinance.

Mr. Coren stated in the past couple of months he has had significant conversations with the Samaha family. They are giving up their quest to sell. They have had contact with the Conservation District of the State and its extension in Monmouth County with a goal to preserve farmland. While this is outside their geographic jurisdiction because Aberdeen is no longer a rural community, considering it is the last active farm in this part of the world. They entered into discussions with the Samaha family about placing a deed restriction that would be similar to the transfer of development. A state agency would pay them the value of the land as though it would be developed. In consideration therefore, they would be required to sign a covenant that would restrict the land use, and could only be used as a farm. A portion of that money may have to be paid for by the Township. We identified that land as a parcel of land that we wish to acquire for open space. This is a win/win, houses will never be built on that land and the fruit/vegetable stand will stay on Lloyd Road. The Samaha family would maintain ownership of it as long as they choice to operate it as a farm. If they sell it, they sell it to someone who wants to operate a farm or turn it over to the Township of Aberdeen. An application is about to be filed to that effect.

Mayor Sobel thanked Mr. Coren and his staff for all their efforts.

There were no further reports made.

HEARING OF THE CITIZENS - Agenda Items only

Mayor Sobel asked anyone wishing to be heard on agenda items to come forward and state their name and address.

John Gartley
1089 Woodmere Dr

Mr. Gartley asked about the purchase of the Samaha land.

Mr. Coren stated there is no purchase, it is a voluntary relationship between the State agency and the Samaha family. They will receive a fair market value for the property. We are not involved.

Dan McCarthy stated what happens is the State agency deals directly with the landowner and the State does an appraisal on it. If the property owner is not happy with that appraisal they could get their own appraisal and than enter into negotiations. It is purely voluntary. It is only an application now.

Mr. Coren stated Mr. Samaha's interest is to protect his family.

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

NEW BUSINESS

ORDINANCE NO. 31-2005 - INTRODUCTION

Councilman Minutolo made a motion to introduce Ordinance 31-2005 on first reading by title and to order the same to be published by summary in the October 20, 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 November 1, 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 - SIGHT TRIANGLES"

ROLL CALL VOTE:

Ayes: Councilmen Minutolo, Vinci, Deputy Mayor Drapkin and Mayor Sobel

Nays: None

Abstain: None

CONSENT AGENDA

Councilman Vinci made a motion to approve the consent Agenda all items listed under 6B.

Seconded by Councilman Minutolo.

ROLL CALL VOTE:

Ayes: Councilmen Minutolo, Vinci, Deputy Mayor Drapkin and Mayor Sobel

Nays: None

Abstain: None

1. RESOLUTION NO. 2005-123 - BE IT RESOLVED by the Township Council that it hereby authorizes the liquor license transfer between Tinali Inc. and Pulijal Associates, Inc.
2. EXECUTIVE SESSION RESOLUTION - BE IT RESOLVED that the general public shall be excluded from discussion held during executive session - Litigation & Contractual

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 one present wishing to be heard, Mayor Sobel closed the public portion.

Councilman Minutolo 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.

Deputy Mayor Drapkin made a motion to introduce Resolution No. 2005-124 and move its adoption. Seconded by Councilman Vinci.

WHEREAS, the Township Council of the Township of Aberdeen is in need of consulting services regarding municipal services and the operation of municipal functions.

NOW, THEREFORE, BE IT RESOLVED by the Township Council of the Township of Aberdeen that the Mayor and Clerk are authorized to execute a consulting agreement with Stuart Brown for said services.

This agreement is made without competitive bidding as a “professional service” under the provisions of the Local Public Contracts Law, N.J.S.A. 40A:11-5(1)a(I).

BE IT FURTHER RESOLVED that this resolution is conditioned upon the Township Manager’s certification of the availability of funds.

ROLL CALL VOTE:

Ayes: Councilmen Minutolo, Vinci, Deputy Mayor Drapkin and Mayor Sobel

Nays: None

Abstain: None

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.

John Gartley

1089 Woodmere Drive

Mr. Gartley asked about the details of the consulting agreement.

Mayor Sobel stated it is a consulting agreement that has not been executed at this time. At the time it is executed we will give the details.

Mr. McCarthy stated a consultant agreement simply put is that we hire a consultant to provide services to the municipality on the efficient delivery of governmental services to the Township residents and provide other services as directed by the Township Manager. Our office is in the process of preparing the agreement. When it becomes executed it becomes a public document.

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

ADJOURNMENT

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

David G. Sobel, Mayor

Karen Ventura, Municipal Clerk