

**MINUTES OF THE REGULAR MEETING
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL, HELD IN THE
MEETING ROOM, MUNICIPAL COMPLEX
WEDNESDAY, OCTOBER 10, 2007**

The meeting was called to order by Mayor Burne at 7:30 P.M. Present were Mayor Robert D. Peters presiding, Deputy Mayor Edward H. Thomson, Committeewoman Mary L. Burne, Committeeman John P. Devlin, Committeeman Michael J. Clayton, Township Administrator Joseph L. Verruni, Township Attorney Roger J. McLaughlin and Township Clerk Lorraine Kubacz.

Mayor Peters read the sunshine statement.

Roll-call was taken by Lorraine Kubacz.

Mrs. Kubacz opened and ran the Semi-Annual Board of Health Meeting.

A Proclamation Recognizing National Domestic Violence Awareness Month was read by Committeewoman Burne. Rosemary Weiner thanked the Committee for recognizing the organization and reminded everyone that domestic violence exists every month of the year. Mrs. Burne thanked Ms Weiner for being so active with this organization and said that everyone appreciates their work.

A Proclamation Honoring Senator Joseph Palaia was read into the record. Mayor Peters noted that the Proclamation was presented to Senator Palaia at another event two weeks prior.

Committeewoman Burne made a motion to approve the Vouchers for September 1 thru September 28, 2007, in the amount of \$7,701,884.98. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

Clayton	Yea
Devlin	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the Vouchers approved.

Deputy Mayor Thomson moved that the Minutes of the meetings of July and August 2007 be approved as per copies submitted by the Clerk. Committeeman Devlin seconded the motion and all members voted yes.

Supplementing Chapter 215 Traffic - Title 39 entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 215, "TRAFFIC" OF "THE CODE OF THE TOWNSHIP OF WALL," AS AMENDED AND SUPPLEMENTED". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Peters explained that this will allow the Police to patrol on private property and declared the Public Hearing open. There being no comments or objections, Committeeman Devlin moved that the public hearing be closed. Committeewoman Burne seconded the motion and all members voted yes. Committeeman Devlin moved that the Ordinance be adopted as to its second reading and final passage. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Clayton	Yea
Devlin	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Devlin moved that the Ordinance be advertised according to law. Committeewoman Burne seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 23-2007** - Creating Marconi Park Filmore Street entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 6, "BOARDS, COMMITTEES AND COMMISSIONS", OF THE CODE OF THE TOWNSHIP OF WALL, AS AMENDED AND SUPPLEMENTED, AND ESTABLISHING THE MARCONI PARK COMPLEX ADVISORY BOARD". Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Devlin moved that the Ordinance be adopted as to first reading. Committeewoman Burne seconded the motion and on roll-call, members voted as follows:

Clayton	Yea
Devlin	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Devlin moved that the Clerk advertise the Ordinance according

to law, the second reading and public hearing to be held November 20, 2007 at 7:30 P.M. Committeewoman Burne seconded the motion and all members voted yes.

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Consent Agenda

With reference to Items 10 A - II was announced that all matters will be adopted or approved collectively by a single motion and roll-call vote by a majority of the Township Committee. All items on the consent agenda have been made available in advance of the meeting for public inspection and are also available for public inspection in the office of the Township Clerk. There will be no separate discussion of these items. If discussion is desired on any item, it will be considered separately. Mayor Peters asked if any member of the Township Committee wished to consider any item separately. There being no further comments, a motion was made by Deputy Mayor Thomson and seconded by Committeeman Clayton to adopt the following Resolutions, and on roll-call, members voted as follows:

Clayton	Yea
Devlin	Yea
Burne	Yea
Thomson	Yea
Peters	Yea

There being five yeas and no nays, the Mayor declared the following Resolutions adopted:

#07-924 - A RESOLUTION IN OPPOSITION TO THE SALE OF STATE ASSETS (RATIFY)

#07-925 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A CONTRACT FOR THE ADA IMPROVEMENTS TO THE MUNICIPAL COMPLEX - AUTOMATIC DOOR SYSTEMS (RATIFY)

#07-926 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING MEMBERS TO THE PLANNING BOARD (RATIFY)

#07-927 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL URGING THE STATE TO REPAIR THE BRISBANE TREATMENT CENTER POND DAM (RATIFY)

#07-1001 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A CONTRACT FOR THE REPAVING OF VARIOUS ROADS WITHIN THE TOWNSHIP - EARLE ASPHALT (RATIFY)

#07-1004 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF A PILOT AGREEMENT WITH WALL SENIOR CITIZEN HOUSING, LLP

#07-1005 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC AUCTION SALE OF VARIOUS ITEMS

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#07-1006 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A CONTRACT FOR THE PURCHASE OF ONE (1) WIDE AREA ROTARY MOWER BY THE TOWNSHIP OF WALL PUBLIC WORKS DEPARTMENT - STORR TRACTOR COMPANY

#07-1007 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A CONTRACT FOR THE PURCHASE OF ONE (1) ROAD SIDE MOWER BY THE WALL TOWNSHIP PUBLIC WORKS DEPARTMENT - STORR TRACTOR COMPANY

#07-1008 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A CONTRACT FOR THE PURCHASE OF SIX (6) SNOW PLOWS FOR USE BY THE WALL TOWNSHIP PUBLIC WORKS DEPARTMENT - SEELY EQUIPMENT AND SUPPLY COMPANY

#07-1009 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A CONTRACT FOR THE PURCHASE OF ONE (1) SIX TON DUAL AXLE TRAILER FOR USE BY THE WALL TOWNSHIP PUBLIC WORKS DEPARTMENT - STORR TRACTOR COMPANY

#07-1010 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REJECTING ALL BIDS RECEIVED FOR A DIGITAL VIDEO SYSTEM TO BE USED BY THE WALL TOWNSHIP POLICE DEPARTMENT

#07-1011 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH, STATE OF NEW JERSEY, REJECTING ALL BIDS RECEIVED FOR A 2008 CHASSIS TO BE USED BY THE WALL TOWNSHIP DEPARTMENT OF PUBLIC WORKS

#07-1012 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 151, LOT 10.01

#07-1013 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 825, LOT 3

#07-1014 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 917.01, LOT 27

#07-1015 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 917.01, LOT 41.02

#07-1016 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 751, LOT 3

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#07-1017 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 11, LOT 1.01

#07-1018 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 907, LOT 17.02

#07-1019 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 807, LOT 3

#07-1020 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING ENFORCEMENT OF TRAFFIC REGULATIONS - BLOCK 942, LOTS 61 AND 62

#07-1021 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROVING A TRANSFER OF A PLENARY RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSE FORM MUDDY RIVER CORP. TO THE SQUAN RIVER GROUP LLC

#07-1022 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE CANCELLATION OF TAXES

#07-1023 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#07-1024 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#07-1025 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

Raffle - Wall High School Boosters - Benefit Project Graduation - May 3, 2008 - 50/50 (Ratify)

One Day Liquor License - Wall Soccer Club - South Wall Firehouse - October 20, 2007, 6:30 - 11:30 P.M. (Ratify)

Block Party - Saturday, October 6, 2007 (rain date October 7, 2007) - Grant Street (Ratify)

One Day Liquor License - Wall Republican Club Oktoberfest - South Wall Firehouse - October 21, 2007, 1:00 - 5:00 P.M. (Ratify)

Raffle - Wall Fire Company Inc. - 50/50 - January 1, 2008 - 18th Avenue Firehouse

Raffle - Central School Association of Parents and Educators - 50/50 - December 13, 2007 - Central School

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Raffle - Monmouth-Ocean Development Council Education Foundation, Inc. - June 20, 2008, 50/50 - Benefit Scholarships to various colleges and universities

Raffle - Central School Association of Parents and Educators - 2008 Volvo XC70 - Benefit Central School

End of Consent Agenda

Comments from Township Committee

NONE

Audience Participation

Walter Weaver, Allenwood, inquired about his sewer assessment that was done several years ago. Mr. Weaver noted that the appraiser estimated the benefit to the property upon the development of that land rather than what exists already. The assessment was originally for four lots but was reviewed by the Engineer and brought down to three lots or \$9,000, but felt it should still be based on what exists. Mr. Weaver noted that if he pays for the three lots, and then subdivides the property into two lots, he would not get a refund for the third lot.

Attorney McLaughlin explained that under the law the assessment is based on the value of the potential value of the property. If the property could be subdivided into three or four lots, then that is what the property is assessed at. Mr. McLaughlin also noted that if the property is subdivided into a smaller number of lots, Mr. Weaver could come back to the Committee for a refund. The State law governs how the assessment must be done. Farmland doesn't get an assessment. That encourages farmland to stay that way. But, residential

properties that can be subdivided, State law that it has to be assessed on the potential benefit; and, that is by how many lots you can get. Mayor Peters asked Mr. Weaver to set up an appointment with Mr. Verruni to discuss this.

Jeff Foster, Marconi Road, advised that an 86 year old resident received a violation notice in his mailbox for having brush in his front yard and asked why this was done. Mayor Peters responded that there are rules that must be enforced for obvious reasons. Mr. Foster said that there should be consideration for older people. We should have the courtesy of at least going to the door and giving a warning. Kate Kohri responded that this was just a warning, but the brush should be off the curb, not in the street which makes the street narrower. It should be a few feet back. Normally, they knock on the door and then leave the warning if no one is home.

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Jeff Foster, Marconi Road, said that he had no response for a debate. Mayor Peters replied that that is a political issue, not for Township business.

Bill Spillane, Shore Acres, stated that he met with Joseph Verruni and Roger McLaughlin on Monday because one of the residents is being harassed by Mr. Schelling and his granddaughter, Kelly Blueth, would like to speak to the Committee. Ms. Blueth's cousin and son live with her. Mr. Schelling is taking her to court because of the son. The son left but they are still being harassed. Mr. McLaughlin said that he will speak with Geoff Cramer, attorney for the Mobile Home Parks. There have been other complaints in the past about this park and have addressed them. Ms. Blueth said that Mr. Schelling told her she cannot have anyone else live with her without his approval. Mr. McLaughlin said there is no reason for this and he will deal with it.

Bill Spillane also advised that he told the manager that there is a dead tree hanging over his home. He told Mr. Schelling but the tree is still there. Mr. McLaughlin asked Mr. Spillane to contact Kate Kohri on Monday.

Ed Megill, Megill Road, thanked Committeeman Clayton for coming out to see the problem he had with the gypsy moths. He personally went out to see the devastation and called a few days later to advise that the Monmouth County Shade Tree Commission did an aerial view and a representative also came out to see the damage. He indicated that this was severe and that they will take care of it. Mr. Megill said that he hopes this happens because the process is complicated. In January

there will be plans by the Shade Tree Commission and Mr. Megill will look at them to see the areas that will be sprayed. Mr. Megill said that he hopes the County will take care of this so that he doesn't have to come back.

Mr. Megill also discussed buffers that are approved by the Planning Board that are not guaranteed in the long term. When developers come before the Board they have beautiful plans and models. The problem is following the occupancy of the site, the company is left to deteriorate so that it looks nothing like it was planned. Mr. Megill said that he was especially talking about the buffer plantings that are allowed to die without being replaced. Mr. Megill gave the Committee some pictures in a residential neighborhood that borders commercial property, New Jersey Natural Gas Company. The buffer plantings that were on this plan, in many cases no longer exist. Seven weeks ago, they started trimming the evergreen trees so that now the limbs are above the chain link fence. This is not a buffer. There are commercial vehicles, October 10, 2007

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gas company trucks along Wyckoff Road and this is not right. Mayor Peters said that this facility is very old and in those days, the buffer zones were much more limited, but, Mr. Megill's point is very valid. Mr. Megill said that the people need to be assured that what the Planning Board approves will remain like that ten years down the road. Mayor Peters said that he will have this looked into.

Kim Petillo, Newman Way, asked about the crosswalk in front of Central School. Mayor Peters stated that there are some lines in place and the police went out for a traffic review. Ms. Petillo stated that the side walk between Brandon Road and Central School does not go all the way to Central School and is not handicap accessible. Mayor Peters said that he will ask them to take another look at it. Committeeman Clayton said that he looked at the area in question and maybe we can reach out to the Board of Education. Ms. Petillo said that she has been asking for a crosswalk for about a year.

There being no further comments, Deputy Mayor Thomson made a motion to adjourn. Committeeman Devlin seconded and all members voted yes. The meeting adjourned at 8:20 p.m.

TOWNSHIP CLERK

MAYOR