

**MINUTES OF THE REGULAR MEETING  
OF THE TOWNSHIP COMMITTEE OF THE  
TOWNSHIP OF WALL, HELD IN THE  
MEETING ROOM, MUNICIPAL COMPLEX  
APRIL 29, 2008  
(POSTPONED FROM APRIL 9, 2008)**

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The meeting was called to order by Mayor Devlin at 7:30 P.M. Present were Mayor John P. Devlin presiding, Deputy Mayor Michael J. Clayton, Committeeman Edward H. Thomson, Committeeman Jeffrey W. Foster, Committeeman Clinton C. Hoffman, Township Administrator Joseph L. Verruni, Township Attorney Mark G. Kitrick and Township Clerk Lorraine Kubacz.

Mayor Devlin read the sunshine statement.

Roll-call was taken by Lorraine Kubacz.

Mrs. Kubacz conducted the Semi-annual Board of Health Meeting.

A Proclamation Honoring Lieutenant Colonel Charles M. Grinnell was read into the record. The Proclamation was mailed to LTC Grinnell. No one was present to receive it.

Committeeman Hoffman moved that the Minutes of the Meeting of January 2008 and February 2008 be approved as per copies submitted by the Clerk. Committeeman Foster seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 5-2008** - Adopting the Zoning Map entitled, "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, ADOPTING A REVISED ZONING MAP DATED MARCH 26, 2008". Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Foster moved that the Ordinance be adopted as to first reading. Deputy Mayor Clayton seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Yea
Devlin	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Foster

moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held May 14, 2008 at 7:30 P.M. Deputy Mayor Clayton seconded the motion and all members voted yes.

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With reference to Introduction of **ORDINANCE NO. 7-2008** - Amending Ordinance for Marconi Park Complex Advisory Board 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 6, "BOARDS, COMMITTEES AND COMMISSIONS" OF THE CODE OF THE TOWNSHIP OF WALL, AS AMENDED AND SUPPLEMENTED." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Hoffman moved that the Ordinance be adopted as to first reading. Deputy Mayor Clayton seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Yea
Devlin	Yea

There being five yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Hoffman moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held on May 14, 2008 at 7:30 P.M. Deputy Mayor Clayton seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 8-2008** - Water/Sewer Connection Fees 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 222, "WATER AND SEWERS" OF THE CODE OF THE TOWNSHIP OF WALL." Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Foster moved that the Ordinance be adopted as to first reading. Deputy Mayor Clayton seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Yea





#08-405 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS (RATIFY)

#08-318 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AWARDING A LEASE FOR REAL PROPERTY NOT NEEDED FOR PUBLIC USE FOR BLOCK 804 LOT 8.03 - ALLAIRE ROAD (RATIFY)

#08-319 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING AN ACTING MAYOR - JEFFREY W. FOSTER (RATIFY)

#08-320 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING EMERGENCY TEMPORARY APPROPRIATIONS (RATIFY)

#08-401 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE DISCUSSION OF MATTERS IN A CLOSED SESSION PURSUANT TO THE STATUTORY EXCLUSIONS OF N.J.S.A. 10:40-12 (RATIFY)

#08-406 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE DISCUSSION OF MATTERS IN A CLOSED SESSION PURSUANT TO THE STATUTORY EXCLUSIONS OF N.J.S.A. 10:40-12 (RATIFY)

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#08-409 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROVING CHANGE ORDER - PAVING OF VARIOUS ROADS - 2007 - EARLE ASPHALT

#08-410 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROVING CLOSEOUT CHANGE ORDER AND PROCESS PAYMENT ESTIMATE NO. 2 - MUNICIPAL COMPLEX ADA IMPROVEMENTS - AUTOMATIC DOOR SYSTEMS

#08-411 - A RESOLUTION OPPOSING S-770 AND A-1645 MANDATING THE APPOINTMENT OF A QUALIFIED PURCHASING AGENT AND THE ATTENDEANT REORGANIZATION OF TOWNSHIP OF WALL PURCHASING FUNCTIONS

#08-412 - A RESOLUTION OF THE TOWNSHIP OF WALL PROVIDING FOR THE TRANSFER OF PHYSICAL CUSTODY, BUT NOT LEGAL CUSTODY, OF CERTAIN PUBLIC RECORDS TO THE MONMOUTH COUNTY ARCHIVES

#08-413 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL DESIGNATING A CUSTODIAN FOR THE WALL TOWNSHIP POLICE DEPARTMENT RECORDS

#08-414 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CREATING AN AFFORDABLE HOUSING SUBCOMMITTEE AND APPOINTING MEMBERS THERETO

#08-415 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PURCHASE OF A MANUFACTURED HOME IDENTIFIED AS UNIT 49 WITHIN THE BEARMORE PARK LOCATED AT 1820 HIGHWAY 35

#08-416 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL OBJECTING TO THE REALIGNMNET OF NAVAL WEAPONS STATION EARLE

#08-417 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL ESTABLISHING A BUSINESS DEVELOPMENT ADVISORY COMMITTEE

#08-418 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL DESIGNATING JAS JUNIOR, LLC AS REDEVELOPER OF REAL PROPERTY LOCATED WITHIN THE WEST BELMAR GATEWAY REDEVELOPMENT AREA AND DESIGNATED ON THE TOWNSHIP TAX MAP AS BLOCK 5, LOT 34

#08-419 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL DESIGNATING CARL F. DEBIASE AS REDEVELOPER OF REAL PROPERTY LOCATED WITHIN THE WEST BELMAR GATEWAY REDEVELOPMENT AREA AND DESIGNATED ON THE TOWNSHIP TAX MAP AS BLOCK 5, LOTS 36, 37 AND 38

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#08-420 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING EXECUTION OF AN APPLICATION AND AGREEMENT WITH THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION FOR THE GREEN ACRES PROGRAM

#08-421 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEES POSTED BY K. HOVNANIAN AT WALL TOWNSHIP VI, INC. TO SECURE COMPLETION OF PHASE I OF THE DEVELOPMENT KNOWN AS FOUR SEASONS

#08-422 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEES POSTED BY K. HOVNANIAN AT WALL TOWNSHIP VI, INC. TO SECURE COMPLETION OF PHASE II OF THE DEVELOPMENT KNOWN AS FOUR SEASONS

#08-423 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEES POSTED BY K. HOVNANIAN AT WALL TOWNSHIP VI, INC. TO SECURE COMPLETION OF PHASE III OF THE DEVELOPMENT KNOWN AS FOUR SEASONS

#08-424 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEES POSTED BY K. HOVNANIAN AT WALL TOWNSHIP VI, INC. TO SECURE COMPLETION OF PHASE IV OF THE DEVELOPMENT KNOWN AS FOUR SEASONS

#08-425 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PERFORMANCE GUARANTEES POSTED BY K. HOVNANIAN AT WALL TOWNSHIP VI, INC. TO SECURE COMPLETION OF PHASE V OF THE DEVELOPMENT KNOWN AS FOUR SEASONS

#04-426 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL ISSUING A BYOB LICENSE FOR PREMISES LOCATED AT 2510 HIGHWAY 35, SEA GIRT, NJ

#08-427 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

#08-428 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#08-429 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#08-430 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE CANCELLATION OF TAXES

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Raffle - Allenwood PTG - Various Gifts - May 17, 2008 - Benefit Allenwood School Children

Raffle - Wall Kiwanis Club - Various dates - Wall Speedway - 50/50 - Benefit Kiwanis

Raffle - Wall Intermediate PTO - May 23, 2008 - 50/50 - Benefit Wall Intermediate School Band

**End of Consent Agenda**

**Comments from Township Committee**

Committeeman Hoffmann asked to put forth some motions on issues that he has been discussing. Mr. Hoffmann addressed fields 3 and 4 at the Marconi Park Complex. Some of the residents who live along the Complex have concerns that they feel have not been met. Mr. Hoffmann suggested that two of the fields along Edgemere be seeded and grassed instead of having clay. They would still be able to be used for practice but they could also be used by residents. Mr. Hoffmann proposed taking money from the previous budget for this and to put shields on the lights.

Committeeman Hoffmann also asked that the building that contains the Township salt be turned over to North Wall Little League for indoor practice. Deputy Mayor Clayton is looking for someplace else to store the salt with the County. Mr. Hoffmann asked if there was anyone in the public who wanted to comment on these issues. Attorney Kitrick explained that the issues are the fields getting top soil and seed, shields on the lights and turning over the building to the North Wall Little League for indoor practice.

Tom Oleszkiewicz, Edgemere Road, asked if the fields would be covered with top soil and grass. Mr. Hoffmann responded that the intention would be for it to look like a baseball field but have grass instead of clay.

Committeeman Hoffmann made a motion to address the three items. Committeeman Thomson stated that they should not be done all at one time. Mr. Thomson stated that Mr. Hoffmann's proposal would take an existing contract that is almost completed and amend it. Mr. Hoffmann replied that the contract that we have never included putting anything in the field so this is not amending the contract. Mr. Thomson asked if this would be amending the contract or if Mr. Hoffmann is suggesting a different contract or a different work order.

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Committeeman Hoffman stated that this is not tied to the existing contract. After this contract is completed, we would seed. Mr. Thomson stated that we would be spending money whether a contractor or Public Works does the work.

Mayor Devlin stated that the motion is to let the public speak. The Committee needs to close out the motion to the

public. Mr. Thomson asked who is going to do the work and where will the funds come from.

Committeeman Hoffmann moved that once the contract penalties are settled with the contractor, the Township should take the monies from these penalties and have Public Works put top soil and grass seed on fields three and four. Committeeman Foster seconded the motion. On roll call, members voted as follows:

Foster	Yea
Hoffmann	Yea
Thomson	Nay
Clayton	Yea
Devlin	Nay

There being three yeas and two nays, the motion was accepted.

Committeeman Thomson explained that the contractor is not getting paid. We are not getting additional monies. We would have to call for authorization to spend the money. Mr. Hoffmann said that he was advised by Engineer Matt Zahorsky that the cost would be \$9,800 to put top soil and seed on fields three and four. Committeeman Hoffmann made a motion to spend \$9,800 and direct Public Works to put the top soil and seed on the fields.

Mayor Devlin stated that he has thought about this for some time. Many of the departments have been asking for increases. The Committee has taken a stance that there is no money. We have to be fiscally responsible and Mayor Devlin said he cannot vote yes to the fields. The money that Committeeman Hoffmann is suggesting we use is not in our budget. We don't have an appropriation for that money. Mayor Devlin said he cannot support spending money that we don't have right now.

Committeeman Hoffmann stated that the money would come from \$12,000 from recreation, unencumbered money from the budget. This is money from the previous year's budget in the Rec department. Committeeman Foster asked how much is left over. Steve Mayer said he did not know the exact amount, but it is close to that amount. Mr. Verruni said this was money for playground equipment. Committeeman Hoffmann made a motion

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to use the money from the Rec budget from last year.  
Committeeman Foster seconded the motion and on roll call,  
members voted as follows:

Foster	Yea
Hoffmann	Yea
Thomson	Yea
Clayton	Yea
Devlin	Yea

There being five yeas and no nays, the motion was accepted.

Committeeman Hoffman said that he would like to take the building nearest the North Wall Little League that contains salt and turn it over to North Wall Little League for indoor baseball practice. Committeeman Foster asked if there was an increase in cost. Mayor Devlin said that the committee should look into the cost of this before it is done. Committeeman Foster suggested that North Wall Little League do a study and they should share the cost. Committeeman Hoffmann made a motion to do a study. Committeeman Foster seconded the motion to do a study to transfer the building to North Wall Little League. On roll call, members voted as follows:

Foster	Yea
Hoffmann	Yea
Thomson	Yea
Clayton	Yea
Devlin	Yea

There being five yeas and no nays, the motion was accepted.

### **Audience Participation**

Joe Hall, North Wall Little League, asked a question about the building. Mr. Hall was concerned if they received the building and it has hazardous material or structural damage, this would be a problem. Mayor Devlin stated that this is a motion to do a study to see if this is feasible. Mr. Foster said that the committee would send the engineer to look at this to see if it is feasible. Deputy Mayor Clayton asked if the property would still be in the hands of the Township. Attorney Kitrick said that this would just be the structure. Mr. Verruni said we would amend the lease agreement to include the building.

Ralph Addonizio, Shoreline Drive, asked if the Committee saw an article in the Asbury Park Press affecting each

municipality asking to fund \$500 for a study to fight Mount Laurel. Mayor Devlin asked that he contact Mr. Verruni to put  
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something on the next agenda. Mayor Devlin noted that he had contacted the surrounding municipalities to discuss this but he didn't get a response. He will continue to look into this. The entire committee has a great concern over this.

Kevin Kilgallen, Linclris Lane, stated that he sent an email to Mayor Devlin about the revision to the FEMA maps, particularly Watson Creek area. There are changes to the flood zone. There is a 90 day time limit to appeal and protest this. The procedures permit residents to forward appeals and protests to FEMA directly through the Township, but there are no formal procedures that will permit this. Administrator Verruni stated that Matt Zahorsky is accumulating any protests or questions. There is not much the township can do about this. Mr. Zahorsky will send a letter asking for FEMA's consideration of the issues. We will set up a meeting to get residents' complaints to FEMA.

Robert Vacchiano stated that he has a project on Ridgewood Road that he would like to talk to Jeff Surrenian and the Township Committee about which would change the use to a residential zone so that it can be included in the Township's Mount Laurel needs. Mayor Devlin said he would set up a meeting if Mr. Vacchiano contacts Mr. Verruni or Ms. Kohri. Mr. Verruni said he was familiar with the project which is similar to the Colfax senior project. The Committee is forming a new Mount Laurel Committee, and a meeting can be set up with them also.

Glen Brown, Edgemere Road, asked about the Marconi Road and Brighton Avenue intersection. Mr. Brown asked if a three-way stop sign could be added. Mr. Brown said drivers go through the stop sign that is there. Mr. Verruni said that he would have the Traffic Division look at this. Committeeman Foster suggested lettering the road or adding additional stop signs.

Walt Weaver, Allenwood Road, stated that the Planning Board and Board of Adjustment stenographer is on voucher for \$350 a meeting but the township does not receive a hard copy of the proceedings. Mr. Weaver stated that these should be available to the public if the township is paying \$350.

There being no further comments, Committeeman Foster made a motion to adjourn. Deputy Mayor Clayton seconded the motion and all members voted yes. The meeting adjourned at 8:15 p.m.

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**TOWNSHIP CLERK**

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**MAYOR**