

**MINUTES OF THE REGULAR MEETING
OF THE TOWNSHIP COMMITTEE OF THE
TOWNSHIP OF WALL, HELD IN THE
MEETING ROOM, MUNICIPAL COMPLEX
WEDNESDAY, JULY 9, 2008**

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.

Administrator Verruni announced that there would be one property sewer assessment hearing. Joseph Pizzello, property owner, asked why he was the only person being assessed. Mr. Verruni explained that everyone on Route 34 was assessed, but this owner's notice was sent to the wrong address. This is part of the Devlin Gymnastics sewer project. The owner of Block 831 Lot 36.02 - Route 34 South did not receive proper notice when the original hearing was held. So we had to renotice this one property.

Mr. Verruni explained that this is not the full value of the assessment. This Township Committee and prior committees capped the assessments. This fee can be paid all at once or over a ten year period with a small interest rate. Mr. Pizzello asked how many properties were assessed. Mr. Verruni said this particular project had twelve properties. Mr. Pizzello said that he had no objection to the sewer or the assessment and thanked the Committee.

Administrator Verruni announced that a Proclamation - Naming Wall Township Mascots, Annie and Daisy the cows from Atlantic Farms. Mayor Devlin read the Proclamation. John Tobia from Atlantic Farms stated that he was speaking on behalf of Annie and Daisy and the staff of Atlantic Farms. They have been here for twenty years and have been an intricate part of Wall Township especially with the enjoyment that is brought to the children of Wall. Mr. Tobia said he would like to say that Atlantic Farms has been a bridge between the past and the present. The Committee thanked Mr. Tobia.

Committeeman Hoffman made a motion to approve the Vouchers for - May 31 - June 26, 2008 in the amount of

Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Absent
Devlin	Yea

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

With reference to Introduction of **ORDINANCE NO. 6-2008** - Amending the Zoning Map - Block 722 Lots 10.01 And 3.02 - Old Mill Road - Schlaflin Property entitled "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUT, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CAPTER 140 ARTICLE XX ENTITLED ZONING MAP AND DISTRICTS" 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 Foster seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Absent
Devlin	Yea

There being four yeas and no nays, the Mayor declared the Ordinance adopted as to its first reading. Committeeman Thomson moved that the Clerk advertise the Ordinance according to law, the second reading and public hearing to be held August 13, 2008, at 7:30 P.M. Committeeman Foster seconded the motion and all members voted yes.

With reference to Introduction of **ORDINANCE NO. 12-2008** - Amending and Supplementing Chapter 164 - Peace and Good Order 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 164 PEACE AND GOOD ORDER, SECTION 164-1 OFFENSES ENUMERATED," Mrs. Kubacz read the Ordinance by title only, as required by law. Mayor Devlin announced that this Ordinance will be carried to a future date.

With reference to Introduction of **ORDINANCE NO. 13-2008** - Amending and Supplementing Chapter 222 - Water and Sewer - Tap Fees entitled "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUT, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CAPTER 222 WATER AND SEWER,

ARTICLE I WATER, SECTION THREE SUBSECTION B FIXING A TAP FEE FOR LATERAL CONNECTIONS TO MUNICIPAL WATER DISTRIBUTION SYSTEM" Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Foster moved that the Ordinance be adopted as to first reading. Committeeman Hoffman seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Absent
Devlin	Yea

There being four 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 August 13, 2008, at 7:30 P.M. Committeeman Hoffman seconded the motion and all members voted yes.

With reference to **ORDINANCE NO. 14-2008** - Licensing of Mobile Home Parks - Snow Removal entitled "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUT, STATE OF NEW JERSEY AMENDING AND SUPPLEMENTING CHAPTER 153 MOBILE HOMES AND MOBILE HOME PARKS, ARTICLE I LICENSING OF MOBILE HOME PARKS SECTION 22 SNOW REMOVAL" Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Hoffman moved that the Ordinance be adopted as to first reading. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Absent
Devlin	Yea

There being four 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 August 13, 2008, at 7:30 P.M. Committeeman Thomson seconded the motion and all members voted yes.

With reference to **ORDINANCE NO. 15-2008** - Vacation of Myrtle Avenue entitled "AN ORDINANCE OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUT, STATE OF NEW JERSEY VACATING A 45' WIDE UNIMPROVED PORTION OF MYRTLE AVENUE SITUATED EAST OF RAMSHORN DRIVE PURSUANT TO JNSA 40:67-19," Mrs. Kubacz read the Ordinance by title only, as required by law. Committeeman Foster moved that the Ordinance be

adopted as to first reading. Committeeman Thomson seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Absent
Devlin	Yea

There being four 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 August 13, 2008, at 7:30 P.M. Committeeman Thomson seconded the motion and all members voted yes.

This being the advertised time for Second Reading and Public Hearing of **BOND ORDINANCE NO. 11-2008** - Capital Improvements entitled, "BOND ORDINANCE PROVIDING FOR VARIOUS 2008 CAPITAL IMPROVEMENTS, BY AND IN THE TOWNSHIP OF WALL, IN THE COUNTY OF MONMOUTH, STATE OF NEW JERSEY, (THE "TOWNSHIP") APPROPRIATING \$3,275,000 THEREFOR AND AUTHORIZING THE ISSUANCE OF \$3,111,000 BONDS OR NOTES OF THE TOWNSHIP TO FINANCE PART OF THE COST THEREOF," Mrs. Kubacz read the Ordinance according to law. Mayor Devlin declared the Public Hearing open. There being no comments or objections, Committeeman Thomson moved that the public hearing be closed. Committeeman Hoffman seconded the motion and all members voted yes. Committeeman Thomson moved that the Ordinance be adopted as to its second reading and final passage. Committeeman Hoffman seconded the motion and on roll-call, members voted as follows:

Foster	Yea
Hoffman	Yea
Thomson	Yea
Clayton	Absent
Devlin	Yea

There being four yeas and no nays, the Mayor declared the Ordinance adopted. Committeeman Thomson moved that the Ordinance be advertised according to law. Committeeman Hoffman seconded the motion and all members voted yes.

Consent Agenda

With reference to Items 11 A - EE it 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 Devlin asked if any member of the Township Committee wished to consider any other item separately. Committeeman Thomson recused himself from item N, Authorizing an Addendum for TKG management, Xanadu. Committeeman Foster recused himself from item T, Authorizing Release of Cash Performance Guarantee Posted by Brownfield Associates - Vicinity of Belmar Boulevard - Foster's Auto. There being no further comments, a motion was made by Committeeman Thomson and seconded by Committeeman Foster to adopt the following Resolutions, and on roll-call, members voted as follows:

Foster	Yea recused Item T
Hoffman	Yea
Thomson	Yea recused Item N
Clayton	Absent
Devlin	Yea

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

#08-626 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROING A RETAIL RENEWAL APPLICATION SUBMITTED BY RAMSHORN CORPORATION FOR THE 2008-2009 LICENSE TERM (ratify)

#08-627 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROING A RETAIL RENEWAL APPLICATION SUBMITTED BY JEMC CORP. FOR THE 2008-2009 LICENSE TERM (ratify)

#08-628 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROING A RETAIL RENEWAL APPLICATION SUBMITTED BY RICHARD BAHADURIAN FOR THE 2008-2009 LICENSE TERM (ratify)

#08-629 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROING A RETAIL RENEWAL APPLICATION SUBMITTED BY RAMSHORN CORPORATION FOR THE 2008-2009 LICENSE TERM (ratify)

#08-630 - A RESOLUTION FOR APPROVAL TO SUBMIT AND EXECUTE A GRANT AGREEMENT WITH THE NEW JERSEY DEPARTMENT OF TRANSPORTATION FOR THE EXTENSION OF REGIONAL BIKE PATH - PHASE III PROJECT (ratify)

#08-631 - A RESOLUTION FOR APPROVAL TO SUBMIT AND EXECUTE A GRANT APPLICATION WITH THE NJ DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO BAILEY'S CORNER ROAD - PHASE I PROJECT (RATIFY)

BLOCK PARTY - FAIRVIEW DRIVE - JUNE 28, 2008 (RAIN DATE JUNE 29, 2008) 5 - 10 P.M. (RATIFY)

ONE DAY LIQUOR PERMIT SOUTH WALL LITTLE LEAGUE - FUNDRAISING BENEFIT - SOUTH WALL FIREHOUSE - BAUBLES (RATIFY)

#08-632 - A RESOLUTO OF THE TOWNSHP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZNG THE DISCUSSION OF MATTERS IN A CLOSED SESSION PURSUANT TO THE STTUTORY EXCUSIONS OF N.J.S.A. 10:4-12 (ratify) June 25, 2008

#08-701 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZNG THE DISCUSSION OF MATTERS IN A CLOSED SESSION PURSUANT TO THE STTUTORY EXCUSIONS OF N.J.S.A. 10:4-12 (ratify) July 2, 2008

#08-702 - A RESOLUTION OF WITH THE STATE OF NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION GREEN ACRES ENABLING RESOLUTION

#08-703 - A RESOLUTON OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPROVING CHANGE ORDER NO. 2 (FINAL) PAVING OF VARIOUS ROADS - 2007

#08-704 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL ISSUING A BYOB LICENSE FOR PREMISES LOCATED AT 2241 HIGHWAY 35

#08-705 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL CONFIRMING THE ASSESSMENT REPORT DATED OCTOBER 3, 2006 FIXING THE ASSESSMENTS ON CERTAIN PROPERTIES BENEFITTED THEREIN BY REASON OF THE INSTALLATION OF SEWER IMPROVEMENTS IN AND ALONG VARIOUS PROPERTIES IN WALL TOWNSHIP AND KNOWN AS ROUTE 34 SOUTHBOUND-DEVLIN GYM SANITARY SEWER EXTENSION

#08-706 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING MAYOR TO EXECUTE ADDENDUM NUMBER FOUR TO A DEVELOPER'S AGREEMENT BETWEEN THE TOWNSHIP OF WALL AND TKG MANAGEMENT, LLC

#08-707 - A RESOLUTON OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTORIZING HE MAYOR TO EXECUTE A DEED OF OPEN SPACE EASEMENT WITH RSPECT TO LOCK 190 LOT 1.02

#08-708 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL EXTENDING A CONDITIONAL REVELOPER DESIGNATION FOR PROPERTY KNOWN AS LOTS 6, 7 AND 12 IN BLOCK 12 IN THE WEST BELMAR GATEWAY REDEVELOPKENT AREA

#08-709 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF DOCUMENTS NECESSARY FOR AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO EXTEND WATER MAIN EXTENSION PERMIT BEARING NUMBER WCP050003 ISSUED RELATIVE TO THE HURLEY POND CORPORATE CENTER LOCATED AT BLOCK 922, LOT 2

#08-710 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE EXECUTION OF DOCUMENTS NECESSARY FOR AN APPLICATION TO THE NEW JERSEY DEPARTMENT OF ENVIRONMENTAL PROTECTION TO EXTEND TREATMENT WORKS APPROVAL BEARING NUMBER 05-0620 ISSUED RELATIVE TO THE HURLEY POND CORPORATE CENTER LOCATED AT BLOCK 922, LOT 2

#08-711 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF PERFORMANCE GUARANTEES POSTED FOR BLOCK 270 LOTS 10 & 83

#08-712 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE RELEASE OF A PORTION OF A CASH PERFORMANCE GUARANTEE POSTED BY BROWNFIELD ASSOCIATES INC IN CONNECTION WITH STREET OPENING PERMIT NUMBER 3323

#08-713 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL APPOINTING THOMAS OLESZKIEWICZ TO SERVE AS A MEMBER OF THE MARCONI ROAD ADVISORY COMMITTEE

#08-714 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE PUBLIC AUCTION SALE OF VARIOUS ITEMS

#08-715 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE TOWNSHIP CLERK TO ISSUE SPECIFICATIONS AND ADVERTISE FOR THE SUBMISSION OF SEALED BIDS FOR THE SALE OF CERTAIN EQUIPMENT TO THE TOWNSHIP OF WALL

#08-716 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE TOWNSHIP CLERK TO ISSUE SPECIFICATIONS AND ADVERTISE FOR THE SUBMISSION OF SEALED BIDS FOR THE SALE OF CERTAIN EQUIPMENT TO THE TOWNSHIP OF WALL

#08-717 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING THE TOWNSHIP CLERK TO ISSUE SPECIFICATIONS AND ADVERTISE FOR THE SUBMISSION OF SEALED BIDS FOR AN NEW AMBULANCE

#08-718 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN TAX REFUNDS

#08-719 - - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN WATER/SEWER REFUNDS

#08-720 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING PAYMENT OF 10 VACATION DAYS

#08-721 - A RESOLUTION OF THE TOWNSHIP COMMITTEE OF THE TOWNSHIP OF WALL AUTHORIZING CERTAIN PERSONNEL ACTIONS

Block Party - Chalet Drive - July 12, 2008 (rain date July 13, 2008) 3-11 p.m.

Block Party - Rogers Court - August 2, 2008 (No rain date) - 2-10 p.m.

End of Consent Agenda

Comments from Township Committee

Committeeman Hoffman advised that he has asked Attorney Kitrick to prepare documents to do research for LOSAP to change the requirements from five consecutive years to five years of service.

Audience Participation

Robin Cervantes, Tally Ho Drive, discussed a dangerous situation on Allenwood road. This is a dangerous curve. The Township cut the vegetation but did not paint lines. Also, there was a cross walk near Central School but the lines are already covered with dirt and can't be seen. Ms. Cervantes asked if these could be permanently lined before school starts. Committeeman Foster stated that after the last meeting he had a discussion with the road department and they are looking into doing striping and a cross walk. They are also looking at different cross walks because he kids can't cross. The DPW will put signs up at the curve in the road.

Ms. Cervantes stated that she appreciates the fact that this is being looked into.

Mary Burn, W. Hurley Pond Road, stated that she gave everyone a handout at the last meeting but nothing has been done. The Committee said they would look into cross walks. Mr. Verruni stated that after the last meeting, Ms. Burn's letter was given to DPW and the Police Department. The Police spoke with Ms. Burn. Mr. Verruni said that the Police wrote to the County traffic engineer because the bridge area is the County's responsibility. They also asked for them to look into the wash out area which needs to be addressed immediately. Chief Morris wrote to Dave Letour and he assured the police that he will come and make those advancements.

Ms. Burn stated that there has never been speed enforcement there either. It has been seventy days since Mr. Burn brought this to Mr. Malone. Mr. Verruni said that this is a police department issue, a traffic enforcement matter. Chief Morris has assured Mr. Verruni that he sent the traffic unit out there and he also copied Mr. Verruni on the letter that was sent to the County Engineer to address this. Mr. Verruni said he will follow up on this.

Ms. Burn asked why the vegetation was still on the bridge after thirty days. You can't see either way. Mr. Verruni said that we can't do this because this is County property. Committeeman Foster said that he would get in touch with Bob Henderson to see what we can do. The police will take care of the speeding. Mr. Verruni said that the wash out issue is the County's responsibility. Mr. Foster said that he would go to Ms. Burn's house.

Ms. Burn stated that 67 days ago she said that she needed to get her fence repaired but she can't do it because of the traffic. She said she was asked not to do it because of the sink hole. Ms. Burn said that someone will end up in her pond. Mr. Foster said that he would look into it.

There being no further comments, Committeeman Foster moved to adjourn the meeting. Committeeman Hoffman seconded the motion and all members voted in favor. The meeting adjourned at 8 p.m.

TOWNSHIP CLERK

MAYOR