

ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING  
TUESDAY, OCTOBER 20, 2015

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 20, 2015 at 7:40 p.m. in the Municipal Building at One Aberdeen Square and was called to order by Mayor Fred Tagliarini, who presided at the meeting.

Mayor Fred Tagliarini 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: Concetta Kelley  
Joseph Martucci  
Margaret Montone  
Robert Swindle  
Fred Tagliarini

Absent: Gregory Cannon  
Harvey Brenner

Also Present: Holly Reycraft, Township Manager  
Lee Cohen, Township Attorney

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

**REPORTS**

Mayor Tagliarini stated this past week we had a ribbon cutting for the only resident who lost her home during Superstorm Sandy. Catholic Charities and many many other volunteers helped to get her back in her house. We thank everything involved.

Holly Reycraft stated we are having Safe Candy Day in town hall on October 30<sup>th</sup> from 2 – 5 p.m.

Councilwoman Kelley stated the library is undergoing a major renovation and will be closed for 2 weeks. They are modernizing and increasing electronic research materials.

Councilman Martucci stated the renovation of the First Aid Building for our Community Center is moving along very well. The interior structures are up and it is starting to look like something. We are very excited.

There were no further reports.

HEARING OF THE CITIZENS - Agenda Items only

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

CONTINUED BUSINESS

ORDINANCE NO. 15-2015 –PUBLIC HEARING

Mayor Tagliarini stated Ordinance No. 15-2015 introduced and passed on first reading by title on October 6, 2015 and published according to law, is now being taken up for further consideration and public hearing. Affidavit of Publication of this ordinance in the Asbury Park Press of October 9, 2015 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.

The Clerk read Ordinance No. 15-2015 by title, “AN ORDINANCE OF THE TOWNSHIP OF ABERDEEN, COUNTY OF MONMOUTH AND STATE OF NEW JERSEY ESTABLISHING REGULATIONS FOR THE DUTY TO REMOVE SNOW AND ICE”

Mayor Tagliarini opened the meeting to the public for remarks or comments for or against the final adoption of this ordinance.

Arthur Hirsch  
9 Asbury Lane

Mr. Hirsch asked if the new ordinance was for businesses only.

Mayor Tagliarini stated it is for businesses and residents.

Mr. Hirsch asked if any provisions were made for disabled or elderly.

Mayor Tagliarini stated we are going to work with the police department list that identified as people in need. We are trying to kick up the volunteer group for service to Aberdeen.

There being no one else present wishing to be heard, Mayor Tagliarini closed the public hearing on Ordinance No. 15-2015.

Councilman Swindle made a motion that Ordinance No. 15-2015 be finally passed and adopted that that notice of its passage and adoption be published by title in the October 23, 2015 issue of the Asbury Park Press.

Seconded by Councilwoman Kelley

ROLL CALL VOTE:

Ayes: Councilmember Kelley, Martucci, Montone, Swindle and Mayor Tagliarini

Nays: None  
Abstain: None

## **NEW BUSINESS**

### **ORDINANCE NO. 16-2015 – INTRODUCTION**

Councilwoman Kelley made a motion to introduce Ordinance No. 16-2015 on first reading by title and to order the same to be published by summary in the October 23, 2015 issue of the 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 a public hearing at a meeting of the Township Council to be held on November 10, 2015 at 7:30 p.m. in the Municipal Building of the Township of Aberdeen at One Aberdeen Square.

Seconded by Councilman Swindle

The Clerk read Ordinance No. 16-2015 – CAPITAL ORDINANCE OF THE TOWNSHIP OF ABERDEEN, IN THE COUNTY OF MONMOUTH, NEW JERSEY AUTHORIZING THE UNDERTAKING OF ENVIRONMENTAL REMEDIATION AT THE FORMER SOUTH RIVER METALS PRODUCTS SITE IN, BY AND FOR THE TOWNSHIP, APPROPRIATING THEREFOR THE SUM OF \$2,315,929 AND PROVIDING THAT SUCH SUM SO APPROPRIATED SHALL BE RAISED FROM NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GRANTS.

#### **ROLL CALL VOTE:**

Ayes: Councilmember Kelley, Martucci, Montone, Swindle and Mayor Tagliarini  
Nays: None  
Abstain: None

### **BEST PRACTICE INVENTORY CHECKLIST**

Council has reviewed the Best Practice Inventory Checklist, which was put into place by Governor Christie. It is a checklist of items that the Township answers and adheres to in order to get State Aid. Based on our answers Aberdeen will not lose State Aid this year. Council had no other comments or questions on the Best Practice Inventory Checklist.

#### **CONSENT AGENDA**

Councilman Martucci made a motion to approve the Consent Agenda; all items listed under 7C. Seconded by Councilwoman Kelley.

#### **ROLL CALL VOTE:**

Ayes: Councilmember Kelley, Martucci, Montone, Swindle and Mayor Tagliarini  
Nays: None  
Abstain: None

1. RESOLUTION NO. 2015-114 – BE IT RESOLVED by the Township Council that it hereby increases the bid threshold for award of public contracts.

2. RESOLUTION NO. 2015-115 – BE IT RESOLVED by the Township Council that it hereby authorizes participation in the Monmouth County High Water Mark Initiative.
3. RESOLUTION NO. 2015-116 – BE IT RESOLVED by the Township Council that it hereby supports legislation establishing minimum nurse staffing standards.
4. RESOLUTION NO. 2015-117 – BE IT RESOLVED by the Township Council that it hereby authorizes the Mayor to sign and enter into a Single Site License Agreement between the Township and Diamond Towers II, LLC.

#### HEARING OF THE CITIZENS/CORRESPONDENCE AND PETITIONS

Mayor Tagliarini asked any member of the public wishing to be heard to come forward and to state their name and address.

Jim Connelly  
857 N. Concourse

Mr. Connelly stated across the street from his house there used to be a candy store, which is no longer a candy store but the apartment is rented out. In previous years I had problems when people don't live there it fell in disarray. I contact Code Enforcement and it is taken care of. This year I knew the Code Enforcement Officer was out, I called the complaint line, no one called back in weeks. I find out the building is owned by a Realty Company, we will see what happens. Weeks go by, nothing happens. It is over two months now, Code Enforcement Officer is back to work, I call, he calls me back to find out the problem. The next day, someone was there looking at the problems and the following day it was cleaned up. Joe McAleer and I are not buddies, but in 2 days he got done what I couldn't get done in 2 months. Maybe Joe isn't well liked but he does do his job.

Bill Winslow  
45 Idaho Lane

Mr. Winslow asked about the recycling. In August, you sent out a note to put newspapers in clear plastic bags. I purchased clear plastic bags for \$15.00. Which might not sound like a big deal. I just got a note you cannot use clear plastic bags any longer. What is the next surprise?

Mayor Tagliarini apologized for the plastic bags. The recycling company contacted our manager and gave us two fines in the vicinity of \$8,000. We did our homework and we have it right now. They do not want any bottles and cans in plastic bags. Everything must be loosely in a garbage can. Newspapers must be bundled and cardboard, if food has touched the box it is not recycling. Our Public Works Department were following the recycling trucks picking up the recycling that was left behind until residents were notified how to recycle the right way. The good news is we are back making money on recycling.

Andrea Geniton  
87 Woodland Drive

Ms. Geniton stated there was discussion two weeks ago regarding cameras at the beach. She noticed the parking lot has been cleaned up and a camera up in the parking lot at Whalecreek. I know there was talk about putting in a digital tower so we can have monitored cameras at the police station.

Holly Reycraft stated that is what the agreement with did tonight. It is radio communications and is expandable to digital cameras. We are waiting for a couple more poles from JCP&L to put other cameras up at the end of the beach.

Ms. Geniton asked if that is going to include lighting.

Holly Reycraft stated probably not, but it is something we are going to discuss.

Mayor Tagliarini stated we received plans for the area, finishing the seawall and a park area with a multipurpose field.

Ms. Geniton stated we would really like to see lighting to make us feel safer. Next question is the beach, it is filthy, and the garbage is really bad. Is there a plan in effect to clean the beach.

Holly Reycraft stated our crews pick up the garbage twice a week.

Ms. Geniton stated there is a lot of loitering, gangs, and drinking openly. It is uncomfortable. There has to be some control.

Holly Reycraft stated please call the police department.

Ms. Geniton stated I know you have grant money to fix the parks and a lot of parks received renovations. Why did you redo basketball court when you will big renovation.

Holly Reycraft stated we did that in house. It is used a lot. Every year you need to maintain the basketball courts.

Mayor Tagliarini stated our Recreation Director is putting together a six year plan for all the parks in town, like our road program.

Jessica Crimi  
45 Avondale Lane

Ms. Crimi stated she has an eyesore next to her and would like to know what is going on. I have been calling and complaining. If we have a massive amount of snow, it is going to kill the resident living in the house.

Lee Cohen stated he understands the concern and the Council share your concern. I can

only give a small answer due to the privacy interest involved. It is under investigation. The Council through the attorney's office is trying to find a remedy and it is actively being pursued. That is all I can tell you at this moment.

Ms. Crimi shared a story about a little boy in Georgia during Hurricane Sandy a tree came down because of the wind on this little boy and hit him on the head and he lost a huge chunk of his brain. I am next to this dangerous house that has holes all over it, and probably mold. This can happen to me or my children or the resident inside. This is not right.

Lee Cohen stated there are State rules.

Ms. Crimi asked if it has been inspected.

Mr. Cohen stated he cannot discuss it because it is in possible litigation.

Ms. Crimi asked how long litigation goes.

Mr. Cohen stated he cannot predict that. There is a privacy interest, people have a limited right to the extent that the law allows. It is only when it becomes a public health hazard that the state or local government can step in. We have to follow state regulations.

Mayor Tagliarini stated we have unsafe structures in town. Two homes are scheduled for demolition. It is not falling on deaf ears. As Counsel has said, everything we can possibly do we are doing.

There being no one else wishing to be heard Mayor Tagliarini declared the Hearing of the Citizens closed.

Mr. Cohen, Township Attorney read the following:

## **RESOLUTION AUTHORIZING TOWNSHIP COUNCIL TO ENTER INTO EXECUTIVE SESSION**

**WHEREAS**, the Township Council are mindful of the right of the public to attend and witness meetings of Governmental Bodies at which public business is discussed, and to be involved in all phases of governmental action; and

**WHEREAS**, the Open Public Meetings Act nonetheless recognizes the authority of a public body to exclude the public from meetings in certain enumerated instances in which disclosure of matters discussed could endanger public safety, property or other public interest, or invade individual privacy; and

**WHEREAS**, as authorized by the Open Public Meetings Act, N.J.S.A 10:4-12(b), the Township Council have a need to meet in private session to discuss:

- \_\_\_\_\_ (1) Matters expressly rendered confidential by law;
- \_\_\_\_\_ (2) Matters, the disclosure of which would jeopardize the receipt of federal funds;
- \_\_\_\_\_ (3) Matters threatening unwarranted invasion of individual privacy;
- \_\_\_\_\_ (4) Matters affecting collective bargaining of public employees
- \_\_\_\_\_ (5) Matters involving acquisition of real property with public funds, or investment of public funds, where disclosures would jeopardize such acquisition or investments;
- \_\_\_\_\_ (6) Tactics and techniques utilizing in protection of public safety or property; matters concerning investigations of violations or possible violations of the law;
- \_\_\_\_\_ (7) Matters affecting pending or anticipated litigation to which the public body may be party; matters within the attorney-client privilege;
- \_\_\_\_\_ (8) Personnel matters concerning the employment, appointment evaluation, promotion or termination of a public officer or employee;
- \_\_\_\_\_ (9) Deliberations which may result in the imposition of civil penalty or the Suspension or loss of license or permit.

**BE IT RESOLVED** that the Township Council will meet in private session at 8:25 P.M. on October 20, 2015, to discuss the following specific items:

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**REDEVELOPMENT – TRAIN STATION, SRM, ANCHOR GLASS**  
**POTENTIAL LITIGATION – UNSAFE STRUCTURES;**  
**CONTRACTUAL – FIELD SPONSORSHIP**

**BE IT FURTHER RESOLVED** that the matters so discussed will be disclosed to the public when the need for confidentiality no longer exists.

Councilwoman Montone made a motion, seconded by Councilman Swindle

ROLL CALL VOTE:

Ayes: Councilmember Kelley, Martucci, Montone, Swindle and Mayor Tagliarini

Nays: None

Abstain: None

ADJOURNMENT

Councilwoman Montone made a motion to adjourn, seconded by Councilman Martucci and unanimously concurred by Council.

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Fred Tagliarini, Mayor

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Karen Ventura, Municipal Clerk