

**MINUTES OF THE REGULAR MEETING  
OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF WALL, HELD IN THE  
MEETING ROOM, MUNICIPAL COMPLEX  
TUESDAY, NOVEMBER 20, 2007**

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The meeting was called to order by Mayor Peters 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 Attorney Roger J. McLaughlin and Township Clerk Lorraine Kubacz. Township Administrator Joseph L. Verruni was absent.

Mayor Peters read the sunshine statement.

Roll-call was taken by Lorraine Kubacz.

Committeewoman Burne made a motion to approve the Vouchers for September 29, 2007 - November 2, 2007 in the amount of \$12,991,946.99. 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.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 23-2007** - Creating Marconi Park Advisory Board 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. Mayor Peters declared the Public Hearing open.

Tom Oleszkiewicz asked who would be appointed to the Committee. Committeewoman Burne replied that there is a copy of the Ordinance for review and volunteers would be considered.

There were no further comments or objections, Committeewoman Burne moved that the public hearing be closed. Committeeman Devlin seconded the motion and all members voted

yes. Committeewoman Burne moved that the Ordinance be adopted as to its second reading and final passage. Committeeman

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Devlin 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. Committeewoman Burne moved that the Ordinance be advertised according to law. Committeeman Devlin seconded the motion and all members voted yes.

This being the advertised time for the Second Reading and Public Hearing of **ORDINANCE NO. 25-2007** - Creating the Position of Municipal Housing Liaison for Affordable Housing Program entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 140, THE "LAND USE AND DEVELOPMENT REGULATIONS OF THE TOWNSHIP OF WALL," OF THE CODE OF THE TOWNSHIP OF WALL, PART 6 ENTITLED "AFFORDABLE HOUSING REGULATIONS". Mrs. Kubacz read the Ordinance by title only as required by law. Mayor Peters declared the Public Hearing open. There being no comments or objections, Deputy Mayor Thomson moved that the public hearing be closed. Committeeman Clayton seconded the motion and all members voted yes. Deputy Mayor Thomson moved that the Ordinance be adopted as to its second reading and final passage. Committeeman Clayton 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. Deputy Mayor Thomson moved that the Ordinance be advertised according to law. Committeeman Clayton seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 24-2007** - Personnel Policy - Police - Technical Changes 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 36, "POLICE DEPARTMENT" OF THE CODE OF THE TOWNSHIP OF WALL". Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Clayton moved that the Ordinance be adopted as to first reading. Deputy

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Mayor 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 Ordinance adopted as to its first reading. Committeeman Clayton moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held December 12, 2007 at 7:30 P.M. Deputy Mayor Thomson seconded the motion and all members voted yes.

With reference to Introduction of **BOND ORDINANCE NO. 26-2007** - Amending Bond Ordinance - Water Tank Emergency entitled, "BOND ORDINANCE PROVIDING FOR IMPROVEMENTS TO THE WATER/SEWER SYSTEM AND APPROPRIATING \$300,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$285,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, NEW JERSEY." Mrs. Kubacz read the Ordinance by title only, as required by law. Deputy Mayor Thomson moved that the Ordinance be adopted as to first reading. Committeeman Clayton 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 Clayton moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held December 5, 2007 at 7:00 P.M. Deputy Mayor Thomson seconded the motion and all members voted yes.

With reference to Introduction of **BOND ORDINANCE NO. 27-2007** - Amending Bond Ordinance - HVAC Repair entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS IMPROVEMENTS AND APPROPRIATING \$350,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$332,000 BONDS AND NOTES TO FINANCE A PORTION OF THE COSTS THEREOF, AUTHORIZED IN AND BY THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, NEW JERSEY." Mrs. Kubacz read the Ordinance by title only, as required by law. Deputy Mayor Thomson moved that the Ordinance be adopted as to first reading.

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Committeeman Devlin 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 Clayton moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held December 5, 2007, at 7 P.M. Deputy Mayor Thomson seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 28-2007** - Self-Insurance Fund for Health Benefits Providing for the Appointment of Commissioners and Establishing Their Powers and Duties entitled, "AN ORDINANCE CREATING THE WALL TOWNSHIP SELF-INSURANCE FUND FOR HEALTH BENEFITS PROVIDING FOR THE APPOINTMENT OF COMMISSIONERS AND ESTABLISHING THEIR POWERS AND DUTIES IN ACCORDANCE WITH N.J.S.A. 40A:10-6." Mrs. Kubacz read the Ordinance by title only, as required by law. Deputy Mayor Thomson moved that the Ordinance be adopted as to first reading. Committeeman Devlin 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. Deputy Mayor Thomson moved that the Clerk advertise the Ordinance according to law,

the second reading and public hearing to be held December 12, 2007, at 7:30 P.M. Committeeman Devlin seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 29-2007** entitled, "AN ORDINANCE OF THE TOWNSHIP OF WALL AMENDING AND SUPPLEMENTING CHAPTER 33, "PERSONNEL POLICIES" OF THE CODE OF THE TOWNSHIP OF WALL AND FIXING THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE TOWNSHIP OF WALL FOR THE YEAR 2008 AND POLICE OFFICERS FOR 2007 AND 2008," Mayor Peters advised that this Ordinance is not ready for Introduction.

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**Consent Agenda**

With reference to Items 11 A - MM 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 recused himself from Item D, renewal in JIF, and asked if any member of the Township Committee wished to consider any other item separately. There being no further comments, a motion was made by Committeeman Devlin and seconded by Deputy Mayor Thomson 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:

07-1101 - A RESOLUTION AUTHORIZING APPLICATION TO DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR A GRANT FROM THE STATE OF NEW JERSEY - POND RESTORATION - WATER QUALITY IMPROVEMENTS - RIDGE ROAD PIT - PHASE I (RATIFY)

#07-1102 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL REGARDING THE APPLICATION FOR RENEWAL OF THE PLENARY RETAIL ALCOHOLIC BEVERAGE CONSUMPTION LICENSE OF L.P.C.C. RESTAURANT, LLC. T/A SHOGUN LEGENDS (RATIFY)

#07-1104 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE COUNTY OF MONMOUTH FOR SPECIAL CITIZENS AREA TRANSPORTATION SYSTEM

#07-1105 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING RENEWAL OF MEMBERSHIP IN THE MONMOUTH MUNICIPAL JOINT INSURANCE FUND

#07-1106 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL PERTAINING TO THE DREDGED MATERIAL MANAGEMENT PLAN FOR SHARK RIVER BAY

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#07-1107 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, COUNTY OF MONMOUTH, APPOINTING A MUNICIPAL HOUSING LIAISON IN ACCORDANCE WITH SECTION 140-281.1 OF THE CODE OF THE TOWNSHIP OF WALL LAND USE AND DEVELOPMENT REGULATIONS

#07-1108 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL REAPPOINTING THE MUNICIPAL CLERK OF THE TOWNSHIP OF WALL

#07-1109 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL REAPPOINTING THE MUNICIPAL REGISTRAR OF VITAL STATISTICS

#07-1110 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CERTIFYING COMPLIANCE WITH THE PROMULGATION OF THE LOCAL FINANCE BOARD OF THE STATE OF NEW JERSEY DATED JULY 30, 2968 (2006 AUDIT REPORT)

#07-1111 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED FOR BLOCK 874, LOT 5 - HALIFAX AT RAMSHORN

#07-1112 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A CERTAIN MAINTENANCE BOND POSTED FOR BLOCK 752, LOT 48, 49 AND 50 - WOODFIELD AVENUE

#07-1113 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A CERTAIN MAINTENANCE BOND POSTED FOR BLOC 266, LOT 45 - BAYBERRY ESTATES

#07-1114 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF ESCROW FEES PERTAINING TO BLOCK 79, LOTS 1.01 AND 1.02 - MARCONI ROAD

#07-1115 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF MAINTENANCE BOND AND ESCROW POSTED IN RELATION TO HERBERTSVILLE ROAD, BLOCK 971, LOT 1

#07-1116 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF ESCROW FEES PERTAINING TO BLOCK 276, LOT 26 - HIGHWAY 35

#07-1117 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF ESCROW FEES PERTAINING TO BLOCK 865, LOT 16 - BEECH STREET

#07-1118 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A ROAD RESTORATION GUARANTEE PERTAINING TO BLOCK 118, LOT 68.02 - JULIETTE DRIVE

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#07-1119 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED FOR BLOCK 87, LOT 15 - MARION STREET

#07-1120 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL ESTABLISHING A SPECIAL BUSINESS MEETING

#07-1121 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF POLICE UNIFORMS

#07-1122 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF BRASS GOODS

#07-1123 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF PUBLIC WORKS UNIFORMS

307-1124 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF SODIUM HYPOCHLORITE

#07-1125 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC ADVERTISEMENT FOR BIDS FOR WELL REPAIR WORK

#07-1126 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#07-1127 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#07-1128 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#07-1129 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

Raffle - CAPE - Various Gifts - December 4, 2007, Central School - Benefit Central School Children (RATIFY)

Raffle - Woman's Club Allaire - 50/50 - December 2, 2007, InfoAge Learning Center - Benefit NJ Center for Outreach & Services for Autism Community (RATIFY)

Raffle - Woman's Club Allaire - Various Gifts - December 2, 2007, InfoAge Learning Center - Benefit NJ Center for Outreach & Services for Autism Community (RATIFY)

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Raffle - Wall Boosters - 50/50 - Various dates in December 2007 and January and February 2008 - Benefit Ice Hockey Club (RATIFY)

Raffle - Ice-Lantics Synchronized Skating Association, Inc. - Wooden Dollhouse - December 15, 2007, Wall Sports Arena, Benefit Association (RATIFY)

Raffle - Central Association of Parents & Educators - (C.A.P.E.) - Central School - 50/50 - January 31, 2008 and February 1, 2008

One Day Liquor Permit - Southern Monmouth Chamber of Commerce - December 13, 2007, 5:30 - 8:30 P.M. - Barlow's Flower Farm - Benefit Southern Monmouth Chamber of Commerce (RATIFY)

One Day Liquor Permit - Wall fire Company #1 - January 1, 2008, 10:00 A.M. - 8:00 P.M. - Fire Department Building Fund

One Day Liquor Permit - South Wall Fire Company - December 28, 2007, 7:00 - 11:00 P.M. - Wall Wrestling Program

Street Closing - Coaster Derby - October 20 and 21, 2007 - Industrial Road - (RATIFY)

Street Closing - Winesap Drive - Hay Ride Celebration - December 1, 2007 (rain date December 2, 2007) - 5:00 - 9:00 P.M.

### **End of Consent Agenda**

### **Comments from Township Committee**

Committeewoman Burne advised that there will be a meeting for the Sea Girt Estates area White Swan Cleaners on November 29, 2007, from 2 p.m. to 8 p.m. in the Community Room at the Municipal Building.

### **Audience Participation**

Gary Faraci, Gully Road, advised that the County is allowing deer hunting in violation of Township ordinances. Mr. Faraci stated that he has already complained three times to the County. The County put a parking lot so that the hunters have to walk behind the nursery school to Belmar Boulevard to hunt by Hinck's. The hunters are trespassing with bows and arrows. Mr. Faraci put signs up opposing the hunting but they were stolen. The County said that it was private property and they couldn't do anything about it. Mr. Faraci asked the Committee for help in enforcing the Township ordinances. The County advised that they don't have to abide by the local laws and they have a legal opinion.

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Mr. Faraci noted that NJSA 23:4-16 requires a deer count and studies on Lyme disease and the County has not done these. The Township has the opportunity to challenge the County. There are many other areas open to hunting in Wall Township. Committeeman Clayton advised Mr. Faraci to bring any incidents to the police and Park Department to build a log. The police looked up the records for the past few years and there were no incidents. Mr. Faraci should be diligent in documenting. Mayor Peters stated that he would consider sending a letter requesting to carve out 18 acres in the area. The Committee agreed.

Don Herbert, Atlantic Avenue, asked what pond Item A on the consent agenda referred to. Kate Kohri replied that it is the Ridge Road pit stream. Mr. Herbert asked how many recommendations were on the Auditor's report. Kate Kohri replied that there were six recommendations. Mr. Herbert asked for a copy. Mr. McLaughlin said that the Committee went over them. Mr. Herbert asked why it took six months to get the audit back. Steve Mayer replied that the Committee received the audit some time ago, July 20. It is required to be done by May 31<sup>st</sup>. Mr. Herbert asked who the auditor is. Committeewoman Burne replied that many of the recommendations are being corrected. One recommendation is with the tax collector. Other recommendations would mean the addition of personnel which is not cost effective so they won't be taken care of because the Township cannot hire additional personnel. The auditor is Hutchinson, Farrell and Allison.

Mr. Herbert asked about the gazebo in Allenwood. Mr. Herbert said that it is in need of repair and clean up. Mr. Herbert also asked about the dam. Kate Kohri said that she would find out the status, and the County is repairing it. Mayor Peters said that the Township got a commitment on this because of efforts from Sean Kean and others. Mr. Herbert asked if contact was made with the owner of the cemetery. Mr. McLaughlin said he will find out and let Mr. Herbert know.

Tom Oleszkiewicz, Edgemere Road, asked about the baseball fields. Kate Kohri said that she spoke with Matt Zahorsky and two out of the four are done with the grading. Two still need grading. The next step is to establish the berms. There is a meeting tomorrow with Matt Zahorsky and the contractor to finalize the time line. We will know better early next week. Mr. Oleszkiewicz asked about South Wall. Mrs. Kohri replied that one field is graded and that 75% of the grading is done.

There being no further comments, Deputy Mayor Thomson made a motion to adjourn. Committeeman Devlin seconded the motion and all members voted yes. The meeting adjourned at 8:00 p.m.

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**TOWNSHIP CLERK**

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**MAYOR**