

ABERDEEN TOWNSHIP COUNCIL WORKSHOP MEETING MINUTES **THURSDAY, APRIL 4, 2024**

The Mayor announced that being held in conformance with the Open Public Meetings Act. Notice has been given to the newspapers of record, posted in the Municipal Building and filed with the Township Clerk. The next open public meeting of the Township Council will be the Regular Meeting to be held on Thursday, April 18, 2024 at 7:30 pm. Meeting opened at 7:30 pm.

PRESENT: Councilman Cannon (via Zoom)
Councilman Hirsch
Councilwoman Kelley
Councilman Martucci
Councilman Swindle
Deputy Mayor Montone
Mayor Tagliarini

ALSO PRESENT Bryan Russell, Township Manager
Joe Decotiis, Township Attorney

MOMENT OF SILENCE Mayor Tagliarini thanked the men and women in uniform who protect our county here and on foreign soil allowing us to meet in forums like this. He asked everyone to take a moment for their own personal intentions.

SALUTE TO THE FLAG

PRESENTATIONS

Deputy Mayor Montone presented the following proclamation:



TOWNSHIP OF ABERDEEN PROCLAMATION

CHILD ABUSE PREVENTION AND AWARENESS MONTH

WHEREAS, there are about 1.9 million youth aged 17 and under, living in New Jersey; and

WHEREAS, every child deserves to be nurtured, protected and free from physical and emotional harm; and

WHEREAS, child abuse and neglect is a serious problem affecting every segment of our community, and finding solutions requires input and action from everyone; and

WHEREAS, child abuse can have long-term psychological, emotional, and physical effects that have lasting consequences for victims of abuse; and

WHEREAS, effective child abuse prevention activities succeed because of the partnerships created between child welfare professionals, education, health, community- and faith-based organizations, businesses, law enforcement agencies, and families; and

WHEREAS, communities must make every effort to promote programs and activities that create strong and thriving children and families; and

WHEREAS, we acknowledge that we must work together as a community to increase awareness about child abuse and contribute to promote the social and emotional well-being of children and families in a safe, stable, and nurturing environment; and

WHEREAS, our children are our most valuable resources and will shape the future of the State of New Jersey; and

WHEREAS, prevention remains the best defense for our children and families.

**NOW, THEREFORE, ON BEHALF OF THE TOWNSHIP COUNCIL,
I, FRED TAGLIARINI, MAYOR OF THE TOWNSHIP OF ABERDEEN** do hereby proclaim April 2024 as NATIONAL CHILD ABUSE PREVENTION MONTH in the Township of Aberdeen and urge all citizens to recognize this month by dedicating ourselves to the task of improving the quality of life for all children and families.

April 4, 2024

HEARING OF THE CITIZENS – Agenda Items only

Mayor Tagliarini asked any residents who are present for the Overlay Ordinance to hold their comment until the Public Hearing for that ordinance. He will call on people to speak from the sign in list. Due to the number of people in attendance, the Mayor requested that everyone limit their comments to 3 minutes. There are attorneys and planners available to answer questions.

Glen Rossi – Incline Place. A few years ago there were dams placed on the brook and has created water coming towards houses.. He is concerned about his foundation as there is constantly water. This was not a problem before the dams. He has photos. Manager Russell asked him to give those to DPW Director Patterson, who will follow up.

Mayor Tagliarini asked that the record reflect that Councilman Cannon is in attendance via zoom.

MINUTES

March 21, 2024 Regular Meeting Minutes

Motion: Councilman Hirsch
Second: Councilwoman Kelley

ROLL CALL VOTE:

Ayes: Councilmembers Cannon, Hirsch, Kelley, Martucci, Swindle, Deputy Mayor Montone and Mayor Tagliarini

Nays: None

Abstain: None

NEW BUSINESS

CONSENT AGENDA

RESOLUTION NO. 2024-59 BE IT RESOLVED by the Township Council that it hereby approves Final Acceptance, Closeout Change Order and Final Payment to P & A Construction Inc. in the amount of \$67,356.46.

RESOLUTION NO. 2024-60 BE IT RESOLVED by the Township Council that it hereby authorizes a Cooperative Project Agreement with the County of Monmouth for the acquisition of an agricultural and conservation easement with a right of first refusal option to purchase the real property known and designated as Block 12, Lots 10.01, 12 & 13 and Block 12, Lot 9.01 on the official tax map of the Township of Aberdeen, Monmouth County, New Jersey.

RL 1301 – Ladacin, Off-Premise 50/50, July 20, 2024

RL 1302 – Ladacin, On-Premise Merchandise Raffle, July 20, 2024

Motion: Councilman Martucci

Second: Councilman Hirsch

ROLL CALL VOTE:

Ayes: Councilmembers Cannon, Hirsch, Kelley, Martucci, Swindle, Deputy Mayor Montone and Mayor Tagliarini

Nays: None

Abstain: None

CONTINUED BUSINESS

Mayor Tagliarini stated Ordinance 11-2024, introduced and passed on first reading by title on March 7, 2024 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of publication in the Asbury Park Press notifying Pending Ordinance on March 13, 2024 and Notice of Public Hearing on March 25, 2024 will be submitted. During the week prior to and up to, including the date of this meeting, copies of the full ordinance were available at no cost to the general public upon request.

CLERK: AN ORDINANCE OF THE TOWNSHIP OF ABERDEEN, AMENDING AND SUPPLEMENTING CHAPTER XXV, “LAND DEVELOPMENT” OF THE TOWNSHIP CODE TO ADD THE INSTITUTIONAL OVERLAY ZONING DISTRICT AND SUPPLEMENTAL STANDARDS

Mayor Tagliarini opened the meeting to the public for remarks or comments for or against the final adoption of this ordinance. He stated he will refer to the sign-in list at this point.

Larry Marshall – He thanked the Council for this opportunity. He had questions regarding the development concept: How does this comply with Community Reinvestment Act, how does this comply with the 5 year comprehensive plan? Has there been a feasibility study done? Has this study been made public? Who are the engineers and architects? Have they named the Township as additionally insured? He would like to know the implications of the boring testing on the properties and what affect it will have on the community. What service entities will be provided and how will they affect the citizens of Aberdeen? He would like to know if this will affect the public improvements ie water and sewer lines. This area is zoned flood land, a water based area where there are already some problems. There are adjacent properties that are owned by Old Bridge, have they been considered as well? Are they having a public hearing as well? As a long term owner of property he has many questions.

Mr. Ron Gordon, Township Attorney responded. He thanked Mr. Marshall for his comments. He explained this is not a planning application. The majority of your questions will be appropriately addressed once an application is filed. What is being presented tonight is an ordinance that creates a new institutional overlay zone, which makes the existing facility in that area a conforming use. You asked questions about the master plan, the ordinance was submitted to the planning board. The planning board responded that it was not inconsistent with the master plan. The question of feasibility is unknown as no application has been before the board. This is merely establishing the zoning requirements, the bulk standards and the authorized use if the governing body approves the ordinance that has been introduced.

David Mojica - His question is how can we benefit from this? Is this going to make it a better place? He has simple questions. Is this going to be safer?

Mr. Gordon responded stating this proposed ordinance establishes the ground rules for a potential overlay zone in that area, making the existing non-conforming uses conforming. If there is to be further application to expand those existing uses, it lays the ground uses for how that has to happen. Whether that will make that better or not better, he cannot answer. The overlay zone keeps the existing R50 zoning in place. The overlay zone for institutional uses, which is for post graduate only, no elementary, no high school is permitted, sits on top of the existing R50 zone.

Mr. Mojica has one more question – are they going to be paying taxes just like we are?

Someone at the back of the room asked everyone to speak up as they cannot hear.

Councilman Cannon responded that no religious organizations pay taxes in town. What is on the ordinance has nothing to do with taxes. Taxes have to do with ownership of the properties. If a religious organization purchases a property they then apply for an exemption with the Tax Assessor and must meet those requirements. This is an issue that is misplaced in this context.

Alicia Botticelli – She has lived in town 14 years, with her husband and 5 children. She moved here because it was a small town, not overdeveloped and a good place to raise her children. A few weeks ago she received a letter that the school could not afford to provide subscription

busing, even though there was a \$1000 cost to receive this service. It brought her back to a conversation she had with Connie Kelley many years back, when the town was starting all this building. Ms. Botticelli expressed her concern and Connie assured her that the massive building that the town was allowing would not impact the school district. The numbers never made sense. Her son said, in 2018, the schools had more students than ever before. Now the schools are bursting at the steams and are financially strapped. Now let's move on to Glassworks, phase 2 which was to have a movie theater and retail and now phase 2 has been changed to build more apartments with more family and more children. The builder is part of the PILOT, so the schools will not receive any money. Earlier this week a neighbor received notice to build a school in a 2 block area. She stated the agenda was not on the website, so she was glad her neighbor brought it to her attention. The roads in Cliffwood are narrow, in need of repair and there are no sidewalks. To add insult to injury, the council made a deal with the owner of Meinzer Street back in 2017 that if they withdrew the application for Meinzer, they would rezone the 2 block to allow schools as a permitted use. At no point did they gather input from the neighbors for insight on their backdoor deal. The residents and concerned tax payers are not in agreement or in favor of this ordinance. The homeowners should not bear the burden of non-tax paying properties using roads and our services such as fire, police, trash, etc. This will bring more cars and traffic to our town that is bursting at the seams. Our public schools and our town need the taxes that this school will not be paying. We are not stupid, you do not rezone an entire area to allow one lot to expand. Be aware we are prepared to fight this. We will not allow non-tax paying entities to take over our town and run it into the ground. My taxes will increase because other owners will not be paying them. I vote no, and you should too.

Jessica Iorio – Resident of Cliffwood Beach. Like all my fellow neighbors and constituents, she was not happy to hear of this rezoning. With this INS Overlay, how would a current single family home be turned into a dormitory? Will they have to present an application to do that now that they have the zoning to do that?

Mr. Gordon said he would repeat what he said earlier, at which point he was interrupted by the public. Ms. Iorio stated she would rephrase the question - how would they change the use, will they have to submit an application? Mr. Gordon responded yes. She asked how the properties would be inspected to be sure they met UCC State Fire Code. Mr. Gordon stated this is an overlay zone, anytime anyone wants to do anything they would have to make an application, the application would be reviewed by planning, zoning or administrative. Any dormitory in the state of NJ will be required to comply with the state requirements for a dormitory.

Ms. Ioria stated that her constituents may not be aware that the requirements for a dormitory are required to have sprinklers and proper smoke alarms. The reason for this is for the safety of those that live in and around the dormitories. Once they overlay is there and available, she has concerns for our fire department. Has our volunteer fire department been consulted regarding this overlay? If and when the applications come in, she is concerned that our town will not be able to be protected by our volunteer firefighters and the Town will have to pay for fire fighters and increase the taxes. She would like to know how the 2024 budget, which has not been introduced and is late, has this overlay been included in the budget? When these applications come in, what are the plans to amend the Township budget, which we have not seen yet this year? She also stated, in defense of the council, the 3 minute rule is normal and should be respected.

Manager Russell stated that the 2023-2024 have not been certified by the Tax Assessor. We are still preparing the budget to be presented. Ms. Iorio asked if the Township has gotten permission from the state to introduce the budget late. Mr. Russell stated that we have until April 18th to introduce. Ms. Iorio stated that per the Local Finance Notice, the budget must be presented at the first meeting after March 29, which is this meeting. She asked if the Assessor has included this overlay in the 2023-2024 budget. Manager Russell stated he would have to check with the Assessor. Councilman Cannon stated that this overlay would not have been taken into account because the assessment for this year is based on October 1st of last year. Ms. Iorio asked what the plan is to make the money back once the applications are filed and approved for the educational overlay. Councilman Cannon stated the overlay doesn't affect the tax use. Ms. Iorio disagreed that once it is approved for educational facilities there will be no taxes and the Township cannot fly by the seat of their pants. She asked if everyone's taxes will be increased to offset.

Diane Bunt – She originally came to speak about the parking situation, but after listening it has brought up a lot of questions. The house next to her was bought by the Yeshiva. No one lives there, people come on Friday night or holidays or a teacher from the school will stay for a few months. Do they pay residential taxes? How many houses has the Yeshiva bought up? An member of public stated 16. The Mayor stated the reason for purchase is not part of this discussion, at this point in time, there have been a few properties purchased. They can't determine what the use will be once purchased at this point. Ms. Bunt brought up parking. When she comes home in the evening after work, only one car can fit through the street. If a car is coming the other direction, one of them will have to back up in order to let that car through. The students don't leave the cars for 8-10 hours, but leave them for days and weeks. Many have NY Plates. Parking is a big issue in the area. She said the ordinance only requires only 1 space for 10 students. She is concerned that if they are post graduate students, they will all have cars. She stated the Yeshiva doesn't use the parking lot rather parks on Orchard. She questions how the streets will handle the traffic.

Lyn Ostar – Lives in Cliffwood Beach. Walks all over the neighborhood. When she first heard about this, she would like the town to consider an ordinance to hold any positive support of an individual or organization who has exhibited the lack of will to do basic upkeep on their property. Unfortunately, especially when an organization is trying to acquire a property, blight can be used to lower property value, which is a form of theft from property owners that are targeted. She recognizes the town cannot control who buys property, but there are moments the town has opportunity to enforce proper behavior. If she applied to put an addition on her house, but her shutters were falling off, devaluing her next door neighbor's house, she would expect the township to say no. Use that money to do basic maintenance on the property. It is unfair that neighbors have to look at an eyesore when an organization has money to improve the properties. She is concerned with the overlay and the properties that are owned by the town - how are they zoned now, are they wetlands? Single family? The reason she is asking, she is wondering about a deal to sell property to one entity? Was there a bid process, is there going to be? She is concerned that if it is zoned institutional, it would potentially deter lucrative buyers of single family homes. Why does the overlay make any sense to include the undevelopable land?

The Planner tried to explain that those areas were included in the zone. She is concerned about

the bid process for the land. Councilman Cannon said the Township isn't selling any of their land. She said there was some conversation that there was some assumption that there was a verbal agreement that when they withdrew Meinzer that the Township would sell some of their land.

Councilman Cannon said that was not part of the agreement, there is no sale of land. At the 2017 meeting at the middle school, the agreement was that the Yeshiva would stay where it is and add one story to the school in order to make the current school conforming. That is what this entire ordinance does, it makes the Yeshiva, which has been there 20 years, conforming - there is no sale of land. Ms. Ostar said that is a very large overlay for one property. Councilman Cannon and the Councilmembers stated they understand her point regarding the size of the zone and her point is well taken.

Charlene Roberts – She has been in Cliffwood for 20 years. She wants to know how to stop this from happening. The men smoke, drink in public, loiter. She asked who has walked through Cliffwood Beach to see the change? How does this benefit us? She directed her comment to Mr. Cannon. These men speed up and down the street, she has to call the police. She has to stop them herself, in order to walk outside her own house. How can she live there if more students are allowed? She asked how to stop this at this point in time? Mayor Tagliarini stated that the reason we are here tonight, why this was advertised, was so everyone could come out. Ms. Roberts stated this meeting was not advertised, and she was noticed in the mail. She doesn't like the fancy words being used and requested layman terms. She asked who was representing the community.

The Mayor said the Council is listening to everyone's opinions, concerns, ideas and fears – they are listening. The Mayor asked for respect, there are no egos at the Dais, we are all neighbors. The fact that we are all here listening is the best answer I can give you. We have no idea how this meeting will be ending tonight. He thanked her and everyone for being here.

Amy Zimmitti – She has lived in Cliffwood Beach for 25 years, knows the Yeshiva has been there 20 years. She has questions, she fears will not be answered, as tonight there are a lot of non-answer circles. Can this be fought? She referred to Councilman Cannon's comment on Facebook that this was part of Meinzer street agreement. Can this actually be fought? Or is this a done deal, but we have to go through the public meeting as part of the process.

Mayor Tagliarini said this is part of the process, and it is not a done deal. Councilman Cannon wanted to speak to the benefit of doing this to avoid lawsuits. Councilman Cannon stated rather than allowing a compound, this ordinance could provide extra protection to the town if we adopt this ordinance. He asked Mr. Gordon to explain the legal benefits of this ordinance.

Ms. Zimmitti said this is our town and we all need to be respectful of one another and our elected officials. She wants answers to questions, she has concerns about the overlay and will this spread to her block, where she just bought a home. She understands that there are no applications yet. She referred to social media and misinformation, she wants factual information. She doesn't believe the Town is selling properties to the Yeshiva. Does this ordinance open the door and give the possibility that the 13 homes they own be knocked down and another big Yeshiva be built?

Can single family homes be knocked down and turned into an institutional dormitory? We are all concerned that these 3 blocks, which are now residential homes become big ugly building over the next 5 years.

Mr. Gordon referred to Councilman Cannon's comments. There is statute that prohibits governmental entities from making land use decisions that are based on a religious use. The previous situation in 2017 exposed the municipality to potential RLUIPA liability. The proposed ordinance would protect the township from religious land use liability. One of the benefits of the ordinance is that it protects the municipality from claims that they made decisions based on religious use.

The Planner stated that if enough property were acquired they could expand the Yeshiva.

Ms. Zimmitti asked if there was a limit to legal suits ie if we approve this overlay, can this group buy another large piece of property and can we fight that? Mr. Gordon stated that it is currently permitted by variance. Mr. Gordon was interrupted and Mayor Tagliarini asked everyone to wait their turn to speak, and even if they haven't signed up, time will be given to each person who wishes to speak.

Mark Bishop – He says a lot of questions aren't being answered. He says it is not very honest to say they only want to put one floor on a building. He said the ordinance allows accessory buildings to go up to 55'. Mr. Gordon says the ordinance states the building cannot exceed 55' but accessory buildings can only 15' or less. He was researching and found a website that contractors use that Meinzer Street was reopened for bidding. He doesn't see how this isn't considered spot zoning. He wanted to know how this benefits his zone. The Planner said the R50 zoning is still intact. Mr. Bishop says there is no benefit to him, but this ordinance has been written to benefit one person. Mr. Bishop asked that the vote be postponed because many people cannot fit in the room and cannot hear. He also has been in touch with land use attorneys that he would like to review.

Councilman Cannon said Mr. Bishop is correct, there will be an application to expand the Yeshiva. Last time the Township was caught flatfooted, but now the Township is prepared to handle this development application.

Mr. Bishop stated he believes that the Meinzer Street application will be moved to Center Street, there is a lot of evidence of such. There is a compromise to be made, the Township should suggest that we are not going to rezone any residential area. He proposed unused retail space, empty shopping centers, or areas off a main road or highway. He said the neighbors are not opposed to the people or development, they are opposed to where it is.

Lauren Ramos – Earlier tonight the meeting minutes from March 21 meeting were approved. At that meeting an Ordinance was approved to sell Township land. She said there are properties to be sold off that are in this overlay zone. She says the Council was elected and in order to restore faith, she asked that they vote to dismiss this and come up with a better place. As exhibited tonight, there is not support for this ordinance.

Mr. Russell stated 2 of the properties are going to be removed from that list. Any other properties have to go to auction.

Pedro Fontanez – Stated he did not receive notice. He said the area is saturated. The Yeshiva is not well kept and there was a fire recently. What makes anyone think they will keep up the building if they go up? He shared his concern about sewer and public works. Has there been a feasibility study? He said expanding would put a burden on the area.

Stephen Blashfield – Lives directly behind the building. Right now all windows peer into his backyard. During Holy times they are out in the backyard until 2:30 am. He said there have been many near accidents in the area. He asked if the school is allowed to be in that area? Mr. Gordon stated the ordinance makes this use conforming, while it is currently non-conforming. Mr. Blashfield asked why no one has raised the question that this should not be here in the first place. He said the Rabbi will not answer his calls to discuss issues. He stated no one from the Yeshiva or Ruach Chaim is here tonight. They are a 501c3, a charity, not an institution. Mayor Tagliarini said he will give Mr. Blashfield his card and if he has problems with sound or anything in the future, to please contact him.

Jared Zusi – Resident of I Section. He is confused and dejected that this conversation is happening again, he remembers 2017 well as he lived in Ken Gardens at the time. It was not too long ago that the residents spoke out against the expansion of the Yeshiva on Meinzer Street. He believes our elected government serves the constituents/residents. These same residents distinctly stated they did not want the Yeshiva in their small quiet neighborhood in 2016, yet here we are again. It is clear the Yeshiva will strain the municipal budget. Public services such as transportation, police, fire, infrastructure maintenance for all residents including the students at the Yeshiva. Yet the Yeshiva may not contribute to the use of these services and create an additional tax burden on the residents. In this plan, Aberdeen will be rezoning potential tax paying single family homes for tax exempt dormitories. Approving the rezoning and expansion is this Cliffwood area irresponsible, the area is highly congested and a dangerous intersection. There was a pedestrian struck and killed at that intersection on Route 35 - adding more vehicular and pedestrian traffic will only compound this issue. His patience with local government is waning. The community was told over and over that Glassworks would have little to no impact on the schools. That has not been true, there have been significant repercussions on the finances of our community and our education system. If our governing body was so wrong about Glassworks, why should we continue trust them blindly. We need to pause and take a long hard look to see if expanding the Yeshiva is the right move. While the freedom to practice religion is a fundamental right, it should not come at the financial expense of our community. He asked the Council what the positive impact of expanding the Yeshiva will have on the residents of Cliffwood, many who have been there for generations.

Thomas Giuliano – Some comments made tonight bothered him. Going beyond that, he has concerns about the tax implications. He wouldn't care who is building, the issue is about not making sense for the neighborhood. He referred to RLUIPA and giving them an exception to a law is currently on the books. He is concerned that this meeting wasn't held in a larger forum. He was outside for the first 10 minutes. He does not live in Cliffwood, but it does affect him. He said it would not be a good idea to make any decisions tonight as it is not an inclusive

conversation.

Melissa Renner – She asked about the plumbing in the school, will it have to be redone? She asked about street plumbing. She is concerned about who is paying for improvements when they are not paying taxes. Councilman Cannon stated that they are responsible for that. If they put an application that requires more than can be handled they are responsible for a bigger sewer. She asked if they would be responsible for all the streets. Councilman Cannon said that as you get further away from the property, it difficult to determine it is their responsibility.

Juan Servantes – He wanted to address something brought up earlier, RLUIPA. In order to overcome that claim from a religious entity, if it is rationally related to a government interest, including traffic, that can be overcome. The denial can be made as the school already exists there isn't a need to expand. This is a rational basis issue. He thinks the citizens have presented enough to be able to fight that. There are no sidewalks, there is a traffic safety issue adding residents to the area. We have given you some ammo now and hope you use it. If you vote no, he believes they (residents) will be successful. The financial burden may be large, but in the long run 50+ non taxing paying properties will be much more so.

Cindy Santora – I section of Strathmore. She saw Meinzer blueprints, we keep hearing over and over that this is for men and won't have an impact on schools. But the original plans had an apartment building and a playground. A playground means children, which will impact the school system as the school district will bus them to whichever school they go to. Additionally the school will have to provide very expensive IEP services if needed, yet they will be paying no taxes. There will be over \$500,000 of taxes lost. She is very worried about the school district. Subscription busing has been cancelled. What is the effect of having 100 kids that we have to bus or provide IEP services? She asked council to reconsider and vote no.

Julianne Schmidt – Had a question of infrastructure. She has been doing research, the building was built in 1973. How safe could adding a floor be? The planner stated it would have to go through all permit applications and would be reviewed by engineers, etc. She is concerned about the building being in poor shape, will that be addressed? The planner said yes. She stated the roadway of Meinzer Street was \$699,000 for CME to do a study and over \$3,000,000 to pave Meinzer Street. Are we paying for this? Isn't that a lot of money for not even a mile? Councilman Cannon stated that included all of the pipes on the road. The Yeshiva application would have put all new pipes, the town did not do that for years. The sewer doesn't not connect all the way, so there are 2 houses/residents that are orphan from the Township. It's not just repaving the road, it is all utilities. Just like every resident's roads, when the pipes and roads are a mess, which Meinzer is one of the worst. Ms. Schmidt said the builder is building \$600,000 houses and the developer is connected to the Yeshiva. Councilman Cannon stated that Roger Mumford has no connection with the Rabbi. Those 11 houses will contribute 6.6 million dollars in ratables.

Kim Hewski – Friends with Fred, knows and loves him - lives in F section. Didn't know much about this until recently. She marginally disagrees that you can take this out of Cliffwood Beach and put in somewhere else it town, because she will come back and fight that. Our taxes pay for what is here now and you are going to potentially add dormitories. What benefit, other than

staving off litigation, does this have for us as Aberdeen residents? She has not heard that at all. Staving off litigation could be good, but not good enough. What are the benefits, other than being sued? The school reports came out today and they sucked and this project sets off another set of infrastructure problems we are not prepared to handle. Fight it. We are not ready to back down.

Councilman Cannon said if you want council to fight, it will be considered, but the primary drive is to avoid the apartment building that was in the original plan. He said the council is to here to hear them. The proposal is to add one more story, or fight them tooth and nail over an apartment building in another part of town. It is a conundrum.

Ms. Hewski said it is not about Cliffwood.

Councilman Cannon stated the Council is from all over town. There is not an enormous benefit, the benefit is reaching a compromise versus fighting and losing.

Ms. Hewski asked for an independent study to see how much it will cost to fight versus the cost of infrastructure and schools, etc. Show me that what you are doing is going to help us.

Scott Mazzella – Matawan. Here to support our Aberdeen neighbors and friends. He said this is not a religious thing, this is a one way street we are going on. When you look at all the churches and synagogues in the community they are made up of people of the community, while they may not pay taxes they give back to the community at large. They have food pantries, they do fundraising, they do things that members of the communities do. They spend money in our stores. When you see a group that doesn't want to be part of the community – they are not here – your community is here. These are the people of the Aberdeen and Matawan, they are speaking loud and clear. Why can't the compromise be to just put the overlay over the one building that needs it? Why open the door to everything else? If that's all they are going for, that is all they need.

Alvin (unclear) – Thank you for opportunity to address all of you. He lives in Cliffwood near Middle School. He has children who play sports, he tries to be a good neighbor. The traffic near Glassworks is insane. He pays over \$11,000 of taxes a year. His concern is that 5 years down the line, he won't be able to live here. Last year my kids wanted to sign up for Basketball, the class filled up in one day. A few weeks ago he tried to sign up for camp – there are 70 spots for 2000 kids from working families. Why give a rich organization a break? Provide more services and opportunities for us. He doesn't want to be forced to move out because you want to do the right thing for the wrong people.

Quin Bond – Cliffwood Beach. Were the fire officials involved in the zoning overlay? Do we have equipment that can handle a 55' building? Can it fit down Center Street when everyone is parked that way? Mr. Bond said at the time of Meinzer Street discussions, we did not have the equipment to handle that height. Did we get new equipment? The Mayor responded that we went through this with the Glassworks application, the fire department stated we could handle this.

Larry Marshall – His problem is that he was told there is not an application. He asked the

Council how they can made a decision that they have no knowledge about. He referred to Councilman Cannon's comment about having previously been caught with our pants down. The reinvestment act means if he wants to build, he has to put something in before I can take something out. He wants to see the engineering report about infrastructure especially regarding flooding issues in the area. We can't take this under consideration until there are answers, so intelligent decisions can be made.

Brandon Castro – If we are trying to work on rezoning can we revoke the variance already in place? Mr. Gordon stated that the variance cannot be revoked as they run with the land. If you rezone and make that use not permissive it would still be allowed to operate as grandfathered.

Mayor Tagliarini, if seconded by this council, asked to make a motion that no vote be taken tonight. Taking in everything that was heard tonight, the council will reconsider.
Seconded by Councilman Martucci.

Mr. Gordon procedurally confirmed that the public hearing on ordinance 11-2024 is closed and now a motion is being made to table the decision as to whether to adopt or not adopt the ordinance. The standard notice will be made and posted on the website as to when to the decision on this ordinance will be made. If there are changes that are substantive in nature, the process will begin again, with introduction, referral to the planning board for master plan consistency and a new public hearing.

It was reiterated that the vote being taken right now is to table the decision on the ordinance.

ROLL CALL VOTE:

Ayes: Councilmembers Cannon, Hirsch, Kelley, Martucci, Swindle, Deputy Mayor Montone and Mayor Tagliarini

Nays: None

Abstain: None

Many members of the public expressed their gratitude and appreciation to the Mayor and Council.

HEARING OF THE CITIZENS *None*

EXECUTIVE SESSION *Personnel, contractual*

WHEREAS, the Open Public Meetings Act, P. L. 1975, Chapter 231 permits the exclusion of the public from a meeting in certain circumstances; and

WHEREAS, this public body is of the opinion that such circumstances presently exist; and

WHEREAS, the Governing Body wishes to discuss: Personnel, contractual.

Minutes will be kept and once the matter involving the confidentiality of the above no longer requires that confidentiality, then the minutes can be made public.

NOW THEREFORE BE IT RESOLVED that the public be excluded from this meeting.

Motion: Deputy Mayor Montone

Second: Councilman Martucci

With all in favor, council moved to Executive Session at 9:26 pm.

ADJOURNMENT

Council returned to regular meeting at 10:01 pm

Councilman Martucci made a motion to adjourn, seconded by Councilwoman Kelley. With all in favor, the regular meeting was adjourned at 10:01 pm.