

**ABERDEEN TOWNSHIP COUNCIL REGULAR MEETING  
TUESDAY, DECEMBER 15, 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, December 15, 2015 at 7:50 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:	Gregory Cannon (7:55 PM) Concetta Kelley Joseph Martucci Margaret Montone Robert Swindle Fred Tagliarini
Absent:	Harvey Brenner
Also Present:	Holly Reycraft, Township Manager Ron Gordon, Township Attorney

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

**REPORTS**

Councilwoman Kelley stated the Seniors had a Pot Luck Lunch which was well attended. The next meeting will be on January 11, 2016. The Senior Center will be closed Christmas week.

Councilman Martucci thanked Hazlet counterparts, attended their holiday party and had the opportunity to meet some new people. Very informative meeting.

Councilman Swindle stated he spoke to a business owner in town who asked him if he knew anyone that needed anything for Christmas. Local PBA 163, Township Council will have a Christmas Toy Give-a-way at Mount Moriah Baptist Church.

Councilwoman Montone stated a few weeks ago there was a grand reopening of the library. The renovations are spectacular. Libraries are changing now, they are a place

where the community can go and relax and met each other, sit and talk or use the computer. They did a wonderful job of setting it us.

Mayor Tagliarini stated we will host speakers from Monmouth County on the Tax Assessment program with the Bayshore Mayors Association, Tax Assessors and Council to be able to make an informed decision.

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.

Rita Yeldon

Food and Water Watch

Ms. Yeldon presented to Council at a prior Council Meeting fracking waste. Ms. Yeldon thanked the Council for taking action on Fracking. They had the foresight to see him as the emerging health issue that it is.

Rich Silmer

Lloyd Road

Mr. Silmer thanked the Council on the fracking ordinance. Overseas get most if not all energy from natural resources, solar, wind, waves, etc. We have plenty of shoreline put up some windmills.

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

### **MINUTES**

Councilman Martucci made a motion to adopt the Workshop, Regular and Executive Meeting Minutes of November 10, 2015. Seconded by Councilwoman Kelley.

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

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

Nays: None

Abstain: None

### **CONTINUED BUSINESS**

#### **ORDINANCE NO. 18-2015 –PUBLIC HEARING**

Mayor Tagliarini stated Ordinance No. 18-2015 introduced and passed on first reading by title on December 1, 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 December 4, 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. 18-2015 by title, "AN ORDINANCE OF THE TOWNSHIP OF ABERDEEN ADOPTING THE CODE TO ESTABLISH NEW LEGISLATION, CHAPTER XX, SECTION 20-3, ENTITLED "FRACKING WASTE" SPECIFICALLY TO PROHIBIT THE TREATMENT, DISCHARGE, DISPOSAL, APPLICATION TO ROADWAY, OR STORAGE OF WASTEWATER, WASTEWATER SOLIDS, SLUDGE, DRILL CUTTINGS OR OTHER BY PRODUCTS FROM NATURAL GAS EXPLORATION OR PRODUCTION USING HYDRAULIC FRACTURING"

Mayor Tagliarini opened the meeting to the public for remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard, Mayor Tagliarini closed the public hearing on Ordinance No. 18-2015.

Councilwoman Kelley made a motion that Ordinance No. 18-2015 be finally passed and adopted that that notice of its passage and adoption be published by title in the December 18, 2015 issue of the Asbury Park Press.

Seconded by Councilman Martucci

ROLL CALL VOTE:

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

Nays: None

Abstain: None

#### **ORDINANCE NO. 19-2015 –PUBLIC HEARING**

Mayor Tagliarini stated Ordinance No. 19-2015 introduced and passed on first reading by title on December 1, 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 December 4, 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. 19-2015 by title, "AN ORDINANCE AMENDING THE REVISED GENERAL ORDINANCES OF THE TOWNSHIP OF ABERDEEN, SECTION 4-12, REQUIREMENTS TO PARTICIPATE IN AUTOMOBILE TOW TRUCKS AND WRECKERS ROTATING CALL LIST"

Mayor Tagliarini opened the meeting to the public for remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard, Mayor Tagliarini closed the public hearing on Ordinance No. 19-2015.

Councilman Swindle made a motion that Ordinance No. 19-2015 be finally passed and adopted that that notice of its passage and adoption be published by title in the December 18, 2015 issue of the Asbury Park Press.

Seconded by Councilwoman Kelley

ROLL CALL VOTE:

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

**ORDINANCE NO. 20-2015 –PUBLIC HEARING**

Mayor Tagliarini stated Ordinance No. 20-2015 introduced and passed on first reading by title on December 1, 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 December 4, 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. 20-2015 by title, “AN ORDINANCE AMENDING THE CODE OF THE TOWNSHIP OF ABERDEEN, CHAPTER XII ENTITLED “BUILDINGS, CONSTRUCTION AND HOUSING” TO ADD A NEW SECTION 12-7 ENTITLED “VACANT ABANDONED PROPERTIES””

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

Paul Rinear  
109 Wilson Avenue

Mr. Rinear asked how widespread is the problem and what is drive behind ordinance.

Mr. Gordon stated the purpose of ordinance is to establish a procedure that meets with constitutional compliance when dealing with people’s properties even though they may be abandoned so that the municipality does not have to suffer through nuisance and effect on quality of life of surrounding neighbourhoods of properties that are abandoned and fallen into disrepair. It establishes a process and procedure for property owner to have every opportunity to ensure that their property rights are protected and they do the right thing as well. It is widespread enough to have attracted the attention of the governing body.

Councilman Cannon stated there are a lot more abandoned properties than you think there are. Many are taking care of so you don’t notice them. There are at least 2 or 3 in every neighbourhood. The other issue is when houses burn down we lose track of them. This ordinance will help. One of the biggest issues is out of state creditors and getting in touch with them when there are property maintenance issues.

There being no one else present wishing to be heard, Mayor Tagliarini closed the public hearing on Ordinance No. 20-2015.

Councilwoman Montone made a motion that Ordinance No. 20-2015 be finally passed and adopted that that notice of its passage and adoption be published by title in the

December 18, 2015 issue of the Asbury Park Press.

Seconded by Councilman Swindle

ROLL CALL VOTE:

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

Nays: None

Abstain: None

### **ORDINANCE NO. 21-2015 –PUBLIC HEARING**

Mayor Tagliarini stated Ordinance No. 21-2015 introduced and passed on first reading by title on December 1, 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 December 4, 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. 21-2015 by title, “AN ODINANCE AMENDING THE CODE OF THE TOWNSHIP OF ABERDEEN CHAPTER XII ENTITLED “BUILDING, CONSTRUCTION AND HOUSING” TO ADD A NEW SECTION 12-8 ENTITLED “MAINTENANCE OF VACANT AND ABANDONED RESIDENTIAL PROPERTIES DURING FORECLOSURE”

Mayor Tagliarini opened the meeting to the public for remarks or comments for or against the final adoption of this ordinance. There being no one present wishing to be heard, Mayor Tagliarini closed the public hearing on Ordinance No. 21-2015.

Councilman Martucci made a motion that Ordinance No. 21-2015 be finally passed and adopted that that notice of its passage and adoption be published by title in the December 18, 2015 issue of the Asbury Park Press.

Seconded by Councilwoman Kelley

ROLL CALL VOTE:

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

Nays: None

Abstain: None

### **NEW BUSINESS**

Councilman Cannon made a motion to add to the consent agenda RA-1096, BA-1097, BA-1098 and BA-1099 – Raffle and Bingo License for Basilian Fathers, Aberdeen, NJ

Seconded by Councilwoman Kelley

ROLL CALL VOTE:

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

Nays: None  
Abstain: None

### **CONSENT AGENDA**

Councilman Cannon made a motion to approve the Consent Agenda; all items listed under 8A. Seconded by Councilman Swindle.

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

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

Nays: None  
Abstain: None

1. RESOLUTION NO. 2015-133 – BE IT RESOLVED by the Township Council that it hereby authorizes renewal in Central Jersey Health Insurance Fund.
2. RESOLUTION NO. 2015-134 – BE IT RESOLVED by the Township Council that it hereby requests the Director of the Division of Local Government Services to approve the insertion of an item of revenue in the 2015 budget – Drive Sober or Get Pulled Over.
3. RESOLUTION NO. 2015-135 – BE IT RESOLVED by the Township Council that it hereby authorizes renewal of liquor license for 2015/2016.
4. RA:1096 – Raffle License for Basilian Fathers, Aberdeen, NJ
5. BA:1097 – Bingo License for Basilian Fathers, Aberdeen, NJ
6. BA:1098 – Bingo License for Basilian Fathers, Aberdeen, NJ
7. BA:1099 – Bingo License for Basilian Fathers, Aberdeen, NJ

### **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.

Rich Silmer  
Lloyd Road

Mr. Silmer asked if you look up in the sky and see the big white smoke lines. For the last 10 or 15 years our own military has been dumping toxic chemicals in the sky. Maybe as a township we can look into this (chemtrails). This is bad and we should look into this.

Mark Kemp  
Owner A&P Shopping Center

Mr. Kemp stated he was brought to Aberdeen almost 20 years ago by A&P. For many years the shopping center was a successful community center comprised of supermarket and local retailers. Unfortunately, A&P filed for bankruptcy. In 2008, sales in the supermarket were almost \$24 Million a year and in 2014 their sales were a little over \$14

Million a 40% decrease. We advised director of leasing to see if any other supermarkets would be interested in relocating to our shopping center. Also, a list of other retailers. Had a meeting with our Assessor and appraiser. Unfortunately, finding tenants have become very difficult. Every effort is being made to fill this location. We are a family owned company who are desperate. As of January, 2016 the center will be 80% vacant.

Councilman Cannon stated the Township is committed and will help in whichever way it can.

Mayor Tagliarini stated we have taken an very active roll and have taken it very seriously not to have a vacant shopping center.

Kizzie Osbourne  
109 County Road

Mrs. Osbourne stated she went with the Environmental Board the recycling center. We learned a lot. We received a good amount of information and insight. Monmouth County does not have a processing center. The community does not understand the recycling process. We want the people to recycle and people don't know what to do.

Mayor Tagliarini stated we just spent a lot of money on our last newsletter, with full instructions on what to do and what not to do.

Mrs. Osbourne stated it is best to go through senior citizens and the children.

Councilman Cannon stated he is committed to this project but it is going to take time.

Mrs. Osbourne stated it has been a year that she came to council with the speeding on County Road. We only have 2 signs with the speed limit. We need more signs.

Holly Reycraft will double check, engineers tell where to put the signs.

Bill Shaw  
Hazlet

Mr. Shaw stated regarding the meeting on the tax program, the lower priced homes are selling and their taxes are going up and higher priced home remain the same and their tax comes down. I understand there is going to be an opt out. We are the only County that is doing this.

Mayor Tagliarini stated your mayor will be at the meeting. We need an education before we take a stand.

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

Mr. Gordon, 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 8:59 P.M. on December 15, 2015, to discuss the following specific items:

**REDEVELOPMENT – TRAIN STATION, SRM, ANCHOR GLASS**  
**LITIGATION – TAX REASSESSMENT PROGRAM; PERSONNEL – DPW**  
**CONTRACTUAL – PROFESSIONAL RFQ’S, LICENSED OPERATOR FOR**  
**WATER/SEWER SYSTEMS, WATER DEPARTMENT SALE**

**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 Martucci

ROLL CALL VOTE:

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

Nays: None

Abstain: None

ADJOURNMENT

Councilwoman Kelley 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