

**ABERDEEN TOWNSHIP COUNCIL WORKSHOP MEETING  
TUESDAY, SEPTEMBER 2, 2008**

Present: Owen Drapkin  
Janice Gallo  
Joseph Raymond  
Vincent Vinci  
Wilhelmina Gumbs  
David G. Sobel

Absent: Thomas Perry

Also Present: James Lauro, Acting Township Manager  
Diane Dabulas, Township Attorney  
Angela Morin, Chief Financial Officer

Mayor Sobel called the meeting to order at 8:30 p.m. and stated that notice of this meeting has been posted and published in compliance with the Open Public Meetings Act.

Mayor Sobel stated this is Jim Lauro's last meeting as Acting Township Manager. It goes without saying we always appreciate everything you do but more so over the last seven month.

Amendment to the 2008 Municipal Budget: Angela Morin stated there are four basic changes to the amendment that are statutory in requirement. The addition of deferred charge of \$400; Defined Compensation Retirement Program - \$100, these items do not change the amount to be raised by taxation. It was a reallocation from other expenditures. An item was moved from in cap to out of cap which is an employee group health and the fourth item is in the water utility, correction of bond anticipation note amount payment. Again, none of these items raised the amount to be raised by taxation. A straw poll vote was majority in favor of bringing this resolution to tonight's public meeting with Councilwoman Gallo voting no.

2008 Municipal Budget and Solid Waste Collection District Budgets: The municipal budget is prepared with amendments made. The total municipal budget is \$15,307,654.07 and the total solid waste collection district budget is \$1,983,943.00.

Councilwoman Gallo stated part of the problem is that it can not be discussed because it is executive session with contracts and bonding. Therefore, I have a major problem if the executive session part isn't made public after the fact before the budget is voted on I will not vote on this budget. There are things in the contract I can not discuss because of executive session and I can not vote on the budget unless all the contracts are given to the individuals outside to review and if they need to ask questions. I would not have it where

the public can not view parts of the contract prior to voting.

Diane Dabulas stated if the contracts are already executed.

Councilwoman Gallo stated it wasn't executed. We did not vote on the contract, I didn't vote on it, it was done in January. It was to receive the RFQs, it was not a contract. The contract, we only received a month and a half ago. That was what I had the problem with when we went to pass the defined contribution ordinance. That is why I asked it be held, the public is not aware of specifics in the contract. There is money appropriated in this budget as per those contracts.

Mayor Sobel stated the contracts are not appropriating any money. If you read the contracts there are no appropriations, they talk about what their rates are. Depending on who does the work, engineering, legal, planner. Everyone does their best job in estimating what the costs will be for the next calendar year. So there are no appropriates in the RFQs or these contracts.

Councilwoman Gallo stated again I can't discuss it because of executive session. The point is you have money allocated to the road program within the bond ordinance.

Mayor Sobel stated we will discuss this in executive session.

Councilwoman Gallo stated no because you have a quorum, I will not be part of a quorum. I do not have to vote on this.

Councilman Drapkin stated no you don't, but if you want to discuss it to get the right answer we have no problem with it.

Councilwoman Gallo stated the public is not going to have the right answer either until after you vote on it.

Diane Dabulas stated we will go into executive session before the meeting to discuss Councilwoman Gallo concerns.

Councilwoman Gallo stated I am not going out after executive session in a public forum so that we have a quorum. You need 2/3 vote to pass this budget.

Mayor Sobel stated no one is asking you to vote one way or the other. It is everyone's personal decision. You have a choice, you can either act a part of a collegial body or you can choose not to. Do you want to be a member of the Council or not.

Councilwoman Gallo stated I do, but I am not I have every right to question. I feel you left it to the last minute for me to get the information. Unfortunately, she (Angela Morin) was away and no one else could help me. By today's meeting, I can not vote on this until all the answers are given, all the specifics are given to the public. If you want me to say we started in November, yes we did. But I did not have the contracts at that time to

review and ask the questions at that time.

Mayor Sobel stated you sat through budget meetings, we have professionals who work in this Township, do you think they are working without a contract. Why wouldn't you ask. Why would you wait to start asking questions, we have no choice but to vote on this budget this evening. Where have you been for six or seven months.

Councilwoman Gallo stated when we had the budget sheets, it had professional fees in there. It wasn't again until the new contract came and I started looking at the specifics in the contracts that made me question the appropriations.

Mayor Sobel stated okay we will go into executive session and discuss it.

Grant Application for County Road: The resolution authorizes the Township of Aberdeen's Grant Application with New Jersey Department of Transportation for improvements to County Road between Biondi Street and Cliffwood Avenue. A straw poll vote was majority in favor of bringing this resolution to tonight's public meeting with Councilwoman Gallo voting no.

Accepting Grant from Hazardous Discharge Site Remediation Fund for former Matawan Borough Water Facility Property: We applied for a grant in the amount of \$60,874.00 for the aforementioned project. This resolution accepts grant from the Department of Environmental Protection and the New Jersey Economic Development Authority. A straw poll vote was majority in favor of bringing this resolution to tonight's public meeting with Councilwoman Gallo voting no.

Ordinance Rescinding Sex Offender Residency Prohibition Ordinance: Aberdeen previous adopted a sex offender residency prohibition ordinance. The State has determined through case law that the State preempts any further legislature acts. The State felt that allowing these ordinances to stand would prohibit people from living in their municipality. The Megan's law statute adequately protects both the municipality and registered offender. A straw poll vote was majority in favor of introducing this ordinance at tonight's public meeting with Councilwoman Gallo voting no.

Cypress Lane Cut Through: Residents from Cypress Lane stated to Mayor Sobel that in addition to the speed bumps that were install in the last year and half they think not enough was done to reduce the volume of traffic. What they would like to see is what was done in the "O" section. Prohibiting cars making turns into that street. Mayor Sobel asked Mr. Lauro to check with the Police Department to see what traffic survey was done prior to speed bumps and do a follow-up. When we receive that information we will see if it warrants the next step of surveying the residents of Cypress Lane.

Councilwoman Gallo asked regarding the budget, I want to know every authorized agent that is allow to sign an agreement. I want to know if they are paid positions. According to our ordinance it states that the lawyer, an agent with construction department, division of accounts control, etc. That is very broad. I like to know and put on record who is

authorized to execute contracts, other than yourself (Mayor Sobel) and lawyer. It is too broad. I want clarification prior to going into executive session and want to see every agreement that was ever signed until 1994.

Diane Dabulas stated these sections in the ordinance book just describe divisions within the departments.

Councilwoman Gallo stated it doesn't state it specifically.

Diane Dabulas stated Administration, the Chapter is describing the purpose and defining the departments within the municipality.

Councilwoman Gallo stated if you go back to the contract, who is the agent. Is it the Division of Treasury, Chief Financial Officer.

Diane Dabulas stated the Mayor executes the contracts that are authorized by the Township Council.

Diane Dabulas stated all of our ordinances relate to the Township of Aberdeen. This doesn't have anything to do with our contracts except to say the Township authorizes a prosecutor or public defender to Act. It doesn't discuss what the engineer can do for the municipality.

Councilwoman Gallo stated if they receive specific money, they may be an employee more than a public entity.

Diane Dabulas stated our professionals are not employees. In order to have an orderly progression of this meeting we need to resolve your concerns. In order to resolve your concerns we need to know what they are and right now I am not able to figure out what it is you are trying to say.

Councilwoman Gallo stated the Bond Ordinance for Bond Anticipation Notes. I have a question, in regards to the notes amount of \$6,338,442 the BANs are for \$6,709,842, why are the figures different.

Angela Morin will check the amounts.

Councilwoman Gallo stated when we receive grants from specific areas and work is contracted with specific people that are professionals.

Diane Dabulas stated all that has to be authorized by you, as a member of this Township Council and the Mayor. All appropriations of grant funds are paid from the grant fund and authorized by the group sitting around this table. They are specifically received.

Councilwoman Gallo stated if specifics are put in bond ordinance and they are allowed by law to pay x number of dollars for fees. I see too many different things. Like Director

and agent.

Diane Dabulas stated this ordinance discusses the administration and the table of organization. Within the table of organization you can not appropriate money that is held by our municipality without action by this municipality. Later on in the book, you will see all appropriates have to be dealt with through this council. Just because it says in the beginning that there is an agent that can act doesn't mean later on in the book when it talks about budgets and appropriations these are the only people that can act.

Mayor Sobel stated this is your first year, but you sat through on a dozen meetings where we took action. Why don't you know those answers.

Councilwoman Gallo stated it didn't click.

Mayor Sobel stated you spent a good amount of time today with the CFO I hope that was fruitful for you.

Councilwoman Gallo stated it did.

Jim Lauro stated the Calvary Baptist Church is looking for permission to hold their Fall Festival. Maxine checked with Fire Department and Police Department. Council agreed to the Fall Festival for October 26, 2008.

Councilwoman Gallo stated once we come out of executive session, I want the public to be able to see everything I am talking about prior to the vote.

Diane Dabulas stated she doesn't know what she is talking about.

Councilwoman Gallo stated she has a problem with a date on one of the pages on the budget document.

Angela Morin stated the correct date is put in the budget when it is adopted. The date is the adoption date and at that point we have three working days to get it to the State.

Councilwoman Gallo stated for the record, the license numbers for the accountant is listed, but there is no license number for the attorney.

Diane Dabulas stated we do not have a license number or certification number.

Councilwoman Gallo stated we joined the Monmouth County Health Department. Money is allocated in the budget. Why was there money allocated?

Mayor Sobel stated there was only a partial year. The first three months we had to pay Hazlet Health Department.

Councilman Raymond made a motion to go into executive session, seconded by

Councilman Drapkin and unanimously concurred by Council.

The meeting reconvened from executive session with all the same members in attendance.

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

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David G. Sobel, Mayor

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Karen Ventura, Municipal Clerk